

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015LS051		
Name of Service:	Ballinakill Jolly Tots Community Playschool		
Address of Service:	Church Street, Ballinakill, Co. Laois		
Eircode:	R32 NX52		
Name of Registered Provider:	Michael Lacey		
Service type:	Sessional		
Date of Inspection:	27/04/2023		
No of pre-school children:	AM	17	PM NIL
Address of the Early Years Inspectorate:	Early Years Inspectorate, Tusla, Child and Family Agency Primary Care Centre, Church Avenue, Tullamore, Co. Offaly		
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

Ballinakill Jolly Tots Community Playschool is a community run, not for profit early years' service, which provides an Early Childhood Care and Education programme to children aged two years to six years.

The service operates on a daily basis Monday to Friday .and has been operational since 1990.Twenty-five children are enrolled in the service .

The service operates from a converted old school, with its own grounds in the village of Ballinakill in rural Co.

Laois. The premises is used for the sole purpose of operating an early years' service. Access to the service is through a gate and entrance into the building is through the main door which is controlled by means of a buzzer system operated from within the setting. The services external boundaries are defined by a wall.

The service consists of a lobby and cloakroom area, one long playroom, a kitchen/office, two toilets, wash hand basins and a nappy changing facility for children and one sanitary accommodation for adult use.

A secure outdoor play area is provided to the side of the premises which is further enclosed with a high wire fence .

Parking is available on the public street outside the premises.

Staffing

The registered provider was not part of the staff compliment and the person in charge facilitated the inspection.

Four staff in addition to the person in charge were present.

Staff working in the service had qualifications ranging from level 5 to level 7 on the National Qualifications Framework for Early Years.

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.

The scope of the inspection included the play room, the sanitary accommodation, and the outdoor play facility. 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.”

(7) A registered provider shall ensure that all employees, unpaid workers, and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:

- (a) the policies, procedures and statements of the service specified in Schedule 5;*
- (b) Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act, and*
- (c) these Regulations.*

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 was present during the inspection and the roster showed that at all times the registered provider was present during the opening hours of the service.
- (2)
- The registered provider stated that no new staff member had commenced employment in the service since the last inspection.
- (2)(a) (b) (c) (d) Not assessed.
- (3)
- Required vetting was carried out prior to current staff members 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 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 registered provider ensured that the required written policies as outlined in Schedule 5 were in place. The following policies were reviewed on site :

A policy on healthy eating.

An infection control policy.

A site-specific risk assessment and management policy.

A site-specific policy on managing behaviour.

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 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:

- Children were supported to become independent and self-caring. Children were encouraged to take care of their own belongings including hanging up and taking down their coats, opening bags and lunch boxes and tidying up their toys when finished playing.
- It was observed that staff promoted self confidence and self-esteem through positive encouragement and recognition of achievements.

- A blend of outdoor and indoor activities was available. Children could avail of fresh air and outdoor play on a daily basis in the outdoor play facility, where activities such as climbing, balancing, running and free movement were possible. Outdoor art work was possible on the blackboards and potting and planting was carried out in the low flower beds .

SUPPORTING RELATIONSHIPS:

- It was observed that the children appeared comfortable in the company of staff and the same staff were in the service each day which created continuity of care and an opportunity for children to form relationships with the staff.
- Transitions from preschool to primary school was supported as towards the end of the year the children discussed their plans to move to their new school and become familiar with the idea.
- 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.

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 from the service to the to the public road was restricted by means of a fence and secure gate. The main door entered into the lobby area and entry was controlled by means of a buzzer system, which was operated from within. This prevented unauthorised entry and exit of a child unsupervised. The outdoor play facility to the side of the setting was securely fenced.
- A pest control system was in place to safe guard against pests.
- Cleaning products were stored out of reach of children.

Infection Control:

- The service was well ventilated with openable windows to facilitate air exchange.
- Clear guidance on handwashing was outlined for children and staff in the service. Children were observed washing their hands following toilet use .

- Cleaning was carried out on an ongoing basis and staff were aware of their role in maintaining high standards of hygiene.
- On enrolment, parents were asked for their child's immunisation record, this information is recorded on the child's record card and updated as required.

Fire Safety:

- The fire exit was unobstructed.
- A notice of the fire assembly point was on display to show fire assembly point outside 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

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 25 April 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 25 August 2022. The firefighting equipment was checked on 28 September 2022.

(2)

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