

# Early Years Inspectorate Regulatory Report

## Pre School

**TUSLA Identifier:** TU2015MO063

**Name of Service:** Kilmaine Scribbles Playgroup Ltd.

**Address of Service:** Kilmaine, Kilmaine, Co. Mayo

**Eircode:** F31 T862

**Name of Registered Provider:** Darleen O'Malley

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

**Date of Inspection:** 11/07/2023

<b>No of pre-school children:</b>	<b>AM</b>	17	<b>PM</b>	17

**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:** Martina 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

Kilmaine Scribbles Playgroup Ltd provides sessional, part-time and full day childcare services and is located beside a primary school in the village of Kilmaine in Co Mayo. The service is registered to provide services to pre-school children aged between 1-6 years of age daily from 07:30-18:00 hours. The building the service operates from is purpose built and has three playrooms of which two were occupied by preschool children during the inspection, a sleep-room, a kitchen, office and sanitary facilities. School aged childcare services are also provided in the building. Enclosed play areas are available to the children on the premises and accessible from the playrooms.

### Staffing

At the time of the inspection there were eight staff employed in the service including the manager, childcare practitioners and kitchen staff. One staff member was employed under an employment 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 inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11, 15, 16, 23, 24, 25, 26 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, 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 designated person in charge and deputy were available on the premise throughout the period of inspection. 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 informed the inspector that there were three new staff members working in the service since the most recent inspection of the 29 June 2021.

The following vetting information was available for the three new staff members:

- (a) Two written validated references from past employers including their most recent employer for two staff. One written validated reference from the adult's most recent employer for one staff.
- (c) Vetting disclosures from the National Vetting Bureau of the Garda Síochána for three staff.

- (d) International police vetting was not required for the staff members as they had not resided outside of the state for a period of longer than six months as adults.
- (4) Certification of a major award in Early childhood Care and Education at Level 5 or above on the National Qualifications Framework was available for three staff members new to the service since the most recent inspection.

### Non-Compliance Information

- (2)
  - (a) A second reference from a past employer was required for one staff member as both references on file related to the same employment.

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

(2)(a)

The registered provider advised in a written response:

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

A new reference was received and submitted.

Going forward the registered provider will ensure that references will be obtained from two employers.

#### **Supporting documentation submitted**

Copy of a written validated reference.

### Summary Comment

The actions taken and evidence submitted by the registered provider has been reviewed and 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.*

*(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)*

*(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) There were 4 adults working directly with 17 preschool children on the inspectors 'unannounced arrival to the service. An additional staff member provided relief cover at break times.

(2) The minimum adult to child ratios were provided during 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:

Preschool 1 playroom: 3 staff cared for 13 children aged between 2 and 5 years of age availing of full time and part-time day care services.

Wobbler playroom: 1 staff cared for 4 children aged 2 years of age availing of part-time and full day care services.

The Preschool 2 playroom was occupied by school aged children only cared for by one staff member during the inspection.

(8)(a)

There were at least two adults present at all times during the unannounced inspection. A sample of staff rosters reviewed showed that at least two adults were present in the service at all times during operation.

### 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-*

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

#### Compliance Information

(1) (a) to (i)

A sample of 17 children's records were selected for review by the inspector from the children currently enrolled in the service. The records were found to be compliant and contained the required details as laid out under the regulation.

(3) (c)

The required information detailed in paragraph (1) was readily available for inspection by the inspector 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 provider ensured written records were kept of the following information in the service:
- (a) The name, position, qualifications and experience of each staff member.
  - (b) Information on the type of 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. The designated person in charge advised the inspector that these policies were in the process of being reviewed and updated.
  - (i) Details of the staff daily working hours recorded on a staff roster.
  - (j) A medication administration record book to record details of medication administered to children while attending the service to include signed parental consent was available in the Wobbler playroom.
  - (k) An accident/incident book with details of any accident, injury or incident involving children attending the service with the last incident dated on the 7 July 2023 was available in the Preschool 1 playroom.
- (3)
- The records referred to in paragraph (1) were made available in the service by the designated person in charge to the inspector 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 main entrance door to the service was secured on the inspector's announced arrival to the service and remained secured throughout the inspection preventing unauthorised entry to the premises and children from leaving the service unnoticed. Blind cords on the window blinds in the sleep room and Preschool 1 playroom were secured with restrictor devices. Cleaning products were stored at high levels and inaccessible to the children. Risk assessment check lists were in place for the rooms in the services and completed by staff members daily. The warm water provided at the wash hand basins was controlled below 43°C.

##### Infection Control:

Individual storage was provided for the children's personal items and changes of clothes. The toys and play equipment were clean and appropriate for the developmental stages of the children using them. Staff cleaned down tables after use.

Cleaning schedules for the rooms were available for example the Wobbler room cleaning schedule was displayed on the inside of a cupboard door in the room. Food provided from home including perishable items such as cheese and yoghurts was stored in refrigerators under 5 °C. Foot pedal bins were available for the disposal of general waste in the service. The staff were observed to wear aprons and gloves when changing children's nappies and wash and dry their hands in the Wobbler room after the procedure.

### Administration of Medication:

The staff informed the inspector that no children in attendance on the day of inspection needed medication to be administered to them. The staff demonstrated through discussion that they were aware of the correct procedures relating to the administration of medicines. Records of medication that had been administered showed that parents had provided consent and that two staff members checked medication when it was administered.

### Safe Sleep:

All the children in attendance in the service on the day of the inspection were aged over two years of age. Children in the Wobbler room slept in the separate sleep room off the playroom after lunch in cots or on stackable beds. The staff supervised the sleeping children at all times and recorded written observations containing information on their sleep position, colour and breathing at ten-minute intervals.

### Fire Safety:

Emergency exit routes were found to be free from obstruction during the inspection.

## Non-Compliance Information

### General Safety:

1. A recycled microwave was positioned on top a wooden planting box in the outdoor area used by the Preschool 1 children and had not been adequately secured posing a risk of injury to a child.
2. Areas of the wooden surround of the sunken sandpit were damaged with splinters exposed and posed a risk of injury to children playing in the area.
3. The cover of the refrigerator in the Preschool 1 playroom was damaged and had been repaired with Sellotape and required to be replaced.
4. There were low level protruding metal hooks on an activity board in the Preschool 1 playroom that posed a potential injury risk to children in the playroom.
5. An unsecured drawer in a low-level cupboard potentially accessible by children in the Wobbler playroom contained screwdrivers posing a potential injury risk to the children.

### Infection Control:

6. There was no liquid soap and paper towels provided at the wash hand basins in the sanitary units used by the children from the Preschool 1 playroom with the children going into the playroom to access liquid soap and returning to the sinks in the sanitary area to wash their hands. The children were then observed to dry their hands with a communal cloth towel after washing their hands.
7. The waste disposal bin used to dispose of nappies in the Wobbler nappy change unit was operated by hand and was not foot pedal operated as required.
8. Soft seating provided in the Preschool 1 playroom had tears in it exposing foam and posing difficulties to effectively clean the seating.
9. A section of the floor covering in the lobby of the children's sanitary unit was coming away from the wall posing difficulties with cleaning the area.
10. There was a tear in a cot mattress covers in the sleep room with foam exposed posing an infection control risk to children.
11. The vents in the Preschool 1 playroom were very dusty and required cleaning.

### Action submitted by the Registered Provider

The registered provider advised in writing that:

#### Corrective & Preventive Action

##### General Safety:

1. The microwave was removed.
2. The wooden surround was removed, and the sand pit was filled with concrete.
3. A new fridge was purchased.
4. Metal hooks were removed from the board.
5. Screwdrivers were removed from the drawer and a child lock was placed on the drawer.

### Infection Control:

6. Liquid soap and paper towels are placed at the sink in the Preschool 1 playroom.
7. Pedal bins have been replaced in the nappy change area.
8. The couch has been disposed of and replaced with a new couch.
9. The floor covering has been glued to the floor.
10. A new mattress has been purchased.
11. All vents in the building have been cleaned.

### **Preventive Action**

A staff meeting was held after the inspection and all non-compliances were highlighted at this meeting. A safety inspector for the building has been appointed and a risk assessment and management plan has been developed.

### **Supporting documentation submitted**

Photographic evidence of the actions taken was submitted.

### **Summary Comment**

The Inspectorate have reviewed the actions and evidence submitted. The non-compliances identified under Regulation 23 have been adequately addressed.

## Part VI - Safety

### Regulation 24 - Checking in and out and record of attendance

*(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.*

*(3) A registered provider shall ensure that-*

*(a) no person other than-*

*(i) pre-school child attending the service,*

*(ii) a person dropping or collecting such a child,*

*(iii) an employee, or*

*(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and*

*(b) a daily record in writing is kept of the entry on the premises of any such person.*

### **Non-Compliance Information**

- (1) There was no record available of the checking in and out of preschool children attending the Preschool 1 playroom for the day of the inspection or the previous day.
- (3) (b) There was no written record kept of the attendance in the service of an adult present on the arrival of the inspector to the service.

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

The registered provider advised in a written response that:

### **Corrective and Preventive Action**

- (1) The staff have been spoken with about the importance of signing children in and out on a daily basis. The attendance record book will now be signed each morning and evening.  
The leader of each room will ensure the children's register is completed daily.
- (3) (b) In future the deputy manager will take responsibility to ensure that the visitor's book in the foyer is signed by visitors on entry to the building.

### **Summary Comment**

The actions taken and evidence submitted by the registered provider has been reviewed and deemed to have addressed the regulatory non-compliance found 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**

(2)

- (a) First aid boxes were located in conspicuous positions in the playrooms with additional supplies available in a first aid box in the kitchen.
- (b) Adequate supplies of first aid equipment were available should they be needed for the children at all times.

### **Non-Compliance Information**

- (1) There was only one member of staff with the required First Aid Responder (FAR) training and cover was not available to the children at all times during the hours of service operation from 7:30-18:00 hours.

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

The registered provider advised in writing that:

(1)

### **Corrective and Preventive Action**

Since the inspection one member of staff has completed two days of FAR training and is to complete a third day of training.

In future there will be two to three staff with FAR training to provide cover in the service.

### **Supporting documentation submitted**

The registered provider advised that the staff member's certificate of FAR training will be submitted to the Early Years Inspectorate when completed.

### **Summary Comment**

This regulation remains non-compliant until additional staff complete FAR training to ensure that a staff member with the required training is immediately available when children are present in the service.

## 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-
- (a) a parent or guardian of a pre-school child attending or proposing to attend the pre-school service,
  - (b) an employee, and
  - (c) an authorised person.
- (4) 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) Written records of the monthly fire drills undertaken in the service were kept by the staff.
- (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 21 October 2022 and the fire alarm system was last serviced on the 21 November 2022.
- (4) Notices of the procedures to be followed in the event of a fire were conspicuously displayed on the walls in the service.

## 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 correct adult:child ratios were maintained during the inspection including staff break times when relief cover was provided in the playrooms. The staff members were observed to supervise the children primarily by sight. Some of the children in the Preschool 1 playroom were out of view of the staff when using the toilet but were within earshot if help and assistance was needed to be provided. When sleeping, the children were supervised at all times during the inspection by the staff. At mealtimes close supervision of the children by the staff was observed. The staff members supervised the children when playing in the enclosed, secured outdoor spaces with staff positioned strategically in the Preschool 1 playroom outdoor area to facilitate observation of the children in different spaces.

## Part VI - Safety

### Regulation 28 - Insurance

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

#### Compliance Information

Evidence of the service's insurance cover for childcare services was available for inspection with a commencement date of the 28 March 2023.