

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015MO116
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<b>Name of Service:</b>	Foxford Childcare Group Ltd - The Growing Tree
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<b>Address of Service:</b>	Admiral Brown Road, Foxford, Co. Mayo
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<b>Eircode:</b>	F26 A381
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<b>Name of Registered Provider:</b>	Jean Murray
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<b>Service type:</b>	Part Time, Sessional
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<b>Date of Inspection:</b>	11/01/2024
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<b>No of pre-school children:</b>	AM	43	PM	16
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<b>Address of the Early Years Inspectorate:</b>	Early Year's Inspectorate, TUSLA, Child and Family Agency, 2nd Floor, St. Mary's HQ., Castlebar, Co. Mayo.
<b>Inspection undertaken by:</b>	M Farrell
<b>Title:</b>	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).

<b>Conditions if applicable</b>	Not applicable
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### Description of service

Foxford Childcare Group Ltd - The Growing Tree is a community operated service located in Foxford, Co Mayo. The service is registered to provide parttime and sessional services to children aged between 2 and 6 years of age from 09:00-14:00 hours. The service is registered to provide school aged services. The premise is a detached, purpose-built building with three playrooms, a kitchen, sanitary accommodation and offices. There are enclosed outdoor play areas with outdoor play equipment located to the rear and sides of the building.

### Staffing

There are fourteen staff in the service including two joint persons in charge, eight childcare workers, one financial manager, a cook, cleaner and a maintenance person. The registered provider does not work directly in the service. One student was on 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/ safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under sections of regulations 9, 11, 15, 23, 24 and 27; however, on inspection additional non-compliance which posed a risk was identified under Regulation 16. 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 persons in charge, staff and children who were present on the day of the inspection.

## Part III – Management and Staff

### Regulation 9 – Management and recruitment

*(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

(2)

It was confirmed by review of documentation and discussion with the designated persons in charge that five new staff had started working in the service since the last focused inspection of the 28 April 2023. The vetting information for the remaining staff had been reviewed on previous inspections. The following vetting documentation and qualifications were available on file for the five new staff members:

- (a) There were two written validated references from past employers in particular their most recent employer for four staff members.
- (c) Garda vetting disclosures had been obtained for all 14 staff including the 5 new staff members. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d) International police vetting was available for two of the new staff members who had lived outside of the State for periods of time longer than six months as adults.

(4)

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

### Non-Compliance Information

(2)

- (a) There were no written validated references from past employers available for one staff member new to the service since the last inspection.

(4)

The qualification evidence on file for one staff member did not show that a major award in Early Childhood Care and Education at Level 5 or equivalent had been achieved.

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

The service advised in a written response that:

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

- (2) (a) References and validations were obtained and submitted to the Early Years Inspectorate.
- In future, the service will be thorough and ensure validation has been gained prior to staff members commencement of employment in the service.
- (4) The service has been provided with a record of a full award for the staff member. The record of award and accompanying documentation has been placed on file. The service will ensure paperwork states a minimum level 5 full award has been achieved or an equivalent.

#### **Supporting documentation submitted**

Copies of references, validations and qualification submitted.

### Summary Comment

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

### 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.*

*(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.*

*(8) Without prejudice to paragraphs (2) to (7)-*

*(a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times,*

#### Compliance Information

(1) An adequate number of adults worked directly with the children attending the pre-school service. There were 8 adults working directly with 43 children on the inspector's unannounced arrival to the service on the morning of the inspection. 3 adults provided direct care to 16 children during the afternoon of the inspection.

(2) and (3)

The minimum required ratio of adults to children was maintained in the service. The adult: child ratios for sessional services provided in the service of the day were as follows;

- Two adults cared for 8 children in the Preschool 1 playroom.
- Three adults cared for 21 children in the Preschool 2 playroom.
- Three adults cared for 14 children in the Preschool 3 playroom.

Part-time services were provided with 3 staff directly caring for 16 children in the Preschool 2 playroom between 12:00 hours to 14:00 hours. The minimum required adult to child ratios of 1:6 for children aged

between two to three years of age and 1:8 for children aged between three and six years of age were maintained during the provision of the part-time service.

(8)(a)

At least two adults were present at all times in the service as found on the day and as indicated in the sample of attendance records reviewed.

### Part IV – Information and Records

#### Regulation 15 – Record of pre-school child

*(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:*

- (a) the name and date of birth of the child;*
- (b) the date on which the child first attended the service;*
- (c) the date on which the child ceased to attend the service;*
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
- (e) authorisation for the collection of the child;*
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
- (g) the name and telephone number of the child's registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.*

*(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-*  
*(c) an authorised person.*

#### Compliance Information

(1) (a) to (i)

A sample of 10 children's records were randomly selected for review by the inspector from the children currently enrolled in the service. Each of the records was found to be compliant and contained the required details as laid out under the regulation.

(3) (c)

The required information was made readily available for inspection to the inspector by the designated persons in charge 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 at the front of the building was secured on the inspector's unannounced arrival to the service with a buzzer system in place to gain access. The inspector was admitted by staff following production of identification documentation. The gates to the outdoor area were secured following arrival of children to the service to allow staff to control access to the service. The outdoor area boundaries were secured to prevent children from leaving the area unobserved. The toys and play equipment were maintained in satisfactory condition and were suitable for the age and developmental stages of the children using them. Regular risk assessments were undertaken by named staff with written records kept of any hazard identified and controls in place and actions taken to address them. Cleaning products were stored on high shelves or in a secured storeroom and were inaccessible to the children. Blind cords were secured with appropriate securing mechanisms. Windows leading outside the premises were secured to prevent children from leaving the building unnoticed. Sharp items such as scissors were found to be stored in the playrooms out of reach of children.

##### Infection Control:

The service was found to be clean with written records of cleaning/disinfecting procedures kept by the staff. Boxes of tissues were available at low levels and were accessible by the children to clean their noses with when needed. The children's changes of clothes were kept in individual lidded containers as were personal items such as nappies and creams. Children's snacks from home containing perishable food items such as cheese, yoghurt and processed meats were stored in the service's refrigerators on arrival to the service. The staff were observed to prompt and supervise the children to wash their hands thoroughly using liquid soap and warm water with paper towels provided to dry them. Foot pedal operated bins were provided for waste disposal in the playrooms and used correctly.

## Fire Safety:

Emergency exits were found to be unobstructed during the inspection to allow rapid exit from the areas.

## Non-Compliance Information

### General Safety:

1. A trailing electrical cable from a compact disc player on a high self was observed in the Preschool 1 playroom with the potential to cause an injury to a child if the cable was pulled.

### Infection Control:

2. There was no liquid soap in the soap dispenser in the Preschool 1 playroom sanitary area. The dispenser was also observed to have a faulty cover on the front of the dispenser system.

## Action submitted by the Registered Provider

The service advised in a written response that:

### Corrective & Preventive Action

#### General Safety:

1. The compact disc player was removed from the high shelf to ensure there is no trailing cord causing risk to children. When the stereo is in use, it is to be put on flat surface beside socket that children cannot access.

#### Infection Control:

2. A new soap dispenser was installed in the Preschool 1 playroom sanitary area and soap added. The staff will ensure soap is always available and that hand dispensers are fit for purpose with no sharp or broken edges that poses a risk to a child

### Supporting documentation submitted

None submitted.

## Summary Comment

The actions submitted to the Early Years Inspectorate by the service have addressed the non-compliance found on inspection under this regulation.

### 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.*
- (4) A registered provider shall ensure that a record in writing referred to in paragraph (3)(b) is retained for a period of one year from the date to which it relates.*

#### Compliance Information

- (1) Staff members were found to check the children in and out of the service each day. Accurate attendance times for the children were recorded either electronically or in handwritten record books by the staff members on the day of inspection.
- (3) (a)  
The inspector's entry to the service was approved by the designated persons in charge with a written record kept.
- (b)  
A daily written record was kept of visitors to the service which the inspector was requested to complete during the inspection.
- (4)  
Written records were available to show that records had been kept for at least one year from the date visitors had attended 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 required adult: child ratios were in place on the day of the inspection with 8 staff provided to care for and supervise the 43 children present. During the inspection the staff were observed to supervise the children mainly by sight. Older children were supported by staff to use the toilet by themselves but were within earshot of staff if they needed assistance. Whilst playing outdoors, the staff positioned themselves strategically in the outdoor area to be able to keep the children in their view. The staff sat with the children in the playrooms when supervising them whilst they were eating.

## 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;*

#### Non-Compliance Information

(1)

(a) There was no employment history available for inspection for one staff member.

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

The service advised in a written response that:

(1) (a)

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

A curriculum vitae has been given to the service and filed in respect of the staff member. The service will ensure all paperwork regarding all new employees is in line with regulation prior to commencement of work in the service.

#### **Supporting documentation submitted**

Copy of employment history.

# Early Years Inspectorate Regulatory Report Pre School

## Summary Comment

The action taken and evidence submitted to the Early Years Inspectorate by the service has addressed the regulatory non-compliance found on inspection.