

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015MO037		
Name of Service:	Curious Minds		
Address of Service:	St. Patricks N.S., Chapel Street, Castlebar, Co. Mayo		
Eircode:	F23 K389		
Name of Registered Provider:	Ann Halligan , Marie Barnicle -Reddington		
Service type:	Sessional		
Date of Inspection:	09/05/2024		
No of pre-school children:	AM	33	PM 18
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
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Description of service

Curious Minds is a privately operated, registered sessional service located on the grounds of a primary school campus in Castlebar, Co Mayo. The service is registered to cater for children aged from two to six years of age providing morning sessions from 09:15-12:15 and afternoon sessions from 13:15-16:15. There are two separate buildings on the premises, one of which was purpose-built and houses the Discoverers playroom and a second demountable building where the Explorers playroom is located. Sanitary facilities are provided in both buildings. The children have daily access to a well-developed outdoor area known as “the garden” to the rear of the premises and a large outdoor area positioned between the service and primary school.

Staffing

There were nine staff working in the service at the time of the inspection including the two registered providers who worked directly with children. Four of the staff were employed under the Access and Inclusion Model scheme.

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 sections of regulations 9, 11, 15, 16, 23, 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 providers, 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*

(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 two registered providers were named as designated persons in charge in the service.
- (b) Both registered providers were available in the service during the inspection. A review of a sample of attendance records found that at least one of the designated persons in charge was available in the service during the times sampled.

(2) The registered providers informed the inspector that five of the nine staff had been employed in the service since the most recent inspection of the 22 June 2021. The vetting information for the other four staff had been reviewed on previous inspections. The following vetting documentation and qualifications were available on file for the five new staff:

- (a) Two written validated references from past employers particularly the most recent employer for one staff member. One written validated reference from a past employer for two staff.
- (b) Two written validated references from sources other than past employers for two staff and one written validated reference from other sources for two staff.
- (c) Vetting disclosures from the National Vetting Bureau of the Garda Síochána for the five staff. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d) The required international police vetting documentation was available on file for one staff member.

(4)

Evidence of the required qualification in Early Childhood Care and Education or equivalent was available on file for four staff new to the service since the last inspection who worked directly with the children.

Non-Compliance Information

- (4) There was no evidence on file to show that the qualification for one member of staff new to the service met the requirements of the regulation. It is acknowledged that after the inspection the inspectorate was informed by the registered providers that the member of staff had left the service.

Corrective & Preventive Action submitted by the Registered Provider

The registered providers advised in a written response that:

Corrective and Preventive Action

The staff member was replaced with a member of staff whose qualification meets the requirement of the regulation.

To ensure compliance with the regulation the service has adapted their personnel file form to include verification that qualifications meet the regulatory requirements. The management will be responsible for the completion of this personnel file form.

Supporting documentation submitted

A copy of the adapted personnel form.

Summary Comment

The action taken and evidence submitted by the registered providers has been reviewed by the Early Years Inspectorate and been found to have addressed the regulatory non-compliance found on inspection.

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) A sample of children and adult attendance records found that there was always an adequate number of adults working directly with the children in the service.
- (3) The registered providers ensured that at least the minimum ratios of adults to children were adhered to. For example, on the day of inspection, the following adult to child ratios were found to be in place:
- Discoverer's playroom: 4 adults cared directly for 17 children during the morning session and 5 children during the afternoon session.
- Explorer's playroom: 4 adults cared directly for 16 children during the morning session and 13 children during the afternoon session with one child leaving early.
- One of the designated persons in charge was an additional staff member on the day and worked directly with children from both playrooms.

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)

A random sample of 10 children's records across the playrooms was selected for review from the children enrolled in the service. The children's records were found to contain the information required under the regulation.

(3) (c)

The required records were made readily available to the inspector by the registered providers 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 providers ensured written records were kept of the following information in the service:
- (a) The name, position, qualifications and experience of each staff member in staff vetting files.
- The service's Statement of purpose and function contained:
- (b) Information on the service type and ages of children that the service is registered to provide services to.
 - (c) The adult: child ratios provided in the service.
 - (d) The service's type of care or programme.
 - (e) The facilities available in the service.
 - (f) 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 a service policy folder.
 - (h) Details of the daily attendance of each pre-school child recorded daily in an attendance book.
 - (i) Details of the staff attendance were recorded.
 - (j) A medication administration book was available to record any medication administered to a child while attending the service with parental consent. A sample of the written records in the book showed that two staff members checked the medication.
 - (k) There was an accident/incident report book for each playroom that contained details of accidents, injuries or incidents involving children attending the service. Parents and staff were found to have signed the forms sampled for review.
- (3)
- The records referred to in paragraph (1) were made available in the service to the inspector by one of the registered providers 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 children spent most of their time on the day playing outside in the enclosed outdoor play areas supervised closely by the staff members. There was a securing system in place on the main entrance gate from the primary school yard that was positioned at a high level out of reach of preschool children. The staff had erected a boundary rope/cable in the large outdoor area between the service buildings and primary school to restrict access by the children to an area that had high play equipment that was not used by the preschool children. The cleaning products were stored in secured cupboards by the staff and were inaccessible to the children. Large waste disposal bins were kept in a shed outside the premises. The persons in charge carried out safety checks each morning and recorded their findings on checklists displayed in the service. The play equipment used by the children during the inspection was in satisfactory condition and suitable for their age and developmental stages.

Infection Control:

Warm water and liquid soap were provided for the children to wash their hands with. Foot pedal bins were available in the service for the disposal of waste such as used paper towels following hand drying. The playrooms were clean, and the staff cleaned down equipment such as tables following snack-time. Records were kept by the staff of the cleaning/disinfecting procedures carried out. Tissues were available to the children to clean their noses with if they wished to. The staff advised the inspector that perishable food items were stored in the refrigerators provided on the children's arrival to the service.

Administration of Medication:

The registered providers told the inspector that there was no child attending the service at present that required medication to be administered to them routinely. A medication administration record book was available in the service and the staff were aware of correct procedures in relation to medication administration. Medicine to reduce body temperatures was stored in a high cupboard out of reach of the children in the Explorers playroom if needed.

Fire Safety:

The emergency escape routes were observed to be free from obstruction during the inspection.

Outing:

One of the designated persons in charge informed the inspector that an outing to a local primary school to support children's transition from the service was in the planning process with a risk assessment to be conducted by staff prior to the outing.

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 registered providers ensured that the required adult: child ratios were adhered to in the service with adequate staff available to supervise the children. The staff were observed to supervise the children appropriately mainly by sight during the inspection. The children who were able to use the toilet by themselves were out of sight of the staff when using the toilet but remained within hearing distance if help was needed to be provided by the staff. Staff positioned themselves strategically in the outdoor spaces where the children played to keep the children in their view.

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 on display for the maximum number of children that they were registered for attending sessional services with an expiry date of the 27 March 2025.