

# Early Years Inspectorate Regulatory Report

## Pre School

**TUSLA Identifier:** TU2015MO030

**Name of Service:** Carracastle Community Childcare Service

**Address of Service:** Castleduff, Carracastle, Ballaghaderreen, Co. Mayo

**Eircode:** F45 Y205

**Name of Registered Provider:** Bernie McNicholas

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

**Date of Inspection:** 06/07/2023

<b>No of pre-school children:</b>	AM	10	PM	9
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**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

**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

Carracastle Community Childcare Service is a full day care service located beside a primary school in the village of Carracastle, Co. Mayo. The service is registered to provide childcare services to children aged between two and six years of age. The service opening hours are from Monday to Friday between 8:00 and 18:00 hours, including a sessional service from 9:00- 12:00 and a second from 09:15 to 12:15 hours. School aged services are also provided. The premises is a purpose built detached, single storey building with two care-rooms, a kitchen, an office and sanitary facilities. Large outdoor play areas are provided to the sides and rear of the premises.

### Staffing

There were nineteen adults in the service at the time of the inspection including childcare practitioners, management and administration staff, kitchen staff, a student on work experience and a staff member employed to provide art designs and cleaning support services.

### 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 inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11, 16, 23, 25, 26, 27 and 28.

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 II - Registration and Register

### Regulation 8 - Notification of change in circumstances

*(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.*

*(3) Where a registered provider has been unable for good and proper reason to notify the Agency within the time specified in paragraph (1) or (2), as the case may be, of a change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2), the registered provider shall notify the Agency in writing of the change as soon as possible thereafter.*

### Non-Compliance Information

(1) & (3)

It was found on inspection that the registered provider and designated person in charge in the service had been changed without the Agency being notified in writing of the proposed change in details.

## Corrective & Preventive Action submitted by the Registered Provider

The service advised in a written response that:

(1) & (3)

### **Corrective and Preventive Action**

The registered provider is being changed through the change in circumstance process with Tusla.

The person in charge has been changed via the change in circumstance process.

If the person in charge needs to take time off from the service, the deputy will be informed that they will act as the person in charge. If this is for a prolonged time, a change in circumstance will be submitted to notify Tusla of any change.

### **Summary Comment**

The actions taken by the service have been reviewed by the Early Years inspectorate and deemed to have addressed the regulatory non-compliance found on 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) There was a designated person in charge and a named adult to deputise in their absence.
  - (b) The deputy designated person in charge was available on the premise throughout the period of inspection.  
A sample of attendance records viewed by the inspector showed that the designated person in charge or the deputy were present in the service whenever it was in operation.
  - (2) The designated person in charge on the day informed the inspector that there were nine new adults working in the service since the most recent inspection of the 14 April 2021.  
The following vetting information was available for the nine adults new to the service:
    - (a) Two written validated references from past employers in particular the most recent employer for four adults. One written validated reference from the adult's most recent employer for one adult.
    - (b) A written validated reference from a source other than a past employer for two adults.
    - (c) Vetting disclosures from the National Vetting Bureau of the Garda Síochána for nine adults.
    - (d) The required international police vetting was available for one adult who had resided outside of the state for a period of longer than six months as an adult.
  - (4) Certification of a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework was available for three staff members new to the service since the most recent inspection who worked directly with the preschool children.

### Non-Compliance Information

- (2)
- (a) There were no written validated references available for one adult and a second written validated reference was unavailable for another adult. Two written validated references from sources other than past employers were on file for one adult who had previous employments that references were required to be sourced from.  
Second written validated references from past employers were required for two further adults.

- (b) A second written validated reference from a source other than a past employer was required for one adult.
- (d) International child protection certificates were required for three adults new to the service. There were gaps in information relating to the work experience of two adults and it was unable to be confirmed if international police vetting was required for these time frames.
- (4) The documentary evidence regarding qualifications provided on file for two staff members who worked directly with the children did not meet the regulatory requirements.

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

The service advised in a written response that:

#### **Corrective and Preventive Action**

(2)(a),(b) & (d)

Documents were sought and are now in each staff member's file. The service is developing a checklist to cross check documents as they are submitted prior to a staff member commencing employment in the service.

International child protection certificates were obtained for two staff members and the service is awaiting a third.

Proof of application for this has been submitted to the Early Years Inspectorate. The vetting certificate will be forwarded to the Inspectorate when the service receives it.

(4)

Permission has been sought for the staff members with these qualifications to practice based on their awards.

One staff member who has not yet received the document required will not work with preschool children until the service receives this. The staff member has been notified that she will receive it at the end of September 2023.

In future the service will have sought permission from the relevant body in relation to students qualification.

#### **Supporting documentation submitted**

Copies of vetting documentation and qualification information was submitted by the service.

### Summary Comment

The service confirmed in writing that three adults present during the inspection had since left the service.

It is acknowledged that the service has stated that one staff member will not work with preschool children until the service receives evidence that their qualification meets the required standard.

A copy of international child protection certificate remains outstanding for one staff member. It is acknowledged that the service has stated that the international child protection certificate will be forwarded to the Inspectorate when received.

### 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)
- The registered provider ensured that an adequate number of adults were working directly with the children at all times. On the inspector's unannounced arrival to the service there were three adults working directly with four children in the Full Day Care playroom and three adults caring for six preschool children in the Sessional/School aged playroom with an additional eight school going children present. An adult student on work placement was also present in this playroom.
- A sample review of attendance records showed that adequate numbers of adults were provided to work with children whenever the service was in operation.
- (2)
- The staff roster indicated that the minimum ratios of adults caring for the children were maintained in the service. There were six adults working directly with the ten children present on the morning of the inspection. The children present in the service were aged from two to five years of age.

### 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 ensured written records were kept of the following information in the service:
- (b) Information on the type of service type and ages of children that the service is registered to provide services to that was displayed on the walls in the service’s entrance hallway.
  - (f) Information regarding the service’s hours of opening and fees that was displayed in the entrance hallway
  - (g) The service’s policies, procedures and statements as required under Regulation 10 that were kept in a service policy folder.
  - (h) Details of the attendance of each pre-school child recorded daily in attendance books.
  - (i) Details of the staff daily working hours on rosters displayed in each playroom.

### Non-Compliance Information

(1) & (3)

(a) There was no record of the experience of one adult available on file for inspection.

(c), (d), (e)

The information provided in the service's statement of purpose and function had not been updated to reflect:

- The adult: child ratios provided in the service.
- The service's type of care or programme.
- The facilities available in the service.

(j) The written records of medication administered with signed parental consent were unable to be located by staff for inspection.

(k) There was an accident and incident book available with details of accidents and incidents that had occurred in the service. However, there was no evidence that this information had been provided to a child's parents following the most recent accident logged.

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

The service advised in a written response that:

(1) & (3)

#### **Corrective and Preventive Action**

(a) A record of experience (curriculum vitae) is now on file for this staff member. Curriculum vitae will be kept on file for all staff in the future with the staff file checklist the service is implementing to keep track of staff files.

(c) (d) & (e) The statement of purpose and function has been amended detailing the adult: child ratios, service types of care programme, facilities in the service. The service statement of purpose and function will be updated when any service changes as they occur.

(i) The service was using individual medication administration record sheets for each child, which were kept in their files but will use the medication record book from now on. All staff are made aware where this medication record book is stored.

(j) Parents are informed of accidents and incidents at collection time. All staff are reminded to give parents the white sheet detailing the accident/incident as they sign it.

#### **Supporting documentation submitted**

Copies of curriculum vitae and updated service information submitted.

### Summary Comment

The actions taken and evidence submitted by the service have been reviewed by the Early Years Inspectorate and deemed to have addressed the regulatory non-compliance found 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 main entrance door to the building was secured on the inspector's arrival to the service and remained secured during the inspection allowing the staff to control access and prevent children from leaving unnoticed. Cleaning products were stored on high shelving in the playrooms out of reach of children and there was also a secured room for the storage of additional cleaning supplies that also contained the service's washing machine. Toys and play equipment were in satisfactory condition and suitable for the age and developmental stages of the children using them on the day. The gates in the enclosed outdoor play areas were secured to prevent children from leaving the area.

##### Infection Control:

Cleaning records and checklists were kept up to date and displayed in the playrooms by staff who regularly cleaned down surfaces such as tables after use. The children were prompted and supported by the adults to wash and dry their hands using warm water controlled under 43 °C liquid soap and the paper towels provided at the wash hand basins in the playrooms and sanitary units. The children were observed to wash their hands before eating and after using toilet and messy play activities. Aprons and gloves were provided in the nappy change area for staff to use during nappy changes.

Separate changes of clothing were available for the children and stored in separate plastic zip top bags. Separate bedding was provided for children who required rest/sleep while in the service and the staff advised the inspector that this was cleaned in the service at least weekly and more frequently if needed.

Boxes of tissues were positioned at accessible low levels in the playrooms if children needed to clean their noses.

Windows were opened in the playrooms to ventilate the rooms.

### Administration of Medication:

The staff advised the inspector that at present no children in attendance required medication to be administered whilst in the service.

### Safe Sleep:

The service catered for children aged over two years of age and during the inspection two children rested or slept on stackable beds in an area of the Full Day Care playroom that was sectioned off by curtains. The children were supervised by staff when resting/sleeping with observations of the sleeping children recorded by the adults on an electronic application at ten-minute intervals.

### Fire Safety:

Emergency exits were observed to be unobstructed during the inspection.

### Non-Compliance Information

#### General Safety:

1. A large climbing system/play system had been erected in the outdoor area used by the children from the Full Day Care playroom with gravel ground cover underneath it that posed a risk of injury to a child if they fell on it.
2. Doors leading from both playrooms to the kitchen were unsecured with the potential for children to enter the kitchen area containing hazards without authorisation.
3. A small area of the wall near the door to the outdoor area in the Full Day Care playroom was crumbling with material falling out posing a safety risk to young children.
4. A rung on a low-level climbing system was damaged and required repair in the outdoor area used by the Full Day Care playroom.

#### Infection Control:

5. The covering of a small couch in the lobby area was torn with foam exposed posing difficulties in cleaning and therefore posed an infection control risk.
6. There were no lids on the waste bins containing items included used paper hand towels in the staff sanitary unit and the Sessional/School Aged Children playroom posing infection control risks.

## Action submitted by the Registered Provider

The service advised in a written responses that:

### Corrective & Preventive Action

#### General Safety:

1. The service has consulted with the maintenance team to have impact resistant surface placed in this area. The service is actively working on this and will have this action completed as soon as appropriate surfacing is sourced and the ground is prepared. Evidence will be forwarded to the Inspectorate on completion.
2. Locks are now on both doors. If they become unusable, they will be replaced.
3. The area of the wall near the door to the outdoor area in the Full Day Care playroom has been mended and skirting board replaced. This area will be monitored and repaired again if needed.
4. The rung on the climbing system has been replaced. This area will be monitored and repaired again if needed.

#### Infection Control:

5. The couch in the lobby area has been removed and sent for repair. These couches will be monitored and repaired again if needed.
6. There are now bins with lids in these areas.

### Supporting documentation submitted

Photographic evidence was submitted by the service.

## Summary Comment

The actions and evidence submitted by the service in relation to points 2. -6. address the non-compliances. The service has submitted photographic evidence in relation to point 1 that does not demonstrate that the non-compliance has been satisfactorily addressed therefore the non-compliance remains outstanding.

### 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) Certificates of the completion of First Aid Response (FAR) training courses were available for five staff members. Evidence was provided showing that eight additional members had completed FAR training and were awaiting certification.
- (2)
- (a) First aid boxes were safely stored in easily accessible locations on high shelving in both playrooms. An additional first aid bag was also available in the office to be brought on outings.
- (b) The first aid equipment was readily accessible to the staff if a child required first aid treatment.

### 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 fire fighting equipment and smoke alarms in the premises.*

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

*(c) an authorised person.*

*(3) 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) Fire drills were conducted monthly in the service with written records of the fire drills kept by the staff. The most recent fire drill was recorded as having been undertaken on the 22 June 2023.
  - (b) Records of the number, type and maintenance record of firefighting equipment and smoke alarms in the premises. The records showed that the firefighting equipment was last maintained on the 31 May 2023 and the smoke alarms/fire detection system were last maintained on the 25 January 2023.
- (2)
- (c) The records were made available in the service to the inspector on request.
- (4)
- Notices of the procedures to be followed in the event of a fire were conspicuously displayed on the walls of the playrooms.

## 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 children were supervised by qualified staff members at all times during the inspection primarily by sight. Children who were able to use the toilet by themselves were supported to do so but were within earshot of staff if they needed help. The adult: child ratios were maintained at all times. Sleeping children were supervised appropriately by the staff members.

### Part VI - Safety

#### Regulation 28 - Insurance

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

#### Compliance Information

The service had a certificate of insurance valid until the 27 March 2024 showing that adequate full day care service insurance cover was in place for the service's maximum number of children.