

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015SO067
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Name of Service:	Tubbercurry Family & Childcare Centre
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Address of Service:	Mountain Road, Tubbercurry, Co. Sligo
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Eircode:	F91 YR25
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Name of Registered Provider:	Brendan McCauley
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Service type:	Full Day, Part Time, Sessional
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Date(s) of Inspection:	11/12/2024
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No of pre-school children:	AM	67	PM	28
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Address of the Early Years Inspectorate:	Early Years Inspectorate, TUSLA Child & Family Agency, Markievicz House, Barrack St, Sligo, F91 XC84
Inspection undertaken by:	L Costello and M Farrell
Title:	Early Years Inspectors

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

Tubbercurry Family and Childcare Centre is a community-based service which has been in operation since 2003. It is located near the town centre of Tubbercurry, Co. Sligo. Full day, part time and sessional care for children from infants to six years of age is offered. The maximum number of preschool children presently catered for is 88 as per the national register, ranging in age from 1 to 6 years. School aged children are catered for also. The service is open from Monday to Friday between 08:00 and 18:00 hours. The facility is located on the ground floor of a two storey building which is the Family Resource Centre. The pre-school is only accessible via a secure door and is not accessed by people from the rest of the building. There are five care rooms in operation, two dedicated sleep rooms and a large outdoor area

Staffing

On the day of the inspection, 18 adults were present in the service working within the preschool service. 15 adults worked directly with the children. There was one adult working in the kitchen, one adult in the office and the person in charge.

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. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under sections of regulations 9, 10, 11, 15, 23 and 32. 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.

Additional Information

An Immediate Action Notice (IAN) was issued to the service by the Inspectorate on the 11 December 2024 in relation to safety concerns regarding an emergency exit door leading outdoors from the Toddler sleep room. In a written response on the 12 December 2024 the Inspectorate was informed by the service that immediate action was taken to address this issue.

Acknowledgments

The inspectors wish 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)

The deputy person in charge was available on the day of inspection.

(c)

There is a clear structure of governance within the service including room leaders and childcare educators.

(2)

The inspectors were informed by the staff that that there were 22 staff and 3 students in the service at the time of the inspection. It was confirmed that the vetting documentation for 21 adults had been reviewed during previous inspection in the service and were found to be compliant under this regulation. The following

vetting documentation and qualifications were available on file for the four adults new to the service since the last inspection of the 12 December 2023.

- (a) Two written and verified past employer references including the most recent past employer, were available in respect of two adults. One written validated reference from a past employer for a second adult.
- (c) Garda vetting disclosures had been obtained for all 25 adults. 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 one adult who had lived outside of the state for a period of more than six consecutive months.

(4)

The four new adults did not work directly with the children and did not require the qualification in childcare.

Non-Compliance Information

- (2)
 - (a) There was no evidence of the validation of two references for one adult.
 - (b) The vetting documents on file showed that a second reference from a past employer was required for one adult.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

In a written response from the registered provider:

(a) and (b)

The two references were validated and a second reference from a past employer was obtained.

The service will ensure that all references provided are from most recent, paid employers and that they are signed, stamped and verified by management as a form of validation.

Supporting documentation submitted

Validated references submitted to the inspectorate.

Summary Comment

The corrective and preventive actions submitted by the person acting on behalf of the registered provider adequately address the non-compliance found on inspection.

Part III – Management and Staff

Regulation 10 - Policies, procedures etc. of pre-school service

A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.

Compliance Information

Written copies of policies were in place in the service and made available by the deputy designated person in charge for review by the inspectors on request. The following policies were reviewed by the inspectors in the service and found to contain the necessary information to meet the regulatory requirements.

- (a) complaints policy.
- (b) policy on administration of medication.
- (j) policy on accidents and incidents.
- (k) policy on authorisation to collect children.
- (r) risk management policy.

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.

(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) There were 15 adults working directly with 67 children on the inspectors' unannounced arrival to the service. The person in charge also worked directly with the preschool children covering breaks as required.

(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:

- Preschool Senior: 3 adults cared for 19 children aged from 3 to 5 years of age.
- Preschool Junior: 3 adults cared for 13 children aged from 2 years to 3 years of age.
- Wobbler room: 2 adults cared for 4 children aged 1 to 2 years of age.
- Toddler Room: 3 adults cared for 13 children aged from 2 to 3 years of age.
- Preschool Full time: 4 adults cared from 17 children aged from 2 to 5 years of age.

At 13:15 in the afternoon the following ratios were observed:

- Preschool Senior: Closed
- Preschool Junior: Closed
- Wobbler room: 1 adult cared for 4 children aged 1 to 2 years of age.
- Toddler Room: 2 adults cared for 8 children aged from 2 to 3 years of age.
- Preschool Full time: 2 adults cared from 16 children aged from 2 to 5 years of age.

(8) (a)

The service demonstrated that at least two members of staff were on the premises at all times.

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) to (j)

A random sample of 10 records of the children attending 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 were completed for each child.

(3) (a)

The records in writing were available for inspection by the early years inspectors.

(4)

The person in charge is aware that the records are retained for the required period as set out in the regulation.

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:

- 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.
- The kitchen was inaccessible to the preschool children.
- Leads and flexes were secure and inaccessible to the preschool children.
- The main door was secure, and a fob secure entry system was in place to prevent any unauthorised access to the service.
- The staff told the inspectors that a gate in an outside play area had been damaged in a recent storm. A risk assessment had been carried out by staff and this outdoor play area was not to be used by children until the gate had been repaired.
- There were securing devices on windows in playrooms and securing devices in place on blind cords where required.
- Pairs of scissors and sharp objects were stored on high shelves out of reach of the children.

Infection Control:

- Tables were observed to be cleaned after messy play and prior to snack times.
- Toys and materials were observed to be clean and well maintained. Records of cleaning and disinfecting processes available for inspection.
- Hand hygiene was observed to be completed prior to meals, after messy play and after using the toilet. Warm water, paper towels and liquid soap were available for hand hygiene.
- Individual plastic containers were used to store children's soothers in the Wobbler playroom.
- Staff were observed to wear aprons and gloves when changing nappies and disposing them in foot pedal operated bins provided. There was individual storage used to store personal items for the children in the nappy change areas.

Administration of Medication:

- In discussion staff members were knowledgeable about how to administer medication safely and were aware of the service medication policy.

Safe Sleep:

- Standard wooden cots with safety mattresses were provided for sleep in the Wobbler sleep room with an additional cot provided in the Toddler sleep room.
- Stackable floor beds were available for the older preschool children.
- The service provided cellular blankets, and the cots were cleaned between use and fresh bedding used when there was shared usage of cots.
- Information regarding safe sleep practices was displayed as a reminder to staff in the Wobbler sleep room including the frequency of sleep checks/observations and air temperatures to be maintained.
- The staff recorded observations of the children when they were sleeping including information on their colour, position and breathing patterns.

Fire Safety:

- Fire emergency evacuation doors remained unobstructed on the day of inspection.
- Fire evacuation plans were clearly displayed in each of the care rooms.

Non-Compliance Information

General Safety:

- (1) An immediate action notice was issued on the day in relation to an emergency exit door in the Toddler sleep room. The emergency exit door had an easily openable, low-level push down handlebar mechanism. The door led outdoors to a short pathway leading to a carpark. Children rested on low stackable beds in this sleep room and there was a potential risk that children could leave the sleep room unnoticed.

Administration of Medication:

- (2)
- The storage of medication in the service was not consistent with the service policy and posed a risk to the preschool child:
- Children's medication was stored in a large, secured cupboard in the hallway. Each medication was stored in a separate plastic bag. However, one medication did not have a child's name on it, another was labelled with the child's first name only and some medications did not have details relating to administration with the potential for a medication error to occur. The mouthpiece of one of the inhalers was exposed in the cupboard also posing an infection control risk. Medication was also stored in the refrigerator in the service Kitchen and was not clearly labelled. It is acknowledged that when the staff were alerted to the medication with no name labelling it was removed and the issue addressed.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

In a written response the registered provider stated:

1. On the day of the inspection, the safety risk was highlighted by the inspectors to staff. A member of staff stayed in the Toddler sleep room for the duration of the sleep time so that no risk was posed to the children leaving the premises through the emergency exit door. A gate was erected immediately that week, preventing the risk of children from exiting through the Toddler sleep room and leaving the premises. Evidence was sent via email to the Inspectorate and approved.

A new risk assessment sheet has been provided for the Toddler sleep room, to ensure gates are closed outside preventing the risk of children exiting the premises unattended.

Administration of Medication:

2. The storage of medication in the service has been rectified and is now in line with the service policy. All medication taken in and stored in the service will have a label prescribed by a doctor/pharmacist stating the correct information. All over the counter medication will be clearly labelled with the child's name, administration dose according to the medication administration form signed by parent, and what classroom they are in on that day. All mouthpieces for the inhalers will be stored properly in suitable plastic, covering them and preventing an infection control risk. The temperature reducing medication that is stored in the fridge belongs to the service. It is only administered with the permission from parents/guardians in line with the medication administration form that they have signed.

Supporting documentation submitted

General Safety:

1. Photographic evidence of gate and risk assessment submitted to the inspectorate.

Administration of Medication:

2. Medication policy submitted to the inspectorate.

Summary Comment

The corrective and preventive actions submitted by the person acting on behalf of the registered provider adequately address the non-compliance found on inspection in relation to regulation 23.

Part VIII - Notifications and Complaints

Regulation 32 – Complaints

- (1) A registered provider shall ensure that the complaints policy of the service specifies-
- (a) the procedure to be followed by a person for the purposes of making a complaint in relation to the service,
 - (b) the manner in which such a complaint shall be dealt with, and
 - (c) the procedures for keeping a person who makes such a complaint informed of the manner in which it is being dealt with.
- (2) A registered provider shall ensure that-
- (a) a record in writing is kept of a complaint made to the provider in respect of the pre-school service, and
 - (b) the complaint is duly dealt with in accordance with the provider's complaints policy.
- (3) A record in writing referred to in paragraph (2)(a) shall-
- (a) include the nature of the complaint and the manner in which the complaint was dealt with, and
 - (b) be open to inspection on the premises by an authorised person.

Compliance Information

- (1) There was a complaints policy in place in the service. The policy stated;
- (a) the procedures to be followed by a person who wished to make a complaint about the service,
 - (b) the processes for dealing with the complaint,
 - (c) the way the person who makes a complaint will be kept informed of how their complaint is being dealt with.
- (2)
- The registered provider ensured that:
- (a) A written record was kept of any complaint made to the provider in respect of the service.
 - (b) Information available on file showed that complaints appeared to have been dealt with in accordance with the service's complaints policy
- (3) Written records referred to in (2):
- (a) Included the nature of the complaint and the way the complaint was dealt with.
 - (b) Were made available for inspection by authorised persons.