

TUSLA PRE- REGISTRATION REGULATORY INSPECTION REPORT

Inspection Due to a Proposed Change of Circumstances

Tusla I.D: TU2015MO119

Name of Service The Mulberry Tree (Kilmore)

Address of Service: Unit 3, Killala Rd. Business Park, Ballina, Co Mayo, F26N296.

Email Address: info@mulberrytrees.ie

Name of Registered Provider: Breege Howley Jackson

Type of Proposed Service:	Full Day Care	<input checked="" type="checkbox"/>	Part-Time	<input type="checkbox"/>	Sessional	<input type="checkbox"/>
	Drop-In	<input type="checkbox"/>	Childminding	<input type="checkbox"/>	Temporary	<input type="checkbox"/>

Proposed change:	<ul style="list-style-type: none"> Change in Service Type: From Sessional to Full Daycare Change in Hours of Operation: From 09:00 – 12:00 to 08:00-18:00 Two additional playrooms Increase in maximum number of children from 44 to 88
Proposed Number of Children:	88
Recommended Change Following Inspection:	Full Day Care, 08:00 – 18:00, 88 Children
Registered change:	Full Day Care, 08:00 – 18:00, 88 Children

Date of Inspection:	1	1	0	7	2	0	2	3
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Inspection undertaken by: Siobhán Gallagher
Title: Early Years Inspector

Tusla Early Years Inspectorate Address: Early Year’s Inspectorate, TUSLA, Child and Family Agency, 2nd Floor, St. Mary’s HQ., Castlebar, Co. Mayo.

Rationale for Inspection:
Proposed Change of Circumstance

Note: For Office use only, to be completed by Registration Office

Registration Status:	Full Day, 08:00 – 18:00, accommodate 88 children at any one time
Date of Registration	29 th August 2023

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Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(D) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

Description of Service	This service is located in a building which was previously used as a primary school located within close proximity of the registered provider's second early years childcare service. It is currently registered as a sessional service for a maximum of 44 children aged between two and six years of age. The service is open from Monday to Friday between 9:00 and 12:00 hours for 38 weeks of the year.
Premises	The premises are situated on the ground floor of a two-storey building. The service comprises of two playrooms, an office area, sanitary accommodation and an enclosed outdoor play area located to the rear and side of the premises. Two additional rooms were utilised by the school age service.
Staffing	There are five adults currently working in the service. The registered provider is actively involved in the day-to-day operations.
Methodology	<p>The inspection was an announced inspection to assess compliance with the Childcare Act 1991 (Early Years Services) Regulations 2016 and Childcare Act 1991 (Early Years Services) (Amendment) Regulations 2016. The Inspection focused on regulations under the following themes: Governance, Health, Welfare and Development of the child, Safety and Premises.</p> <p>The findings on inspection based on information obtained through examination of documentation, direct observation, and discussion with relevant staff are documented in the inspection report and taken into consideration when making a decision in relation to registering the change in circumstance. 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.</p>
Acknowledgements	The Inspector wishes to acknowledge the cooperation of the registered provider who was present on the day of the inspection.

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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.

Requirement met:

(1)(a)

The requirement has been met. The service has designated person in charge and a named deputy person in charge.

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.

(8) Without prejudice to paragraphs (2) to (7)—

Requirement met:

The requirement has been met.

(1) It is proposed that a minimum ratio of 1 adult working directly with 6 children aged 2-3years and 1 adult working directly with 8 children aged 3-6 years attending the early years' service prior to commencement and after cessation of the sessional service.

(8)

(a) At least two adults are to be present on the premises at all times during the hours of operation.

Part V - Care of Child in Pre-school Service

Regulation 20 - Facilities for Rest and Play

(1) Subject to this Regulation, a registered provider shall ensure that—

(a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child to play indoors and, where required by these Regulations, outdoors, during the day, and

(b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

(2) A registered provider—

(b) of a full day care service, a part-time day care service, a sessional preschool service or a childminding service that moves premises on or after 30 June 2016, shall ensure that a suitable, safe and secure outdoor space to which the preschool children attending the service have access on a daily basis is provided on the premises.

(3) A registered provider of a full day care service, a part-time day care service or a childminding service, other than such a service to which paragraph (2) applies, shall ensure that—

(a) a suitable, safe and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises

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Requirement met:	<p>The requirement has been partially met.</p> <p>(1)(a) Adequate and suitable play facilities are in place to cater for children from 2 years to 6 years. The areas are laid out with a number of defined interest areas to include a selection of toys, arts and crafts, jigsaws, puzzles and table top activities. All equipment and materials are stored on low level shelving units to facilitate a child led learning environment.</p> <p>(2)(b) An outdoor area is provided to the rear and side of the premises for the pre-school children.</p> <p>(3)(a) The outdoor area is laid out in defined areas of interest. Play resources included a water table, a sand pit, a playhouse, a basketball hoop, seating benches and a timber blocks.</p>
Requirement not met:	<p>(1)(a)</p> <p>1. The tables and chairs provided in the proposed Junior and Senior Full day care playrooms were not an appropriate height for age profile of children attending an early years' service.</p>
Response from Provider:	<p>(1)(a)</p> <p>1. Age-appropriate tables and chairs have been purchased.</p>
Summary Comment:	<p>The requirements have been met.</p>

Part V - Care of Child in Pre-school Service

Regulation 22 – Food and Drink

A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.

Requirement met:	<p>The requirement has been met. Parents will provide all snacks. A hot meal to be provided to children attending the full day care service will be prepared onsite in the Mulberry Tree Early Learning Centre located in the next building. Drinking water facilities were available in the playrooms. A copy of the monthly meal plan is available in the service to inform parents of the meal to be provided throughout the day.</p>
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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.

Requirement met:	<p>The requirement has been partially met. The following safety provisions were in place on the premises:</p> <p>General safety</p> <ul style="list-style-type: none"> • The shelving units were anchored and secure. • The toys and play resources were appropriate for children’s use. • The refuse storage bins were inaccessible to the children. <p>Infection control</p> <ul style="list-style-type: none"> • Warm water, liquid soap and paper towel was provided at all wash hand basins. Foot operated pedal bins were provided in all sanitary areas and playrooms. • Cleaning schedules were in place for all areas of the service. • The service had a policy on the management of COVID-19. <p>Fire safety</p> <ul style="list-style-type: none"> • All emergency exit doors were unobstructed.
Requirement not met:	<ol style="list-style-type: none"> 1. Several wall tiles in the ventilated lobby of the children’s sanitary located off the proposed Senior room had been removed with sharp edging exposed posing a potential risk of injury to a child. 2. A sheet of vinyl floor covering placed on top of the carpet flooring in the proposed playrooms were not secured thus posing a trip hazard.
Response from Provider:	<ol style="list-style-type: none"> 1. The wall tiles have been replaced. 2. The flooring has been replaced with a new vinyl floor covering.
Summary Comment:	The requirements have been met.

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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.

Requirement met:

The requirements have been met.

- (1) One adult working in the service have completed First Aid Response training.
- (2)(a) The first aid box was stored out of children’s reach.
- (b) The first aid box was readily accessible to the adults in the service in the event a child required first aid treatment.

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 firefighting equipment and smoke alarms in the premises.
- (4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.

Requirement met:

The requirements have been partially met in relation to the following;

- (1)(a) A record of monthly fire drills undertaken was available.
- (b) Records of the number, type and maintenance of smoke alarms and the fire equipment was maintained in the service. The servicing of the smoke alarm system and the fire equipment was dated the 8 September 2022 and the 15 August 2022 respectively.
- (4) A notice of the procedures to be followed in the event of a fire was displayed in the service.

Part VI – Safety

Regulation 28 – Insurance

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

Requirement met:

The requirement has been met.

An insurance quotation was submitted to the Registration Team prior to this inspection. The Registered Provider must ensure that adequate insurance is in place prior to the commencement of the change. The change approval is contingent on the registered providers compliance with Regulation 28.

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Part VII – Premises and Space Requirements

Regulation 29 – Premises

A registered provider shall ensure that the premises of the service are—

- (a) of sound and stable structure,
- (b) safe and secure,
- (c) kept adequately lit, heated and ventilated,
- (d) cleaned, maintained and repaired, as required, and
- (e) equipped with adequate and suitable sanitary facilities.

Requirement met:	<p>The requirements have been partially met.</p> <ul style="list-style-type: none"> (a) The building appears to have no visual defects. (b) The front door was secured on the arrival of the inspector to prevent unauthorised entry to the premises. (c) Lighting: <ul style="list-style-type: none"> There is both natural and artificial lighting provided in the premises which is adequate and suitable for the provision of a childcare service. The playrooms have windows and artificial lights in protective casings. The children’s sanitary units have adequate artificial lighting and each have a window which provides natural light. Heating: <ul style="list-style-type: none"> The oil boiler was serviced on 30 September 2022. Ventilation: <ul style="list-style-type: none"> The playrooms and sanitary areas area ventilated by openable windows. (d) The building is clean and well maintained throughout. Cleaning schedules are in place for the service. (e) Both proposed playrooms have two toilets and wash hand basins equipped with four toilets and four wash hand basins available for use by the preschool children directly off the entrance hall and the playroom. There is one sanitary unit allocated for the adults. Additional sanitary accommodation for adults is available in the sister service located in the next building.
Requirement not met:	<ul style="list-style-type: none"> (d) <ul style="list-style-type: none"> 1. The carpet flooring in the proposed Junior room was damaged with areas torn.
Response from Provider:	<ul style="list-style-type: none"> (d) <ul style="list-style-type: none"> 1. The carpet has been repaired.
Summary Comment:	The requirements have been met.

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Part VII – Premises and Space Requirements

Regulation 30 – Minimum Space Requirements

- (1) *Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.*
- (2) *A registered provider of a full day care service or a part-time day care service shall ensure that the minimum amount of clear floor space specified in column (3) of Schedule 7 opposite a particular reference number specified in column (1) of that Schedule in respect of the age range of children specified in column (2) thereof at that reference number is available for each child in that age range attending the service.*
- (3) *A registered provider of a sessional pre-school service or a pre-school service in a drop-in centre shall ensure that a minimum of 1.818 square metres of clear floor space is available for each child attending the service.*
- (4) *Where a registered provider contemporaneously provides—*
 - (a) *a sessional pre-school service, and*
 - (b) *a full day care service or a part-time day care service, or both, the minimum clear floor space applicable for the duration of the sessional preschool service in respect of the children attending that service shall be the floor space specified in paragraph (3).*
- (5) *A registered provider of a temporary pre-school service shall ensure that a minimum of 2 square metres of clear floor space is available for each child attending the service.*

Requirement met:

The requirement has been met.

- (1) Adequate clear floor space is provided in the proposed playrooms for children's use. The service proposes to cater for a maximum of 88 children aged between two years and six years. The two proposed additional playrooms measured 59.45m² and the measured 69.34m² thus exceeding the minimum requirements.
- (2) It is proposed to provide a full day care service. The clear floor space in the playrooms in operation exceed the minimum space requirements.
- (3) The minimum space requirements for the numbers of children attending in a full day care service capacity has been met as detailed in paragraph (1) above.
- (4) Adequate floor space is available to cater for 88 children attending the early years service on a full day care capacity aged between two years to six years