

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015LK120
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Name of Service:	Magic Minds
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Address of Service:	25 Thornfields, Monaleen, Limerick.
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Eircode:	V94AC6K
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Name of Registered Provider:	Noelle Clancy
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Service type:	Sessional
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Date of Inspection:	15/04/2024
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No of pre-school children:	AM	10	PM	5
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Address of the Early Years Inspectorate:	Tusla Early Years Inspectorate 2nd Floor Estuary House Henry Street Limerick
Inspection undertaken by:	J Ryan
Title:	Early Years Inspector

Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

Conditions if applicable	Not applicable
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Description of service

This private sessional service was established in 2013. It operates a morning session from 08:45 – 11:45 hours and an afternoon session from 12:00-15:00 hours Monday – Friday for 38 weeks a year. The service operates from a domestic dwelling and has access to sanitary facilities and an outdoor play area at the rear of the house.

Staffing

The registered provider works in the service each day and holds a major award in early childhood care and education at level 6.

Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Childcare Act 1991 (Early Years Services) Regulations 2016 define the duty of a registered provider to ensure the safety and well-being of children and to comply with these regulations. This Act also gives Tusla the authority to assess compliance with the regulations. The purpose of regulation in relation to early years services is to ensure that the care, safety, and well-being of children attending such services is upheld. Inspections of early years services are planned based on the following:

- Previous inspection history
- Any information received in relation to the service

The findings on inspection are based on:

- Information obtained through examination of documentation
- Direct observation
- Discussion with relevant staff

This inspection was unannounced and focused on the area of governance, health, welfare and development of child and safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9,11,15,19,24,25,26 and 28.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring.

The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider and children who were present on the day of the inspection.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

- (a) the service has a designated person in charge and a named person who is able to deputise as required,*
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises.*

(2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,*
- (b) consideration of references from reputable sources in the case of a person who has no past employers,*
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and*
- (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.*

(4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

Compliance Information

- (1)(a) The registered provider was the sole operator and person in charge in the service.
- (b) The registered provider was on the premises when the inspector arrived at the service.
- (2)(a) Two written references from past employers were available for the registered provider and emergency contact person and had been checked on previous inspections of the service.
- (b) Written and verified references from sources other than past employers were not required.
- (c) Garda Vetting disclosures were available for the registered provider and emergency contact person and were dated within the last 3 years.
- (d) Police vetting was not required as the registered provider had not lived in another state for a period of longer than 6 consecutive months.
- (4) The registered provider working directly with the children attending the service held an award in early childhood care and education at Level 6 on the national qualifications framework.

Part III – Management and Staff

Regulation 11 - Staffing levels

(1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.

Compliance Information

- (1) There were 11 pre-school children aged 3 – 5 years being supervised by 1 adult for the morning session and there were 5 pre-school children aged 3 – 5 years being supervised by 1 adult for the afternoon session.

Part IV – Information and Records

Regulation 15 – Record of pre-school child

(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:

- (a) the name and date of birth of the child;*
- (b) the date on which the child first attended the service;*
- (c) the date on which the child ceased to attend the service;*
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
- (e) authorisation for the collection of the child;*
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
- (g) the name and telephone number of the child's registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.*

Compliance Information

(1)(a)- (i) A sample of 5 records for preschool children were examined and all the information required from (1) a- i was maintained on each record.

Part V - Care of Child in Pre-school Service

Regulation 19 - Health, welfare and development of child

(1) A registered provider shall, in providing a pre-school service, ensure that-

- (a) each child's learning, development and well-being is facilitated within the daily life of the pre-school service through the provision of the appropriate activities, interaction, materials and equipment, having regard to the age and stage of development of the child.*

Compliance Information

(1)(a) BASIC NEEDS:

The children brought their own packed lunches in line with the healthy eating policy of the service. Food observed on the day of the inspection included: sandwiches, a selection of fruit and drinks of water. Children sat together around the tables and were given as much time as they needed to eat their food.

The children were encouraged to wash their hands at appropriate times such as after toileting and before eating. Hand washing was facilitated in the sanitary accommodation with a supply of hot and cold running water and liquid antibacterial soap. Children toileted independently with assistance given to those who needed it.

The children were supported and encouraged to behave appropriately for their age and stage of development through having simple rules to follow and a good level of choice of activities. The registered provider modelled positive behaviour for the children and the children were praised for their good behaviour.

The curriculum was based on children's emergent interests and was play based. Children were observed to enjoy wearing the dress up outfits and were observed playing with playdough, moulding, shaping and cutting it to make imaginary objects.

Self-care skills were supported as children put on their coats independently when they were about to go home.

Outdoor play was part of the daily routine in the back garden which was safe and secure.

Part VI - Safety

Regulation 24 - Checking in and out and record of attendance

(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.

(3) A registered provider shall ensure that-

(a) no person other than-

(i) pre-school child attending the service,

(ii) a person dropping or collecting such a child,

(iii) an employee, or

(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and

(b) a daily record in writing is kept of the entry on the premises of any such person.

Compliance Information

- (1) Each pre-school child attending the service was checked in and out of the service by the registered provider. This record was available on the attendance register.
- (3)(a) The registered provider ensured that no person other than the following were allowed enter the service.
- (i) Pre-school child attending the service.
 - (ii) A person dropping or collecting such a child.
 - (iii) An employee.
 - (iv) An unpaid worker can enter the premises without his or her entry being approved by an employee.
- (b) A record in writing was kept of persons who entered the service on the visitors logbook.

Part VI - Safety

Regulation 25 - First aid

- (1) *A registered provider shall ensure that a person trained in first aid for children is, at all times, immediately available to the children attending the pre-school service.*
- (2) *A registered provider shall ensure that a suitably equipped first aid box for children-*
- (a) is safely stored in an easily accessible and conspicuous position on the premises, and*
 - (b) is available to the children attending the pre-school service at all times.*

Compliance Information

- (2) (a) The first aid box was safely stored in an easily accessible position in the playroom.
- (b) The first aid box was available to the children attending the pre-school service at all times.

Non-Compliance Information

- (1) The registered provider did not have up to date training in First Aid Responder (FAR). This posed a potential risk to the safety of the children.
- The First Aid Responder (FAR) education and training standard established by the Pre-Hospital Emergency Care Council (PHECC) is recognised as being inclusive of content and instruction relating to first aid for children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The First Aid Responder (FAR) education and training standard established by the Pre-Hospital Emergency Care Council (PHECC) has been completed by the registered provider and will be updated every two years.

Supporting documentation submitted

Documentary evidence that the First Aid Responder course has been completed has been submitted.

Summary Comment

The actions as stated by the registered provider meet the regulatory requirements of regulation 25.

Part VI - Safety

Regulation 26 - Fire safety measures

- (1) A registered provider shall ensure that a record in writing is kept of-
- (a) any fire drill that takes place in the premises, and
 - (b) the number, type and maintenance record of firefighting equipment and smoke alarms in the premises.
- (4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.

Compliance Information

- (1)(a) The fire drills were practiced on a monthly basis. The last recorded fire drill took place in April 2024.
- (b) The firefighting equipment was serviced on an annual basis, most recently in September 2023 and a record was maintained of the number, type and maintenance of the firefighting equipment and mains powered smoke alarms in the premises.
- (4) A notice of the procedures to be followed in the event of a fire was displayed in the room

Part VI - Safety

Regulation 28 - Insurance

A registered provider shall ensure that the pre-school service is adequately insured.

Compliance Information

Adequate insurance was available for the number of children who attended.