

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015MO015
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<b>Name of Service:</b>	Ballyvary Pre-school
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<b>Address of Service:</b>	Ballyvary, Castlebar, Co. Mayo
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<b>Eircode:</b>	F23 RF25
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<b>Name of Registered Provider:</b>	Michelle Comer
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<b>Service type:</b>	Sessional
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<b>Date of Inspection:</b>	23/01/2025
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<b>No of pre-school children:</b>	AM	40	PM	7
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, TUSLA, Child and Family Agency, 2nd Floor, St. Mary's HQ., Castlebar, Co. Mayo.
<b>Inspection undertaken by:</b>	M Farrell
<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

Ballyvary Pre-school is a privately owned sessional service in Ballyvary, Co. Mayo. The service is registered to provide morning sessions from 09:00-12:00 hours and an afternoon session from 12:15-15:15 hours. The service is registered to cater for a maximum of 44 children. The premises is a two-storey building that has been converted from a dwelling house to a preschool facility. There is one playroom downstairs and a second playroom upstairs in the building with sanitary facilities provided. An enclosed outdoor play area is located to the rear of the building.

### Staffing

There are seven staff working in the service including the registered provider who works directly with the children. Two of the staff are employed under the Access and Inclusion Model. Two adults were on student placement in the service at the time of the inspection.

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

The inspection focused on an examination of compliance under regulations 9, 11, 15, 16, 23, 25, 27 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 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) The registered provider was the designated person in charge in the service. There were two named people to deputise in her absence.
- (b) The designated person in charge was present in the service throughout the inspection. Records showed that either the designated person in charge or deputies were always present when children were in attendance in the service.
- (2) Discussion with the designated person in charge and review of records found that there were nine adults in the service at the time of the inspection including two adults on student placement. The following vetting documentation was available for the staff:
- (a) Two written validated references from past employers particularly the most recent employer for five adults. One written validated reference from past employers for three staff.
- (b) Two written validated references from sources other than a past employer for one adult. One written validated reference from another source for three adults.
- (c) Garda vetting disclosures had been obtained for all nine adults. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting for staff members every three years.
- (d) International police vetting documents were available on file for one adult.
- (4) Evidence of the required qualification in Early Childhood Care and Education or equivalent was available on file for the seven staff who worked directly with the 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.*
- (3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 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) therefore at that reference number is satisfied.*

#### Compliance Information

- (1) There were 7 staff working directly with 39 children on the inspector's unannounced arrival to the service. A further child subsequently arrived bring the total of children present in the morning to 40. A sample of attendance records reviewed showed that there was always an adequate number of staff provided to work directly with the children in the service.
- (3) The minimum ratios of adults to children were met during the inspection as follows:
- Downstairs playroom: 4 staff cared directly for 19 children in the morning and 3 staff cared directly for 7 children during the afternoon session.
- Upstairs playroom: 3 staff cared directly for 21 children.
- Two adult students were also present in the service during the inspection.

### Part IV – Information and Records

#### Regulation 15 – Record of pre-school child

*(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:*

- (a) the name and date of birth of the child;*
- (b) the date on which the child first attended the service;*
- (c) the date on which the child ceased to attend the service;*
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
- (e) authorisation for the collection of the child;*
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
- (g) the name and telephone number of the child’s registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.*

*(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-*

- (c) an authorised person.*

#### Compliance Information

(1) (a) to (i)

The inspector reviewed a random sample of ten children’s records across children attending both of the playrooms. The records were found to be compliant during the inspection and contained the required details as laid out under the regulation.

(3) (c)

The required information was made readily available for inspection to the inspector in the service by the registered provider on request.

### 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;*
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*
- (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.*

*(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) The registered provider kept written records of the following information in the service:

- (a) The name, position, qualifications and experience of the staff members was recorded on file.  
The following information was available in the service’s statement of purpose and function and policies:
- (b) Information on the service types and ages of children that the service is registered to provide services to.
- (c) Details of the adult to child ratios in the service.
- (d) Information on the type of care or programme provided in the service.
- (e) Details of the facilities available in the service.
- (f) Information regarding the service’s hours of opening and fees.

- (g) The service's policies, procedures and statements as required under Regulation 10 that were kept in service policy folders.
  - (h) The staff kept records of details of the attendance of each pre-school child recorded daily in attendance books in the playrooms.
  - (i) Details of the staff rostered was recorded in an attendance book.
  - (j) There was a medication administration record form available for staff to keep details if medication was needed to be given to a child in the service.
  - (k) The service had an accident and incident record book for the recording of details of accidents and incidents that had occurred in the service. A sample reviewed found that the forms had been signed by parents.
- (3)
- The required information was made readily available for inspection to the inspector by the registered provider on request.

### 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 was secured when the inspector arrived unannounced to the service and remained secured during the inspection with the staff controlling access to the premises. The outdoor area was enclosed and gate secured when the children were playing outdoors to prevent children from leaving the area unnoticed. The stairway was well lit and there was a handrail in place. The toys and play items were in good condition and suitable for the age range of the children using them during the inspection. Cleaning products were stored in secured cupboards with restrictors in place to prevent children accessing them.

##### Infection Control:

Warm water, liquid soap and paper towel was provided in the sanitary units for children and staff to wash their hands. The staff were heard to prompt children to wash their hands after using the toilet on their own.

Refrigerators were available to store children’s snacks containing perishable foods provided from home. Foot pedal bins were provided for the disposal of waste. Cleaning schedules were available, and the staff kept records of the cleaning carried out in the service. Staff were observed to clean tables after the morning snack.

**Administration of Medication:**

The designated person in charge informed the inspector that none of the children currently attending required medication to be administered to them when in the service. There was a policy in place in relation to medication management in the service and medication administration recording forms were available should they be needed.

**Fire Safety:**

The emergency exit routes were found to be free from obstruction during the inspection.

**Outing:**

The service had insurance in place for outings undertaken by the service. The staff undertook risk assessments of venues prior to outings taking place. Copies of these risk assessments were available for review in the service.

**Non-Compliance Information**

**Infection Control:**

- Rodent bait boxes with signposts instructing “do not touch” were positioned behind the toilets in the four children’s sanitary units and were potentially accessible by the children.

**Action submitted by the Registered Provider**

The registered provider advised in a written response that:

**Corrective & Preventive Action**

**Infection Control:**

- The bait boxes have been removed from the four toilets and are no longer accessible to children.

**Supporting documentation submitted**

**Infection Control:**

- Photographic evidence.

**Summary Comment**

The non-compliance found under Regulation 23 has been addressed by the action taken and evidence submitted by the registered provider.

## 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) Four staff members held up to date First Aid Responder (FAR) training certificates. At least one staff member with FAR training was present in the service when children were present and available to provide first aid if needed.
- (2) (a) There was a suitably equipped first aid box stored in a conspicuous place at a high level in between the Downstairs and Upstairs playrooms. The first aid box had adequate supplies for the number of children attending.
- (b) The first aid equipment was readily available if needed for a child.

## Part VI - Safety

### Regulation 27 – Supervision

*A registered provider shall ensure that pre-school children attending the service are supervised at all times.*

### Compliance Information

The staff were observed to supervise the children primarily by sight throughout the inspection. The children were out of sight when using the toilet but within earshot of the staff if they needed help or assistance. The staff were observed to supervise the children closely when using the stairs at the end of the session. One staff member went downstairs before the group of children to supervise them. A second staff member at the top of the stairs supervised the children walking down them and reminded them to use the handrail provided.

## Part VI - Safety

### Regulation 28 - Insurance

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

#### Compliance Information

The service had insurance in place to provide sessional services for a maximum of 44 children at any one time valid until the 27 March 2025.