

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015OY051		
<b>Name of Service:</b>	Cherrytots Playschool		
<b>Address of Service:</b>	Cherrybrook House, Killoneen, Daingean, Co. Offaly		
<b>Eircode:</b>	R35 Y244		
<b>Name of Registered Provider:</b>	Irene Bergin		
<b>Service type:</b>	Sessional		
<b>Date of Inspection:</b>	24/10/2023		
<b>No of pre-school children:</b>	AM	9	PM Nil
<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Tusla, Child and Family Agency Primary Care Centre, Church Avenue, Tullamore, Co. Offaly		
<b>Inspection undertaken by:</b>	D. Molloy		
<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

Cherrytots Playschool is a privately operated early years' service located in the towns land of Killoneen in rural Co. Offaly. The premises is a stand-alone structure which is located on the site of the registered providers domestic dwelling with its own fence. It consists of one pre-school room, with cloak room area, and two toilets and two wash hand basins for children's use. There is also a toilet and wash hand basin for staff use. The service offers a large outdoor play facilities to the front and side of the premise which can be accessed from the setting. The premises is used for the sole purpose of operating an early years' service. An electric gate which is controlled from within is in place at the entrance leading from the public road.

The service operates on a sessional basis. The age range of children the service can accommodate is from two years to six years of age.

This service operates from 09.30am to 12.30pm daily from Monday to Friday. The service has been in operation since 2011.

Parking and set down is available along the public road outside of the premises.

### Staffing

Two staff adults including the registered provider were present and working directly with the children attending this early years' service.

All staff members held a major award in Early Childhood Care and Education at Levels, 5 to 8 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.

This inspection was unannounced and focused on the area of governance, health, welfare and development of the child, safety, premises, and facilities. The inspections may also focus on other areas as required.

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 registered provider, 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.*

*(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 and the designated person in charge were present during the inspection. The registered provider facilitated the inspection and the roster showed that at all times the person in charge was present during the opening hours of the service.
- (2)
- All 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.
- (b) Validated references from reputable sources were available for review.
- (c) A vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of all-staff members was available for review.
- (d) Police vetting from other police authorities was not required .
- (3)
- Required vetting had been carried out prior to staff member being appointed, assigned, or allowed access to or contact with a child attending the pre-school service.
- (4)
- All employees held at least a major award in Early Childhood Care and Education at Level 5-8 on the National Framework of Qualifications.
- (6A)
- No staff member was working with children under the Access and Inclusion Model (AIM) on the day of inspection

### Part III – Management and Staff

#### Regulation 11 - Staffing levels

- (1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.*
- (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 minimum ratio of adults to children was maintained during the inspection. The registered provider ensured that there were sufficient adults working directly with the children and records showed that the adult child ratio was upheld in the service.
- (3)  
The registered provider had ensured that the adult child ratio was correctly maintained throughout the inspection and records showed that sufficient adults were rostered to work in the service each day.
- (8)  
(c) The service is not operated 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 provider 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

It was observed that children played outdoors and indoors on the day of inspection. Children were observed making their own choices throughout the session, and it was noted that they move freely while some chose to relax in the cosy corner. Different types of play experiences were observed, including games with rules, free play and sensory play, which supported different aspects of children's development.

Healthy eating was promoted, healthy food and snack were supplied by parents. Water was freely available to the children.

Children were encouraged to become independent as self-caring and were encouraged to take care of their own belongings including hanging up their coats and opening bags and lunch boxes and tidying up their toys when finished playing.

### **Supporting Relationships.**

It was observed that the children appeared comfortable and relaxed in the company of staff. Continuity of staff was noted with the registered provider working in the service each day which facilitated the formation of sustained relationships and allowed the children to expect the same adults to take care of them each day.

Children's relationships with nature and their environment was supported through the eco-friendly ethos of the service which embraced nature and encouraged recycling and an awareness of our eco system.

Food waste from the children's lunch was saved to feed the miniature black pigs and hens reared by the registered provider.

The children had a lived experience of nature's life cycle as they were live spectators in the natural life cycle of the chickens through an egg hatching initiative where chickens eggs were incubated and hatched in an enclosed portable incubator at children's eye level in the playschool. The present batch of six eggs were due to hatch in the forthcoming days.

## 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, products, and equipment were stored out of reach of children. The gated entrance to the service from the public road was secured so as to ensure the safety of the children and the main door was operated on a controlled entry system from inside. The gate positioned in the outdoor play facility to the side of the premises was secured from inside. The outdoor play area was securely fenced by means of fencing around the perimeters. Refuse bins were stored away from play area and were inaccessible to children.

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

### Infection Control:

Staff were familiar with the infection control policy . The service was clean and well maintained with records of cleaning maintained. Children were observed washing their hands regularly and adults were observed offering reminders and assistance if necessary.

The service was well ventilated with openable windows to allow for airflow.

### Administration of Medication:

A site-specific medication management policy was available in the service.

Staff were familiar with policy and practice in relation to safe administration of medication.

No medication was administered on the day of inspection.

### Fire Safety:

A notice of the fire assembly point was on display to show fire assembly point in the play area at the back of the service.

### Outing:

The registered provider stated no outing were undertaken 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)

The staff held first aid training and were available to the children attending the pre-school service. The Registered Provider held up to date First Aid Responder (FAR) certification.

(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 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 in the service.  
The insurance certificate was valid until March 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 registered provider facilitated the inspection and provided access to all information as was required for completion of the inspection.