

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015LM023
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Name of Service:	Kinlough Child Care Ltd
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Address of Service:	The Old VEC Building, Kinlough, Co. Leitrim
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Eircode:	F91 P7YE
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Name of Registered Provider:	Donna Marie Fitzpatrick
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Service type:	Part Time
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Date(s) of Inspection:	08/05/2024
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No of pre-school children:	AM	15	PM	N/A
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Address of the Early Years Inspectorate:	Early Years Inspectorate, TUSLA Child & Family Agency, Markievicz House, Barrack St, Sligo, F91 XC84
Inspection undertaken by:	L Costello
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

Kinlough Childcare Ltd opened in 1995 as a community-based childcare service managed by a local voluntary committee. The service is registered and operating a part time service to children on a daily basis from 9:15am to 1:15pm. The service is registered to cater for a maximum of 22 children.

Staffing

The service employs 3 staff to work in the preschool session. An additional adult on an employment scheme assists in the preschool, however, is not included in the adult child ratio as outlined in The Childcare Act 1991. There was also a student present on the day of inspection.

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, 11, 19, 23, 24, 25, and 26. 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 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*

(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) (b).

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

(2) (a) (b).

The records of all five adults in the service were reviewed. This included three staff directly employed in the service, one student on placement and a CE worker.

Nine written and verified past employer references or references from a reputable source in the absence of a past employer, were available in respect of four adults in the service.

(c)

Garda vetting disclosures had been obtained for all five staff members. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.

(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.

Non-Compliance Information

(2) (a)

There was no second references on file for one adult employed through a community employment scheme who had past employment.

(2) (d)

International police vetting was not available for one adult who had lived outside of the state for a period of six consecutive months or more.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider in a written response stated:

Corrective and Preventive Action

(2) (a) The second reference has been obtained and is on file. The service will update the recruitment policy to ensure all necessary information is on the staff files.

(2) (d) Garda vetting has been applied for and International Police vetting is in progress. We will create a new garda clearance policy to ensure this does not reoccur.

Supporting documentation submitted

(2) (a) Documentary evidence submitted.

(2) (d) no evidence submitted.

Summary Comment

The actions submitted by the registered provider to address the non-compliances found on inspection have been reviewed by the inspectorate. Documentary evidence remains outstanding in relation to garda vetting for one adult and international police vetting, once received by the inspectorate compliance will be achieved.

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.

(2) Subject to paragraphs (4) and (5), a registered provider of a full day care service or a part-time day care service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 1 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) thereof 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 three adults working directly with 15 children in the morning of the unannounced inspection.

(2) 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.

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, and

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

(b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.

Compliance Information

(1) (a)

The large playroom was divided into distinct interest areas where the children moved around freely directing their own sense of play. A home corner equipped with kitchen, washing machine, dining table and utensils and play food created opportunities for role play and development of imagination. The library area with soft furnishings provided a relaxing area where children were supported in language development. An arts and crafts area with sand and water tables provided a multi-sensory experience for the children. An area with soft flooring equipped with play-based material such as construction, small world figures and soft toys, offered stimulation, exploration, and imagination. All positioned on accessible shelving ensuring choice and child led play.

The outdoors area located to the front and back of the service offered opportunities for development of gross motor skills. These areas were resourced with balance bikes, trikes, and ride on toys, climbing frames, tyres and slides. Opportunities for role play were provided with mud kitchens, playhouses and wooden cars. A roofed area outside ensured that the children have access to the outdoors in the inclement weather.

Staff members were observed to be kind and caring to the preschool children. Interactions were observed to be positive, where staff members sat alongside children participating in tabletop activities, offering praise and encouragement to support the children with each step of the task at hand.

Children appeared to enjoy their experience in preschool with lots of laughter observed. Children were observed to have developed good relationships with their peers with kind gestures and hugs given throughout the day.

(1) (b)

The service provided the snacks to the preschool children. On the day, the children were provided with a lunch of noodles, crackers, and fruit. Drinks of milk and water were provided to the preschool children throughout the session. Staff members were observed to sit with the children at mealtimes offering support if required while encouraging social conversation. The children were observed to be relaxed and content in the company of staff and their peers.

Independence was promoted at toileting where the majority of children attending the service was toilet trained. Staff supervised from a distance and used prompts as necessary regarding washing hands if required.

The service had taken measures to ensure that the preschool service is accessible to all children. This included ensuring specialised equipment and resources were available for children that required support with physical movement or language development and translation. This inclusivity ensured that all children's experiences in the service were positive.

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 entrance to the preschool service was secure on the inspectors unannounced arrival to the service. The perimeter of the service was secure with high level wooden fencing and locked gates, preventing unauthorised access and unsupervised exit from the service.
- The kitchen was inaccessible on the day of the inspection secured by a child gate.
- Oil tanks were inaccessible to the preschool child.
- All storage of cleaning materials were kept on high level shelving out of the reach of the preschool child.

Infection Control:

- Children were observed to wash their hands after using the toilet, prior to mealtimes and after messy play.
- Warm water, liquid soap and paper towels were available for hygienic hand washing.
- Tables were observed to be cleaned prior to snack times and after messy play.
- All surfaces, toys and floors were observed to be cleaned after the preschool session on the day of inspection.

Fire Safety:

- Fire doors were kept clear.
- The fire assembly point was clearly marked at the front of the building in the outdoor play area.

Non-Compliance Information

General Safety:

1. Garda vetting was available for all five adults in the service. However, two of these vetting disclosures were not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'

Infection Control:

2. A broken pedal foot operated bin in the bathroom resulted in children lifting the lid with their hands resulting in a risk of contamination.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. Outdated garda vetting has been resubmitted. Going forward all vetting will be renewed every three years.

Infection Control:

2. The broken bin has been replaced. Bins will be checked that they are in working order.

Supporting documentation submitted

General Safety:

1. Documentary evidence submitted.

Infection Control:

2. Photographic evidence submitted

Summary Comment

The actions submitted by the registered provider to address the non-compliances found on inspection have been reviewed by the inspectorate and will be reviewed on next inspection. This regulation is now compliant.

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.

(4) A registered provider shall ensure that a record in writing referred to in paragraph (3)(b) is retained for a period of one year from the date to which it relates.

Compliance Information

(1)

The registered provider ensured that a system was in place to ensure that all preschool children attending the service daily were recorded at the time they arrived and departed the preschool.

(3) (a) (b)

A log was maintained in the service to ensure that all visitors to the service were approved prior to entry and a record of their reason for a visit to the service was maintained.

(4)

The person in charge was aware of the regulatory requirement to maintain these records for the required time frame set out in paragraph (3)(b).

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 there was two people trained in first aid responder (FAR) available to the preschool children throughout the session.
- (2) (a) (b)
A suitably stocked first aid box was stored in conspicuous location in the service, that was easily accessible for use in an emergency.

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 ensured that fire drills were taking place monthly within the service and a record of these were available for inspection. The most recent fire drill was dated the 30th of April 2024.

(1) (b)

A record of the number and type of firefighting equipment was available within the service. the most recent maintenance service of this equipment was dated the 3rd of October 2023.

(2) (c)

All records were made available to the inspector on the day.

(3)

The person in charge was aware of the regulatory requirements set out in paragraph (2) to retain these records for a period of five years.

(4)

Fire evacuation procedures were clearly displayed throughout the preschool service.