

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015LS039
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<b>Name of Service:</b>	Iosa Linn
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<b>Address of Service:</b>	Community Centre, Rath, Ballybrittas, Co. Laois
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<b>Eircode:</b>	R32 N2N0
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<b>Name of Registered Provider:</b>	Colette Behan
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<b>Service type:</b>	Sessional
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<b>Date of Inspection:</b>	02/06/2023
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<b>No of pre-school children:</b>	AM	26	PM	NIL
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Tusla, Child and Family Agency Primary Care Centre, Church Avenue, Tullamore, Co. Offaly
<b>Inspection undertaken by:</b>	D. Molloy
<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 service is a privately operated which was established in 2000. It is operated by the registered provide, provides sessional care and education, and participates in the Early Childhood Care and Education (ECCE) programme for children aged 2-6 years. The service can accommodate up to 36 children, with 26 children present on the day of inspection. Iosa Linn operates from Monday to Friday from 9.15am to 12.45pm. This early years' service is located in a converted community hall in the village of Rath in rural Co. Laois, next to the primary school. The premises consists of two playrooms, a hall, two toilets and two wash hand basins, a nappy changing facility , a storage area, and a reception area. An enclosed outdoor play facility is provided at the back of the service.

### Staffing

The registered provider was not working directly with the children. Staff held qualifications from level 5-7 on the National Framework of Qualifications in Early Years in Early Childhood Care and Education. There were four staff members present on 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 inspections may also focus on other areas as required.

A sampling process was used to assess compliance under Regulation 19 Health, welfare, and development of child in Play Room 1.

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
- (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.

(5) Paragraph (4) shall apply-

- (a) on or after 31 December 2016 in respect of pre-school services registered on or before 30 June 2016, and
- (b) on or after the date of registration in respect of all other pre-school services.

*(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 who is not the designated person in charge was not present during the inspection. The person in charge facilitated the inspection and the roster showed that at all times the person in charge was present during the opening hours of the service.

(2)

The person in charge stated that no new staff members had commenced employment in the service since the last inspection. 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 was available for review. Validated references from reputable sources were available for review.

(c) A vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of all-staff member was available for review.

(d) Police vetting from other police authorities was not required for staff members. .

- (3)  
Required vetting had been carried out prior to staff member being appointed, assigned, or allowed access to or contact with a child attending the pre-school service.
- (4)  
All employees held at least a major award in Early Childhood Care and Education at Level 5-7 on the National Framework of Qualifications.
- (6)(a)(b)  
Not applicable as no employee had signed a declaration on or before 30 June 2016, to the effect that they intended to retire from employment in a pre-school service.
- (6A)  
One employee was working with children under the Access and Inclusion Model (AIM) on the day of inspection.

### 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.*
- (8) Without prejudice to paragraphs (2) to (7)-*
- (c) a registered provider of a sessional pre-school service shall ensure that, where the person in charge operates the service single-handedly, a second person familiar with the operation of the service and in a position to provide assistance to the person in charge in operating the service is, at all times, within close distance of the service and available to attend the service to assist the person in charge in the event of an emergency.*

#### Compliance Information

- (1)  
The minimum ratio of adults to children was maintained during the inspection. The registered provider ensured that there were sufficient adults working directly with the children. Records showed that the adult child ratio was upheld in the service.

(3)  
The registered provider had ensured that the adult child ratio was correctly maintained throughout the inspection and records showed that sufficient adults were rostered to work in the service each day.

(8)  
(c) Not applicable as the registered provider does not operate the service single-handedly.

## 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;*
  - (i) details of staff rosters on a daily basis;*
  - (k) details of any accident, injury or incident involving a pre-school child attending the service.*

### Compliance Information

(1) The registered provider ensured that records were maintained of the following information in relation to the service:

- (a) Records examined on site showed the name, position, qualifications, and experience of the person in charge and of every employee.
- (b) Records displayed details of the class of service and the age profile of children for which the service is registered to provide services.
- (c) Daily records were maintained that showed details of the adult: child ratios in the service and showed that the correct ratio of adults to children was adhered to each day.
- (i) Daily records were maintained that showed details of staff rosters on a daily and weekly basis.
- (k) Records reflecting details of any accident, injury or incident involving a pre-school child attending the service were correctly maintained, were shared with parents of any child involved and were open for inspection. It was noted that there was no pattern or repetition of accidents or incidents.

### Part IV – Information and Records

#### Regulation 17 – Information for parents

*A registered provider shall ensure that a parent or guardian of a child proposing to attend the service is provided with the information referred to in subparagraphs (a) to (g) of Regulation 16(1).*

#### Compliance Information

The registered provider had ensured that parents or guardians of a child proposing to attend the service could receive information in relation to the operation of the service in the form of a site-specific parent's information sheet and could visit the service on an arranged visit.

### 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 provider 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:**

A blend of outdoor and indoor activities was available to children and choice of activity was offered. Children could avail of fresh air and outdoor play on a daily basis in the outdoor play facility. It was observed that staff promoted self confidence and self-esteem through positive encouragement and recognition of achievements.

Children were encouraged to become independent and self-caring and were encouraged to take care of their own belongings including hanging up their coats and opening bags and lunch boxes and tidying up their toys when finished playing.

Children brought in their own healthy lunches from home in line with the healthy eating ethos of the service. The registered provider was in a position to provide a snack should a child forget their lunch .

##### **SUPPORTING RELATIONSHIPS:**

Staff remained unchanged, and the children could expect the same adults to care for them each day, this consistency can help children form secure relationships at this early stage. Children appeared relaxed and comfortable in the company of the staff and a relaxed atmosphere was noted. Parents involvement was encouraged, and parents had opportunity to meet with staff each day at hand over time and could avail of individual meetings to discuss their own children's progress. Transitions from preschool to primary school next door were managed with a visit to the primary school at the end of year and discussion around the new school uniform.

##### **PHYSICAL AND MATERIAL ENVIRONMENT:**

The outdoor play area was well stocked and well maintained and had a combination of different surfaces suited for different play including an area with wood chip, a cemented area for use of ride ons , bikes and trikes and an area with artificial grass .

A play house, area for sand play, a boat, swings and a mud kitchen at the side wall were positioned on the soft surfacing. A storage facility for toys and equipment was in place in the outdoor play facility.

Indoors the play rooms were bright and cheerful, and offered a variety of well-maintained toys and equipment . In playroom 1, the children were engaged in different types of play including art and crafts, imaginary play and table top activities involving magnet push out play bord that supported hand to eye coordination and concentration .

Low level shelving enabled children access their own choice of toys . Child sized furniture and low tables were provided.

## Part V - Care of Child in Pre-school Service

### Regulation 20 – Facilities for rest and play

- (1) *Subject to this regulation, a registered provider shall ensure that-*
- (a) *having regard to the number of pre-school children attending the service, their respective ages, and the amount of time they spend on the premises, there are adequate and suitable facilities for each child to play indoors and, where required by these Regulations, outdoors, during the day, and*
  - (b) *there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.*

### Compliance Information

- (1) The registered provider ensured that-
- (a)
- There were suitable facilities for each child to play indoors and outdoors during their time in the service. The outdoor play area was securely fenced and could be accessed directly from the play rooms. The play rooms were clean and well stocked with developmentally appropriate toys and equipment. Specialist equipment required for one child was in use in the service.
- (b) There were facilities for the pre-school children to rest during the session as a soft seating area was provided in each room and children were observed making use of this facility .

## Part V - Care of Child in Pre-school Service

### Regulation 21 – Equipment and materials

*A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.*

#### Compliance Information

The registered provider ensured that suitable play equipment was available in the setting. Equipment was noted to be varied, developmentally appropriate of good quality and properly maintained. Toys and equipment were checked for breakages and loose parts and a risk assessment record was maintained .

## 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:

Cleaning, sanitising products and equipment were stored in the designated locked cupboard out of reach of children. The heating system was checked and maintained by professional person.

##### Infection Control:

The service was clean, staff were familiar with the infection control policy. Children were observed washing their hands regularly and adults were observed offering assistance if necessary. The service was well ventilated with openable windows .

##### Administration of Medication:

A site-specific medication management policy was available in the service. Staff were familiar with the policy and practice in relation to safe administration of medication.

No medication was administered on the day of inspection.

##### Fire Safety:

The fire exits were unobstructed. A notice of the fire assembly point was on display to show fire assembly point to the back of the service

##### Outing:

The person in charge stated that an outing was undertaken at the end of the year. A site-specific outings policy had been drawn up and was operated by 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)

The person in charge had up to date First Aid Responder (FAR) certification and was 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 05 May 2023.

(b) The number, type and maintenance record of firefighting equipment and smoke alarms on the premises was available. The fire alarms were serviced on 14 February 2023, the firefighting equipment was also checked in February 2023.

(2)

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

(3)

The person in charge 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 in the service.  
The insurance certificate was valid until March 2024

## Part VII - Premises and Space Requirements

### Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-*

- (a) of sound and stable structure,*
- (b) safe and secure,*
- (d) cleaned, maintained, and repaired, as required.*

#### Compliance Information

- (a)  
The building appeared to be solid and of sound and stable structure.
- (b)  
The premises was safe and secure, the outdoor play area was securely fenced, a safety risk assessment was carried out each day, the main entrance was operated on a controlled entry system which was in operation from within.
- (d)  
Th premises were maintained in a clean and hygienic condition throughout, and cleaning rosters were available, staff were observed cleaning down surfaces during the inspection. Bins were correctly stored and waste disposal was managed correctly. A pest control system was in place.  
A process of preventative and predictive maintenance was operated, and professional persons were employed if maintenance was required. Toys and indoor and outdoor equipment were well maintained and were in a proper state of repair, were checked and assessed on an ongoing basis for pinch points and damage. Broken or damaged toys were removed and discarded.

## 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 reasonably 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 registered provider facilitated the inspection and provided access to all information as was required for completion of the inspection.