

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015OY007				
Name of Service:	Naíonra Gaelach An Tulach Mhór Ltd				
Address of Service:	Ionad Óige Naomh Mhuire, Sráid an Chuain, An Tulach Mhór, Co. Offaly				
Eircode:	R35 D861				
Name of Registered Provider:	Miriam Kelly				
Service type:	Sessional				
Date of Inspection:	16/05/2024				
No of pre-school children:	<table border="1"> <tr> <td>AM</td> <td>15</td> <td>PM</td> <td>Nil</td> </tr> </table>	AM	15	PM	Nil
AM	15	PM	Nil		

Address of the Early Years Inspectorate:	Early Years Inspectorate, Tusla, Child and Family Agency, Primary Care Centre, Church Avenue, Tullamore Co. Offaly R35K1W4
Inspection undertaken by:	D. Molloy
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
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Description of service

Naíonra Gaelach an Tulach Mhór Ltd operates a sessional service providing early years education through Irish since 1993. It is located in the town of Tullamore Co. Offaly. The service caters for children aged between 2 years and 6 years. The service operates from Monday to Friday between the hours of 9.00. am and 12.00pm. Naíonra Gaelach is operated from a converted prefabricated classroom which is on the grounds of the Tullamore Youth Centre which itself was formally used as a primary school. The preschool premises and play area are used for the sole purpose of operating a childcare service. Access to and from the main building is restricted. The service consists of one playroom, with reception area, a storeroom, and two sanitary accommodations with two wash hand basins and an outdoor play area. Access is gained from the public street through an external arched doorway leading to a pathway, connecting to a ramp and through the main doorway of the service. A second door provides access directly to a secure outdoor play area to the side of the premise. Car parking and set down is available outside the premises on the public street.

Staffing

The registered provider was not on site during the inspection and the person in charge facilitated the inspection. Four staff were working in the service. All staff members hold a major award in Early Childhood Care and Education at Levels 5 to 6 on the National Framework of Qualifications.

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 premises and facilities. The inspection may also focus on other areas as required.

The scope of the inspection included the preschool room, sanitary accommodations, and the outdoor play area. 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*
- (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.*

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned, or allowed access to or contact with a child attending the pre-school service.

(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.

(6) Paragraph (4) shall not apply before 1 September 2021 to a person who-

- (a) has signed a declaration on or before 30 June 2016 to the effect that he or she intends to retire from employment in a pre-school service before 1 September 2021, and*
- (b) is in possession of a letter from the Minister confirming that paragraph (4) shall not apply to him or her before that date.*

(6A) is inserted by S.I. No.632 of 2016 CHILD CARE ACT 1991 (EARLY YEARS SERVICES) (AMENDMENT) REGULATIONS 2016 which states; Regulation 9 of the Child Care Act 1991 (Early Years Services) Regulations (S.I. No. 221 of 2016) is amended - in paragraph (4), by the substitution of "paragraphs (5), (6) and (6A)" for "paragraphs (5) and (6)", and (b) by the insertion of the following paragraph after paragraph (6): "

(6A) Paragraph (4) shall not apply to an employee of a registered provider where - (a) the registered provider receives funding for the employment of the employee pursuant to a scheme funded by the Minister and known as the Access and Inclusion Model, and (b) the employment of the employee is for the purpose of providing support,

pursuant to the scheme referred to in subparagraph (a), for a child attending the service to enable the child to participate in the programme known as the Early Childhood Care and Education (ECCE) funding Programme.”

Compliance Information

- (1)
- (a) The service has a designated person in charge and a named person who is able to deputise as required.
- (b) The registered provider was present during the inspection and facilitated the inspection. The roster showed that at all times the person in charge or registered provider were present during the opening hours of the service.
- (2)
- Four staff files were reviewed on site on the day of inspection.
- (a) (b) Validated references from staff members’ past employers, in particular the most recent employer was available for review. Validated references from reputable sources were available for review.
- (c) Garda vetting disclosures had been obtained for all staff. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d) Police vetting from other police authorities was not required .
- (3)
- Required vetting had been carried out prior to adults being appointed, assigned, or allowed access to or contact with a child attending the pre-school service.
- (4)
- Staff held a major award in Early Childhood Care and Education at Level 5 to 6 on the National Framework of Qualifications.
- (6)(a)(b)
- Not applicable as no employee had signed a declaration on or before June 30, 2016, to the effect that they intended to retire from employment in a pre-school service.
- (6A)
- One employee was working with children under the Access and Inclusion Model (AIM) Scheme.

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.*
- (8) Without prejudice to paragraphs (2) to (7)-*
- (c) a registered provider of a sessional pre-school service shall ensure that, where the person in charge operates the service single-handedly, a second person familiar with the operation of the service and in a position to provide assistance to the person in charge in operating the service is, at all times, within close distance of the service and available to attend the service to assist the person in charge in the event of an emergency.*

Compliance Information

- (1)
The required ratio of adults to children was maintained during the inspection.
- (3)
The registered provider ensured that there were sufficient adults working directly with the children. Records showed that the adult child ratio was upheld in the service.
- (8)(c)
This service is not operated the service single-handedly.

Part IV – Information and Records

Regulation 18 – Copy of Act etc.

A registered provider shall ensure that a copy of Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act and of these Regulations is kept on the premises and the said copies shall be open to inspection on the premises by-

- (a) a parent or guardian of a child attending or proposing to attend the service,*
- (b) an employee, unpaid worker, or contractor, and*
- (c) an authorised person.*

Compliance Information

The registered providers had ensured that a copy of Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act and of these Regulations was available on the premises and could be viewed by

- (a) a parent or guardian of a child attending or proposing to attend the service,
- (b) an employee, unpaid worker, or contractor, and
- (c) an authorised person .

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*

Compliance Information

Basic Needs

Children brought in their own lunch time snacks from home in line with the healthy eating policy of the service. Lunch time was an interactive experience and children were allowed enough time to eat their food at their own pace. A combination of outdoor and indoor activities was part of the daily experience. Individual and group play was observed during the inspection. Children availed of fresh air and sunlight in the outdoor play area while being supervised by the adults .

Supporting Relationships

The registered provider encourages family involvement and parents could meet staff on a one-to-one basis to discuss their children's progress. A family wall displayed pictures of children's family and relations. The children were encouraged to use their Irish words and parents were helped with their own grasp of the language. Children explored their own feelings through pictures in answer to the question "Conas atá tú"

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:

Cleaning, sanitising products and equipment were stored out of reach of children.

The outdoor play area was fenced and secured with a gate. Access to the youth centre was restricted.

A pest control system was in place and was monitored and recorded to safeguard against pests.

Entry to the setting was operated on a controlled entry system which was operated from within.

Infection Control:

Adults were familiar with the infection control policy and were aware of their role in maintaining high standards of hygiene.

The service was well ventilated with openable windows which allowed air flow, and children and staff were observed hand washing which adhered to good practice.

Fire Safety:

The fire exits were unobstructed.

The fire exits were fitted with exit display signage.

A notice of the fire assembly point was on display to show fire assembly point outside the premises .

Outing:

The person in charge stated that no outings were conducted from the service.

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

(1) Staff had up to date First Aid Responder (FAR) certification and were available to the children attending the pre-school service.

(2)

(a) The first aid box was safely stored in an easily accessible location on the premises.

(b) The first aid box was readily available in the service at all times.

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.

(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.

(3) A registered provider shall ensure that a record referred to in paragraph (2) is retained for a period of 5 years after its creation

(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)
- A written record was available of the fire drills carried out in the service. The last fire drill was recorded as being carried out on April 15, 2024.
- (b)The number, type and maintenance record of firefighting equipment and smoke alarms on the premises was available. The fire alarms were serviced in December 2023 , and fire equipment was checked in December 2023 .
- (2)
- The record was available open to parents, guardians, employees, and the authorised person.
- (3)
- The person in charge stated that records were retained for a period of 5 years after creation.
- (4)
- A notice of the procedure to be followed in the event of a fire was displayed on the premises

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

A copy of up-to-date insurance cover for the number of children attending the service was available .The insurance cover was valid until 31 August, 2024.

Part IX - Inspection and Enforcement

Regulation 33 – Furnishing of information to agency

A registered provider shall furnish the Agency with such information as the Agency may reasonably require for the purpose of enforcing and executing these Regulations and the information shall be in such form, if any, as may be specified by the Agency.

Compliance Information

The person in charge facilitated the inspection and provided access to information as was required for completion of the inspection.