

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015TY076
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Name of Service:	The Owl and The Pussycat Day Care and Afterschool Club
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Address of Service:	Cullinagh, Ballina, Co. Tipperary
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Eircode:	V94 K28F
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Name of Registered Provider:	Crona Byrne
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Service type:	Full Day
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Date of Inspection:	22/06/2023
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No of pre-school children:	AM	59	PM	48
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Address of the Early Years Inspectorate:	Civic Offices, Limerick Road, Nenagh, Co. Tipperary
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Inspection undertaken by:	L McGeeney and E. Cullen
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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 full day care service was established to provide care and education to children aged 0 – 6 years. The service also provides a registered school aged care service to primary school children aged 5 – 12 years. The service operates Monday – Friday, 8am – 6.15pm, for 51 weeks of the year. This includes a three-hour sessional service, Monday – Friday, 9.30am – 12.30pm, for 38 weeks of the year, funded under the early childhood care and education system (ECCE) for eligible children.

The service is operated from the ground floor of a two-storey detached premises in the village of Ballina in North Tipperary. The service comprised of six activity rooms, a sleep room, kitchen, staff room, office, sanitary accommodation areas and an outdoor play area.

This is a sister service to Little Owls Naíonra, also located in Ballina.

Staffing

The registered provider was not present in the service on the day of inspection, the service manager was the person in charge. There were ten staff with early years qualifications and four staff on work experience present in the service on the day of inspection, including the service manager and catering staff. There was also a member of staff responsible for cleaning present in the service throughout the day. Some employees were not present on the day of inspection as they were rostered off.

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, 19, 23 and 29.

A sampling process was used to assess compliance under regulation 9 Management and Recruitment.

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, 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

(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 staff files of nine staff and students who had started working in the service since the last inspection on 31 May 2022 were reviewed as part of the inspection process:

(2)(a) Written, validated references from past employers were available in respect of seven members of staff.

(b) Written, validated references from a source other than a past employer were available in respect of two members of staff.

(c) Garda vetting had been carried out in respect of all staff and students over 18 years. Relevant documents were kept on file.

(4) There were ten staff present on the day of inspection who held recognised qualifications in early childhood care and education. There were four other staff present in a work experience capacity who did not require qualifications.

Non-Compliance Information

(2)(a) Written references were not available in respect of one member of staff and one student on work experience. Two written, validated references, preferably from most recent employers are required for all employees.

(d) Police vetting was not available in respect of the member of staff who had lived outside the state. Police vetting is required from the countries where the member of staff resided outside of Ireland.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a) The references were found in another staff members file and were forwarded to the inspector.

(d) Police vetting has been applied for in respect of the staff member who lived outside the state, results of which are awaited.

Supporting documentation submitted

(2)(a) The reference was forwarded to the inspector on 26 June 2023.

(d) Evidence of police vetting application was received by the inspector on 16 August 2023.

Summary Comment

Regulatory compliance has not yet been achieved in respect of Regulation 9 (2)(d) regarding police vetting. It is acknowledged that the application process is underway. This matter will be reviewed on next 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.

(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 nine staff, including the service manager working directly with 59 children aged between 6 months and 5 years old. There were four staff on work experience also working with the children but not included in the adult/child ratios. The chef, who also held childcare qualifications, was available to relieve staff for breaks.

(2) The adult/child ratios were maintained within the recommended ratios throughout the day.

(8)(a) There were at least 2 staff present in the service while it was in operation.

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

The following was observed on the day of inspection:

(1)(a) The inspection was carried out on the last day of the school term. Children who were moving on to primary school had their graduation ceremony on the previous day. The children and staff from Little Owls Naíonra had joined the children in the ECCE room for the day. A party was planned for the children for the following day.

The children spent a large portion of the day playing in the outdoor play area where there was natural shade in the morning which made it cooler than inside. The programme of activities was relaxed and child led throughout the day, with children from Wobbler, Playgroup, Pre-Pre-school and ECCE rooms playing together outside. The staff provided them with regular drinks of water and applied sunscreen regularly while the children were outdoors.

The children returned inside to their activity rooms for dinner of savoury mince and mashed potato at 12.30pm. Staff supervised the children and provided assistance as required.

The children could rest and sleep when they wanted to. There were cots available for children under 2 years old and sleep mats available for children aged over 2 years for sleep time.

The rooms were equipped with a range of toys and equipment to support all areas of development including: imaginative play, construction, small world play, mark making and creative activities, books and manipulative play materials.

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 service was kept secure. Entry and exit was managed by staff who could see who was seeking entry to the service through glass panels in the door and side panels.

The service used a closed-circuit monitoring system to support safety in the premises.

Hot water for hand washing was thermostatically controlled not to exceed 43°C.

Children did not have access to the kitchen.

Infection Control:

The service had an infection control policy. Hand washing was supported and supervised at appropriate times during the day such as before eating and after using the toilet or nappy changing. There were hand washing sinks in each activity room as well as in the sanitary accommodation areas which gave children easy access to hand washing facilities.

Administration of Medication:

The service had a policy on administration of medication which included both prescription and non-prescription medications. Written parental consent was sought prior to any medications being given to children in the service.

Safe Sleep:

The service had a safe sleep policy. There was a sleep room off the baby room furnished with seven standard cots with fitted mattresses. Children were supervised while they slept and records were maintained of sleep checks.

Fire Safety:

Fire escape routes were kept clear of obstruction.

Non-Compliance Information

Safe Sleep:

1. One child was observed sleeping in a buggy in the Baby room. Buggies are not safe or appropriate sleep facilities for children. Staff said that some children, when they start attending the service, are already in the habit of having their daytime sleep in a buggy. Staff said that they try to transition the children to sleeping in cots in the service.

2. Three children who slept in the Wobbler room after dinner did not have their shoes removed for sleep time. Children's outdoor clothing, shoes and bibs need to be removed to support the children's comfort and safety during sleep times.

Fire Safety:

1. Details of attendance did not reflect the numbers of children on the premises during the inspection. Four children present were not recorded on the attendance record. This posed a risk to the safe evacuation of children in the event of a fire.

Action submitted by the Registered Provider

Corrective & Preventive Action

Safe Sleep:

1. The child had only been with the service a few months and the mother had requested that he sleep in the buggy as this was what he was used to. The child now sleeps in a cot.
2. All staff have been told to remove all shoes and place them beside the beds during sleep time.

Fire Safety:

1. This was a genuine error on the day of inspection as new staff were becoming familiar with the paperwork and were nervous with the inspectors in the building and just forgot to sign them in. There is a new system in place now.

Summary Comment

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

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

(a) The premises appeared to be sound and stable.

(b) The service was safe and secure. Entry to the service was via the front door which was kept secured. The outdoor play area was at the back of the premises with two sets of secured gates on each side of the building to prevent children gaining access to the roadway in front of the premises. This also prevented any unauthorised access to the service.

(c) The premises was primarily lit by natural light through windows in each room, supplemented by artificial light when required. The nappy changing area, sanitary accommodation areas, office and utility room were internal rooms that were lit by artificial light. The premises was well ventilated by a combination of natural ventilation where there were openable windows and mechanical ventilation of internal rooms. The service was heated by radiators as part of an oil-fired central heating system. Room heating was not required on the day of inspection as the weather was warm. The children spent long periods of time outdoors or in the cooler rooms to maintain their comfort on the day of inspection.

(d) The service was maintained in a visibly clean condition. There was a cleaning schedule for the premises, toys, materials and equipment. Tasks were signed off when completed. The walls in the Den had been repaired since the last inspection. The lower part of the wall was covered with white boards which provided the children with a surface to draw on as well as protecting the walls from wear and tear. The service employed a member of staff to carry out maintenance works when the service was closed. Electric fans were available in each activity room to help circulate air in warm weather and the service had a mobile air-conditioning unit that could be moved to where it was most needed.

(e) The sanitary accommodation areas in the service had been totally refurbished and upgraded since the last inspection on 31 May 2022 which included upgrading the plumbing system and replacing the toilets, wash hand basins and flooring in the children's and staff sanitary accommodation areas. There were two staff toilets and wash hand basins which was sufficient for up to 16 staff at any one time. There were five children's toilets and wash hand basins in two sanitary accommodation areas which was sufficient provision for up to 55 toilet trained children. There were two nappy changing stations in the nappy changing area which was sufficient provision for up to 22 children who were not yet toilet trained.