

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015LS043
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Name of Service:	Kilminchy School House
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Address of Service:	Dublin Road, Portlaoise, Co. Laois
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Eircode:	R32 TX33
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Name of Registered Provider:	Sonya Duggan
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	31/01/2024
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No of pre-school children:	AM	48	PM	45
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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
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Description of service

Kilminchy School House is a private, full day care service operating on the Dublin Road in the town of Portlaoise, Co. Laois. It is a full day care service and was established in 1999. The age range of children attending is from aged 1 year to 6 years. This full day care service operates from 8.00am to 6.00pm and, Monday to Friday. A school age service is also provided. The service operates from a detached two-storey converted domestic dwelling. This converted domestic dwelling is used for the sole purpose of operating an early years' service. Access to the service is restricted by means of perimeter fencing and a secure gate at the side of the service.

The service operates over two floors with the ground floor providing a front hallway/reception area, three playrooms, six toilets and wash hand basins and a nappy changing facility, a kitchen and a second back hallway on the ground floor. Upstairs there are two sleeping rooms, a staff toilet and wash hand basin, a designated nappy changing area, an office, and an additional two rooms. Access to a storage area on the third floor is restricted. An extensive enclosed outdoor play area is provided to the front of the building, and this can be accessed from the doorway at the front of the premises on the ground floor. Additional play facilities are provided to the side and to the rear of the building.

Staffing

The registered provider was not part of the staff compliment and the person in charge facilitated the inspection. All staff members working directly with children attending the service and held a major award in Early Childhood Care and Education at Levels 5 to 8 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 inspections may also focus on other areas as required.

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, 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 designated person in charge were present during the inspection and 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)
- 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 dated within the past three years in accordance with the Act of 2012 in respect of all-staff members was available for review.
- (d) Police vetting from other police authorities was not required for staff.
- (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)
- Adults held a major award in Early Childhood Care and Education at Level 5-6 and 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)
- One employee was working with children under the Access and Inclusion Model (AIM) on the day.

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 providers ensured that there were sufficient adults working directly with the children throughout the opening hours of the service.

(2)

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

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

In the toddler room staff were fully engaged with the children and were responsive to their needs. Nappies were changed as needed and children who were not able to self-feed as yet were spoon fed in a caring and interactive manner. In the Butterfly room children were supported 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.

Physical and Material Environment

The setting was well maintained and was bright and cheerful decorated in a child friendly manner and well stocked with a variety of good quality toys and equipment that were developmentally appropriate ,easily accessible to children and in good supply. The Caterpillar room and the Butterfly room were laid out to meet needs of children availing of sessional care, and the Toddler room was suitable for children in full day care free space for movement, soft seating, a couch for nurturing and comforting children, child sized furniture, three high chairs for use when feeding in a child in need of support and toys that appealed to the senses .

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

(a)
The registered provider had ensured that adequate outdoor play facilities were provided for Childrens use and the outdoor play areas were well stocked with developmentally appropriate outdoor play equipment.

Non-Compliance Information

(b)
1. Sufficient access to a sleeping facility for children, aged over two years availing of full day care was not provided for thirty-three children aged from two and a half to four and a half years accommodated in the Caterpillar room and in the Butterfly room . It was observed that there was no provision for sleep and no access to a bed for children as six low beds were provided which was insufficient and the seven cots provided were needed for the use of the twelve children from one year to two and a half years who were accommodated in the Toddler room.

2. Quiet rest areas where children could choose to rest and spend relaxing time with friends or looking at books were not provided. In the Caterpillar room there were two hard benches provided for rest and relaxation and in the Butterfly room there were only two small wooden chairs that were not maintained in a proper state of repair for the use of sixteen /seventeen children in the room.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. The registered provider stated in written submission that sufficient access to sleeping facility for all children, aged over two years availing of full day care has now been provided. New low beds have been purchased and are now available for children's use Ms. Duggan has committed to these remaining available going forward.
2. The registered provider stated in written submission that quiet rest areas are now in place in all rooms and wooden chairs, noted to be in disrepair have been removed and the wooden benches have been replaced with soft seating. The registered provider has committed to ensuring that these will remain in place going forward.

Supporting documentation submitted

The registered provider submitted a corrective and preventative action plan and also supplied photographic evidence of actions taken.

Summary Comment

Following the actions of the registered provider the requirements of this regulation have now been met.

Part V - Care of Child in Pre-school Service

Regulation 22 – Food and drink

A registered provider shall ensure that adequate and suitable, nutritious, and varied food and drink is available for each pre-school child attending the pre-school service.

Compliance Information

The service provided healthy varied nutritious food for the children. A three-week menu plan had been devised based on present national guidelines which was available for review. Food was prepared on site on a daily basis by a designated cook. Children were offered breakfast on arrival, a mid-morning snack that was made up of sandwiches, fresh fruit, and yogurts. Dinner on the day was beef stew, vegetables and sufficient portions were provided. Milk and water was available. Individual dietary needs could be facilitated

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:

Entry to the setting was secured by means of a gate which was operated on a controlled buzzer entry system from within. Beyond this the main door also operated on a controlled entry system. The perimeter of the outdoor play facilities was walled and had secure gates. The play facilities were subdivided, and each part could be accessible directly from the various playrooms.

Cleaning, sanitising products and equipment were stored in a designated locked cupboard out of reach of children.

Access to the kitchen was restricted.

A system of pest control was in place and records maintained with no evidence of pest activity.

Infection Control:

Staff were familiar with the infection control policy. The service was clean, and it was observed that staff members were engaged in cleaning through the inspection. 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 medication policy was available in the service and had been reviewed annually and it was established through discussion that staff were familiar with the with policy in relation to safe administration of medication.

No medication was administered on the day of inspection

Safe Sleep:

Two designated sleeping rooms were provided. Temperatures were monitored in the rooms and records maintained. Staff were familiar with safe sleep practices and were attentive for signs of children waking from sleep .

Fire Safety:

The fire exits were fitted with exit display signage that displayed the location of fire exits.

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

Outing:

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

Non-Compliance Information

Fire Safety:

It was observed that the upstairs fire exit route was cluttered with storage items such as air purifier and was not offering an unimpeded exit from the upstairs part in the event of fire. It is acknowledged, on the day that the person in charge took corrective action to ensure that the exit was clear.

Action submitted by the Registered Provider

Corrective & Preventive Action

Fire Safety:

The registered provider in a written submission stated that the upstairs fire exit route was no longer cluttered and now provided an unimpeded exit from the upstairs in the event of fire. The registered provider also made commitment to ensuring that this exit will be maintained uncluttered going forward.

Supporting documentation submitted

Fire Safety:

The registered provider submitted a corrective and preventative plan and included photographic evidence of actions taken.

Summary Comment

Following the actions taken the requirements of this regulation have now been met.

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

- (1)
(a)
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 January 25, 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 February 21, 2023. The firefighting equipment was checked on September 18, 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	
<i>A registered provider shall ensure that the pre-school service is adequately insured.</i>	
Compliance Information	
A copy of up-to-date insurance cover for the number of children attending the service was available for review. The insurance certificate was valid until March 2024.	

Part IX - Inspection and Enforcement	
Regulation 33 – Furnishing of information to agency	
<i>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.</i>	
Compliance Information	
The person in charge facilitated the inspection and provided access to information required for the inspection.	