

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015MN004
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<b>Name of Service:</b>	Ballybay Community Crèche CLG
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<b>Address of Service:</b>	Town Park, Castleblayney Road, Ballybay, Co. Monaghan
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<b>Eircode:</b>	A75 VO48
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<b>Name of Registered Provider:</b>	Claire Reilly
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Dates of Inspection:</b>	23/05/2024
	27/05/2024

<b>No of pre-school children:</b>	AM	83	PM	41
	AM	81	PM	-

<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate No.18 The Grange Plantation Walk Monaghan
<b>Inspection undertaken by:</b>	S. Skinnader
<b>Title:</b>	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).

<b>Conditions if applicable</b>	Not Applicable
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## Description of service

Ballybay Community Creche CLG is a community-based service, managed by a voluntary committee and in operation since 2007. The service provides full day care, part- time and sessional care to pre-school children aged 0 - 6 years. The maximum number of children that be accommodated is 105 and the service operates from 8am – 6pm.

## Staffing

There were 38 adults employed in the service 25 working directly with the children including the service manager, 1 adults employed in administrative duties and 2 adults employed as cooks and 2 adults assisting with maintenance duties and 1 in cleaning. Four adults were employed in community employment schemes and 3 adults employed to work with the school aged children.

## 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. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11, 19, 20, 25; however, on inspection additional non-compliance which posed a risk was identified under Regulation 23. These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance as a result, the scope of the inspection included the Sunshine and Butterfly Rooms and does not include the Caterpillar, Ladybird or Rainbow Rooms.

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

(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) & (b) The service had a person in charge and a named deputy person to deputise as required. Both persons were on the premises when the inspectors arrived unannounced to the service.

Following a service file review and a discussion with the persons in charge it was confirmed that there were 38 staff members. All 38 staff files were reviewed:

(2)(a) & (b) There were 2 written and validated references from a past employer or an alternative source available for 33 members of staff.

There was 1 written and validated reference for 3 staff members.

Two staff members had 2 written references each and 1 staff member had 1 written reference.

(c) Documentary evidence of a processed Garda Vetting Disclosure was available for 38 staff members.

(d) Following a review of the staff files presented for inspection, documentary evidence of international police vetting was available for 5 out of 7 staff members who had lived outside of the Irish jurisdiction as an adult for a period of 6 months or more.

(4) Documentary evidence was available to confirm that the childcare qualifications for the 25 adults in the service who worked directly with the children met the minimum required to enable them to work directly with the preschool children. A childcare qualification was not required for the 4 members of staff employed in community employment schemes or for the 3 staff members who worked directly with the school aged children.

### Non-Compliance Information

(2)(a)

1. Two staff members did not have a 2<sup>nd</sup> written and validated reference.
2. Two staff members required validation of their 2 written references and 1 staff member required validation of 1 reference.

(d)

3. International police vetting was not available for 2 staff members who had lived outside the Irish jurisdiction for a period of 6 months or more as an adult.
4. A second international police vetting was not available for 1 staff member for whom it was required.

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

#### Corrective and Preventive Action

(2)(a) All relevant references have been validated. Second references were requested from the 2 staff members. The registered provider will make sure all staff who are due to start work will have 2 references provided and both will be validated before staff start work. A checklist will be put in place so as not to miss validating references.

(d)

The 3 staff members have applied for their police vetting from different countries. 1 staff member has had a meeting with the embassy and the other 2 have applied for police vetting online.

The registered provider will make sure all CV's are checked for time spent in other countries which will require Police Vetting. The international police vetting applications are in progress but have not yet been received.

### Supporting documentation submitted

Copies of references submitted.

### Summary Comment

Regarding staff references, the registered providers response and supporting information was reviewed and was accepted. The non-compliances have been addressed.

In respect of police vetting, these have not been obtained which was confirmed by telephone conversation with person in charge on 15/8/24. Although the application process is in progress, the non-compliance in relation to international police vetting remains outstanding.

## 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) There were an adequate number of adults present with the preschool children attending the service when the inspector arrived at the service and for the duration of the inspection.

(2) The following adult: child ratios were observed in the care rooms:

#### Day 1:

#### Sunshine Room:

There were 8 preschool children (aged 1 year – 1 year and 10 months) attending this room with 3 staff members and an additional adult working in a supernumerary capacity employed on a community employment scheme.

### **Caterpillar Room:**

There were 16 preschool children attending this room with 2 staff members and an additional adult working in a supernumerary capacity employed on a community employment scheme.

### **Ladybird Room:**

There were 17 preschool children attending this room with 3 staff members.

### **Butterfly Room:**

There were 20 preschool children (aged 3-5 years) attending this room with 3 staff members.

### **Rainbow Room:**

There were 22 preschool children aged attending this room with 3 adults and an additional adult working in a supernumerary capacity employed on a community employment scheme.

### **Day 2:**

### **Sunshine Room:**

There were 10 preschool children (aged 1 year – 1 year and 10 months) attending this room with 4 staff members.

### **Caterpillar Room:**

There were 15 preschool children attending this room with 3 staff members and an additional adult working in a supernumerary capacity employed on a community employment scheme.

### **Ladybird Room:**

There were 19 preschool children attending this room with 4 staff members.

### **Butterfly Room:**

There were 19 preschool children attending this room with 4 staff members.

### **Rainbow Room:**

There were 18 preschool children aged attending this room with 3 adults and 2 additional adults working in a supernumerary capacity employed on a community employment scheme.

(8)(a) Following a review of the available documentation e.g., staff rotas and children's attendance records this information demonstrated that the registered provider ensured that there were at least 2 adults on the premises at all times.

### 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,

#### Compliance Information

There were 5 rooms in operation on the day of the inspection for the children attending the early years' service namely; The Sunshine Room, Caterpillar Room, Ladybird Room, Butterfly and Rainbow Room. For the purpose of this inspection the Sunshine and Butterfly Rooms are referred to.

(1)(a) The following examples demonstrate how the registered provider ensured that children's learning, development, and well-being was facilitated in the service:

#### Supporting Relationships

- In both rooms the staff were observed to communicate and interact with the children in a warm and supportive manner. Tones were soft and gentle and positive language was used in interactions between the staff and children.
- A key worker system was in operation throughout the service.
- Staff in the Sunshine Room were observed constantly talking with the children and sitting on the floor with them engaging in activities. Any minor behavioural issues in sharing were dealt with swiftly by the staff who were in close proximity to the children.
- Staff were very familiar with the children's routines and individual sleep needs were facilitated.
- In the Butterfly Room staff were observed to sit at the table with the children at dinner time and conversations were promoted by the staff in relation to the "carrots" in the dinner and "eyesight". Individual children's preferences were accommodated with some children having potatoes instead of pasta or having their bolognaise separate from their pasta on the plate.
- Daily communication books were in use in the Sunshine Room to support the sharing of information between the service and home. The staff reported that most communication with parents is carried out through this method or verbally at collection and drop off. Phone calls, email and phone messaging was also used. In addition, there were journals available for all children with photos, observations and artwork from the year.

- Transitions in the Butterfly Room were smooth as the children returned from outside, to go and wash their hands in preparation for their dinner. A song was sung while some of the children waited on all their peers to finish hand washing and using the toilet prior to the dinner arriving.

### 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-*

*(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)(b) The children attending the Butterfly Room had access to a suitable soft area for reading or taking a rest when required which consisted of a long fabric covered cushioned bench.

The newly renovated Sunshine Room had a number of soft areas consisting of soft matting at the pull up rail and mirror, another area with soft matting and some cushions and a 3<sup>rd</sup> mat with support cushion for smaller children. There were 2 cot rooms in the service.

There was a newly developed sleep room with 7 cots and a newly installed air conditioning unit off the Sunshine Room with 7 cots. The second sleep room was off the Caterpillar Room which contained 5 cots. It also had a newly installed air conditioning system. Day beds were available for use for children over 2 years of age if they required a sleep.

(3)(a) There were outdoor areas directly outside the care rooms with a selection of age-appropriate toys. There was an outdoor play area directly off the Ladybird Room which all children had access to. This included a variety of surfaces which included safety surfaces, grass, paved paths, grass and planted areas. Age-appropriate equipment included a climbing frame, slide and tunnel, climbing wall, wooden bridge and swing set, which promoted many areas of development. A further newly developed area to the back of the service was accessible to the children with pebbled surface and new large wooden play equipment.

## 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.*

#### Non-Compliance Information

##### Safe Sleep:

1. The safe sleep log was not always completed fully with the ‘ as per previous (“)’ sign used repeatedly instead of the written observation being documented each time. This is a recurrent non-compliance.

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

##### Corrective & Preventive Action

##### Safe Sleep:

1. Staff have been made aware that they need to use actual words on the sleep sheets and not (“) as previously noted in the inspection. This is now done. All staff know now that the use of “ is not acceptable in the sleep sheets. The room leader has been made aware of the need to keep on top of the sleep sheets, that they are being completed correctly.

##### Supporting documentation submitted

##### Safe Sleep:

Copy of completed sleep check sheets submitted.

#### Summary Comment

The registered provider’s response and evidence was reviewed and accepted. The non-compliance has been addressed and will be for review 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 registered provider ensured that there was a person trained in First Aid Response for children, on the premises at all times.

(2)(a) and (b) The first aid box was suitably equipment and available to the preschool children.