

Early Years Inspectorate Regulatory Report

Pre School

Tusla Identifier:	TU2015MO014			
Name of Service:	Ballyheane Buttercups			
Address of Service:	Ballyheane, Castlebar, Co. Mayo			
Eircode:	F23 WP92			
Name of Registered Provider:	John Mcgovern			
Service type:	Full Day, Part Time, Sessional			
Date of Inspection:	19/01/2024			
No of pre-school children:	AM	24	PM	21
Address of the Early Years Inspectorate:	Early Year's Inspectorate, TUSLA, Child and Family Agency, 2nd Floor, St. Mary's HQ., Castlebar, Co. Mayo.			
Inspection undertaken by:	M Farrell and L Costello			
Title:	Early Years Inspectors			

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

Ballyheane Buttercups is registered to provide full day, part time and sessional services to children aged from 0 to 6 years of age. The service opens from 8:00 to 18:00 hours with sessional services provided from 9:15 until 12:15 hours. The service is registered to provide school aged services. The premises is in a two-storey building part of which is used as a community centre. Four playrooms are currently in use by the preschool children of which three are located on the ground floor and one playroom is on the first floor of the building. Dedicated sleep areas are provided in two of the playrooms. There is a reception area, kitchen, staff room/kitchenette, office and sanitary facilities. Outdoor play facilities for children include an enclosed pre-school playground beside the building and a separate sensory garden.

Staffing

There were fourteen staff members including a manager, childcare staff and a cook at the time of the inspection. One staff member was employed through the Access and Inclusion Model.

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 sections of regulations 9, 11, 16, 19, 23, 25 and 26. 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 inspectors wish 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

(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

- (2)
- It was confirmed with the designated person in charge following review of documents and discussion with staff that five new staff had started working in the service since the most recent focused inspection of the 28 March 2023. The vetting information for the other ten staff members had been reviewed on previous inspections. The following vetting documentation and qualifications were available on file for the five new staff members:
- (a) Two written validated references from past employers in particular the most recent employers.
 - (c) Garda vetting disclosures had been obtained for all 14 staff. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.
 - (d) Vetting documents showed that international police vetting was not required for three staff.
- (4)
- Evidence of the required qualification in Early Childhood Care and Education or equivalent was available on file for the four staff new to the service since the last inspection who worked directly with the preschool children.

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 inspectors' unannounced arrival to the service there were 8 adults working directly with 23 children in the service. One further child and an additional staff member attended the service after the inspectors' arrivals. The designated person in charge also provided direct care to children during the day. A review of a sample of attendance records showed that an adequate number of adults worked directly with the children during service hours of operation.

(2) The minimum adult to child ratios were provided on the day of the unannounced inspection in accordance with the required ratios considering the ages of the children and the length of time each child spent in the service as outlined below:

Baby playroom: : Two staff cared for four child aged 10 months to two years of age in the morning and afternoon.

Wobbler playroom: Two staff cared for six children aged one to three years of age in the morning and afternoon.

Early Preschool playroom: Two staff cared for nine children aged three years of age in the morning and for seven children during the afternoon.

Preschool playroom: Two staff cared for five children aged four years with an additional staff member arriving to the playroom at 11.16 hours.

(8)(a) There were more than two adults present at all times during the unannounced inspection. The attendance records and staff rosters reviewed showed that at least two adults were present in the service at all times during opening hours.

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:

(i) details of staff rosters on a daily basis.

(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.

Compliance Information

(1) (i)

The registered provider ensured that the service took measures to record the details of staff working in the service daily.

(3) The registered provider ensured that all records of attendance were made available to the inspectors on the day for 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)

- There were four playrooms in the service used to cater for preschool children of different ages and stages of development. The older children in the service attended the Preschool playroom on the first floor and the younger children attended the Early Preschool, Wobbler or Baby playrooms on the ground floor.
- Activities in the service were arranged to suit children's needs. Mealtimes were appropriately spaced out over the day with snacks provided from home eaten mid-morning by the children attending the preschool playrooms. A warm main meal of fishfingers, beans and chips was provided for the children by the service on the day.

The staff sat with the children to supervise the meals, chatting with them and encouraging conversations. In the Baby playroom, for those children requiring formula milk, this was sent in from home and stored in the fridge in the care room. Babies were held and cuddled during bottle feeding. Independence during mealtimes was promoted in the younger children's rooms and staff supported as required.

- There were scheduled rest/sleep times for the older children. For example, after dinner the Early Preschool playroom was darkened, and stackable beds were laid out in the playroom for the children to rest on. Soft seating was provided in both the Early Preschool and Preschool playrooms for children to rest/relax on throughout the day if they wished to. In the Baby playroom, five standard cots were available in the sleep area. All children had individual cots, and all four babies went to bed at the scheduled sleep time after dinner. In the Wobbler playroom two children used standard cots and the other four children who were over two years of age used stackable beds which were laid out in the darkened Wobbler playroom after dinner. Soft music was played as the children drifted off to sleep.
- Older children who were able to use the toilet independently were supported by the staff to do so but were within earshot of staff if they needed help. Children's nappies were changed regularly and when needed by staff who were observed to chat with the children during the nappy changes.
- Children moved around freely in the playrooms without restriction. The service's enclosed outdoor play area accessible directly from the Wobbler and Early Preschool playrooms was not used during the inspection following a risk assessment by the staff as the ground was extremely icy due to recent snow and frost. This outdoor space had fixed play equipment and ride on toys to support and encourage physical activity and gross motor development. The sensory garden located across the car park from the service, was equipped with mud kitchens, seating areas, water play and sand pit. The trees were decorated with chimes to provide music in the wind.
- The staff told the inspectors that some of the older children's favourite play activities involved messy play. During the inspection children in both preschool playrooms were observed to enjoy playing with playdough. After snack the children in the Preschool room painted at an easel wearing aprons to protect their clothes. Children in the Early Preschool playroom played at a sensory table/tray with oats and plastic toys and some of the children also played at a sand table in the playroom later in the day.
- The interactions between the staff and children were observed to be positive and warm with staff speaking to children at their eye level and using their names. Positive behaviour was supported and encouraged with the children reminded of short simple rules by the staff when needed.

The staff prompted the children to share toys and play equipment and at times used coloured sand timers to help support the process. Staff communicated well with each other on the day linking in to arrange activities and break cover. The children were prepared in advance by staff for transitions between activities. Staff were observed to greet parents warmly and chat with them when dropping off/collecting children handing over information. Staff contacted parents by telephone when needed for example when a child appeared to be unwell and made arrangements for the child to be collected from the service. Keyworker systems were in place in the service helping strengthen relationships with staff. Information on the keyworker system was displayed for example on the wall in the Early Preschool playroom.

- Low level tables and chairs were provided in the playrooms and used by the children for mealtimes and group play activities such as playdough work during the inspection in the preschool playrooms. Artwork created by the children was displayed on the walls throughout the service. The playrooms had supplies of art and craft material appropriate to the age range of children in the individual playroom. Books were displayed face outwards in display units in the preschool rooms to help children choose books to look at. The staff told the inspectors that the books on display were rotated from stores on an ongoing basis.
- The toys and play equipment in the Early Preschool playroom were stored and displayed in well equipped, defined interest areas accessible to the children including home area, role play area, creative area, construction and small world areas.
- “All about me” information on each child was displayed on the walls of the Preschool playroom including the child’s name, age, favourite colours, food and books to assist staff becoming familiar with the children in the playroom.
- Baby and Wobbler playrooms were resourced with age-appropriate resources to suit the age and stage of development. Interest areas in the Wobbler playroom included home areas, with kitchen and utensils, dress up areas with a variety of costumes, construction areas with cars, trucks, diggers and tractors. Building blocks, puzzles and jigsaws were displayed on low level accessible shelving. On the day children enjoyed sensory play with foam as part of the curriculum. In the Baby playroom resources provided were age appropriate to the young children in the room. Musical instruments, blocks, balls, dolls, and teddies were provided.

Non-Compliance Information

(1) (a)

Physical and material environment of the Preschool playroom:

Some of the interest areas of the Preschool playroom lacked definition and required review for example;

1. The tool bench in the construction area had a toy garage stored on top of it limiting access and there were no play tools provided at the bench for the children to play with.
2. There was no sink basin under the taps in the wooden units in the home/kitchen area. There was limited play kitchen equipment with only one small metal pan, plastic cup/plate and spatula for children to play with in the area restricting imaginative play.
3. The mirror at the side of the dress-up display unit was badly scratched and marked limiting children's ability to view themselves in the mirror. A mixture of toys including a doll, musical instrument, soft toys and empty plastic container were mixed up with the dress up clothes and accessories stored in the unit.
4. One of the low-level storage spaces in the wooden display unit contained a jigsaw with many pieces missing, a doll without clothes or accessories and a small play horse. Another wooden unit with transport toys had a folded dolls highchair stored on top of it and a toy fire engine missing a front wheel.
5. The sandbox contained a very small amount of sand and required additional supplies to facilitate play activities for the children.
6. Miscellaneous items including a staff members jacket, art canvas, a Christmas hat and dolls clothing were strewn on top of the wooden dolls house.

Corrective & Preventive Action submitted by the Registered Provider

The service advised in a written response that:

Corrective and Preventive Action

1. Staff were reminded to place toys in their usual places following floor cleaning. New resources have been purchased for the construction area to enhance the play experiences for the children. A repair list has been put up in reception. This will ensure the more efficient repair or replacement of resources for the service.
2. The service has purchased a full kitchen for the preschool room and have also purchased many new resources to enhance the home area. The repair list in reception will assist in a timelier replacement or repair of resources in the service.

3. The service has tidied up the current dressing up rail and ordered a new dress up rail with a mirror on the side. When all new furniture is in the preschool room, new photographs will be added to assist the children in caring for their environment. Staff have been reminded of the importance of updating photographs. The team will check and/or update the photographs in their room, once per term or as needed.
4. The miscellaneous toys were removed and placed back in their allocated places. The service has also purchased some new jigsaws and discarded any jigsaws with pieces missing. The fire truck has been discarded and will be replaced. The repair list will assist in the timely replacement or repair of items. Photographs will be updated or replaced every term to assist the children in caring for their environment.
5. The sandbox has been replenished. The manager will buy new sand regularly to keep in storage. This will ensure that sand can be replenished easily.
6. Staff were reminded to store their own coats, bags and belongings in the staff room. New small world resources were also purchased to enhance the small world area and the doll's house will be painted to freshen it up. The team will ensure their personal items are stored in the staff room. The manager will spot check the room from time to time to ensure items are in the correct places.

Supporting documentation submitted

Photographic evidence, invoices and a copy of a staff memo were submitted by the service to the Early Years Inspectorate.

Summary Comment

The actions taken and evidence submitted by the service has been reviewed by the Early Years Inspectorate and been found to have addressed the non-compliance found under this regulation on inspection.

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 were secured during the inspection allowing staff to control access to the service. Keypad systems were in place on the internal entrance doors on the ground floor and at the top of the stairs to the first floor. The alarm system on the emergency exit doors upstairs was found to be in working order when checked by the inspectors. The gates in the outdoor area accessible directly from the Wobbler and Early Preschool playrooms had securing mechanisms in place to prevent children from leaving the area unnoticed. Blind cords on the windows in playrooms were secured with securing devices. Cleaning products were stored out of reach of the children. Records were kept of managers daily checklists in the service. The toys and play equipment the children played with on the day were age appropriate and suitable for the children using them.

Infection Control:

Cleaning records were kept by the staff. The staff in the Preschool and Early Preschool playrooms were observed to prompt and supervise the children washing their hands with warm water and liquid soap and drying them with paper towels following messy play, using the toilet and before eating food. Boxes of tissues were available at low levels for the children to clean their noses with when needed. Disposable aprons and gloves were available for use and seen to be worn by staff during nappy changes. A sealable, foot pedal operated bin was used to dispose of nappies by the staff. The children snacks provided from home containing perishable items such as cheese and yoghurt were stored in refrigerators on the children's arrival to the service.

Administration of Medication:

There was no medication observed to be administered to a child during the inspection. On interview staff informed the inspector that no antibiotic is administered on site and that temperature reducing medication is only administered with parental consent.

Safe Sleep:

Childrens sleep needs were met with eight standard cots provided for those children under two years of age and low-level sleep beds were in place for the sleep needs of the older children. The temperature in the sleep room was maintained within the required range of 16°C to 20°C.

Fire Safety:

The emergency exits were observed to be unobstructed during the inspection.

Non-Compliance Information

General Safety:

1. Garda vetting was available for all staff members. However the vetting disclosures for five staff were not dated within the previous three years in adherence to the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.
2. There was a plastic container of sweets including small hard, oval shaped lollipops in a low-level cupboard in the Preschool playroom that the staff said were given to children on special occasions. The lollipops posed a potential risk of choking to children.
3. The door leading into the staff room/kitchenette containing items such as a kettle and toaster was unsecured on the inspectors' arrival to the service and at 10:30hours when rechecked and was potentially accessible by children from the Preschool playroom.
4. The door leading into the playroom used by the school aged children that also held a kettle and toaster was unsecured throughout the inspection and potentially accessible by the children from the Preschool playroom.
5. There was a metal screw protruding from the toy garage in the Preschool playroom with the potential to cause an injury to a child.
6. In the sensory garden a large hole was observed adjacent to the sand table which posed a tripping hazard.

Infection Control:

7. There were no pedals to operate the foot pedal bins in the sanitary units used by the children from the Preschool playroom during the inspection. There was no cover provided on the waste bin in the staff room-kitchenette.
8. Children in the baby room were not assisted to wash their hands prior to dinner time or after nappy changes, posing an infection control risk.

Action submitted by the Registered Provider

The service advised in a written response that:

Corrective & Preventive Action

General Safety:

1. Renewed Garda Vetting was sought for five team members. The manager will review the Garda vetting of all team members every January to ensure the timely renewal of vetting in future.
2. The team were reminded that the service has a Healthy Eating policy in place, and hard-boiled sweets / lollipops are not permitted in the service. The treats have been discarded. All current team members are aware that hard boiled sweet / lollipops are not permitted in the service. The manager has added this to the staff Induction list also, for any new team members that join the service.
3. The morning staff have been reminded that ensuring entry to school age childcare is part of their morning checks procedure. All doors have been secured now and new signs placed on them as a reminder. The manager will spot check that rooms are secure and morning checks are being completed by morning staff.
4. The morning staff have been reminded that it is their duty to check that these doors are secure following Breakfast Club in every morning. The keys have been located, and the door is now secure with a new sign to serve as a reminder. The manager will spot check that rooms are secure, and morning checks are being completed by morning staff.
5. The caretaker removed the metal screw and secured the toy so the children can play with it again. Staff were reminded to inspect toys regularly and inform management if equipment is found to be in disrepair. There is a repair list in reception and team members will regularly check for any broken toys / toys in disrepair.
6. The hole in the sensory garden has been filled in with compost. The manager will buy a small supply of compost, and store it in the shed, to ensure that holes that are dug by the children can be filled in quickly to prevent tripping hazards.

Infection Control:

7. The pedal bins have been replaced in the preschool toilets and the staff room. The repair list in reception will ensure timely replacement of pedal bins should they break.
8. The nappy changing policy was updated to reflect children in nappies needing their hands washed after changes. The team were given a copy of the updated policy. The baby room team members were informed to wash babies hands before dinner. This was also mentioned in the staff memo. The updated nappy changing policy is displayed in the changing area to remind staff to wash the children's hands. The

baby room senior staff member will ensure that all babies have their hands washed prior to mealtimes, and the manager will oversee this also.

Supporting documentation submitted

General Safety:

Copies of garda vetting disclosure documents for five adults, staff induction checklist, photographs.

Infection Control:

Photographic evidence, copies of staff memo and of the updated nappy changing policy.

Summary Comment

The regulatory non-compliance found on inspection has been addressed by the actions taken and evidence submitted by the service to the Early Years Inspectorate.

Part VI - Safety

Regulation 25 - First aid

- (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

- (2)
- (a) Suitable equipped first aid boxes were stored upstairs on a high shelf in the Preschool playroom and in a labelled storage area downstairs.
 - (b) The first aid equipment was readily available at all times should a child require first aid treatment in the service.

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*
- (2) *The record referred to in paragraph (1) shall be open to inspection by-*

(c) an authorised person.

Compliance Information

(1) (a) and (2)

Records of the monthly fire drills that had taken place in the service were made available to the inspectors by the designated person in charge with the last fire drill dated for the 18th of December 2023.