

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015TY034
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Name of Service:	Lámha Beaga Playschool
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Address of Service:	Monatrea, Abbey Road, Thurles, Tipperary
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Name of Registered Provider:	Deirdre Moloney, Mary Love
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Service type:	Sessional
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Date of Inspection:	16/05/2023
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No of pre-school children:	AM	15	PM	-
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Address of the Early Years Inspectorate:	Civic Offices, Limerick Road, Nenagh, Tipperary
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Inspection undertaken by:	L McGeeney
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Title:	Early Years Inspector
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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

This sessional service was established to provide care and education to children aged between 2 and 6 years. A registered school aged care service was also provided outside of the hours of the early years service.

The service operates Monday – Friday, 9am – 12pm for 38 weeks of the year. Places are funded under the early childhood care and education scheme (ECCE) for eligible children.

The service was operated from the ground floor of a two-storey, detached building in the town of Thurles in North Tipperary. The service consisted of two activity rooms, a staff room/kitchenette and sanitary accommodation areas. One of the activity rooms was set up and used by the early years children and the other room was used by the school aged children.

There was an enclosed outdoor play area at the front of the premises.

Staffing

The registered providers had changed since the last inspection on 20 May 2021. There were two registered providers who worked directly with the children in the service each day. Both registered providers held recognised qualifications in early childhood care and education.

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 inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11, 20, 21, 22, 24, 25 and 26 however, on inspection additional non-compliance which posed significant risk was identified under Regulations 23, 29 and 30. 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 registered providers and children who were present on the day of the inspection.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(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

(2)(a) Written, validated references from past employers were available in respect of both registered providers.

(b) Available references were from past employers.

(c) Garda vetting had been carried out in respect of both registered providers and relevant records were held on file.

(d) Not applicable as neither registered provider had lived outside the state for a period exceeding six consecutive months.

(4) Both registered providers held recognised qualifications in early childhood care and education at levels 5 or 6 on the national framework of qualifications.

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 registered providers were supervising 15 children aged between 3 and 5 years on the morning of the inspection.

(3) The adult to child ratio was maintained at 1 adult to 8 children on the day of inspection which was greater than the minimum requirement of 1 to 11.

(8)(c) There were two staff present in the service while it was in 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.

(4) Where outdoor space to which the pre-school children attending the service have access is provided on the premises of a sessional pre-school service other than such a service to which paragraph (2) applies, a temporary pre-school service or a pre-school service in a drop-in centre, the registered provider shall ensure that such outdoor space is suitable, safe and secure.

Compliance Information

(1)(a) The children had access to their activity room and to the outdoor play area daily. There was a second room available, which was primarily used by the school aged children, however, staff said this room was occasionally used for one to one and small group activities. The activity room was laid out in a manner that allowed the children to easily see what they wanted to play with and access it independently. Furniture was used to create interest areas such as the home corner and cosy area.

(b) The children attended on a sessional basis only, for a maximum of three hours each day and all children were aged over two years, so sleep facilities were not required. The children could rest and relax in the cosy reading area when they wanted to.

(4) There was an enclosed area at the front of the premises with a gravel surface which the children could access daily for outdoor play. There was a second space between the front gate of the premises and the enclosed area. This space was available to the children at times when the front gate could be closed, thus extending the space available to the children for outdoor play and exploration. The site had many mature trees which provided shelter as well as places for hiding. Some of the trees had been cut down since the last inspection to allow in more light.

Part V - Care of Child in Pre-school Service

Regulation 21 – Equipment and materials

A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.

Compliance Information

The service was equipped with child sized tables and chairs, low level shelving units, toys, and materials suitable to the age and stage of development of the children attending the service. Toys and materials supported all areas of development such as imaginative play, creative arts, construction, small world play and manipulative play.

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.

Compliance Information

The service had a healthy eating policy. Parents supplied the food which children ate while attending the service. Children brought drinks of water or squash. There was drinking water available in the service. Children's drink bottles were refilled with water when required.

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

Fire Safety:

Fire escape routes were kept clear of obstruction.

Non-Compliance Information

Fire Safety:

The firefighting equipment and smoke alarms were not serviced on an annual basis. The firefighting equipment was last serviced in 2019.

Action submitted by the Registered Provider

Corrective & Preventive Action

Fire Safety:

A company serviced all existing equipment and installed some new equipment where needed. A system has been put in place to ensure yearly servicing of all equipment.

The smoke alarm system has been serviced by an electrician.

Supporting documentation submitted

Fire Safety:

A copy of the certificate of service was sent to the early years inspector on 28 June 2023 with the CAPA response.

Summary Comment

All evidence submitted meets the requirements Child Care Act 1991 (Early Years Services) Regulations 2016.

Part VI - Safety

Regulation 24 - Checking in and out and record of attendance

(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.

Compliance Information

(1) The staff recorded the arrival and departure times of the children in the attendance register.

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

(2)(a) There was a first aid box available in the staff room/kitchenette.

(b) The first aid box was available if required by a child attending the service.

Non-Compliance Information

(1) The first aid response (FAR) certification for both registered providers was out of date since November 2022. It is a requirement of the regulations that there is at least one person with current first aid response certification present in the service while it is in operation. The registered providers stated that they were enrolled to renew their certification in June 2023.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

FAR training courses are booked for 24 – 26 July 2023. Refresher courses will be completed when needed.

Summary Comment

All evidence submitted meets the requirements Child Care Act 1991 (Early Years Services) Regulations 2016.

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.*

Compliance Information

- (1)(a) There was a written record of the fire drills which took place in the service on a fortnightly basis, most recently on 4 May 2023.
- (b) There was a written record of the number, type and maintenance of the firefighting equipment and smoke alarms in the service.
- (4) There was a notice of the procedures to be followed in the event of a fire displayed on the walls in the service.

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.*

Compliance Information

(b) The front door of the service was kept secured while the service was in operation. Staff managed entry and exit from the service. There was a fence and gate across the front of the premises which created an enclosed outdoor play area. Staff, parents, and children passed through the gate when accessing the service. The gate was secured when the children were outside. The gate and fence prevented children from accessing the road outside the premises without supervision.

(c) The rooms were lit by natural light through windows in each room and in the sanitary accommodation areas, supplemented by artificial light when required. Heating was not required on the day of inspection. The heating system was wall mounted electric radiators. There were openable windows in the activity rooms and sanitary accommodation areas, these were open on the day of inspection to aid the circulation of fresh air.

(e) There were two children's toilets and wash hand basins in one sanitary accommodation area and a staff toilet, wash hand basin and nappy changing unit in the second sanitary accommodation area. This was sufficient accommodation for the number of children and staff in the service.

Non-Compliance Information

(a) It was not clear whether the premises was sound and stable or not. The presence of damp and mould may indicate that there was a problem with the integrity of the building.

(c) There was a damp and musty smell in the back corridor which was used to access the sanitary accommodation areas. There was also a damp and musty smell in the nappy changing/staff sanitary accommodation area.

(d) Black mould was visible on the wall and ceiling of the activity room used by the children on the day of inspection. There was also mould evident on the walls of the children's sanitary accommodation area. The source and cause of the damp and mould problems in the service must be identified and rectified.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- a) The damp and mould that was present was a result of flooding on the 5th of September 2022. All areas have been treated with mould and mildew solution. During the summer break all areas are being painted with a fungicidal solution additive added to the paint.
- c) As a result of the flooding the carpet in the storage room was damaged this resulted in the musty smell in the back corridor and nappy changing area. The carpet has now been removed and a fungicidal wash has been used to clean the area.
- d) On the ceiling and walls in the activity room we found the cause of the mould to be wallpaper that has been hanging for many years. The wallpaper has been removed and all areas have been treated and will be painted the same as stated in (a). It has been identified that the cause of the mould in the children's sanitary accommodation area was due to lack of ventilation. A new vent has been installed and we have been advised to leave all doors in that area opened outside of working hours.

Supporting documentation submitted

Photographs of the remedial actions were sent to the early years inspector on 28 June 2023 with the CAPA form.

Summary Comment

All evidence submitted meets the requirements Child Care Act 1991 (Early Years Services) Regulations 2016.