

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015LS021		
Name of Service:	The Den Community Childcare		
Address of Service:	Killeshin Community Dev. Ltd., Killeshin, Carlow, Co. Laois		
Eircode:	R93 TC79		
Name of Registered Provider:	Eadaoin Brennan		
Service type:	Full Day, Part Time, Sessional		
Date of Inspection:	12/06/2024		
No of pre-school children:	AM	29	PM NIL
Address of the Early Years Inspectorate:	Early Years Inspectorate, Tusla, Child and Family Agency, Primary Care Centre, Church Avenue, Tullamore Co. Offaly R35K1W4		
Inspection undertaken by:	D. Molloy		
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

Description of service

The Den Community Childcare is a not-for-profit early years' service located in Killeshin in rural County Laois. The service is registered as a full day care service, sessional and part time service catering for up to 40 children. The age range of children to be catered for in the service is 2 years to 6 years of age. This service currently operates from 9.15am to 12.15pm, Monday to Friday. The Den has been in operation since 2004. The service is made up of an entry hall and lobby with parents notice board, an office, two playrooms, the red room and the blue room, a kitchen, store room, four toilets for children's use and one for staff use. A large secure outdoor play facility is attached to the service which can be accessed directly from the setting.

Staffing

The registered provider was not on site during the inspection and the designated person in charge facilitated the inspection. Five staff were working in the service in addition to the designated person in charge. All staff members hold a major award in Early Childhood Care and Education at Levels 5 to 7 on the National Framework of Qualifications.

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 scope of the inspection included the red preschool room, sanitary accommodations, and the outdoor play area.

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 designated 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, as far 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.

(6) Paragraph (4) shall not apply before 1 September 2021 to a person who-

- (a) has signed a declaration on or before 30 June 2016 to the effect that he or she intends to retire from employment in a pre-school service before 1 September 2021, and

(b) is in possession of a letter from the Minister confirming that paragraph (4) shall not apply to him or her before that date.

(6A) is inserted by S.I. No.632 of 2016 CHILD CARE ACT 1991 (EARLY YEARS SERVICES) (AMENDMENT) REGULATIONS 2016 which states; Regulation 9 of the Child Care Act 1991 (Early Years Services) Regulations (S.I. No. 221 of 2016) is amended - in paragraph (4), by the substitution of “paragraphs (5), (6) and (6A)” for “paragraphs (5) and (6)”, and (b) by the insertion of the following paragraph after paragraph (6): “

(6A) Paragraph (4) shall not apply to an employee of a registered provider where - (a) the registered provider receives funding for the employment of the employee pursuant to a scheme funded by the Minister and known as the Access and Inclusion Model, and (b) the employment of the employee is for the purpose of providing support, pursuant to the scheme referred to in subparagraph (a), for a child attending the service to enable the child to participate in the programme known as the Early Childhood Care and Education (ECCE) funding Programme.”

Compliance Information

- (1)
- (a) The service has a designated person in charge and a named person who is able to deputise as required.
- (b) The registered provider was not present during the inspection and the designated person in charge facilitated the inspection. The roster showed that at all times the person in charge or delegate were present during the opening hours of the service.
- (2)
- All staff files were reviewed on site on the day of inspection.
- (a) (b) Validated references from staff members’ past employers, in particular the most recent employer were available for review. Validated references from reputable sources were available for review.
- (c) Garda vetting disclosures had been obtained for all staff. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d) Required Police vetting from other police authorities had been acquired and was open to inspection.
- (3)
- Required vetting had been carried out prior to adults being appointed, assigned, or allowed access to or contact with a child attending the pre-school service.

(4)

Staff held a major award in Early Childhood Care and Education at Level 5 to 8 on the National Framework of Qualifications .

(6)

(a)(b)

Not applicable as no employee had signed a declaration on or before June 30, 2016, to the effect that they intended to retire from employment in a pre-school service.

(6A)Two employee was working with children under the Access and Inclusion Model (AIM)Scheme.

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.

(8) Without prejudice to paragraphs (2) to (7)-

(a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times.

Compliance Information

(1)

The registered provider ensured that there were sufficient adults working directly with the children throughout the opening hours of the service. six staff including the registered provider were on site.

(2)

From the review of the records, it was noted that the minimum ratio of adults to children was maintained, and records showed that the adult child ratio was maintained in the service.

(8)

(a) The registered provider ensured that there were at least two adults on the premises at all times, this was reflected in the staff rosters.

Part IV – Information and Records

Regulation 18 – Copy of Act etc.

A registered provider shall ensure that a copy of Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act and of these Regulations is kept on the premises and the said copies shall be open to inspection on the premises by-

- (a) a parent or guardian of a child attending or proposing to attend the service,*
- (b) an employee, unpaid worker, or contractor, and*
- (c) an authorised person.*

Compliance Information

The registered providers had ensured that a copy of Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act and of these Regulations was available on the premises and could be viewed by

- (a) a parent or guardian of a child attending or proposing to attend the service,
- (b) an employee, unpaid worker, or contractor, and
- (c) an authorised person

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*

Compliance Information

Basic Needs

Children brought their own lunches from home in line with the healthy eating policy of the service. The setting could provide a snack for a child who may have forgotten to bring in their lunch. On the day of inspection all the children were outdoors having a planned "Teddy bears Picnic" while availing of fresh air and sunshine .

Parents and grand parents were greeted cheerfully and given account of the day's activity at collection time.

Supporting Relationships

The service was community based and encouraged parental involvement with an open-door policy in place. Parents could avail of meetings on a one-to-one basis with the registered provider if they so wished. Preparations were underway for the upcoming graduation ceremony for children transitioning to primary education which would be celebrated in the company of family and friends.

Pre enrolment visits to the setting were possible for children and parents prior to attending the service.

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:

Access to the service was gained along a side path to where a secure gate was in place that was operated from inside. Entry to the setting was gained through the main doorway which was operated on a controlled entry system from within.

Cleaning, sanitising products and equipment were stored out of reach of children.

Refuge bins were stored away from the play area and out of reach of children.

A system of pest control was in place and records maintained.

Infection Control:

The service was observed to clean, and table top and surface cleaning was noted during the inspection.

A record of cleaning rota was in place and on display.

Staff were familiar with the infection control policy which had been devised for the service. Parents had been issued with an up-to-date copy.

Fire Safety:

The fire exits were unobstructed.

The fire exits were fitted with exit display signage.

A notice of the fire assembly point was on display to show fire assembly point outside the building.

Outing:

The person in charge stated that no outings were conducted from the service.

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)
Staff had up to date First Aid Responder (FAR) certification and were available to the children attending the pre-school service.

(2)(a) The first aid box was safely stored in an easily accessible location on the premises.

(b) The first aid box was readily available in the service at all times.

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.

(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

A written record was available of the fire drills carried out in the service. The last fire drill was recorded as being carried out on May 17, 2024.

(b)The number, type and maintenance record of firefighting equipment and smoke alarms on the premises was available. The fire alarms were serviced on 9 June 2024, and fire equipment was checked on July 7, 2023 .

(2)

The record was available open to parents, guardians, employees, and the authorised person.

(3)

The registered provider stated that records were retained for a period of 5 years after creation.

(4)

A notice of the procedure to be followed in the event of a fire was displayed on the premises.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

A copy of up-to-date insurance cover for the number of children attending the service was available .The insurance cover was valid until March 2025.

Part IX - Inspection and Enforcement

Regulation 33 – Furnishing of information to agency

A registered provider shall furnish the Agency with such information as the Agency may require for the purpose of enforcing and executing these Regulations and the information shall be in such form, if any, as may be specified by the Agency.

Compliance Information

The designated person in charge facilitated the inspection and provided access to information as was required for completion of the inspection .