

Early Years Inspectorate Regulatory Report

Pre School

Tusla Identifier:	TU2015MO038				
Name of Service:	Darias Daycare				
Address of Service:	Moygownagh Community Centre, Moygownagh, Ballina, Co. Mayo				
Eircode:	F26 HH87				
Name of Registered Provider:	Carmel Orme				
Service type:	Part Time, Sessional				
Date of Inspection:	31/01/2025				
No of pre-school children:	<table border="1"> <tr> <td>AM</td> <td>11</td> <td>PM</td> <td>9</td> </tr> </table>	AM	11	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
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Description of service

Darias Daycare is a parttime and sessional service in Moygownagh village in County Mayo. The service is located beside a community centre and GAA pitch. The service is registered to provide services to children aged between two and six years of age. Sessional services are operated from 9:00 to 12:00 hours with parttime services available until 14:00 hours. The premises encompasses a section of the ground floor of a two-storey building and was purpose built for the provision of childcare. There is one large indoor playroom, a kitchen and sanitary areas on the premises with an enclosed outdoor play area located to the side and rear of the premises. The service is registered to provide school aged services.

Staffing

There are three staff in the service including one adult employed under the Access and Inclusion Model. The registered provider does not work directly in the service.

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, 15, 16, 22, 23, 25 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 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*

(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 person to deputise in the service.
 - (b) Both the designated person in charge and deputy were present in the service during the unannounced inspection.
- (2)
- There were three staff members working in the service. The following vetting documentation had been obtained for the staff:
- (a) Two written validated references from previous employers particularly their most recent employer for one adult. One written validated reference from their past employer for two adults.
 - (b) One written validated reference from a source other than a previous employer for one adult.
 - (c) Garda vetting disclosures had been obtained for all three 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 was not required for any of the adults as they had not lived outside of the State for longer than six months as adults.
- (4)
- Evidence of the required qualification in Early Childhood Care and Education or equivalent was available on file for two adults who worked directly with the children.

Non-Compliance Information

- (2) (a) A reference was required from one of the adults most recent employer.
- (4) There was insufficient evidence available to show that the qualification for one adult met the requirements of the regulation.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider advised in writing that:

Corrective and Preventive Action

(2) (a) The reference has been obtained and is now kept on file. The reference will be kept on file in future.

(4) The proof of qualification has been obtained and is now kept on file. The proof of qualification will be kept on file in future.

Supporting documentation submitted

Copies of validated reference and qualification information.

Summary Comment

The actions and evidence submitted by the registered provider have been reviewed by the Inspectorate. The non-compliance identified on inspection under Regulation 9 has been addressed.

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) An adequate number of adults worked directly with the children attending the pre-school service. There were three adults working directly with eleven children on the inspector's unannounced arrival to the service on the morning of the inspection. The three adults provided direct care to nine children during the afternoon of the inspection.

- (2) Part-time services were provided following the morning session with three staff directly caring for nine children. The minimum required adult to child ratios of 1:8 for children aged between three and six years of age were maintained during the provision of the part-time service.
- (8) (a) There were at least two adults always present during the inspection. Discussion with staff and review of documents found that there were always at least two staff present during operational hours in the service.

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 selected a sample of ten children's records for review. The children's records contained the information required under the regulation.

(3) (c)

The children's records were made readily available to the inspector by the designated person in charge 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.*

Compliance Information

(1)

- (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 were kept electronically.
- (h) The staff kept records of details of the attendance of each pre-school child recorded daily in attendance books.
- (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 in line with the service's policy on medication administration.
- (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 of forms reviewed found that the forms had been signed by parents and staff members.

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 children brought food from home to the service to eat during the sessional service. The service had a healthy eating policy in place reflected in the food the children ate including fruit, chopped vegetables, sandwiches with ham and cheese, rice cakes, crackers and yoghurts. The staff sat with the children to supervise them closely while they were eating together sitting in groups at tables. There was a drink station in the playroom where the children's drink bottles were stored at a low level allowing them to access a drink whenever they felt thirsty. The service provided food for the children attending the later parttime service. On the day, the service provided a meal of fruit, yoghurt, crackers and cheese to the children remaining on in the service for parttime care.

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:

There had been a recent severe storm and a storage shed and a section of wooden fencing in the outdoor area had been damaged. The fencing had been replaced following risk assessment and the area was enclosed to prevent a child from leaving the area.

The main entrance door had an electronic securing mechanism in place allowing the staff to control entry to the premises and preventing children from leaving the area unnoticed. Internal doors to the kitchen and adult sanitary unit were secured to prevent a child from entering the areas unnoticed. The toys and play items were in good condition and were appropriate for the age and developmental stages of the children playing with them during the inspection. Cleaning products were stored at high levels to prevent a child accessing them.

One child had whole grapes provided in their lunch from home. One of the staff cut the grapes appropriately to reduce the potential risk of choking posed by the whole grapes.

Infection Control:

The children were observed to wash their hands with warm water and liquid soap prompted by staff before eating their snack and following playing outdoors. Children were prompted or helped to clean their noses by staff using the tissues provided. The service was very clean and the staff were observed to clean surfaces following use for example the tables after the children had eaten their lunch. The staff kept written records of the cleaning carried out in accordance with the service's cleaning schedules. The children's snacks containing perishable food such as yoghurts were stored in a refrigerator in the service.

Administration of Medication:

During discussion, the staff showed familiarity with the service policy regarding the storage and administration of medication. None of the children required medication to be administered to them during the inspection.

Safe Sleep:

None of the children attending the parttime service needed to sleep during the day. There was a rest area with soft seating in the playroom that the children rested in at times during the inspection.

Fire Safety:

The emergency exit routes were observed to be clear from obstruction during the inspection.

Non-Compliance Information

General Safety:

1. The water temperature in the wash hand basins in the children's sanitary unit was recorded at 46.3 °C and 46.7 °C during the inspection above the required maximum level of 43°C and posed a risk of injury to a child.

Infection Control:

2. A hand operated bin was provided for the disposal of nappies in the nappy changing unit posing an infection control risk. A foot pedal operated bin is required to be provided to dispose of nappies.

Action submitted by the Registered Provider

The registered provider advised in writing that:

Corrective & Preventive Action

General Safety:

1. The thermostat was adjusted by an electrician and a water thermometer was purchased. A member of staff is to check the water temperature daily using the thermometer. An electrician is to be called immediately if water is not at a suitable temperature.

Infection Control:

2. A foot pedal bin is now in use. A foot pedal bin is to be kept in the nappy changing unit.

Supporting documentation submitted

General Safety:

1. Photographic evidence.

Infection Control:

2. Photographic evidence.

Summary Comment

The actions taken and evidence submitted by the registered provider has been reviewed by the Inspectorate and found to have addressed the non-compliance found under Regulation 23 on inspection.

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) All three staff members held up to date First Aid Responder (FAR) training certificates and were available to provide first aid to a child if needed.
- (2) (a) There was a suitably equipped first aid box stored in a conspicuous place on a high-level window ledge. 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 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 parttime services for a maximum of 20 children at any one time valid until the 27 March 2025.