

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015TY055
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Name of Service:	Nicole's Country Childcare
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Address of Service:	Skehana, Roscrea, Co. Tipperary
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Eircode:	E53 DX97
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Name of Registered Provider:	Nicole Joyce
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Service type:	Full Day
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Date of Inspection:	05/09/2024
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No of pre-school children:	AM	35	PM	28
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Address of the Early Years Inspectorate:	North Tipperary Civic Offices, Limerick Road, Nenagh, Co. Tipperary
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Inspection undertaken by:	L McGeeney and S O'Brien
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Title:	Early Years Inspectors
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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 privately owned full day care service was established in 2015 to provide care and education to children aged between 0 and 6 years old. A registered school aged care service is also provided. The service operates Monday to Friday, 6.30am to 6pm, for 50 weeks of the year. A sessional service, funded under the early childhood care and education scheme (ECCE) for eligible children, operates Monday to Friday, 9.30am to 12.30pm for 38 weeks of the year.

The service is operated from converted residential and farm buildings in a rural area between the towns of Templemore and Roscrea in north Tipperary. The grounds at the front of the premises are large and have been developed to support the service to operate predominantly as an outdoor service. The indoor spaces are provided in three interconnected buildings. The main building is the registered providers residence and contains three areas that are used exclusively by the service: the Baby and Toddler room, sleep room and sanitary accommodation area. The former milking parlour, known as 'The Shed' contains a large activity room for the older children as well as sanitary accommodation areas. The space joining these two buildings had been built since the last inspection on 10 November 2021 and equipped as the kitchen and dining room for the service.

Staffing

The registered provider works directly with the children in the service on a daily basis, supported by five members of staff which includes childcare, catering, maintenance, transport and relief staff. There is also a childcare student on work experience in the service.

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 inspection focused on an examination of compliance under regulations 9(2)(4), 11(1)(2)(8), 20(1)(3), 21, 22, 24(1)(3), 25, 26(1)(4) and 28.

A sampling process was used to assess compliance under regulation (number and name of regulation) ...As a result, the scope of the inspection included rooms name rooms...

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 inspectors wish 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

(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

The files of staff who worked directly with the pre-school children were assessed as part of the inspection process:

(2)(a) Written, validated references from past employers were available in respect of six members of staff and the childcare student.

(b) Not applicable as all of the available references were from past employers.

(c) Garda vetting had been carried out in respect of each member of staff and relevant documents were kept on file. The service had a process in place to ensure that all members of staff were re-vetted on a three yearly basis.

(4) Staff who worked directly with the children held recognised qualifications in early childhood care and education at levels 5, 6 or 8 on the national qualifications framework. The childcare student who was present in the service on the day of inspection in a work experience capacity was working towards a level 5 qualification in early childhood care and education.

Non-Compliance Information

(2)(d) There were two members of staff who had lived outside the state for a period exceeding six consecutive months. Police vetting was required for these members of staff but had not been acquired.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Police Certificates have been obtained for both members and submitted same. The registered provider will ensure all future staff members who have previously worked outside the state for over six months submit both Garda Vetting and Police Certificates.

Supporting documentation submitted

Police vetting documents in respect of both members of staff who had lived outside the state were received by the early years inspector on 30 October 2024.

Summary Comment

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

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.

(4) Subject to paragraph (5), where a registered provider contemporaneously provides-

(a) a sessional pre-school service, and

(b) a full day care service or a part-time day care service, or both, the minimum ratio of adults to children applicable for the duration of the sessional pre-school service in respect of the children attending that service shall be the ratio specified in paragraph (3).

(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 2 staff working directly with the 22 children attending the ECCE session on the morning of the inspection. There was 1 member of staff working directly with 6 children aged 2 years old. This met the minimum requirements of this regulation. There was another member of staff involved in preparing dinner at 11am and therefore not available to supervise the children at that time. The member of staff responsible for maintenance, transport and general assistance was also present but could not be included in the adult to child ratios as they did not hold a recognised qualification in early childhood care and education.

There were 18 children aged between 2 and 6 years old being supervised by 3 staff outside in the afternoon and 6 children aged between 11 months and 4 years old being supervised by 2 staff inside. This met the minimum requirements of this regulation.

There were also 3 school aged children present in the afternoon and an additional member of staff who worked with the school aged children.

(2) and (4) The adult to child ratio was maintained within the requirements of this regulation throughout the day for children aged between 2 and 6 years old.

(8)(a) There were at least two staff present in the service while it was in operation.

Non-Compliance Information

(1) There was one member of staff and one childcare student working in the Baby and Toddler room on the morning of the inspection with four babies aged between six and eleven months old and three toddlers aged one year old. A minimum of two staff was required to maintain the adult to child ratios. The childcare student could not be counted in the adult to child ratios which meant there were insufficient staff working with the children on the morning of the inspection.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Employee will have her qualification from November to meet ratios. The registered provider will ensure staff/child ratios are constantly monitored and in line with the regulations.

Summary Comment

The above actions meet the requirements of the Child Care Act 1991 (Early Years Services) Regulations 2016.

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.

Compliance Information

(1)(a) The service was set up primarily as an outdoor service, particularly for the children aged 2 years and older, who spent almost all day outside, with the exception of mealtimes, rest and optional indoor activities. The babies and younger toddlers also had access to the outdoor areas throughout the day. Staff managed time spent outdoors and indoors according to the children's needs and desires. On the day of inspection many of the youngest children spent longer indoors than outdoors as the staff caring for them assessed that it was where they were most content. The outdoor spaces were in front of the buildings and were divided into three separate areas. The children also had access to three indoor spaces: The Baby and Toddler room in the main building, the dining room in the middle building and 'The Shed' in the last building in the row. The children could choose to use any of the indoor spaces, for example, in the afternoon, the group in the Baby and Toddler room was made up of children of mixed ages between 11 months and 4 years old. This space was cosy and comfortable, with several areas designed for floor play with padded mats and cushions to sit on. The sleep room was located off this room and staff said that the children liked to relax in this room after their sleep or rest time, before they went outside again.

The dining room was set up with several tables placed end to end to create a long dining table where all of the children could eat together at mealtimes in family dining style. The tables were set up parallel to the front wall of the dining room which had long floor to ceiling windows that enabled the children to see out into the outdoor play area. The children could also observe the catering staff preparing and cooking their meals in the kitchen area which was located behind the dining space.

'The Shed' was a large square room with high ceilings which provided an indoor shelter and play space for the older children during the day. Staff said that this room did not get a lot of use as the children preferred to be outside, regardless of the weather. There was an open sided sheltered area directly outside 'The Shed' which was set up as a mud kitchen and imaginative play area. Staff said that this space was preferred by the children who sought shelter from the weather rather than the indoor spaces.

(b) There was a sleep room off the Baby and Toddler room, furnished with seven standard cots. This room had been redeveloped since the last inspection on 10 November 2021 when there were two adjacent sleep rooms. The dividing wall had been removed to create one room and a fire exit door had been installed in the back wall where there had previously been a window. Children could sleep according to their individual sleep needs and schedules.

There were cosy areas in the Baby and Toddler room and in 'The Shed' where children could rest and relax during the day. Stackable sleep beds were available to the older children if they required a sleep during the day.

(3)(a) The service had three well laid out and developed outdoor play areas. There was a paved enclosed yard in front of the main building which provided a separate space for the younger children to play in when all of the children were outside. The main outdoor play area was a large space with a combination of grass and bark mulch surfaces, mature trees to the front, a newly installed wooden cabin for sheltered indoor space and a covered area beside 'The Shed'. The third area was an enclosed field to the right of the buildings and main outdoor play area. This space had a grass surface and several specific interest areas including a row boat, poly-tunnel vegetable garden, sheltered creative area and raised playhouse for imaginative play.

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 well resourced both indoors and outdoors.

Each of the indoor spaces was furnished with chairs and tables suitable to the age and stage of development of the children who used them. Suitable seating was also available for the staff. High chairs were available in the dining room for the younger children while the older children sat at the tables on chairs and bench style seats. Seating areas were also provided in each of the outdoor areas, including areas where the children could work at tables or eat outside. A ‘buddy bench’ had been installed in the main outdoor play area since the last inspection where the children could sit and relax at times when they wanted to spend quiet time and chat to one or two friends.

Other furniture included the wooden climbing and sliding unit in the Baby and Toddler room, play kitchens and open shelving units for displaying toys and materials.

Equipment included the outdoor chalet and several play houses, mud kitchens, tree swing, ride-on toys, construction materials, gardening tools, access to water and buckets, indoor and outdoor creative areas, balls, books, small world resources, sensory materials and imaginative play resources.

The children were encouraged and supported to use their imagination and the available materials to build their own shelters and special interest areas such as the pretend mart with cattle pens.

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. Children attending the ECCE scheme session brought a packed lunch to eat at the morning snack break. Foods eaten included: sandwiches, waffles, crackers, fromage frais and fruit (apples, bananas, mandarins and strawberries). Children brought drink bottles of water or squash which they could access and drink from throughout the day. Cups of water were served with each meal.

All other food was supplied by the service, in line with the weekly menu. Dinner for most of the children on the day of inspection was homemade pasta bolognaise which was observed to contain plentiful quantities of meat and vegetables. Children were served suitable portion sizes and second helpings were available for anyone that wanted more. Dinner for the younger children who required their food to be pureed was chicken, broccoli, sweet potato and carrot.

There were four infants who drank infant formula. Formula was either made-up at home, brought to the service in a cooler bag then refrigerated until required or made up in the kitchen of the residential house by the staff member who worked in the Baby and Toddler room each morning before the children arrived.

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.

(3) A registered provider shall ensure that-

(a) no person other than-

(i) pre-school child attending the service,

(ii) a person dropping or collecting such a child,

(iii) an employee, or

(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and

Compliance Information

(1) The staff were responsible for recording the arrival and departure times of each child on a daily basis using attendance register books designed for this purpose.

(3) Staff met visitors to the service at the front gate before allowing them entry to the service if appropriate.

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) The service was well equipped with a large quantity of first aid supplies. There were several suitably equipped first aid boxes in the service with additional supplies available to replenish the first aid boxes as required.

(b) The first aid boxes were available if required by a child in the service.

Non-Compliance Information

(1) None of the staff held current certification in first aid response (FAR). It is a requirement that at least one member of staff with current FAR certification be present in the service while it is in operation. It is acknowledged that two staff held current certification in first aid but as this was not FAR it did not meet the requirements for compliance with this regulation.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider has enrolled on a FAR training course in Jan 2025 and will ensure there is always at least one member of staff on site with FAR training.

Summary Comment

This requirement will be met when the FAR training has been completed.

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 fire fighting 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 monthly fire drills that took place in the service.
- (b) There was a written record of the number, type and maintenance of the firefighting equipment and smoke alarms. The firefighting equipment was serviced on an annual basis, most recently in September 2023. The smoke alarm system was commissioned in 2022 and serviced on a regular basis, most recently in March 2024.
- (4) There were notices of the procedures to be followed in the event on an emergency displayed on the walls throughout the service.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The service had current insurance cover for up to 35 children attending at any one time, valid until 27 March 2025.