Tuarascáil Rialála Chigireacht na Luathbhlianta Réamhscoil

Uimhir Aitheantais TUSLA:	TU2015MO091
Ainm na Seirbhíse:	Comhar Naíonraí na Gaeltachta - Naíonra na hEachléime
Seoladh na Seirbhíse:	An Eachléim, Béal an Átha, Co. Mhaigh Eo
Éirchód:	F26 P704
Ainm an tSoláthraí Chláraithe:	Ray Mac Pháidín
Cineál na Seirbhíse	Seisiúnach
Dáta na Cigireachta:	05/12/2023

Líon na leanaí réamhscoile:	AM	19	PM	-

Seoladh Chigireacht na Luathbhlianta	Cigireacht na Luathbhlianta, Urlár 2, Ceanncheathrú Naomh Mhuire, Caisleán an Bharraigh, Co. Mhaigh Eo
Cigireacht arna déanamh ag:	M Farrell agus A Kennedy
Teideal:	Cigirí Luathbhlianta

Údarás chun cigireacht a dhéanamh
Déanann Cigireacht na Luathbhlianta, Tusla cigireacht ar Sheirbhísí Luathbhlianta faoi Alt 58(J) den Acht um Chúram Leanaí, 1991 (arna chur isteach le hAlt 92 den Acht fán nGníomhaireacht um Leanaí agus an Teaghlach, 2013).

Coinníollacha, má bhaineann le hábhar	Ní bhaineann

Cur síos ar an tseirbhís

Is seirbhís sheisiúnach atá lonnaithe faoin tuath i gceantar Gaeltachta i gCo. Mhaigh Eo é Comhar Naíonraí na Gaeltachta Naíonra na hEachléime. Tá an tseirbhís lonnaithe ar thailte bunscoile agus tá sí cláraithe chun seirbhísí seisiúnacha a sholáthar do leanaí idir 2 bhliain d'aois agus 6 bliana d'aois, idir 9:20am agus 12:20pm. Cuirtear seirbhísí do leanaí in aois scoile ar fáil freisin san áitreabh is foirgneamh saintógtha é ina bhfuil seomra spraoi, cistinéad/spás oifige agus cóiríocht sláintíochta. Roinneann an tseirbhís áit spraoi iata lasmuigh leis an mbunscoil in aice láimhe.

Soláthar foirne

Tá beirt bhall foirne sa tseirbhís a oibríonn go díreach leis na leanaí. Tá beirt bhall foirne breise ar fáil chun seirbhísí faoisimh a sholáthar nuair is gá.

Modheolaíocht

Is í Cigireacht na Luathbhlianta, Tusla, rialtóir reachtúil neamhspleách ar sheirbhísí luathbhlianta in Éirinn. Sainmhínítear i Rialacháin an Achta um Chúram Leanaí 1991 (Seirbhísí Luathbhlianta) 2016 dualgas an tsoláthraí chláraithe sábháilteacht agus folláine leanaí a chinntiú agus cloí leis na riachtanais seo. Tugann an tAcht seo údarás do Tusla measúnú a dhéanamh ar chomhlíonadh leis na rialacháin. Is é is aidhm le rialáil maidir le seirbhísí óige ná a chinntiú go seastar le cúram, sábháilteacht, agus folláine na leanaí a fhreastalaíonn ar na seirbhísí seo. Pleanáiltear cigireachtaí ar sheirbhísí luathbhlianta bunaithe ar na pointí seo a leanas:

- Stair chigireachta na seirbhíse
- Eolas ar bith a fhaightear maidir leis an tseirbhís

Tá torthaí na cigireachta bunaithe ar:

- Eolas a fhaightear trí dhoiciméid a imscrúdú
- Breathnú díreach
- Plé le baill foirne ábhartha

Ba chigireacht gan choinne é seo, agus díríodh ar rialachas/sláinte, leas agus forbairt an linbh/sábháilteacht lena linn. Féadfaidh cigireachtaí díriú ar réimsí eile chomh maith, de réir mar is gá.

Dhírigh an chigireacht ar scrúdú a dhéanamh ar chomhlíonadh faoi rialacháin 9, 10, 11, 17, 19 agus 32; le linn na cigireachta, áfach, sainaithníodh neamhchomhlíonadh faoi Rialachán 23 a bhí ina riosca. Tá na torthaí seo leagtha amach laistigh de na rialacháin ábhartha sa tuarascáil seo.

Leagtar amach torthaí na cigireachta sa tuarascáil maidir leis an gcigireacht a eisítear mar dhréacht-tuarascáil ar dtús chuig an tseirbhís, agus bíonn deis ag an tseirbhís freagra a thabhairt ar thorthaí ar bith a luaitear inti. I gcás go sainaithnítear nach bhfuil ceanglais reachtúla á gcomhlíonadh, ní mór don soláthraí cláraithe léiriú a thabhairt ar an mbealach a réitíodh an neamhchomhlíonadh agus mar a chuirfear cosc ar an neamhchomhlíonadh amach anseo. Úsáidfear an plean um Ghníomh Ceartaitheach agus Gníomh Coisctheach (CAPA) chun bonn eolais a chur le cinntí maidir le comhlíonadh le ceanglais rialála. I gcás nach n-éiríonn leis an soláthraí cláraithe na ceanglais reachtúla a chomhlíonadh, féadfar próiseas géaraithe a thosú.

Forchoimeádann an Chigireacht an ceart chun eagarthóireacht a dhéanamh ar fhreagraí a fhaightear ar chúiseanna éagsúla lena n-áirítear soiléireacht; iomláine; agus chun próisis riaracháin agus dlíthiúla a chomhlíonadh.

Is í an chigireacht a chuireann an tuarascáil le chéile.

Eolas Breise

Ba é eolas a fuair Cigireacht Tusla a spreag an chigireacht seo. Mar chuid den phróiseas cigireachta, rinneadh athbhreithniú ar na rialacháin a bhaineann leis an eolas a cuireadh isteach.

Buíochas

Is mian leis na cigirí buíochas a ghabháil leis an duine i bhfeighil, leis an bhfoireann agus leis na leanaí a bhí i láthair ar lá na cigireachta, as a gcomhoibriú.

Cuid III – Bainistíocht agus Foireann

Rialachán 9 – Bainistíocht agus earcaíocht

(1) Cinnteoidh soláthraí cláraithe-

(a) go mbeidh sa tseirbhís duine i bhfeighil ainmnithe agus duine arna ainmniú nó arna hainmniú a bheidh ábalta gníomhú mar ionadaí de réir mar is gá,

(b) go mbeidh an duine i bhfeighil ainmnithe nó an duine arna ainmniú nó arna hainmniú dá dtagraítear i bhfomhír (a) san áitreabh gach tráth le linn na tréimhse ina mbeidh an tseirbhís réamhscoile á seoladh, agus

(c) go mbeidh sa tseirbhís struchtúr soiléir bainistíochta ina dtugtar sainaitheantas do na línte údaráis agus cuntasachta sa tseirbhís agus do róil shonracha agus do fhreagrachtaí sonracha gach fostaí agus gach oibrí nach n-íoctar.

(2) Cinnteoidh soláthraí cláraithe gur duine oiriúnach inniúil gach fostaí, gach oibrí nach n-íoctar agus gach conraitheoir, agus cineál na riachtanas a bhíonn ar leanaí á chur san áireamh, lena n-áirítear trí na nithe seo a leanas a dhéanamh–

(a) breithniú ar theistiméireacht ó fhostóirí an duine san am a caitheadh, más ann, agus go háirithe ar theistiméireacht ón bhfostóir is déanaí, más ann,

(b) breithniú ar theistiméireachtaí ó fhoinsí iontaofa i gcás duine nach raibh aon fhostóirí air nó uirthi san am a caitheadh,

(c) breithniú ar an nochtadh grinnfhiosrúcháin a fuarthas ó Bhiúró Náisiúnta Grinnfhiosrúcháin an Gharda Síochána de réir Acht 2012 i leith an duine, agus

d) a chinntiú, a mhéid is indéanta, go soláthróidh duine, i gcás go raibh cónaí ar an duine i stát seachas an Stát ar feadh tréimhse ab fhaide ná 6 mhí as a chéile, grinnfhiosrúchán ag póilíní ó na húdaráis phóilíneachta sa stát sin.

(4) Cinnteoidh soláthraí cláraithe, gan dochar do ghinearáltacht mhír (2) agus faoi réir mhíreanna (5) agus (6), go sealbhaíonn gach fostaí a bhíonn ag obair go díreach le leanaí a fhreastalaíonn ar an tseirbhís, mórdhámhachtain i gCúram agus Oideachas Luath-Óige ar Leibhéal 5 ar an gCreat Náisiúnta Cáilíochtaí nó cáilíocht a mheasfaidh an tAire a bheith coibhéiseach léi sin, ar a laghad.

Faisnéis maidir le Comhlíonadh:

(1)

(a) Bhí beirt daoine i bhfeighil ainmnithe sa tseirbhís, chomh maith le duine eile ainmnithe le gníomhú mar ionadaí nuair a bhí siad siúd as láthair.

(b) Bhí duine de na daoine i bhfeighil ainmnithe agus an t-ionadaí ar fáil san áitreabh le linn thréimhse na cigireachta gan choinne seo.

(c) Bhí struchtúr bainistíochta soiléir sa tseirbhís a léirigh na línte údaráis agus cuntasachta sa tseirbhís. Léirigh an fhoireann tuiscint shoiléir ar a róil agus freagrachtaí ar leith le linn comhráite leis na cigirí.

(2) (a),(b),(c) agus (d)

Chuir an fhoireann in iúl do na cigirí go raibh ceathrar ball foirne, beirt bhall foirne faoisimh san áireamh, ag obair sa tseirbhís. Deimhníodh go ndearnadh athbhreithniú ar dhoiciméid ghrinnfhiosrúcháin na gceathrar ball foirne ar fad le linn na cigireachta seirbhíse roimhe seo agus fuarthas gur chomhlíon siad an rialachán seo.

(4)

Rinneadh athbhreithniú ar cháilíochtaí na gceathrar ball foirne a d'oibrigh go díreach leis na leanaí mar chuid de chigireacht roimhe seo agus measadh gur chomhlíon siad ceanglais an rialacháin seo.

Cuid III – Bainistíocht agus Foireann

Rialachán 10 – Beartais, Nósanna imeachta, etc. na seirbhíse réamhscoile

Áiritheoidh soláthraí cláraithe seirbhíse réamhscoile go bhfuil na beartais, na nósanna imeachta agus na ráitis i scríbhinn a shonraítear i Sceideal 5 i bhfeidhm don tseirbhís.

Faisnéis maidir le Comhlíonadh:

Bhí cóipeanna i scríbhinn de na beartais, nósanna imeachta agus ráitis atá sonraithe i Sceideal 5 le fáil sa tseirbhís agus chuir an duine ainmnithe i bhfeighil ar fáil iad lena n-athbhreithniú ag na cigirí ar iarratas.

Rinne na cigirí athbhreithniú ar na polasaithe seo a leanas sa tseirbhís agus fuarthas go raibh an t-eolas riachtanach iontu chun na ceanglais rialála a chomhlíonadh;

(b) beartas maidir le gearáin;

(e) beartas maidir le hiompar a bhainistiú;

(t) beartas um oiliúint foirne

Cuid III – Bainistíocht agus Foireann

Rialachán 11 - Leibhéil Foirne

(1) Faoi réir an Rialacháin seo, cinnteoidh soláthraí cláraithe go mbeidh gach tráth líon leordhóthanach de dhaoine fásta ag obair go díreach leis na leanaí a fhreastalaíonn ar an tseirbhís réamhscoile.

(3) Faoi réir alt (5), cinnteoidh soláthraí cláraithe seirbhíse réamhscoile seisiúnaí go gcomhlíonfar gach tráth an cóimheas íosta idir daoine fásta agus leanaí a shonraítear i gcolún (3) de Chuid 1 de Sceideal 6 os coinne uimhir thagartha áirithe a shonraítear i gcolún (1) den Chuid sin i leith raon aoise na leanaí a shonraítear i gcolún (2) den Chuid sin ag an uimhir thagartha sin.

Faisnéis maidir le Comhlíonadh:

(1) Nuair a tháinig na cigirí gan choinne chuig an tseirbhís, bhí beirt bhall foirne ag obair go díreach leis na 17 leanbh a bhí i láthair. Tháinig beirt leanbh eile isteach ina dhiaidh sin, rud a fhágann go raibh 19 leanbh ar an iomlán i láthair sa tseirbhís le linn na cigireachta. Rinneadh athbhreithniú ar shampla de thinreamh na leanaí agus uaireanta oibre na foirne a bhí taifeadta sa leabhar rolla, rud a léirigh go raibh go leor daoine fásta ag obair sa tseirbhís i gcónaí.

(3) Bhí á chloí leis an gcóimheas íosta de dhuine fásta amháin le gach 11 leanbh do raon aoise na leanaí a bhí i láthair ag na seirbhísí seisiúnacha an lá sin agus beirt dhuine fásta ag obair le 19 leanbh ar lá na cigireachta.

Cuid IV – Faisnéis agus Taifid

Rialachán 17 – Faisnéis do thuismitheoirí

Cinnteoidh soláthraí cláraithe go soláthrófar do thuismitheoir nó do chaomhnóir linbh a bheartaíonn freastal ar an tseirbhís an fhaisnéis dá dtagraítear i bhfomhíreanna (a) go (g) de Rialachán 16(1).

Faisnéis maidir le Comhlíonadh:

Maidir leis an bhfaisnéis dá dtagraítear i rialachán 16(1)(g), cuireadh lámhleabhar tuismitheora ar fáil do thuismitheoirí nuair a thosaigh a leanbh sa tseirbhís agus bhí eolas le fáil ann faoi na beartais agus nósanna imeachta a bhí i bhfeidhm sa tseirbhís. Bhí foirm chomhaontaithe seirbhíse le fáil i lámhleabhar na dtuismitheoirí agus í le síniú ag na tuismitheoirí tar éis dóibh an t-eolas a léamh. Bhí cóipeanna de na foirmeacha seo agus iad sínithe ag na tuismitheoirí ar comhad sa tseirbhís agus bhí samplaí díobh ar fáil lena n-athbhreithniú ag na cigirí. Dúradh sa lámhleabhar freisin go raibh beartais agus nósanna imeachta cuimsitheacha na seirbhíse ar fáil lena n-athbhreithniú ach iad a iarraidh. Fuarthas le linn na cigireachta go raibh cóipeanna de na polasaithe seo ar fáil sa tseirbhís i nGaeilge agus i mBéarla.

Cuid V - Cúram Linbh i Seirbhís Réamhscoile

Rialachán 19 - Sláinte, leas agus forbairt linbh

(1) Cinnteoidh soláthraí cláraithe, le linn dó nó di a bheith ag soláthar seirbhís réamhscoile—

(a) go ndéanfar foghlaim, forbairt agus leas gach linbh a urasú laistigh de shaol laethúil na seirbhíse réamhscoile trí na gníomhaíochtaí cuí, an idirghníomhaíocht chuí, na hábhair chuí agus an trealamh cuí a sholáthar, ag féachaint d'aois agus do chéim forbartha an linbh, agus

(1) Cinnteoidh soláthraí cláraithe, le linn dó nó di a bheith ag soláthar seirbhís réamhscoile—

(b) go mbeidh cleachtais chúraim chuí oiriúnacha ar bun sa tseirbhís réamhscoile, ag féachaint don líon leanaí a fhreastalaíonn ar an tseirbhís agus do chineál a riachtanas.

(3) Cinnteoidh soláthraí cláraithe nach ndéanfar aon chleachtais atá dímheasúil, táireach, dúshaothraitheach, imeaglaitheach, dochrach nó faillíoch ó thaobh mothúchán nó coirp i leith leanbh réamhscoile le linn dó nó di a bheith ag freastal ar an tseirbhís

Faisnéis maidir le Comhlíonadh:

(1)

(a)

Bhí gníomhaíochtaí iomchuí eagraithe ag an bhfoireann i rith an lae chun freastal ar riachtanais na leanaí. Nuair a tháinig na leanaí isteach sa tseirbhís, bhain siad a gcótaí sa halla, chuaigh siad isteach sa seomra spraoi agus chuaigh siad i mbun gníomhaíochtaí saorshúgartha. Bhí na bréagáin agus an trealamh spraoi stóráilte ar sheilfeanna ísle agus bhí na leanaí in ann teacht orthu, rud a chabhraigh chun gníomhaíochtaí spraoi faoi stiúir na leanaí a spreagadh. Bhí grúpaí leanaí ag súgradh le bréagáin éagsúla a roghnaigh siad, e.g. gaineamh ag an mbord gainimh, túir agus cruthanna a thógáil le brící, pictiúir a dhathú, ag spraoi le cailc-chláir agus cailc, ag rianú cruthanna, agus bhí grúpa beag leanaí ag súgradh le bréagáin feirme agus long foghlaithe. Bhí trealamh spraoi ar taispeáint in áiteanna sainspéise a bhí leagtha amach go soiléir agus lipéid shoiléire Gaeilge orthu, mar aon le pictiúir chun cabhrú leis na leanaí na hábhair éagsúla, sa Chúinne Bréigéide mar shampla, a aithint. Bhí na leanaí agus an fhoireann ag pleanáil cheana féin do cheiliúradh na Nollag le taispeántas mór ealaíne de chrainn Nollag faoi lán seoil, agus ceardlann Dhaidí na Nollag agus na lucharacháin ag obair inti ar leac ceann de na fuinneoga. I measc na ngníomhaíochtaí grúpa a bhí ar siúl ar lá na cigireachta, chonacthas na leanaí ag baint taitneamh as an gceol meidhreach nua-aimseartha a d'úsáid an fhoireann agus na leanaí rince a dhéanamh le chéile sa seomra spraoi. Ag 11:00, tar éis dóibh na bréagáin go léir a ghlanadh suas i ndiaidh spraoi agus a lámha a ní, shuigh na leanaí agus an fhoireann síos le chéile agus d'ith siad na lónta a tugadh isteach ón mbaile. Bhí atmaisféar taitneamhach suaimhneach ann ag am lóin, agus na leanaí agus an fhoireann ag ithe a gcuid bia agus ag comhrá lena chéile gan strus gan bhrú. Bhí stáisiún deochanna ann ina raibh coimeádáin dí aonair na leanaí ar fáil dóibh le linn an tseisiúin. Chuaigh an fhoireann agus na leanaí i mbun am ciorcail san áit scíthe agus tugadh deis labhartha do gach leanbh. Ag druidim le deireadh an tseisiúin, bhain na páistí taitneamh as dul ag spraoi lasmuigh san áit spraoi lasmuigh a bhí á roinnt leis an mbunscoil in aice láimhe. I measc ghníomhaíochtaí lasmuigh na leanaí, bhí cluichí reatha ar an tarmac leis an bhfoireann, baineadh leas as na bréagáin mharcaíochta agus d'úsáid grúpa beag leanaí cailceanna ildaite chun pictiúir a tharraingt ar chailc-chláir.

Spreag an fhoireann na leanaí chun a bheith chomh neamhspleách agus ab fhéidir. Mar shampla, agus iad ag dul amach ag spraoi, moladh do na leanaí a gcótaí féin a chur orthu agus chuir roinnt leanaí a gcóta ar an urlár bunoscionn chun a lámha a chur isteach ann agus é a iompú thar a gceann. Chabhraigh an fhoireann go pras le leanaí a raibh cúnamh ag teastáil uathu.

Roghnaigh cuid de na leanaí pictiúir a dhathú go luath sa seisiún agus chonacthas gur chuir siad a gcuid líníochtaí ina málaí féin sa halla le tabhairt abhaile lena dtaispeáint dá dtuismitheoirí.

Bhí córas i bhfeidhm ina ndearna na páistí sealaíocht ag cabhrú chun na málaí lóin a thabhairt amach ag am sneaice. Thosaigh duine de na leanaí ag cabhrú chun na málaí lóin a thabhairt amach ach thosaigh leanbh eile ag caoineadh mar bhí sé ag iarraidh cabhrú chomh maith. Dhéileáil an fhoireann go híogair leis an gcás agus chabhraigh siad leis na leanaí teacht ar réiteach comhaontaithe. Bhí rochtain neamhshrianta ag na leanaí ar na leithris agus bhain siad úsáid as an leithreas nuair a theastaigh uathu. Thug an fhoireann tacaíocht agus cúnamh dóibh, ag brath ar a riachtanais aonair. Chuir an fhoireann in iúl do na cigirí go raibh na leanaí go léir in ann dul go dtí an leithreas.

Bhí córas na bpríomhoibrithe i bhfeidhm sa tseirbhís, rud a léirigh beartas na seirbhíse maidir le tacú le hiompar. Bhí liosta ar taispeáint sa seomra spraoi agus grúpa leanaí na bpríomhoibrithe luaite air. Labhair an fhoireann i nGaeilge leis na leanaí le linn an tseisiúin, ag teacht le héiteas na seirbhíse. Chonacthas go raibh idirghníomhaíochtaí na foirne leis na leanaí deas croíúil agus dearfach agus thug ball foirne sólás do leanbh a bhí trína chéile tar éis titim. Bhí comhartha oiriúnach do leanaí ar bhalla an tseomra spraoi ag léiriú mothúcháin le hemoji (pictiúir bheaga dhigiteacha chun mothúcháin amhail áthas, brón agus ionadh a léiriú) chun cabhrú le leanaí conas a mhothúcháin a chur in iúl. Bhí téama na míosa ar taispeáint ar bhalla an tseomra spraoi - m'áit cónaithe - agus bhí grianghraif de thithe na leanaí le feiceáil, ag cruthú nasc idir an baile agus an tseirbhís. Bhí balla teaghlaigh ann freisin agus grianghraif de na leanaí agus a dteaghlaigh ar taispeáint air ag leibhéal súl na bpáistí.

Chonacthas an fhoireann ag labhairt le tuismitheoirí/caomhnóirí ag na hamanna fágála agus bailithe. Dúirt an fhoireann leis na cigirí gur reáchtáladh roinnt cruinnithe le tuismitheoirí ag amanna éagsúla le linn na bliana réamhscoile, lena n-áirítear cruinnithe i mí Eanáir chun dul chun cinn a leanaí a phlé. D'úsáid an fhoireann ríomhphoist chun eolas faoin tseirbhís agus tuairiscí chun dáta a thabhairt do thuismitheoirí.

(b)

Chuaigh na leanaí i mbun spraoi lasmuigh ar bhonn laethúil. Bhí forálacha i bhfeidhm chun éadaí leanaí a athrú dá n-éireoidís fliuch agus iad ag spraoi lasmuigh. Bhí seilf bheag lipéadaithe ag gach leanbh sa halla isteach ina raibh athrú éadaí ar fáil dóibh; spreagfadh an fhoireann agus chuideoidís leis na leanaí a gcuid éadaigh a athrú dá mba ghá. Chuir an tseirbhís éadaí báistí ar fáil do gach leanbh. Bhí na héadaí seo stóráilte ina seilf bheag féin le húsáid le linn drochaimsire chun na leanaí a choinneáil tirim.

Le linn na cigireachta, chonaic ball foirne go raibh gá le srón duine de na leanaí a ghlanadh. Thug an ball foirne ciarsúr páipéir don leanbh agus spreag iad chun a srón féin a ghlanadh. Chabhraigh an ball foirne nuair ba léir go raibh cúnamh éigin ag teastáil ón leanbh.

Nuair a bhí sé ag druidim le ham lóin, spreag an fhoireann na leanaí chun líne a dhéanamh agus a lámha a ní i ngrúpaí beaga toisc go raibh líon mór leanaí i láthair. Nigh agus thriomaigh na leanaí a lámha féin faoi mhaoirseacht na foirne lena chinntiú go raibh a lámha glanta go críochnúil.

Dúirt duine de na leanaí a raibh geansaí air/uirthi gur bhraith siad róthe le linn an tseisiúin. Spreag an fhoireann an leanbh iarracht a dhéanamh a ngeansaí féin a bhaint, rud a spreag neamhspleáchas an linbh, agus chabhraigh ball foirne leo nuair ba léir go raibh cúnamh de dhíth orthu.

(3)

Chonacthas cur chuige dearfach na mball foirne le linn na cigireachta maidir le hiompraíocht na leanaí a bhainistiú, rud a léirigh beartas bainistíochta iompair na seirbhíse. Tugadh faoi deara go bhfuair na leanaí treoir agus spreagadh ón bhfoireann maidir le hiompar cuí. Bhain an fhoireann leas as amadóirí gainimh chun imeacht aimsire a léiriú do na leanaí, chun cabhrú leo le coincheap na sealaíochta agus chun aistriú idir gníomhaíochtaí a éascú. Labhair an fhoireann go deas réidh leis na leanaí agus iad á spreagadh le bréagáin a roinnt agus sealaíocht a dhéanamh, agus nuair a bhí siad ag cabhrú leis na leanaí idirbheartaíocht a dhéanamh nuair a d'éirigh easaontas eatarthu.

Níor tugadh aon chleachtais faoi deara a bhí dímheasúil, táireach, dúshaothraithe, imeaglach nó díobhálach go mothúchánach nó go fisiciúil le linn na cigireachta.

Cuid VIII - Fógraí agus Gearáin

Rialachán 32 – Gearáin

(1) Cinnteoidh soláthraí cláraithe maidir le háitreabh na seirbhíse—

(a) an nós imeachta a bheidh le leanúint ag duine chun gearán a dhéanamh i ndáil leis an tseirbhís,

(b) an modh ar a ndéileálfar le gearán den sórt sin, agus

(c) na nósanna imeachta chun duine a dhéanfaidh gearán den sórt sin a choimeád ar an eolas i dtaobh an mhodha ar a bhfuiltear ag déileáil leis.

Faisnéis maidir le Comhlíonadh:

(1)

Chinntigh an soláthraí cláraithe go raibh beartas na seirbhíse maidir le gearáin ar fáil i mBéarla agus i nGaeilge lena n-athbhreithniú. Luaigh an polasaí seo:

(a) an nós imeachta a bheidh le leanúint ag duine chun gearán a dhéanamh faoin tseirbhís,

(b) na próisis chun déileáil leis an ngearán,

(c) an bealach a gcoimeádfar an duine a dhéanann gearán ar an eolas faoin mbealach a ndéileáiltear lena g(h)earán.

Cuid VI - Sábháilteacht

Rialachán 23 - Sláinte, sábháilteacht agus leas linbh a chosaint

Cinnteoidh soláthraí cláraithe go ndéanfar gach beart réasúnach chun sláinte, sábháilteacht agus leas linbh réamhscoile a fhreastalaíonn ar an tseirbhís a chosaint agus cinnteoidh sé nó sí go mbeidh timpeallacht na seirbhíse sábháilte.

Faisnéis maidir le Neamhchomhlíonadh

Sábháilteacht Ghinearálta

Tugadh faoi deara go raibh muince coirníní ómra á caitheamh ag leanbh amháin le linn an tseisiúin, rud is ghuais tachta.

Gníomh arna sheoladh isteach ag an Soláthraí Cláraithe

Thug an tseirbhís an méid seo a leanas le fios i bhfreagra i scríbhinn:

<u>Gníomh Ceartaitheach agus Gníomh Coisctheach</u>

Sábháilteacht Ghinearálta

Cuireadh i gcuimhne do thuismitheoirí láithreach nach gceadaítear slabhraí coirníní ómra sa tseirbhís, mar atá sonraithe sa bheartas ag uimhir 5.1 agus i lámhleabhar na dtuismitheoirí chomh maith ar leathanach 100. Meabhraíodh do thuismitheoirí na beartais i lámhleabhar na dtuismitheoirí a fuair siad a léamh arís.

<u>Doiciméid Tacaíochta Curtha isteach</u>

Sábháilteacht Ghinearálta

Ar an 6 Nollaig 2023, seol an tseirbhís chuig Cigireacht na Luathbhlianta cóip den ríomhphost a cuireadh chuig na tuismitheoirí agus an t-eolas meabhrúcháin ann.

Nóta Tráchta Achomair

Idir an beart a glacadh agus an fhianaise a chuir an tseirbhís ar aghaidh, tá an tseirbhís tar éis aghaidh iomchuí a thabhairt ar an neamhchomhlíonadh rialála a fuarthas le linn na cigireachta.

Early Years Inspectorate Regulatory Report
Pre School

TUSLA Identifier:	TU2015MO091

Name of Service:	Comhar Naíonraí na Gaeltachta Naíonra na hEachléime

Address of Service:	An Eaghléim, Béal an Átha, Co. Mayo

Eircode:	F26 P704

Name of Registered Provider:	Ray Mac Phaidín

Service type:	Sessional

Date of Inspection:	05/12/2023

No of pre-school children:	AM	19	PM	-

Address of the Early Years Inspectorate:	Early Years Inspectorate, 2nd Floor, St Mary's HQ, Castlebar, Co Mayo
Inspection undertaken by:	M Farrell and A Kennedy
Title:	Early Years Inspectors

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

Early Years Inspectorate Regulatory Report
Pre School

Description of service

Comhar Naíonraí na Gaeltachta Naíonra na hEachléime is a sessional service in a rural Gaeltacht area of Co Mayo. The service is located on the grounds of a primary school and is registered to provide sessional services for children aged between 2 and 6 years of age between 09:20-12:20hours. School aged services are also provided in the premises which is a purpose-built building with a playroom, kitchenette/office space and sanitary accommodation. The service shares an enclosed outdoor play area with the adjacent primary school.

Staffing

There are two staff members who work directly with the children in the service. Two additional staff are available to provide relief services when required.

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 regulations 9, 10, 11, 17, 19 and 32; however, on inspection a non-compliance which posed a risk was identified under Regulation 23. 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 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

(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.

Compliance Information

(1)

(a) There were two named designated persons in charge in the service and a named person to deputise as required in their absence.

(b) One of the designated persons in charge and the deputy 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 showed a clear understanding of their specific roles and responsibilities during discussion with the inspectors.

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

The inspectors were informed by the staff that that there were four staff including two relief staff working in the service. It was confirmed that the vetting documentation for all four staff members had been reviewed during previous inspection in the service and were found to be compliant under this regulation.

(4)

The qualifications for the four staff who worked directly with the children had been reviewed on previous inspection and deemed to have met the requirements of this regulation.

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 the policies, procedures and statements specified in Schedule 5 were in place in the service and made available by the designated person in charge for review by the inspectors on request. The following policies were reviewed by the inspectors in the service and found to contain the necessary information to meet the regulatory requirements; (b) complaints policy; (e) policy on managing behaviour; (t) staff training policy.

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) On the inspectors' unannounced arrival to the service there were 2 staff members working directly with the 17 children present. A further 2 children arrived at the service bringing the maximum number of children present in the service during the inspection to 19 children. A review of a sample of the children's attendance and staff working hours recorded in the "leabhar rolla"/roll book showed that there was always an adequate number of adults working in the service. (3) The minimum ratio of 1 adult to each 11 children for the age range of the children present attending sessional services was adhered to with 2 adults working with 19 children on the day of the inspection.

Part IV – Information and Records
Regulation 17 – Information for parents
A registered provider shall ensure that a parent or guardian of a child proposing to attend the service is provided with the information referred to in subparagraphs (a) to (g) of Regulation 16(1).
Compliance Information
In relation to the information referred to in regulation 16(1)(g), parents were provided with a "lámhleabhar an tuismitheora"/parent handbook when their child started in the service that contained information on the policies and procedures in place in the service. The parent handbook contained a service agreement form to be signed by the parents having read the information. Copies of these forms signed by parents were kept on file in the service with samples available for review by the inspectors. The handbook also stated that the service had comprehensive policies and procedures which are available to review on request. Copies of these polices were found to available in the service in both Irish and English language during the 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* *(1) A registered provider shall, in providing a pre-school service, ensure that-* *(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.* *(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. On arrival to the service following taking off their coats in the hallway, the children entered the playroom and enjoyed free play activities. The toys and play equipment were stored in low level shelving systems accessible to the children facilitating child-led play activities. Groups of children played with different toys that they had chosen including playing with sand at a sand table, building towers and shapes with bricks, colouring pictures, playing with chalk and chalkboards, tracing shapes and a small group of children were playing with farm toys and a pirate ship. Play equipment was displayed in clearly defined interest areas that were clearly labelled in Irish with accompanying pictures to help children to identify the contents such as the "Ait Gleasadh Suas"/dress up area. The children and staff had started to plan for Christmas celebrations with a large Christmas tree art display in progress, and a "ceardlann santa"/Santa's workshop with elf workers set up at one of the windowsills. One of the group activities that the children were observed to enjoy during the session involved the staff playing upbeat modern music that the children and staff danced around the playroom to. At 11:00 hours, following tidying away the toys that the children had been playing with and washing their hands, the children and staff sat down together and ate their lunches that had been provided from home. The atmosphere at lunchtime was pleasant and relaxed with the children and staff taking their time to eat their food and chat with each other. A drinks station containing the children's individual drink containers was available to the children throughout the session. At one stage, the children and staff had circle time at the rest area where each child was given the opportunity to speak. Towards the end of the session the children enjoyed playing outdoors in the outdoor area shared with the adjacent primary school. The children's outdoor play included running games on the tarmac with the staff, using the ride on toys and a small group of children used coloured chalks to draw pictures on chalkboards.

The staff encouraged the children to be as independent as possible. For example, when going outside to play, the children were encouraged to put on their own coats with some children placing them on the clean floor upside down and placing their arms in them whilst flipping them over their heads. Children who needed assistance were helped promptly by the staff. Some of the children chose to colour pictures early in the session and were observed to put their drawings in their own bags in the hallway to bring home to show their parents.

A system was in place where the children took turns helping to give out the lunch bags at snack time. One of the children started to help give out the lunch bags however a second child started crying and wanted to help. The staff dealt with situation sensitively and helped the children to find a resolution that they agreed on. The children had unrestricted access to the toilets and used the toilet when they felt that they needed to with support and assistance given by staff to children depending on their individual needs. The inspectors were advised by the staff that all the children are toilet trained.

There was a keyworker system in place reflecting the service's policy on supporting behaviour with a sign displayed in the playroom listing the members of keyworker groups. The staff spoke with the children during the session in Irish in accordance with the service's ethos. The staff interactions with the children were observed to be warm and positive and a child who was upset following a fall was comforted by a staff member. There was a child friendly sign on the playroom wall reflecting "mothúcháin"/feelings using emojis or small digital pictures to represent feelings such as happy, sad and surprised to help children express how they felt. A theme of the month displayed on the playroom wall was "m'áit conaithe"/where I live, that contained photographs of the children's home creating a linkage between home and the service. There was also a family wall with photographs of the children and their families displayed at eye level to the children.

The staff were observed to speak with parents/guardians at drop off and collection times. The staff told the inspectors that a number of meetings were held with parents at intervals during the preschool year including meetings in January to discuss their child's progress. Emails were used by staff to provide service information and updates to parents.

(b)

The children played outdoors on a daily basis. Provisions were in place to change children's clothes if they became wet when playing outdoors. Each child had a labelled cubbyhole in the entrance hallway containing spare changes of clothing that the staff would prompt and assist the children to change in to if needed. The service also provided outdoor rain wear for each child that was stored in their individual cubbyhole to be used in bad weather to help keep the children dry.

During the inspection a child's nose was observed by the staff to need to be cleaned. The staff member provided the child with tissue and prompted them to clean their own nose and helped when it became evident that the child needed some assistance.

When lunchtime was approaching, the staff encouraged the children to line up to wash their hands in small groups as there was a large number of children present. The children washed and dried their own hands supervised by the staff to ensure their hands were thoroughly cleaned.

One of the children who was wearing a jumper said that they felt too warm during the session. The staff encouraged the child to try to take off their jumper encouraging their independence and then supported them when it became apparent that they needed some help.

(3)

Positive approaches by the staff members to the management of children's behaviours were observed during the inspection reflective of the service's behaviour management policy. Children were observed to receive guidance and encouragement towards appropriate behaviour from the staff. Sand timers were used by the staff with effect for visual representation of time to help children with the concept of turn taking and to ease transitions between activities. The staff spoke gently to the children when encouraging them to share, take turns and helping the children to negotiate when problems arose.

No practices that were disrespectful, degrading, exploitive, intimidating emotionally or physically harmful or neglectful were observed during the 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.

Compliance Information

(1)

The registered provider ensured that there was a complaints policy in place in both English and Irish language available for review 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.

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.
Non-Compliance Information
General Safety: One child was observed to be wearing an amber bead necklace during the session that posed a choking hazard.
Action submitted by the Registered Provider
The service advised in a written response that: **Corrective & Preventive Action** **General Safety:** Parents were reminded immediately; amber bead chains are not allowed within the setting as stated within policy number 5.1 and also within the parents' handbook on page 100. Parents were reminded to revisit the policies in the parents' handbook that they received.
Supporting documentation submitted **General Safety:** A copy of the email with reminder information sent to parents was provided to the Early Years Inspectorate by the service on the 6 December 2023.
Summary Comment
The action taken and evidence provided by the service has addressed the regulatory non-compliance found on inspection.