

Early Years Inspectorate Regulatory Report

Pre School

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| TUSLA Identifier: | TU2015MO040 |
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| Name of Service: | Laura Reapy Ltd T/A First Steps Crèche |
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| Address of Service: | Units 35/36 An Lantan, Castlebar Road, Ballinrobe, Co. Mayo |
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| Eircode: | F31 RK25 |
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| Name of Registered Provider: | Laura Reapy |
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| Service type: | Full Day, Part Time, Sessional |
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| Date of Inspection: | 02/02/2024 |
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|-----------------------------------|----|----|----|----|
| No of pre-school children: | AM | 44 | PM | 26 |
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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 and Y Coyne |
| Title: | Early Years Inspector and Inspection and Registration Manager |

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).

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| Conditions if applicable | Not applicable |
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Description of service

Laura Reapy Ltd T/A First Steps Crèche is registered to provide full day care, part-time and sessional services to preschool children and is located in Ballinrobe, County Mayo. The service is registered to cater for children aged from two to six years of age between 7:30 hours to 18:00 hours. The premises is a purpose built, detached, two storey building with four playrooms on the ground floor, a kitchen, sanitary facilities and an office. The children have access to enclosed outdoor play areas located to the rear and sides of the premises. The service is registered to provide school aged services.

Staffing

There were twelve staff working in the service including the registered provider, manager, childcare staff, cook and cleaning/support staff members. An adult student was on educational 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/ 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, 10, 11, 16, 19, 23 and 32. 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.

Additional information

The inspection was triggered by information received by the Tusla Inspectorate. The inspection process included a review of the regulations relevant to the information submitted.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, 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)

The service had changed their opening hours from 07:30 - 18:00 hours to 8:00 - 17:00 hours without notifying the Early Years Inspectorate.

Corrective & Preventive Action submitted by the Registered Provider

(1) & (3)

The registered provider advised in a written response that:

Corrective and Preventive Action

A change of circumstance form was submitted to TUSLA on the 8 February 2024 updating hours the service operates from 7.30am-18.00 hours to 08.00am-17.30 hours.

Management will ensure that change of circumstance forms are submitted prior to any change in the service in the future.

Supporting documentation submitted

Evidence of the approval of the change in service opening hours.

Summary Comment

The regulatory requirement has been met by the actions taken and evidence submitted by the registered provider.

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.

(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.

(7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:

- (a) the policies, procedures and statements of the service specified in Schedule 5.

Compliance Information

- (1)
- (a) The registered provider was the named designated person in charge in the service and there was a named person to deputise as required in her absence.
 - (b) The registered provider and deputy designated person in charge were available on the premises throughout the period of the unannounced inspection.

(c) There was a clear management structure in the service identifying the lines of authority and accountability in the service. The staff demonstrated awareness of their specific roles and responsibilities during discussions with the inspectors.

(2)

(a),(b),(c) and (d)

The inspectors were informed by the staff that that there were twelve staff and one student in the service at the time of the inspection. It was confirmed that the vetting documentation for nine staff had been reviewed during previous inspection in the service and were found to be compliant under this regulation. The following vetting documentation and qualifications were available on file for the four adults new to the service since the last inspection of the 28 February 2022:

(a) Two written validated references from past employers including their most recent employer for one adult. One written validated reference from a past employer was on file for three adults.

(b) One written validated reference from a source other than a past employer for three adults.

(c) Garda vetting disclosures had been obtained for all 13 adults. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) Vetting documents showed that international police vetting was not required for the four adults.

(4)

The qualifications for the two staff new to the service who worked directly with children were reviewed and deemed to have met the requirements of this regulation.

(7) A copy of the service's staff handbook was provided electronically to staff members. The handbook outlined requirements for supervision and training.

Non-Compliance Information

(7) It is acknowledged that staff had attended external training however there was no evidence of internal training of policies or induction. The staff handbook stated that in relation to support and supervision, regular meetings would be held between employee and managers including training needs identification with written records kept. It is acknowledged that there were supervision records available for some staff but not all staff members.

Corrective & Preventive Action submitted by the Registered Provider

(7)

The registered provider advised in a written response that:

Corrective and Preventive Action

First Steps are scheduling staff support meetings in the timeframes outlined in our staff support and supervision policy. Follow up will take place after these meetings.

Annual appraisal meetings are be scheduled for June every year and will be documented and filed.

Times scheduled in on calendar for staff support meetings and dates scheduled in for appraisals in the calendar for June 2024.

Supporting documentation submitted

Copies of the staff training and supervision policies were submitted in addition to a copy of the completion of training in support and supervision for a staff member.

Summary Comment

The actions taken and evidence submitted by the registered provider has addressed the regulatory non-compliance found on inspection.

Part III – Management and Staff

Regulation 10 - Policies, procedures etc. of pre-school service

A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.

Compliance Information

Written copies of policies, procedures and statements were in place in the service.

The settling-in policy contained sufficient information to meet the regulatory requirements.

Non-Compliance Information

The following policies were unavailable for review in the service.

- (t) Staff training policy.
- (u) Supervision policy.

The following polices reviewed by the inspectors on inspection did not contain adequate detail to meet the requirements of the regulation:

- (e) policy on managing behaviour,
- (f) policy on safe sleep,
- (j) policy on accidents and incidents.

Corrective & Preventive Action submitted by the Registered Provider

(e), (f), (j), (t) and (u)

The registered provider advised in a written response that:

Corrective and Preventive Action

Management will ensure that correct procedures and checklists are completed for all new staff and students commencing employment or placement at First Steps Creche and afterschool. Reviewed policies and procedures will be discussed with all team members and amended if required following staff discussion.

All policies and procedures will be reviewed every two years or sooner if management and staff feel a need to review or update changes to the service. All policies and procedures are currently under review in the creche.

Supporting documentation submitted

Copies of updated policies were submitted.

Summary Comment

The Early Years Inspectorate has reviewed the actions and evidence submitted by the registered provider and deemed the regulatory non-compliance found on inspection to have 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) On the inspectors' unannounced arrival to the service there were 7 adults working directly with 43 children in the service. One further child attended the service after the inspectors' arrivals. The designated person in charge also provided direct care to children during the day. A review of a sample of attendance records

showed that an adequate number of adults worked directly with the children during service hours of operation.

An adult student was also present in the service on the day of the inspection.

(2) The minimum adult to child ratios were provided on the day of the unannounced inspection 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:

Toddler playroom: One staff cared for two children aged two and three children aged three years of age in the morning. The staff member cared directly for two children aged two and two children aged three years of age during the afternoon.

Preschool 1 playroom: 2 staff cared directly for 20 children aged over 3 years of age in the morning and 12 children in the afternoon.

Preschool 2 playroom: 1 to 2 staff cared directly for 8 children aged from 3 to 4 years of age in the morning and for 6 children during the afternoon.

Preschool 3 playroom: 2 staff cared directly for 11 children aged 3 to 4 years in the morning and 1 staff member cared directly for 4 children during the afternoon of the inspection.

(8)(a)

There were more than two adults always present during the unannounced inspection. The attendance records reviewed showed that at least two adults were always present in the service during opening hours.

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:

(k) details of any accident, injury or incident involving a pre-school child attending the service.

Compliance Information

(1)

(k)

The registered provider ensured that the written records were kept of accidents, incidents or injuries to children in the service in an accident and incident record book that was made available by staff for inspection.

Part V - Care of Child in Pre-school Service

Regulation 19 - Health, welfare and development of child

(1) A registered provider shall, in providing a pre-school service, ensure that-

(a) each child's learning, development and well-being is facilitated within the daily life of the pre-school service through the provision of the appropriate activities, interaction, materials and equipment, having regard to the age and stage of development of the child, and

(b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.

(2) A registered provider shall ensure that no corporal punishment is inflicted on a pre-school child whilst attending the service.

(3) A registered provider shall ensure that no practices that are disrespectful, degrading, exploitive, intimidating, emotionally or physically harmful or neglectful are carried out in respect of a pre-school child whilst attending the service.

Compliance Information

(1)

(a) The staff arranged appropriate activities throughout the day to meet the children's needs. Most of the children's time was spent playing outdoors during the inspection in the well-developed outdoor area that

had a diverse range of play equipment. The outdoor space was divided into two areas with one area used by the older children from Preschool 1 playroom and the other area used by the younger children in the other three playrooms. The children had free choice of play activities outdoors with numerous opportunities for messy play provided. Some of the children from Preschool 2 playroom made “pizza” at the mud kitchen in the sheltered area of the larger outdoor space while others played in the enclosed sand area. Physical activity was supported for example with children and staff from the Preschool 1 playroom playing a game together pretending that the ground was lava. Children were observed to use the selection of ride on toys provided and climb on the sunken tyres with other children playing football with one of the staff.

The playrooms were well resourced and arranged in similar defined interest areas with home corners, construction areas, dress up areas, construction and transport areas provided in the rooms. Toys and play equipment were suitable for the age and developmental stage of the children using them. The play equipment was stored and displayed at low levels to allow children to look at them and choose their preferred play activities and replace them after use depending on their developmental stage. The staff informed the inspectors that play at the sensory tables was a favourite activity for some of the children with yellow coloured rice and black beans played with in one playroom on the day. The sensory table contents were changed twice a week and could reflect different themes with plans for pink rice to celebrate the forthcoming St. Valentine’s Day.

Meals were appropriately spaced out and on the day a meal of vegetable pasta was observed to be provided reflecting the menu available to parents. Mashed potato, garlic bread, carrots and broccoli were provided to accompany the pasta and vegetable sauce with the children given choice in relation what they wished to eat. The staff sat with the children when they ate chatting to them whilst supervising them. Individual drink containers were available during the day to the children in case they were thirsty and wanted a drink during activities.

The interactions between staff and children were observed to be warm and positive with the staff showing familiarity with the children they cared for. There was evidence of key worker systems in place and the staff advised the inspectors that parents were aware of their child’s keyworker. The staff promoted children to develop independence for example there was a sign-in system in the Preschool 2 playroom with the children placing a photograph of themselves on a display board to show that they were in attendance in the playroom each day. Staff members were observed to speak with parents/guardians telling them about their child’s day in the service at drop off and collection times at an

entrance gate to the outdoor area and inside the premises. The staff told the inspectors that an electronic application was used to help communicate with parents including weekly playroom activity updates with photographs sent out to update parents. Other communication methods included electronic systems to send private messages to parents if needed. Staff from the Preschool 1 playroom showed an inspector example of scrapbooks that had been made for each child that were being sent home that day for parents to look at. There were sections in the scrapbooks for parents to comment and feedback in writing in the books.

- (b) Provisions were in place to change children's clothes if needed with spare changes of clothes for children available. One child was observed to need to have their clothing changed following playing outside and a staff member discreetly helped them to change their clothes chatting to them throughout using positive language.

The children in the older playrooms were toilet trained and were supported and encouraged to use the toilet independently at any time with the staff within earshot if help was needed.

There was a schedule for nappy changing in the toddler room. Children who required nappy changing were brought by a staff member while a relief staff member stayed with the remaining children. Nappy changing followed good practice in communication with children and hygiene practices.

Children were given the opportunity to rest/sleep at structured times during the day with rest areas containing soft seating also available in the playrooms if children wanted to sit down and relax at any time. For example, prior to dinnertime, the Preschool 2 playroom was darkened, and soft music was played with the children given opportunity to rest with blankets and cushions on the floor. Some of the children chose not to rest/sleep and played with tabletop activities and art equipment in a separate area of the playroom.

Before dinnertime the staff in one of the playrooms encouraged the children to line up to wash their hands. The children washed and dried their own hands supervised by the staff to ensure their hands were thoroughly cleaned.

Children in the toddler room took part in story time prior to sleep. While the relief person read a story the staff member set up the sleeping beds. The room lights were dimmed, and the children took their own blankets and pillows and in the main settled themselves. They appeared familiar with the routine and a number were ready for sleep. Children that did not require a lot of sleep were brought to an area of the room for play which allowed the other children to remain sleeping without disturbance. One child remained sleeping until ready to wake.

(2)

The registered provider stated in the service’s behaviour management policy that children shall not be subjected to any form of corporal punishment. The interactions between staff and children were positive at all times during the inspection.

(3)

The staff members were observed to use positive approaches to manage children’s behaviour during the inspection in line with the service’s behaviour management policy. The staff worked closely with the children involving themselves in play activities whilst supervising them. The staff spoke respectfully to the children in low tones and praised them at appropriate times. The children were alerted to upcoming transitions by staff to prepare them and ease transitioning from one activity to the next. A picture exchange system was observed in one of the playrooms to support a child who was experiencing difficulties with managing transitions from one activity to another. The staff advised the inspectors that small, coloured sand timers were also used when need to help support showing children how to take turns and share but were not required to be used during the inspection. No practices that were disrespectful, degrading, exploitive, intimidating emotionally or physically harmful or neglectful were observed during the inspection.

Non-Compliance Information

(1)(a)

A large thin fabric mat was provided for all the children to rest/sleep on in the Preschool 2 playroom and a thick blanket was provided for the children to lie on during rest time in the Preschool 1 playroom instead of an individual sleep mat or child bed as described in the service’s safe sleep policy.

Corrective & Preventive Action submitted by the Registered Provider

(1)(a)

The registered provider advised in a written response that:

Corrective and Preventive Action

The registered provider spoke to all parents in Preschool 1 and Preschool 2 playrooms on the 6 February 2024 regarding their children’s sleep needs. Two parents in Preschool 2 playroom requested that their child will be given the opportunity to sleep for 30/40 minutes each day.

A set of six sleep mats were ordered and are now in place in the room. The service’s sleep policy has been reviewed and amended to reflect this.

All changes have been discussed with each staff member regarding the updated safe sleep policy and a new sleep checklist in place with 10-minute checks on each child. This will be monitored by management to ensure correct procedures are taking place.

Supporting documentation submitted

A copy of the revised sleep policy and receipt for sleep mats was submitted to the Early Years Inspectorate by the registered provider.

Summary Comment

The actions and evidence submitted by the registered provider have been reviewed by the Early Years Inspectorate. The non-compliance identified under this regulation has been adequately addressed.

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 external entrance door to the service was secured on the inspectors' unannounced arrival to the service and remained secured throughout the inspection. A buzzer system was in place to gain admission to the service. The inspectors were requested to sign and provide details in the visitor book on arrival following production and review of their identification information. The kitchen area was inaccessible to children. The gates to the outdoor areas were secured to prevent children from leaving the outdoor areas unnoticed. Blind cords were appropriately secured at windows. Visibility stickers/pictures were in place on glass doors to highlight the presence of glass to the children. Cleaning products were safely stored out of reach of children for example on high shelving. The toys and play equipment in use in the playrooms during the inspection were in satisfactory condition and suitable for the age range of the children using them. Protective padding had been applied to the large metal pillars supporting the canopies in the outdoor area to minimise the risk of injury if a child bumped into them. The boiler and oil tank were fenced off in the outdoor area to prevent children accessing them.

Infection Control:

Handwashing facilities were available in the service with liquid soap, warm water and paper towels provided for handwashing and drying purposes. Boxes of tissues were available and used by the children to clean their noses

with. The service was observed to be clean with cleaning down surfaces such as tables after use. Sanitary unit tiles had been replaced following the most recent inspection.

Safe Sleep: A sleep observation checklist was followed in the toddler room and the staff member informed an inspector this information is taken on a hard copy and then updated to the electronic system in the afternoon. The staff member remained in the room while the children slept. The inspectors did not observe sleep in the pre-school rooms 1, 2 or 3.

Non-Compliance Information

General Safety:

1. There were two metal hooks protruding from a section of wooden fencing in the outdoor area with the potential to cause an injury to a child.
2. The second securing mechanism located on the inside of the wooden gate used by the children attending the Preschool 1 playroom was broken and required repair.
3. A section of the plastic mesh fencing surrounding the enclosed sand pit was damaged with sharp edges of plastic exposed and posed a risk of injury to children.

Infection Control:

4. An open bin was provided in the Toddler playroom and a push top bin in one of the sanitary units used by the Preschool 1 playroom children instead of the required foot pedal operated bins.

Action submitted by the Registered Provider

The registered provider advised in a written response that:

Corrective & Preventive Action

General Safety:

1. The hooks were removed.
2. A new securing mechanism was put in place.
3. The whole fencing area was replaced.

A designated outdoor health and safety officer has been assigned to check and risk assess that areas are safe and will liaise with managers regarding any areas that require maintenance or pose risk to children.

Infection Control:

4. Both bins were changed immediately.

Supporting documentation submitted

Photographic evidence was submitted.

Summary Comment

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

Part VIII - Notifications and Complaints

Regulation 32 – Complaints

- (1) A registered provider shall ensure that the complaints policy of the service specifies-
- (a) the procedure to be followed by a person for the purposes of making a complaint in relation to the service,
 - (b) the manner in which such a complaint shall be dealt with, and
 - (c) the procedures for keeping a person who makes such a complaint informed of the manner in which it is being dealt with.
- (2) A registered provider shall ensure that-
- (a) a record in writing is kept of a complaint made to the provider in respect of the pre-school service, and
 - (b) the complaint is duly dealt with in accordance with the provider's complaints policy.
- (3) A record in writing referred to in paragraph (2)(a) shall-
- (a) include the nature of the complaint and the manner in which the complaint was dealt with, and
 - (b) be open to inspection on the premises by an authorised person.

Compliance Information

- (1)
- The registered provider ensured that there was a complaints policy in place in the service. This policy stated;
- (a) the procedures to be followed by a person who wished to make a complaint about the service,
 - (b) the processes for dealing with the complaint,
 - (c) the way the person who makes a complaint will be kept informed of how their complaint is being dealt with.
- (2)
- The registered provider ensured that:
- (a) A written record was kept of any complaint made to the provider in respect of the service.
 - (b) Any complaint appeared to have been dealt with in accordance with the provider's complaints policy.

(3) Written records referred to in (2):

- (a) Included the nature of the complaint and the way the complaint was dealt with.
- (b) Were made available for inspection by authorised persons.