

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015MN057
--------------------------	-------------

Name of Service:	Top of the Tots
-------------------------	-----------------

Address of Service:	Killymarley, Monaghan, Co. Monaghan
----------------------------	-------------------------------------

Eircode:	H18 P821
-----------------	----------

Name of Registered Provider:	Donna Evans
-------------------------------------	-------------

Service type:	Part Time, Sessional
----------------------	----------------------

Date of Inspection:	04/09/2024
----------------------------	------------

No of pre-school children:	AM	17	PM	No.
-----------------------------------	----	----	----	-----

Address of the Early Years Inspectorate:	No.18 The Grange Plantation Walk Monaghan
---	---

Inspection undertaken by:	S. Skinnader
----------------------------------	--------------

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

Top of the Tots was established in 2007 and operates as a privately-owned service offering part-time pre-school care. The service caters for a maximum of 18 pre-school children and operates from 08:30 – 13:30 Monday - Friday. There is currently no afternoon session. The service partakes in the ECCE scheme from 9am – 12pm. This part-time service is conducted from a converted garage to the side of a domestic dwelling on the outskirts of Monaghan town. The service operates as 1 care room area with adjoining sanitary accommodation and a covered outdoor area the "recreational centre". The children have access to a large outdoor play area to the back of the premises.

Staffing

There are 2 staff employed in the service working directly with the 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, 26 and 28. These findings are outlined within the relevant regulations within this report.

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 member 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,

(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 designated person in charge and named deputy person to deputise as required. Both were on the premises when the inspector arrived and were present throughout the inspection.

There were 2 staff members employed in the service including the registered provider and 1 staff member. The 2 staff files were reviewed.

(2)(a) & (b) There were 2 written and validated references from a past employer or an alternative source available for 1 staff member.

There were 2 written references available for the 2nd staff member.

(c) Garda vetting disclosures had been obtained for the 2 staff members and the service adhered to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years.

(d) Following a review of the staff files presented for inspection documentary evidence indicated that international police vetting was not required as none of the staff members had lived outside the Irish jurisdiction for a period of 6 months or more as an adult.

(4) Documentary evidence was available to confirm that the childcare qualification for both members of staff in the service met the minimum qualification required to enable them to work directly with the preschool children.

Non-Compliance Information

(2)(a) Two written references were not validated.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The staff member provided her cv and 2 written references. The registered provider has been in contact with both referees to confirm that they are legitimate.

The registered provider will check staff files regularly and ensure to have 2 written and validated references for any staff member prior to commencing employment.

Supporting documentation submitted

References x 2 and CV

Summary Comment

The Inspectorate have reviewed the registered provider's response and supporting evidence. The non-compliances have been addressed.

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 inspectors arrived at the service and for the duration of the inspection.

(2) The following adult: child ratios were observed in the care rooms when the inspectors arrived at the premises:

Preschool Room:

There were 17 preschool children (aged 3 - 5 years) attending this room with 2 childcare staff.

The child adult ratios were correct.

(8) The registered provider ensured that at least 2 adults were 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, and

Compliance Information

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

BASIC NEEDS:

- The personal care provided met the needs of the children attending the service e.g., hands were washed, and noses wiped as necessary.
- Independent toileting was promoted for all children however assistance and supervision was given as necessary. Gentle reminders were given to encourage hand washing.
- The children's lunches were provided by the parents and were stored appropriately in the fridge on the premises. Healthy eating was promoted in the service. The children always had access to their individual drink bottles.
- All children attending the service had a change of environment to the recreational centre and the garden area for a short while and were dressed appropriately when going outside.

SUPPORTING RELATIONSHIPS AROUND CHILDREN:

- The adults demonstrated sensitivity, warmth and positive regard for the children as evidenced in the positive use of language and kind soft tones in the care room.
- The registered provider facilitated shorter hours for new children settling in and provided support to these children. Staff were observed engaging with the children in play activities and sitting and playing on the ground with the children.
- It was stated that communication with parents is generally at and drop off and pick -up. A messaging app was also in use to communicate with parents.

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) There were plastic covered cushions available in the “recreational centre” for the children to sit and relax . The registered provider stated that these cushions could also be brought into the main care room if the children wished to sit on them and relax away from an activity or if they needed to lie down and rest.

(3)(a) Outdoor play area:

There was a large outdoor area available to the rear of the premises. This grassy area had a slide and climbing frame, ball pool, covered area with mud kitchen, buggies, prams, table and chair, and blackboard and a sheltered area. A bench, sand pit and a polytunnel were also available where it was reported the children took part in gardening activities growing fruit and vegetables during the year. In addition, there was a shed for toys and a large supply of ride on toys.

Recreational Centre:

Another converted garage area provided additional outdoor covered space for year- round physical activities and games. The garage door to the front of the building was opened and provides access to the front drive for Buntás activities. A low plastic barrier was placed across the front of the door area at pick-up time to prevent the children going out on the driveway.

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 equipped and available to the preschool children.

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 record was maintained of all fire drills which had been completed in the service and were carried out monthly, the last recorded 6/9/24.
- (b) A record was kept of the number, type and maintenance of the fire-fighting equipment dated 09/23.
- (4) Notices of the procedures to be followed in the event of a fire were conspicuously displayed in the premises

Non-Compliance Information

- (1)(b) There was no record in writing of a maintenance record of the smoke alarm system. It is acknowledged that this was submitted dated 6/9/24.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider contacted a fire service contractor, and they came out and checked and serviced the smoke alarms and provided a certificate.

The registered provider will ensure when the fire service contractor is doing their annual checks that they will service the smoke alarms also.

Supporting documentation submitted

Fire alarm service certificate

Summary Comment

The Inspector is satisfied that the non-compliance has been addressed.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

Adequate insurance cover was available for up to 22 children and expires 27/03/2025.