

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015SO064
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<b>Name of Service:</b>	Toadstool Cottage
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<b>Address of Service:</b>	Ballyrush, Ballyrush, Co. Sligo
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<b>Eircode:</b>	F52 D402
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<b>Name of Registered Provider:</b>	Michael Murphy
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date(s) of Inspection:</b>	22/10/2024
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<b>No of pre-school children:</b>	AM	38	PM	21
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, TUSLA Child & Family Agency, Markievicz House, Barrack St, Sligo, F91 XC84
<b>Inspection undertaken by:</b>	L Costello
<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

Toadstool Cottage is a community run full day care early years' service, which was established in February 2008, in a rural setting a few kilometres from Castlebaldwin village. The service is registered to cater for a maximum of 43 preschool children, ranging from 0 to 6 years of age and the operating hours are 08:00am to 17:30 Monday to Thursday and 08:00am to 16:30 Friday. The service operates 5 days per week. The service operates from a converted and adapted domestic house in the countryside. There are five rooms available to the pre-school children. The outdoor area is a spacious fully contained area, with direct access of the Preschool rooms, and a very short distance from the younger children's rooms.

### Staffing

The registered provider is a committee member and not involved in the daily operation of the service. The manager is the person in charge. There are a total of 13 adults employed within the service. 10 of these adults work directly with the children, along with two chefs and cleaning staff. All staff who work directly with children hold the required minimum level 5 or equivalent on the National Framework of Qualifications or equivalent.

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

The inspection focused on an examination of compliance under regulations 9, 11, 15, 20, 23, 27 and 28. 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 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) (b).

There was a designated person in charge and a named person to deputise as required.

(2) (a) (b).

The records of all twelve adults employed in the service were reviewed.

Twenty-three written and verified past employer references or references from a reputable source in the absence of a past employer, were available in respect of all twelve adults employed in the service.

(c)

Garda vetting disclosures had been obtained for all twelve 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 three adults employed in the service that had lived outside the state for a period of longer than six consecutive months

(4)

Ten adults had attained major awards in Early childhood care and education at level 5 or above on the national framework of qualifications, or qualifications deemed by the Department of Children, Equality, Disability, Integration and Youth (DCEDIY) to meet the regulatory requirement.

### Non-Compliance Information

(2) (a) (b)

One written and validated reference from a past employer was required for one adult employed in the service.

(d)

The required international child protection certificate was not available for one adult employed in the service. It is acknowledged that another international police vetting had been completed for this adult.

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

#### Corrective and Preventive Action

A written response from the person acting on behalf of the registered provider stated:

(2) (a) (b). A second written and validated reference from a past employer has been obtained for the employee. A personnel checklist for staff files has been developed and placed at the start of each staff file. This will serve as a visual aid to ensure all required documentation have been obtained in respect to each employee.

(d) An application has been submitted for the required International Child Protection Certificate for the employee. The personnel checklist has updated to reflect the requirement to obtain the International Child Protection Certificate for any employee who requires vetting from the United Kingdom.

#### Supporting documentation submitted

- Second written reference submitted.
- Application for IPCP submitted.
- Checklist Submitted.

### Summary Comment

The corrective and preventive actions submitted by the registered provider adequately addressed the non-compliance found on inspection. This regulation is now compliant.

### 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.*

#### Compliance Information

(1) There were seven adults working directly with 38 children on the inspectors' unannounced arrival to the service. A review of a sample of attendance records showed that an adequate number of adults worked directly with the children during service hours of operation.

(2) The minimum adult to child ratios were provided on the morning of the unannounced inspection in accordance with the required ratios considering the ages of the children and the length of time each child spent in the service as outlined below:

At 09:50am

Adventurers One playroom: 2 adults cared for 10 children aged 3 to 5 years of age.

Adventurers Two playroom: 1 adult cared for 7 children aged from 3 years to 4 years.

Explorers' playroom: 1 adult cared for 11 child aged 3 to 5 years of age.

Discoverers playroom: 1 adult cared for 5 children aged from 1 years to 2 years and 5 months of age.

Navigators' playroom: 1 adult cared for 5 children aged from 1 year to 2 years of age.

At 13:45 in the afternoon the adult child ratios were observed to be as follows:

Adventurers One and Two playroom: 4 adults cared for 11 children aged 3 to 5 years of age.

Explorers' playroom was closed.

Discoverers playroom: 1 adult cared for 5 children aged from 1 years to 2 years and 5 months of age.

Navigators' playroom: 1 adult cared for 5 children aged from 1 year to 2 years of age.

### 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.*

*(4) A registered provider shall ensure that a record in writing referred to in paragraph (1) is retained for a period of 2 years from the date on which the child to whom it relates ceases to attend the service.*

#### Compliance Information

1) (a-i)

Fifteen sample records of the children attending all rooms in the service were reviewed. The required information including the authorisation to collect the child, details of illness or special needs of the child, emergency contact and record of immunisations and general practitioner information were fully completed for each child.

(3) (c)

The records in writing were available for inspection by the early year's inspector.

(4)

The person in charge confirmed that the records are retained for the required period as set out in the regulations.

### 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.

*(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, or*

#### Compliance Information

(1) (a)

The service consisted of five playrooms each one assigned for use by different groups of children. There were adequate and suitable indoor play facilities available in each room for the age range of children attending. The rooms presented as bright and visually appealing spaces with an orderly arrangement of play equipment and materials set into clearly defined areas of interest. These included arts and crafts, construction, small world items, dress up props, play kitchen areas, library's, sensory tables, relaxing areas, problem solving toys and wide range of manipulate play resources. Open low level shelving units enabled all items to be easily accessible to the children and suitable sized tables and chairs were available for tabletop activities and mealtimes.

The Navigators room catered for children aged one to two years of age, many of whom were beginning to walk. This area included soft floor matting, wall mounted toys, baskets with play items, and a variety of musical and age-appropriate toys to stimulate a child of this age. The discoverers room, which catered for the

young walkers was equipped with a variety of equipment and resources to support the development of the preschool child. Interest areas were clearly set out to stimulate the imagination of the preschool child. The older rooms of Explores and Adventurers catered for the older preschool child preparing for transition to national school. The children's artwork and evidence of curriculum was displayed on the walls of the room and the room was equipped with the necessary resources and equipment for preparation for school including play materials, fine motor activities, puzzles and tabletop equipment.

(1) (b)

All rooms had suitable rest areas where children could rest throughout the day or relax and take time out from an activity. These rest areas included child sized sofas, soft matting and floor mats. The younger children slept within the care rooms, this was facilitated by a structured sleep time after dinner, where the Navigators and Discovers rooms were transformed into sleep area. Cots and floor beds stored in adjacent storage areas were brought in while children had nappy changes and were prepared for sleep time. The five cots were fitted with a mattress containing the required safety label which had a waterproof covering. Individual bed linen was stored in the storage room adjacent to the care rooms. There were also five stackable floor beds in the discovers room. Staff members remained in the care rooms throughout sleep time and the children who woke up early or did not want to sleep were facilitated in an adjoining care room.

(2) (a) (b)

The outdoor area was secured with a concrete wall and a grass and concrete surface. A section of the outdoor space had been roofed to ensure that the children can access the outdoors in inclement weather. The children had access to appropriate wet gear and wellington boots to always ensure access to the outdoors. This space provided the preschool children with an opportunity for gross motor skill development, with climbing frames, swings, slides and a variety of ride on toys. Imaginative and role play was also catered for with mud kitchens, dolls and buggies.

## 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 into the service was found to be secured upon the inspectors unannounced arrival to the service, which prevented persons entering unauthorised and children from leaving the building unsupervised.
- The kitchen was inaccessible to the preschool children.
- Leads and flexes were secure and inaccessible to the preschool children.
- The outdoor perimeter was secure with waste bins stored out of reach of children.
- All perishable items brought in from home was stored in the fridges in the care rooms.
- All cleaning products in the care rooms were stored on high level shelving out of the reach of children.
- Materials and resources were maintained in a good state of repair.

##### Infection Control:

- Cleaning schedules were in place and up to date in all care rooms.
- There was adequate handwashing facilities provided throughout the service with warm water, liquid soap and paper towels.
- The materials and resources throughout the service were visually clean, with cleaning schedules displayed and up to date in each care room.
- Foot operated pedal bins were available throughout the service for the safe disposal of waste too prevent cross infection.

##### Administration of Medication:

- The service had a medication administration policy in place and when interviewed, staff were knowledgeable of their responsibilities for the safe administration of medication

##### Safe Sleep:

- Five standard cots and five stackable floor beds were available for use within the service.
- Sleep took place within the care rooms and on the day measured at 19.1°C which is within the safe sleep temperature range.

##### Fire Safety:

- Fire doors were unobstructed throughout the service.
- Fire evacuation procedures were clearly displayed in the care rooms.
- The fire assembly point was clearly displayed in the car park.

### Non-Compliance Information

#### General Safety:

1. There was an exposed pipe in the sanitary accommodation area between Explorers and discoveries room posing a potential risk to children if they fell against it.
2. A radiator cap was missing in Explorers room resulting in a sharp spike that posed a risk to the preschool child.

#### Infection Control:

3. Hand hygiene was not always completed. On the day it was observed that children in Adventurers two did not wash their hands prior to snack time and children in the Explorer's room did not routinely get their hands washed after nappy changes.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### General Safety:

The person acting on behalf of the registered provider stated in writing that:

1. The exposed pipe in the sanitary accommodation area has been boxed in. Staff reminded to report any hazards without delay to the person in charge. Risk assessments are now to be brought to the office at the end of every week to for sign off by the person in charge. A handyman has been secured for the academic year to address any concerns in a timely manner.
2. Missing thermostat caps replaced. Staff reminded to report any hazards without delay to the person in charge. Risk assessments are now to be brought to the office at the end of every week to for sign off by the person in charge. A handyman has been secured for the academic year to address any concerns in a timely manner.

#### Infection Control:

3. Nappy changing policy has been reviewed and updated. Staff reminded to wash children's hands after each nappy change and before meals. Visual reminder places in nappy changing areas to wash adult and child hands after each nappy change.

### Supporting documentation submitted

#### General Safety:

1. Photographic evidence submitted. Risk assessment submitted.
2. Photographic evidence submitted. Risk assessment submitted.

#### Infection Control:

3. Policy Submitted. Visual Reminder submitted.

### Summary Comment

The corrective and preventive actions submitted by the registered provider adequately addressed the non-compliance found on inspection. This regulation is now compliant.

## 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 registered provider ensured there was always adequate and appropriate supervision of the preschool children. Sleep time for the younger children was adequately supervised with the presence of a staff member in the rooms at all times. This staff member also completed the required ten-minute checks. The service took measures to ensure that sleep times were undisturbed, and a second room was made available for supporting children who choose not to go to sleep or those who woke early. The service had two relief staff members who ensured staff members based in rooms were always supported. On the day it was observed that staff members working alone, contacted the relief staff for assistance in transitions to the outdoors, nappy changing or mealtimes. This additional support ensured that children were always supervised.

In the older children's rooms, independence was promoted in toileting and staff members remained in ear shot of children toileting independently. Outdoor play was supervised mainly by sight where the staff members placed themselves strategically around the garden to ensure sight of all children while playing outdoors.

Collections from the service was also adequately supervised on the day. As children were collected by their parent or authorised person, the person in charge was in the car park, ensuring safe exit from the car park at the busy collection time.

## Part VI - Safety

### Regulation 28 - Insurance

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

#### Compliance Information

The registered provider demonstrated the full day care service was adequately insured for a maximum of 43 children up until the 27<sup>th</sup> of March 2024.