

# Early Years Inspectorate Regulatory Report

## Pre School

**TUSLA Identifier:** TU2015LS058

**Name of Service:** Rias Kids Academy

**Address of Service:** Cullenbeg Community Centre, Ballycullenbeg, Mountmellick, Co. Laois

**Eircode:** R32 R2WF

**Name of Registered Provider:** Maria Manley Fogarty

**Service type:** Sessional

**Date(s) of Inspection:** 18/04/2023

<b>No of pre-school children:</b>	AM	12	PM	N/A
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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

**Inspection undertaken by:** K. Murphy

**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 service is registered as a sessional service to accommodate children aged 2 to 6 years of age. The service operates between the hours of 09:30 and 12:30 on a Monday to Friday basis. The service is operated by an independent provider. The Early Years' Service is located in a single-storey community centre. One pre-school room, a breakout room and a kitchen are provided. Onsite parking and set down facilities are available. The service is situated in a residential area on the outskirts of the town of Mountmellick, County Laois.

### Staffing

The registered provider and two staff members were present on the 18 April 2023.

### 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 co-operation 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

(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) 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 registered provider and a named person to deputise were available in the service.

(b)

The registered provider was present for the duration of the inspection.

(2)(a)

The required number of written validated references were available from past employers in respect of the three staff members.

(b)

The required number of written validated references were available from a source other than a past employer in respect of the three staff members.

(c)

Garda Vetting disclosures were available in respect of the three staff members.

(d)

No staff member had lived outside the state for a period of longer than six consecutive months.

(3)

The procedures in respect (2)(a)(b)(c)(d) were carried out by the registered provider prior to the employment of staff.

(4)

The three staff members each held a major award at level 5 to level 6 in Early Childhood Care and Education on the National Framework of Qualifications, or a qualification deemed by the Minister to be equivalent.

(6) (a)(b)

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

(6A)

One staff member present was working directly with children under the Access and Inclusion Model.

### 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)  
The minimum ratio of adults to children was adhered to during the inspection.
- (3)  
There were twelve children attending the service supervised directly by three adults including the registered provider.

### 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

Information for parents was available and shared with parents by means of a parent handbook prior to commencement in service in respect of Regulation 16 (1)(a) to (g).

## 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 ensured a copy of the of Part V11A (inserted by section 92 of the Child and Family Agency Act 2013 (No.40 of 2013)) of the Act and Regulations was available for inspection by (a)(b)(c).

## 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

(1)(a)

Parents provided the snacks for children attending the ECCE programme. The service provided an additional serving of toast to children before the end of the session. Children were given time to sit and eat their snack while having conversations with their friends. Water was available to drink with the snack.

Children went to the toilet independently and were assisted where necessary. Staff reminded children to wash their hands after toileting.

The pre-school room was laid out with low level tables and chairs. Materials were accessible to children on low level shelving units and included books, jigsaws, bricks, blocks, dolls, prams, arts and crafts and fine motor skill toys. The breakout room was laid out with sensory materials including sand water and playdough. One of the walls had been painted to create a chalk board for use by the children. Children made choices as to what they played with and what activity to participate in.

Good teamwork was observed amongst staff. Positive interactions were observed with staff and children. Eye contact was maintained, soft language tones were used, and positive praise given to children on the completion of activities. Staff sat with children during tabletop activities. Staff were familiar with children and their personalities. Staff worked in partnership with parents as a verbal handover was observed at collection time. A learning journal is maintained on each child that includes the children's play and work activities and is shared with the parents at the end of each pre-school term. Staff stated children's artwork is shared with parents on a regular basis.

### 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:

The entrance door to the service was secure to ensure the safety of the children within. The service met the necessary safety requirements in respect of the indoor environment, toys and equipment and the safe storage of cleaning agents.

##### Infection Control:

The premises were visually clean. All toys and materials were easily cleanable. Thermostatically controlled warm water, paper hand towel and liquid soap was available in the sanitary accommodation. Children were observed to wash their hands before snacks and after using the toilet. Foot operated pedal bins were available in the sanitary accommodation and pre-school room for the hygienic disposal of waste.

##### Administration of Medication:

Temperature reducing medication was available in the service if a child presented with a high temperature. Appropriate documentation was in place to record the administration of medicine should it be required by a child in attendance.

##### Fire Safety:

Emergency exit routes were in place and were unobstructed. A fire assembly point was noted to the front of the premises.

##### Outing:

The registered provider stated that outings were not carried out 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)  
The registered provider was qualified in paediatric first aid (PFA) and available on the premises during the hours of operation.

(2)(a)  
A first aid box was available in an accessible and conspicuous location in the premises.

(b)  
A first aid box was accessible to children in the pre-school service.

#### Non-Compliance Information

(1)  
A person qualified in first aid response (FAR) was not available on the premises during the hours of operation.

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

##### Corrective and Preventive Action

The registered provider stated the following corrective and preventive action in the response:

The registered provider is booked to attend FAR training in June 2023. This will ensure that a person qualified in FAR will be available on duty during the operational hours of the service. (Confirmation included)

#### Summary Comment

The registered provider will submit the evidence to the Early Years Inspector of the completed FAR training when certification is received. The regulatory requirement will be met when the registered provider submits the evidence.

### 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.*
- (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 for the completed monthly fire drills in the service was available on the premises. The last fire drill was recorded as taking place on 7 March 2023.

(b)

A record was available demonstrating the number, type and maintenance of the firefighting equipment and smoke alarms on the premises. The firefighting equipment was serviced in September 2022. The smoke alarms were serviced in February 2023.

(4)

A notice of the procedures to be followed in the event of a fire was displayed in a conspicuous position in the premises.

### Part VI - Safety

#### Regulation 28 - Insurance

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

#### Compliance Information

There was evidence of current insurance cover for the number of children attending the service and the expiry date noted as 27 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,*
- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

#### Compliance Information

- (a)  
The premises visually appeared to be of sound and stable structure.
- (c)  
Artificial and natural lighting was in place in the service. Openable windows were in place in the pre-school room for ventilation.
- (d)  
Cleaning schedules were in place and maintained.
- (e)  
Two toilets and two wash hand basins provided adequate and suitable sanitary accommodation for the children in attendance.

#### Non-Compliance Information

- (b)
  - To ensure that the premises is fire safe, the key lock mechanisms in the entrance door and in the glazed patio door in the pre-school room required replacement with thumb turn lock mechanisms.
- (c)
  - Adequate ventilation was not provided in one of the children's toilets as the window was broken and the window had been boarded up and sealed which rendered it unopenable.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

The registered provider stated the following corrective and preventive action in the response.

- (b)
- A break glass with key system has been installed at the entrance door and at the glazed patio door in the pre-school room in line with the revised fire safety risk assessment. (Fire safety risk assessment and photographs included)
- (c)
- The broken window in one of the children's toilets has been replaced and is now openable for ventilation. (Glazing supplier order documentation and photograph included)

### Summary Comment

In respect of the corrective actions taken documentary and photographic evidence was submitted to the office of the Early Years Inspectorate, reviewed by the Early Years Inspector and deemed to meet the regulatory requirement.