

# Early Years Inspectorate Regulatory Report

## Pre School

|  |   |    |       |
|--|---|----|-------|
| <b>TUSLA Identifier:</b>   | TU2015LS063   |    |       |
| <b>Name of Service:</b>  | Killadooley Childcare   |    |       |
| <b>Address of Service:</b>   | Killadooley, Ballybrophy, Co. Laois   |    |       |
| <b>Eircode:</b>  | R32 CD78  |    |       |
| <b>Name of Registered Provider:</b>  | Frances Fogarty   |    |       |
| <b>Service type:</b>   | Full Day, Part Time, Sessional  |    |       |
| <b>Date of Inspection:</b>   | 09/08/2023  |    |       |
| <b>No of pre-school children:</b>  | AM  | 29 | PM 29 |
| <b>Address of the Early Years Inspectorate:</b>  | Early Years Inspectorate,<br>Tusla, Child and Family Agency,<br>Primary Care Centre,<br>Church Avenue,<br>Tullamore, Co. Offaly |    |       |
| <b>Inspection undertaken by:</b>   | K. Murphy   |    |       |
| <b>Title:</b>  | Early Years Inspector   |    |       |
| <b>Authority to Inspect</b>  |   |    |       |
| 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  |    |       |

### Description of service

The service is registered as a full day care service to accommodate children aged 0 to 6 years between the hours of 08:00 and 18:00 on a Monday to Friday basis. The service is operated by a community provider.

The Early Years' Service is located on the ground floor of a two-storey purpose-built premises. Five pre-school rooms, a kitchen, a laundry, a staff room and an office are provided on the ground floor. School aged childcare facilities are located on the first floor. Outdoor play areas are attached to the front, side and rear of the premises.

Onsite parking and set down facilities are available. The service is rural in its location in the village of Killadooley, County Laois.

### Staffing

The registered provider does not work in the service and was not present during the inspection. The designated person in charge was present throughout the inspection. Ten childcare staff were present and working directly with the children. The service was supported by a full time cook and a staff member who covered staff breaks and engaged in environmental cleaning duties.

### 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 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.*

*(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.*

### Compliance Information

(1)(a)

The designated person in charge and a person to deputise were available in the service.

(b)

The designated person in charge was present for the duration of the inspection.

The designated person in charge stated that the Board of Management do not attend the community service and have no access to children. Twenty-six staff files were reviewed, and the following was noted:

(2)(a)

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

(b)

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

(c)

A Garda Vetting disclosure was available in respect of all staff members.

(d)

Police vetting was available in respect of one staff member who had lived outside the state for a period of longer than six consecutive months.

(4)

All staff members working with children held a major award at level 5 to level 8 in Early Childhood Care and Education on the National Framework of Qualifications.

## Non-Compliance Information

(2)(d)

Police vetting was not available in respect of one staff member who had lived outside the state for a period of longer than six consecutive months.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

(2)(d)

International police vetting is currently being secured in respect of the staff member who lived abroad.

All staff files were checked on 25/08/2023 to ensure that validated references, garda vetting and police vetting where applicable are held on file in respect of all adults working in the service.

Staff files will be reviewed on an annual basis in the month of July to ensure that the necessary documents as required are held on file.

## Summary Comment

The corrective action if implemented should meet the regulatory requirement. The registered provider will submit the evidence to the Early Years Inspector of the required police vetting upon receipt. The regulatory requirement will be met when the registered provider submits the evidence.

### 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 minimum ratio of adults to children was maintained during the inspection.

(2)

There were twenty-nine children attending the service supervised directly by ten adults.

(8)(a)

The staff roster indicated that two adults are on the premises at all times.

### 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;*

- (d) the type of care or programme provided in the service;*
- (e) the facilities available;*
- (f) the opening hours and fees;*
- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

## Compliance Information

(1)

The service kept and maintained written records of information in relation to the service in accordance with Regulation 16 (1)(a)(b)(c)(d)(e)(f)(h) and (i).

## Non-Compliance Information

(16)(1)

(j)

The details recorded in the new electronic record for the service relating to the administration of medicine were insufficient. There were inadequate records relating to the identification of staff members administering medication or witnessing the administration of medication to a child.

(k)

The details recorded in the service record relating to accident and incidents occurring to date in 2023 were insufficient. The records did not contain a parent signature as evidence that the accident and incidents had been notified to the child's parent.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

(16)(1)

(j)

Memo issued to all staff stating that we must name both staff members administrating and witnessing the administration of medication on our new electronic record. (Memo included)

All staff have reviewed our administration of medicine policy and implementation of same will be monitored by the registered provider.

(k)

Memo issued to all staff stating that we must get parents to re-commence signing our accident and incident forms (Memo included). All staff have reviewed the policy on accidents and incidents and implementation of same will be monitored by the registered provider.

### Summary Comment

In respect of the corrective actions taken documentary evidence was submitted to the office of the Early Years Inspectorate, reviewed by the Early Years Inspector and deemed to meet the regulatory requirement. The practices as stated will be reviewed on the next inspection.

### 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)

All meals and snacks are prepared fresh by the cook. The daily menu plan reflected the provision of the food for breakfast, morning snack, dinner and afternoon snack. Children's dietary needs are catered for. A hot meal consisting of mashed potato, mixed vegetables and meatballs with savoury gravy was provided to children between 12:00 and 13:00. Water and milk were offered to children. Children enjoyed the selection of food provided during the inspection.

Children went to the toilet independently and were assisted where necessary. Staff reminded children to wash their hands after toileting. Regular nappy changes were carried out and as required.

The pre-school rooms were laid out with low level tables and chairs. Materials were accessible to children on low level wooden shelving and included books, jigsaws, bricks, blocks, dolls, prams, arts and crafts and fine motor skill toys. Children enjoyed arts and crafts, tabletop activities, story time and outdoor play during the inspection.

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 between staff and children. Eye contact was maintained, soft language tones were used and positive praise given to children on the completion of activities. Staff were familiar with children and their personalities. Staff worked in partnership with parents. A handheld electronic device was used to record Information relating to each child's day. This information was available in real time to parents for view and comment. A 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.

### 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.

(3) A registered provider of a full day care service, a part-time day care service or a childminding service, other than such a service to which paragraph (2) applies, shall ensure that-

(a) a suitable, safe and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises.

#### Compliance Information

(1)(a)

Suitable and adequate play and work equipment were provided indoors and outdoors which included toys and equipment for construction, tabletop activities, arts and crafts and home corners.

(b)

A separate sleep room equipped with seven standard cots was attached to the baby room. A separate sleep room equipped with ten standard cots was attached to the wobbler room. Low level beds were available in the service for any child over the age of two years who required rest or sleep.

(3) (a)

Outdoor play areas were available to the rear, side and front of the service. Natural grass and absorbent surface areas in place. The areas were equipped with a variety of bikes, trikes, swings and climb/slide units. Sheltered areas are in place to support year-round outdoor play. High-level fencing secures the perimeter of the outdoor area.

### 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 main 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. The inspector completed the visitor log on arrival.

##### Infection Control:

Cleaning schedules were available and reviewed. All toys and materials were easily cleanable.

Warm running water, liquid soap and hand towel dispensers were available in the sanitary accommodation.

Foot operated pedal bins were available in the pre-school rooms and in the associated sanitary accommodation for the hygienic disposal of waste.

Openable windows and mechanical ventilation were provided in the sanitary accommodation.

A fridge was available for the storage of non-perishable goods in the pre-school rooms. The fridge temperatures were recorded daily. Soothers were individually labelled and stored in a fridge.

##### Administration of Medication:

No medication was administered during the inspection. Temperature reducing medication was available in the service if a child presented with a high temperature.

##### Safe Sleep:

A record of the colour, position and breathing of sleeping children was noted in a sleep log. Sleeping children were physically checked every ten minutes by a staff member.

##### Fire Safety:

A fire assembly point was noted to the front of the service.

##### Outing:

The designated person in charge stated that outings were not conducted from the service to date in 2023.

Documentation to support risk assessment and an outings checklist were in place.

### Non-Compliance Information

#### General Safety:

A black plastic refuse bag was used as a door blind in the toddler room to block out direct sunlight when children were preparing for and sleeping. This posed a potential risk of harm to any child gaining access to the plastic bag.

#### Safe Sleep:

##### Baby Sleep Room

The following hazards were noted:

1. A cot was positioned next to an electric socket with an adaptor cable attached. It is acknowledged that the cot was not in use during the inspection. The designated person in charge took an immediate corrective action and moved the cot away.
2. The required 50cm space was not in place between two cots.

##### Wobbler Sleep Room

The following hazards were noted:

3. The cable from an electronic monitor was accessible from one cot. It is acknowledged that the cot was not in use during the inspection. The designated person in charge took an immediate corrective action and repositioned the electronic monitor and cable.
4. Mattresses that were torn with exposed foam were noted on two cots.
5. A 3 cm foot hold was in place on one cot.
6. The required 50cm space was not in place between two cots.

#### Fire Safety:

1. Monthly fire drills were not carried out. Only two fire drills were recorded as being conducted in the premises to date in 2023.
2. Emergency exits routes from the two sleep rooms were obstructed by cots. The designated person in charge took an immediate corrective action and removed the obstructing cots.
3. A cot with wheels to support a prompt evacuation was not available in the two sleep rooms.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### General Safety:

The black bag has been removed permanently. A review has taken place and we do not require this to be covered. The purchase of blackout film for the window will be considered if this is needed. (Photograph included)

### Safe Sleep:

#### Baby Sleep Room

1. The cot was repositioned away from the electric socket immediately in the baby room. (Photograph included)
2. A risk assessment has taken place of the sleep room design. The required 50 cm is now in place between the two cots. (Photograph included)

#### Wobbler Sleep Room

3. The cot was repositioned away from the electric socket immediately in the wobbler room. (Photograph included)
4. New mattresses were purchased for two cots with exposed foam. (Photograph included)
5. The mattress from the cot with the 3cm foot hold was removed and replaced with an appropriate fitting mattress. (Photograph included)
6. A risk assessment has taken place of the sleep room design. The required 50 cm is now in place between all cots. (Photograph included)

### Fire Safety:

1. Fire Drills to take place monthly. The registered provider will ensure that practice of completing monthly fire drills is followed.
2. Emergency exits were cleared of cots in both sleep room. The registered provider will ensure that all emergency exits are to be always kept clear. (Photograph included)
3. Two cots with wheels have been purchased to aid a prompt evacuation of the sleep rooms in an emergency. (Invoice 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.

### 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)

Seven staff members were qualified in paediatric first aid and were rostered to be available on the premises.

(2)(a)

A first aid box was available in an accessible and conspicuous location in the entrance hall.

(b)

A first aid box was accessible to children in each pre-school room.

#### Non-Compliance Information

(1)

There was no staff member present qualified in First Aid response (FAR). It is acknowledged that FAR training is booked for two staff members for September 2023.

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

##### Corrective and Preventive Action

(1)

First Aid Response (FAR) training has now been completed by two staff members. (Certificates included). Staff courses and expiry dates to be reviewed on an annual basis to ensure that the necessary training is not out of date.

#### Summary Comment

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

## 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 fire drills was available on the premises. The last fire drill was recorded as taking place on 17 July 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 October 2022. The smoke alarms were serviced in March 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 30 - Minimum space requirements

*(2) A registered provider of a full day care service or a part-time day care service shall ensure that the minimum amount of clear floor space specified in column (3) of Schedule 7 opposite a particular reference number specified in column (1) of that Schedule in respect of the age range of children specified in column (2) thereof at that reference number is available for each child in that age range attending the service.*

#### Compliance Information

(2)  
The measurement of the rooms recorded for seventy-seven children attending indicated that there was sufficient space per child available as outlined below:

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## Pre School

| Baby Room (1)<br>Age of Child | Space Required        | Total Space Required |
|-------------------------------|-----------------------|----------------------|
| 0 – 1 years                   | 10 PT/ FDC @ (3.5 m2) | 35m2                 |
| Total Space Available         |                       | 35.461m2             |

| Wobbler Room (2)<br>Age of Child | Space Required | Total Space Required |
|----------------------------------|----------------|----------------------|
| 1 – 2 years                      | 11 @ (2.8 m2)  | 30.8m2               |
| Total Space Available            |                | 35.478m2             |

| Toddler Room (3)<br>Age of Child | Space Required | Total Space Required |
|----------------------------------|----------------|----------------------|
| 2 – 3 years                      | 12 @ (2.35 m2) | 28.2m2               |
| Total Space Available            |                | 30.379m2             |

| Junior Pre-School Room (4)<br>Age of Child | Space Required  | Total Space Required |
|--|-----------------|----------------------|
| 3 – 4 years                                | 22 @ (1.818 m2) | 39.996m2             |
| Total Space Available                      |                 | 51.251m2             |

| Senior Pre-School Room (5)<br>Age of Child | Space Required  | Total Space Required |
|--|-----------------|----------------------|
| 4 – 5 years                                | 22 @ (1.818 m2) | 39.996m2             |
| Total Space Available                      |                 | 45.255m2             |