

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015LM017
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<b>Name of Service:</b>	Fenagh Childcare Ltd
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<b>Address of Service:</b>	Fenagh Community Centre, Foxfield, Fenagh, Co. Leitrim
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<b>Eircode:</b>	N41 T6H9
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<b>Name of Registered Provider:</b>	Yvonne McCawley Flanagan
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<b>Service type:</b>	Sessional
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<b>Date of Inspection:</b>	12/04/2024
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<b>No of pre-school children:</b>	AM	20	PM	N/A
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, TUSLA Child & Family Agency, Markievicz House, Barrack St, Sligo, F91 XC84
<b>Inspection undertaken by:</b>	L Costello
<b>Title:</b>	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).

<b>Conditions if applicable</b>	Not applicable
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### Description of service

This community sessional service participates in the Early Childhood Care and Education scheme for 22 children. The age range of the children enrolled in the service is from 2 to 6 years of age. The service operates between the hours of 09:00 and 12:00 on a Monday to Friday basis. The service is located in a purpose-built facility and consists of one large pre-school room. There is an outdoor play area available for children's use. The service is based in a rural area in Fenagh County Leitrim.

### Staffing

Two adults work directly with the children daily, a third adult is employed as relief staff to cover leave. The registered provider does not work in the preschool service.

### Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Child Care 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/ safety/ premises and facilities. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 10, 11, 16k, 23, 25, 26, and 27. These findings are outlined within the relevant regulations within this report.

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, person in charge, staff 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, and*
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.*

*(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.*

*(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.*

*(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) (b).

There was a designated person in charge and a named person to deputise as required.

(2)

The records of all three adults employed in the service and a member of the board were reviewed.

(a) Two written and verified past employer references or references from another source in the absence of a past employer, were available in respect of all four adults in the service.

(c)

Garda vetting disclosures had been obtained for all four adults. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d)

International police vetting was not required as all the adults employed in the service that had not lived outside the state for a period of longer than six consecutive months.

(4)

Three adults had attained major awards in Early childhood care and education at level 5 or above on the national framework of qualifications, or qualifications deemed by the Department of Children, Equality, Disability, Integration and Youth (DCEDIY) to meet the regulatory requirement.

### Part III – Management and Staff

#### Regulation 10 - Policies, procedures etc. of pre-school service

*A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.*

#### Compliance Information

- (1) (e) The services behaviour management policy outlined clearly how a child’s positive social, emotional, and behavioural wellbeing will be supported in the preschool. The policy included the necessary components to support the preschool child in preventing and managing conflict.
- (1) (j) The service accident and incident policy outlined the steps taken to prevent accidents in the service and the procedures to follow if accidents occur within the service.

### 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.*
- (3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) therefore at that reference number is satisfied.*

#### Compliance Information

- (1) There were an adequate number of adults working directly with children attending the preschool service. There were two adults working directly with 20 children on the morning of the unannounced inspection.
- (3) The minimum ratio of adults to children ratio were provided on the day of the inspection in accordance with the required ratio considering the ages of the children and the length of time each child spent in the service. A review of rosters outlined that the minimum ratio were adhered to in the service.

### Part IV – Information and Records

#### Regulation 16 – Record in relation to pre-school service

*(1) A registered provider shall ensure that a record in writing is kept of the following information in relation to the service:*

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;*
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;*
- (c) details of the adult:child ratios in the service;*
- (d) the type of care or programme provided in the service;*
- (e) the facilities available;*
- (f) the opening hours and fees;*
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*
- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

*(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.*

*(4) A record referred to in paragraph (1) shall be open to inspection on the premises by a parent or guardian of a child but only in respect of information concerning that child.*

### Compliance Information

(1) (k)

The inspector reviewed 20 accident and incident reports since January 2023. On review the service took the necessary steps to identify any hazards resulting from these incidents to ensure it does not reoccur.

(3)

The registered provider ensured that these records were open to review by the inspector on the day.

(4)

The records available were all made available and signed by the parent or guardian of the child concerned.

### Part VI - Safety

#### Regulation 23 - Safeguarding health, safety and welfare of child

*A registered provider shall ensure that all reasonable measures are taken to safeguard the health, safety and welfare of a pre-school child attending the service and that the environment of the service is safe.*

### Compliance Information

#### General Safety:

- The main entrance into the service was found to be secured upon the inspectors unannounced arrival to the service, which prevented persons entering unauthorised and children from leaving the building unsupervised.
- All cleaning products in the care rooms were stored in locked cupboards in the care room out of reach of the preschool child.
- Materials and resources were maintained in a good state of repair.
- Leads and flexes were secure and inaccessible to the preschool children.
- The outdoor perimeter was secure with high level green wire fencing.
- Waste bins were stored in an area to the rear of the property out of bounds for the preschool child.

#### Infection Control:

- There were adequate handwashing facilities provided throughout the service with warm water, liquid soap and paper towels.
- Tables were observed to be cleaned prior to snack time and after messy play.

- The materials and resources throughout the service were visually clean, with cleaning schedules displayed and up to date the care room.

Children were observed to wash their hands regularly including before snack time and after using the toilet.

### Administration of Medication:

- There was no medication administered on the day of inspection, however temperature reducing medication was available in the service if it was required. Parental consent for the administration of medication was available for all of the preschool children.

### Fire Safety:

- Fire doors were free from hazards, ensuring clear pathways in an emergency,

## 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

(1)

The registered provider ensured that two adults employed in the service had up to date training in First Aid responder (FAR) and were always available to the preschool children.

(2) (a) (b)

A suitably stocked first aid box is located in a conspicuous location in the service and is available to the preschool children at all times throughout the session.

## 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 fire fighting equipment and smoke alarms in the premises.
- (2) The record referred to in paragraph (1) shall be open to inspection by-
- (a) a parent or guardian of a pre-school child attending or proposing to attend the pre-school service,
  - (b) an employee, and
  - (c) an authorised person.
- (3) A registered provider shall ensure that a record referred to in paragraph (2) is retained for a period of 5 years after its creation
- (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 registered provider has a record of the monthly fire drills that take place in the service the last fire drill took place on the 22.03.2024.
- (b)  
A list of all firefighting equipment and smoke detection system is available to view within the service.
- (2) (c)  
All records were made available to the inspector on the day.
- (3)  
The registered provider is aware of their responsibility to ensure that all records are retained for a period of five years in line with the regulation.
- (4)  
Fire evacuation procedures are clearly displayed on the walls of the care room.

### Part VI - Safety

#### Regulation 27 – Supervision

*A registered provider shall ensure that pre-school children attending the service are supervised at all times.*

#### Compliance Information

The required adult: child ratios were in place on the day of the inspection with 2 staff provided to care for and supervise the 20 children present. During the inspection the staff were observed to supervise the children mainly by sight and sound. The service operates in a large open plan room and the adults positioned themselves within the room to ensure all children were always observed. When transitioning to the outdoors, the adults were observed to communicate well with each other informing who they were taking outside and who was remaining inside. Counts were done after transitioning to ensure all children were accounted for. Whilst playing outdoors, the staff positioned themselves strategically in the outdoor area to be able to keep the children in view.

During mealtimes the adults sat with the children supervising them while they ate their meals and engaging in conversation.