

# Early Years Inspectorate Regulatory Report

## Pre School

**TUSLA Identifier:** TU2015MO029

**Name of Service:** Care & Education Academy

**Address of Service:** Castlebar Retail Park, Knockrawer, Breaffy Road, Castlebar, Co. Mayo

**Eircode:** F23 CD70

**Name of Registered Provider:** John McGowan

**Service type:** Full Day, Part Time, Sessional

**Date(s) of Inspection:** 05/12/2024

<b>No of pre-school children:</b>	AM	76	PM	66
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**Address of the Early Years Inspectorate:** Early years Inspectorate  
Markiecivez House  
Sligo  
Co-Sligo

**Inspection undertaken by:** L. Costello & B. Lavin

**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

### Description of service

Care & Education Academy is a privately owned and operated service located in a retail business park on the outskirts of the large town of Castlebar in Co. Mayo. The service provides full day, part-time and sessional preschool care to children aged 0-6 years and operates from 8.15am to 6.00pm. The service is also registered to provide school age care. The service operates from a single-story purpose-built building which has five care rooms. A kitchen, dining room, two sleep areas, an office and sanitary accommodation are also on site. Children have access to two designated outdoor areas which are located along one side of the building and can be directly accessed from some of the care rooms.

### Staffing

There were 25 staff members employed to work in the service at the time of inspection. This is not including the registered provider who is not on the premises on a daily basis. There is a named person in charge and a named person to deputise in the event of their absence. Of the 25 staff members, 22 were employed to work directly with the preschool children. On the day of inspection three students were also present in the care rooms.

### 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.

The inspection focused on an examination of compliance under regulations 9, 11, 15, 22, 23, 24 and 27. 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

(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.

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(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)

There was a person in charge and a person available to deputise as required.

(c)

Clear lines of accountability were demonstrated in the service with child care educators, room leaders and manager. Staff were aware of their roles and responsibilities.

(2) (a) (b)

Twenty-five adults are employed in the service. Seventeen of these adult files were reviewed on previous inspections. The focus of this inspection was the eight new adults employed in the service since the last inspection on the 22<sup>nd</sup> of November 2023.

Sixteen validated past employer references were available for the eight new adults employed in the service.

(c)

Garda vetting disclosures had been obtained for 25 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)

One adult of the eight files reviewed had the required international police vetting where an adult had resided in a state other than Ireland for over six consecutive months.

(3)

These vetting procedures were carried out prior to an adult having direct contact with the preschool child.

(4)

All eight adults held a recognised major award in Early childhood care and education at level 5 or above on the national framework of qualifications, or qualifications deemed by the Department of Children, Equality, Disability, Integration and Youth (DCEDIY) to meet the regulatory requirement

### 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.*

### Compliance Information

- (1) There were 13 adults working directly with 76 children on the morning of the inspectors' unannounced arrival to the service.
- (2) The minimum adult to child ratios were provided on the morning 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:
- Montessori Green room: 3 adults cared for 19 children aged from 2 to 3 years of age.
  - Sessional Room: 2 adults cared for 10 children aged 3 to 4 years of age.
  - Montessori Blue room: 2 adults cared for 19 children aged 3 to 5 years of age.
  - Wobbler Room: 3 adults cared for 13 children aged 1 to 2 years of age.
  - Toddler room: 3 adults cared for 15 children aged 2 to 3 years of age.

### 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.*

*(2) A registered provider of a pre-school service in a drop-in centre or of 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 particulars specified in subparagraphs (a), (d), (e) and (f) of paragraph (1).*

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

- (a) a parent or guardian of a pre-school child but only in respect of the record relating to that child,
- (b) an employee who is authorised in that behalf by the registered provider, and
- (c) an authorised person.

(4) A registered provider shall ensure that a record in writing referred to in paragraph (1) is retained for a period of 2 years from the date on which the child to whom it relates ceases to attend the service.

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## Compliance Information

1) (a-i)

Sixteen records of the children attending the service were reviewed. The required information including the authorisation to collect the child, details of illness or special needs of the child, the emergency contact person and record of immunisations were fully completed for each child.

(3) (c)

The records in writing were available for inspection by the early years inspectors.

(4)

The person in charge confirmed that the records are retained for the required period as set out

## 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 registered provider ensured that adequate, suitable and nutritious food and drink was available in the preschool service. The person in charge informed that inspectors that children arriving into the service prior to 9am received toast on arrival. Morning snack in the service is sent in from home in line with the service healthy eating policy. Morning snack was observed to include a variety of sandwiches and fillings, fruit and yoghurt. A three-week menu plan is in place for dinner and evening snack which is provided by the service. On the day of inspection, the main meal was bacon, mashed potato and turnip. Evening snack consisted of pancakes pineapple

and cucumber. The chef informed the inspector how the service manages food preferences, allergies and intolerances, ensuring all children have the required nutritious and varied food daily.

There is access to drinking water in the form of water station in the care rooms which can be accessed throughout the day. Water and milk are provided at mealtimes.

### 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 door was secure on the inspectors unannounced arrival to the service.
- All cleaning products were stored on high level shelving or locked cupboards out of the reach of the preschool.
- Window and blind cords were secure to the wall.
- Toys and equipment were in good condition and suitable to the age and stage of the preschool child.
- Risk assessments were in place for the care room and the outdoor play area, ensuring the play areas were checked for hazards daily prior to use.

##### Infection Control:

- Warm water, liquid soap and paper towels were available for effective hand hygiene.
- The service was visibly clean with cleaning schedules in place and up to date.
- Tables were observed to be cleaned prior to meal times and after messy play.

##### Administration of Medication:

- The service had a medication policy in place and on interview staff members were aware of the process.
- Support plans were in place for children with additional medical needs to ensure safety.

##### Safe Sleep:

- Individual sackable floor beds were available for the older children for nap times.
- A staff member supervised sleeping children in the Montessori and wobbler rooms.
- Standard cots and mattresses were available in the wobbler sleep room.

- A supply of clean linen was available for each child. All linen provided was clean, dry, and stored in sealed labelled containers within the wobbler sleep room. Cellular blankets that allow air to circulate were used for all children under 2 years of age.
- Sleeping children were monitored and a log was maintained. On the day of inspection the wobbler sleep room temperature and Montessori sleep room temperature was recorded between 18-20 degrees Celsius.
- Records indicated that sleeping children were physically checked every 10mins. Staff checked, the position, colour, breathing, temperature of the child and any remedial actions taken were documented.
- A thermometer was available in each of the playrooms and the designated wobbler sleep room and used as the method of recording the sleep room temperature.

### Fire Safety:

- Emergency exit doors remained free from obstruction on the day.
- Fire evacuation plans were displayed in the care rooms.

### Non-Compliance Information

#### General Safety:

- (1) Garda vetting was available for 25 staff members. However, one person's vetting disclosures was not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'. It is acknowledged that the service was in process of applying for this renewal.

#### Infection Control:

- (2) Soft furnishings in the rest areas of Montessori blue and Toddler room were worn with exposed foam resulting in inefficient cleaning posing an infection control risk.

### Action submitted by the Registered Provider

In a written response he registered provider stated:

#### Corrective & Preventive Action

#### General Safety:

1. Garda vetting received for the adult. Garda vetting will be reapplied for every 3 years

**Infection Control:**

2. The soft furnishings where foam was exposed has now been disposed of. New cushions have been ordered and proof of purchase sent to the inspectorate. We will dispose of any furnishings with foam exposed.

**Supporting documentation submitted**

**General Safety:**

- Garda vetting submitted to the inspectorate.

**Infection Control:**

- Proof of purchase submitted to the inspectorate.

**Summary Comment**

The corrective and preventive actions submitted by the person acting on behalf of the registered provider adequately address the non-compliance found on 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.*

*(4) A registered provider shall ensure that a record in writing referred to in paragraph (3)(b) is retained for a period of one year from the date to which it relates.*

### Compliance Information

(3) (a) (b)

The registered provider ensured that any person entering the service other than a preschool child, parent or employee was approved prior to entry and a record of this visit is retained in the service.

(4) The person in charge is aware of the required statutory requirement to retain these records for a period of one year.

### Non-Compliance Information

(1) The registered provider did not ensure that children attending the sessional room were checked in and out on the week of the 2<sup>nd</sup> of December. This poses a safety risk in the case of a fire or emergency evacuation knowing the number of children in the building.

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

In a written response the registered provider stated:

#### Corrective and Preventive Action

1. The register will be completed each morning when children arrive and leave. Staff have been informed of the importance of signing children in and out of the building.

#### Supporting documentation submitted

- Register submitted

### Summary Comment

The corrective and preventive actions submitted by the person acting on behalf of the registered provider adequately address the non-compliance found on inspection.

## 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

Children attending the service are being supervised by qualified staff members at all times. During indoor activities, supervision is primarily by sight. Staff members were observed to be seated alongside children offering support, prompting and encouraging children as they play. In the outdoors staff members were strategic in where they positioned themselves ensuring all children could be seen as they play. Mealtimes were supervised as staff members sat alongside children, offering support, assisting with opening yoghurts, cutting or mashing food as required. Sleep time was supervised by staff members remaining in the sleep room or care room supervising

sleep and completing physical ten-minute checks. Children who were able to use the toilet were supported to do so independently. Staff remained within hearing range of the children and encouraged good hand washing hygiene. Children were given the full attention of staff members during nappy changing. The equipment needed for the nappy change was within easy reach. Staff remained close supervising the child at all times.