

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015MH068
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Name of Service:	Happy Days Creche & Pre School
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Address of Service:	Cherry Valley, Rathmoylon, Co. Meath
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Eircode:	A83 RY90
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Name of Registered Provider:	Mary Scanlon
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Service type:	Full Day, Sessional
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Date(s) of Inspection:	21/11/2023
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No of pre-school children:	AM	20	PM	7
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Address of the Early Years Inspectorate:	Family Resource Centre, Common's Road, Navan, Co. Meath
Inspection undertaken by:	AM Cunningham
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

Happy Days Crèche and Pre-school was established in 2008. It is a privately run full day care, part time and sessional pre-school service for children aged 2 - 6 years and school aged. It is in the village of Rathmolyon and operates from 07.30hrs to 18.30hrs each weekday. The service currently provides care for a maximum capacity of 40 pre-school children and participates in the Early Childhood Care and Education (ECCE) scheme. The pre-school is in a purpose built two storey building consisting of four care rooms, a manager's office, a kitchen/ dining area, sanitary accommodation, and a nappy changing area. On the ground floor, there are 2 care rooms namely Playschool room 3 and the Toddler Room. The first floor included Preschool room 1 which were used for the ECCE service in the morning and Preschool Room 2 was not in use on the day of inspection. Preschool room 1 was used for school aged children in the afternoon. An outdoor play space consisting of an artificial grass surface area was available. Car parking is available to the front of the pre-school.

Staffing

The registered provider is the designated person in charge and was present on arrival of the Inspector. In total six staff members are employed in the service including the registered provider, and a staff member who cares for school aged children only.

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 inspection 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 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.

(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 service had a designated person in charge and a named person to deputise as required.

(b) A designated person in charge was on the premises when the inspectors arrived unannounced to carry out the inspection.

(2) Six staff files were reviewed.

(a) & (b) Two written and validated references were available for each of the staff members.

(c) Garda vetting disclosures were available for all staff members.

(d) Police vetting was required and was available for two staff members who had resided outside the jurisdiction for a period of more than 6 consecutive months as an adult.

(4) Four staff members provided direct care to children, and all held a major award in Early Childhood Care and Education at Level 5 and above on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent.

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) On the days of the inspection there was an adequate number of adults working directly with the children attending the service.

(2) The following ratios were observed.

- **Toddler Room:** 3 children ranging in age from 2 years 6 months to 2 years 9 months, 2 children attending on full day care basis and 1 child attending on a parttime basis being cared for by 1 staff member.
- **Playschool Room 3:** 8 children ranging in age from 3 year 5 months to 4 years 8 months, 3 children attending on a full day care basis and 5 children attending on a sessional basis being cared for by 1 adult.
- **Room 1** had 9 children ranging in age from 3 years to 4 years, 3 children attending full day care service and 6 attending on a sessional basis being cared for by 1 adult.

(8) According to the staff roster two adults were present on the premises at all times during the hours of operation.

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

(b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.

Compliance Information

(1)(a) The following observations are examples of how each child's learning, development and well-being was facilitated within the daily life of the service:

Basic needs:

- Staff were observed to be caring, kind and attentive in their interactions with the children. They were very familiar with the children's preferences and accommodated the children to engage in activities of the children's choosing.
- Mealtimes were observed to be a social occasion with the staff sitting at the tables and engaging the children in conversation thus creating a social and relaxed atmosphere. Children went to the dining room for their meals. The children's water bottles were freely available on low level tables in the care rooms for the children to take if thirsty.
- The children were observed to be mostly independent in their toileting needs with the staff providing assistance as required, staff were observed to be responsive to the children's cues, should they need to use the toilet, with discreet supervision and assistance provided to the children when required.

Supporting relationships:

- The interactions between the staff and the children were observed to be consistently positive and caring, staff were overheard initiating conversations with the children, responding meaningfully to their verbal and non-verbal cues and providing regular praise and encouragement using gentle tones of voice.
- There was a consistency in staff provision in the service and the children were very familiar with the staff present and sought them out for comfort and support as required. The staff in turn were very aware of the individual needs of the children.

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 19 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, or

(b) Where no such space is provided, the pre-school children attending the service have access on a daily basis to a suitable outdoor space.

Compliance Information

(1)(a) In each room and in the Outdoor Pre-school there was adequate facilities for the children to play which accommodated the children's play and facilitated the equipment and materials to be laid out in designated areas to facilitate easy access.

(b) Within the indoor care rooms with the exception of the room outlined below there were soft furnishings, mats, and cushions for children to take a break from activities and rest if needed.

(3)(a) There was a suitable, safe, and secure outdoor spaces to the side of the premises. the surface of the outdoor area was artificial grass.

Non-Compliance Information

(b) A rest relaxation area was not available in Playschool room 3 for children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action:

(b) The layout of the room was rearranged and a quiet area in now available for the children to relax should they wish.

Preventive Action:

(b) The physical space of all rooms is assessed on an ongoing basis using the Aistear Physical Learning Space Assessment tool.

Supporting documentation submitted

The registered provider submitted photographic evidence of the rest area created within Playschool room 3.

Summary Comment

The response from the registered provider has addressed the non-compliance in Regulation 20.

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 service was equipped with adequate and suitable furniture and play equipment and materials to meet the needs of the children as demonstrated by the following examples:

- In the care rooms the play materials and equipment were positioned on low level shelving to enable the children to select and replace items of interest.
- The care rooms in the service were spacious and enabled the children to move around the rooms freely. The rooms were laid out with areas of interest including, dress up, dolls and buggies, construction areas, jigsaws and arts and crafts areas which supported all areas of development. There was a wide range of natural, recycled and open-ended materials to enhance the children’s play experiences.
- Throughout the care rooms there were a broad range of books available to support the children’s language development located alongside comfortable rest areas.

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 had a weekly menu plan with a variety of dishes freshly prepared in the service. All food is provided by the service except for the morning snack which the children brought in their own. Morning snack commences at 10.30am, lunch was served at 12.35pm which was toast with cheese, fruit, apples, bananas and raisins, extra helpings were available if children requested some and dinner was served at 3pm which consisted of pasta bake with sausages. Water and milk were the drinks of choice.

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 doors leading into the premises were appropriately secured to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the premises.
- Fire doors throughout the building were unobstructed.
- The external outdoor play area was secured.
- Cleaning agents were stored safely out of the reach of children.
- The kitchen was inaccessible to the children and the half door remained closed throughout.

Infection Control:

The following infection control measures were observed:

- Warm running water was available in the children’s sanitary area, along with a supply of liquid soap and hand paper towel for effective hand washing.
- The service was clean with cleaning schedules maintained on a daily basis.

Non-Compliance Information

General Safety:

1. Foot operated bins were not available in the nappy changing area.

Infection Control:

2. Staff were observed changing a child's nappy and then using the same gloves took the soiled nappy through the dining room and kitchen to the bins outside handing the doors, also children were in the dining room having their lunch at this time.
3. Plates were not provided at lunch time and children's cheese and toast was placed directly on the table.

Safe Sleep:

4. Although no children slept on the day of inspection, a travel cot was assembled in the Toddler room on arrival of the inspector, and it remained assembled for the day. When the inspector asked the registered provider about the travel cot, she stated it is used for sleep for one child who was not present on the day of inspection. Travel cots must not be used for children to sleep in as per safe sleep guidance.

Action submitted by the Registered Provider

Corrective & Preventive Action

Corrective Action

1. Nappy bins were replaced by foot operated bins.
2. New cleaning routine are in place. All bins are emptied on a regular basis and disposed using the outside access to the building rather going through the kitchen.
3. Lunch routine was updated following our inspector advice. We are now preparing their lunch in a plate, one plate per child.
4. Travel cot was removed from the premises.

Preventive Action

1. A new step to the cleaning routine were added whereby nappy bins are checked that they are clean and in proper working order on a daily basis foot operated.
2. All nappies disposed using the outside access to the building rather going through the kitchen.
3. Plates are used at all times.
4. No travel cots on the premises, only day beds.

Summary Comment

The response from the registered provider has addressed the non-compliances in Regulation 23, these will be reviewed at the next inspection.

Part VI – Safety

Regulation 24 - Checking in and out and record of attendance

(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.

(3) A registered provider shall ensure that-

(a) no person other than-

(i) pre-school child attending the service,

(ii) a person dropping or collecting such a child,

(iii) an employee, or

(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and

(b) a daily record in writing is kept of the entry on the premises of any such person.

Compliance Information

(1) Children in Room 1 arrival and departure times were accurately recorded.

(3) (a) All persons are approved by an employee prior to entry to the pre-school.

(b) Visitors are announced and approved by an authorised staff member on arrival, the visitors' details are entered into the visitors' book.

Non-Compliance Information

(1) Children from the Toddler room were signed into the service and their departure time was also populated when the inspector reviewed the documentation at 10.30am. When the records were checked again two children had left the service at 10.35am but this was not reflected in the attendance records. Also, one of these children did not return following an appointment but remained signed in till 15.00 hours having left the service at 10.35am.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

A policies and procedures refreshment workshop involving all members of the staff took place on Friday the 08th of December. Children will be recorded as they arrive and depart the service accurately.

Preventive Action

We will run a policies and procedures refreshment workshop once per school year at the beginning of the school year. Staff reminded to record the children's attendance accurately.

Summary Comment

The response from the registered provider has addressed the non-compliances in Regulation 24, this will be reviewed at the next inspection.

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 service provided evidence that a person had up to date First Aid Responders training and was available at all times to the children attending the pre-school service.

(2)(a) and (b) A suitably equipped first aid box was available and safely stored in the premises.

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 fire fighting 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) Records are available to show that fire drills were carried out on a monthly basis. The last recorded fire drill was on 20/10/2023.
- (b) A record of the number, type and maintenance of firefighting equipment and smoke alarms were available on the premises. The firefighting equipment were serviced on the day of inspection 11/11/2022. The smoke alarms were last serviced on the 18/11/2022.
- (4) The fire evacuation procedures were displayed in conspicuous positions on the premises.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The registered provider had a valid insurance certificate for 40 preschool children with an expiry date of 27th March 2024.