

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015LM029		
<b>Name of Service:</b>	Clooncarne Explorers Childcare LTD		
<b>Address of Service:</b>	Clooncarne, Bornacoola, Mohill, Co. Leitrim		
<b>Eircode:</b>	N41 W728		
<b>Name of Registered Provider:</b>	Mary Callaghan Mallon		
<b>Service type:</b>	Sessional		
<b>Date(s) of Inspection:</b>	12/05/2023		
<b>No of pre-school children:</b>	AM	18	PM -
<b>Address of the Early Years Inspectorate:</b>	Donegal Early Years Inspectorate, St. Conal's Campus, Letterkenny, Co. Donegal. F95 XK94		
<b>Inspection undertaken by:</b>	L Mc Glynn and L Costello		
<b>Title:</b>	Early Years Inspectors		

### 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

Clooncarne Explorers Childcare LTD is a sessional preschool service operating from 9.15am-12.45pm each weekday for children aged 2-6 years. The service operates an outdoor based programme on the site of the registered providers dwelling house which is located in the rural townland of Clooncarne. The premises consists of one large garden/play space, two sheltered play areas, a poly tunnel and a building which houses both children's sanitary accommodation and an office.

### Staffing

There are four staff employed to work in the service on a daily basis which includes the registered provider who is on site and working with the children. One additional staff member is available to provide relief cover in the event of absences. All staff members hold at least the minimum Quality and Qualifications Ireland (QQI) Level 5 in Early Childhood Care and Education.

### 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 and safety. The inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 10, 11, 16, 23 and 27.

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.

### Additional Information

This unannounced inspection was carried out in response to a notification of incident submitted by the service to the early years inspectorate whereby a child had left the service unsupervised on 10<sup>th</sup> May 2023.

### Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, staff and children who were present on the day of the inspection.

### Part III – Management and Staff

#### Regulation 9 – Management and recruitment

*(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

There were two staff members recruited since the service’s most recent regulatory inspection. The vetting files for both staff members were reviewed, and the findings are detailed in this report. The vetting files pertaining to the three other staff members were reviewed on previous inspection and therefore are not included in this report.

(2)(a) and (b) Two references from past employers, in particular the most recent past employer, or in the case where there were no past employers, a source other than a past employer were on file for both staff members.

(c) Garda vetting disclosures received from the National Vetting Bureau of an Garda Síochana had been obtained in respect of the two staff members.

(4) Relevant documentation evidencing a major award in Early Childhood Care and Education at Level 5 or above on the National Qualifications Framework was furnished for the two staff members.

### 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

The list of policies and procedures as specified in Schedule 5 were in place for the service. The following were reviewed and found to be complaint and reflective of the practice observed in the service.

- Outdoor play policy
- Drop off and collection policy
- Risk management policy

#### Non-Compliance Information

The following policies and procedures of the service were not in line with the practice observed on the day of inspection or described by staff to be the procedures followed.

1. The services policy on accident and incidents stated '*parents/guardians will be asked to sign off on the accident /incident report and will receive a copy*'. The service had maintained an e-record of the incident which occurred on 10<sup>th</sup> May 2023 on a digital application, and it was possible to establish that the parents had viewed the report. However, there was no facility on the application for parents to sign the record which is in conflict with the requirements of the policy.
2. The policy on supervision of children stated '*staff should ensure that their presence and position in the outdoor play area allows that all areas of the outdoor area are under constant supervision and that all children are in the sight of at least one member of staff, at all times*'. Children were observed to be adequately supervised on the day of inspection however it was not always by sight, at all times, as referenced in the policy. The layout of the area provides spaces where children can play which are out of the direct line of sight from the main garden area and the position of staff. For example, children playing in the small, sheltered play area were out of sight of staff positioned in the main garden. There was also an area alongside the sanitary accommodation which was out of view from all areas when children entered.

#### Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

1. The digital application now has the facility for parents to sign the incident/accident report after review. The service will use the e-form now to communicate accidents and incidents to parents.
2. The policy has been updated to include supervision by sight or sound. As well as this, the area alongside the sanitary accommodation which allowed the children to be unsupervised has been secured that children no longer have access.

### Supporting documentation submitted

Documentation including policy documents and digital images were submitted to evidence compliance.

### Summary Comment

The information submitted by the service has been reviewed and is accepted as meeting the requirements of the regulation.

## 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) An adequate number of adults were working directly with the children on the inspectors arrival and throughout the inspection.
- (3) On the day of inspection, 18 children aged 2-6 years were being cared for by 4 adults. A sample check of the records showed that the minimum adult child ratio for a sessional service was adhered to at all times while the service is in operation.

## 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:

(g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;

(k) details of any accident, injury or incident involving a pre-school child attending the service.

#### Compliance Information

(1)(g) The registered provider ensured that the written policies, procedures and statements specified in Schedule 5 were available in the service, in accordance with Regulation 10.

#### Non-Compliance Information

(k) The service did not routinely maintain written records of accidents, injuries or incidents involving preschool children. When reviewed by the inspections, one record was on file detailing the incident which had occurred on 10<sup>th</sup> May 2023 when a child had left the service unsupervised. In discussion with staff members, it was established that minor incidents, accidents and injuries have occurred in the service in the past and were not documented on a report and therefore the report was not given to parents.

#### Corrective & Preventive Action submitted by the Registered Provider

##### Corrective and Preventive Action

(k) The service is now recording minor accidents and incidents in line with the accident and incident policy.

##### Supporting documentation submitted

Copy of an incident report.

#### Summary Comment

The non-compliance has been addressed and the requirements of the regulation have been met.

### 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:

- An entrance gate at a blind spot on the far end of the play area had been permanently secured following the incident on 10<sup>th</sup> May 2023.
- The service maintained daily attendance records of children and on review were observed to be an accurate reflection of the children present. This facilitated children to be accurately accounted for in the event of an emergency evacuation.
- Staff informed the inspector that a risk assessment is carried out on the play area and surrounding boundary in the morning prior to children's arrival. Individual staff members were conversant on their role and the tasks they complete each morning as part of the risk assessment. This was further evidenced by completed records on the digital application used by the service. An additional risk assessment had also been carried out by the staff following the incident on 10<sup>th</sup> May 2023 and an action plan put in place in line with the services risk management policy.
- Cleaning equipment and supplies were stored in a secure area that was inaccessible to children.

#### Non-Compliance Information

##### General Safety:

1. The permitter of the play area was not adequately secured to prevent children exiting the premises unsupervised or to prevent unauthorised persons gaining access, as evidenced by the following;
  - There were gaps in the boundary hedging running along one side of the area which were large enough for a young child to pass through.
  - A large steel gate at the bottom of the play area had horizontal bars which a child could climb on to exit the premises.
  - The mechanism for opening the main entrance gate was accessible to adults approaching and therefore was not secured to prevent unauthorised access.
2. There were two dogs on the premises and moving freely around the play area while children were present. Both dogs had unsupervised access to children at various points throughout the day. This is in

conflict with the services policy which states that *'dogs will be kept in a secure environment and will not be allowed to roam freely in the garden'*. This poses a risk that a child may be injured or harmed by the animals.

- There were two pest control boxes in the play area in locations accessible to children that posed a risk of harm.

### Infection Control:

- Childrens lunchboxes were not refrigerated prior to eating. Lunches were stored in children's schoolbags in the sheltered play area and contained perishable items such as yogurts and cold meats that required refrigeration.
- A feeding bottle was observed on top of the climbing frame in the play area. The inspectors were informed that this belonged to a child who was not in attendance that day therefore it had been there since the child had attended the previous day. Inadequate storage and cleaning of drinking bottles poses a risk of cross contamination.
- The following instances of infection control risks were observed in relation to the free movement of two dogs throughout the play area;
  - One of the dogs was observed walking in and around the area where children were having their snack and eating crumbs which children and dropped on the ground.
  - One staff member was observed removing animal excrement from the main garden area where children were actively playing.
  - Children did not appear to wash their hands after touching or petting the dogs. This is in conflict with the services policy which states *'children are supervised at all times when handling or feeding the dog'* and *'children's hands should be washed and supervised after handling pets'*.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### General Safety:

- The gaps in the hedge have been blocked off with timber picket fencing.
  - The netting on the steel gate has been replaced with steel fencing panel.
  - In the interim period the entrance gate will be locked when the gate is not supervised, i.e. after the last child has arrived and opened then to allow children exit to their parents at going home time. It is being investigated to fit an electronic key pad lock on the entrance gate.

The main fence and gate between the garage and the house have been upgraded (new taller pickets). This is to reduce access to lock and children from outside.

2. The dogs are put out to the front of the house and will not have free access to the garden during preschool hours. Access to the dogs by the children during preschool will be limited and supervised by staff.
3. The pest control boxes have been moved to outside the perimeter.

### Infection Control:

4. Perishable lunch items will be collected on arrival and placed in the refrigerator until snack time.
5. The bottle will now be sent home with the child each day for cleaning.
6. Access to the preschool area by the dogs is now prevented. Dogs will remain outside during pre-school hours and only allowed access by an adult during supervised time with the children. After this supervised time children will wash hands at either the wash station or the toilet area. As part of morning routine, the garden is checked for animal droppings and is removed immediately.

### Supporting documentation submitted

A number of images and documents were submitted to evidence compliance.

### Summary Comment

On review of the information submitted by the service, the non-compliances identified under Regulation 23 are deemed to have been adequately addressed.

## 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

Following the recent incident where a child had left the service unsupervised, staff spoke with the inspectors about their revised focus on ensuring that children are adequately supervised at all times. On the day of the inspection, staff were observed positioning themselves in the three main sections of the play area. During drop off and collection, one staff member remained in the vicinity of the gate to welcome and admit children ensuring the entry/exit point was supervised. A small area alongside the sanitary accommodation was acknowledged by staff members as a blind spot whereby children could be out of sight of staff. As a result of the risk assessment carried out following the incident, it was decided to block this off so that it would be inaccessible to children. The inspectors were informed that this would be done in the near future.