

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:	31/07/2024
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No of pre-school children:	AM	33	PM	33
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Address of the Early Years Inspectorate:	Noth Tipperary Civic Offices, Limerick Road, Nenagh, Co. Tipperary
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Inspection undertaken by:	L McGeeney and M Ryan
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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 to provide care and education to children aged 0 to 6 years old. A registered school aged care service is also provided. The service operates Monday to Friday, 8am to 6.15pm for 51 weeks of the year. This includes a three-hour sessional service that operates for the 38 weeks of the school year, 9am to 12pm, Monday to Friday and funded under the early childhood care and education scheme (ECCE) for eligible children.

The service is operated from the ground floor of a two-storey detached building in the village of Ballina in north Tipperary which was developed for the purpose of operating an early years service. The upstairs of the building contains apartments and is not part of the service. The service consists of a kitchen, office, utility room, sanitary accommodation areas, six activity rooms and an enclosed outdoor play area at the back of the premises.

This is one of two services in Ballina operated by the registered providers, the other being Little Owls Naíonra.

Staffing

The registered provider does not work in the service on a daily basis but is available to call on when required. The service manager or her deputy is the person in charge on a daily basis. There are 25 members of staff employed in the service including management staff, catering staff, general assistants, maintenance staff, school aged care staff, students on work experience and 13 staff with qualifications in early childhood care and development who work with the pre-school children.

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)(7), 11(1)(3)(8), 15(1)(3), 16(1), 20(1)(3), 22, 24(1)(3), 25 and 26(1)(4).

A sampling process was used to assess compliance under regulation 15 Record of a Pre-School Child.

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 reoccurring. 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 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.

(7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:

(a) the policies, procedures and statements of the service specified in Schedule 5;

(b) Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act, and

(c) these Regulations.

Compliance Information

The staff files of 25 members of staff and students were reviewed as part of the inspection process:

(2)(a) Written, validated references from past employers were available in respect of 18 members of staff.

(b) Written, validated references from a source other than a past employer were available in respect of 5 members of staff.

(c) Garda vetting had been carried out in respect of all staff or students aged 18 years and older. Re-vetting of current staff was carried out on a three-yearly basis in line with best practice.

(d) Police vetting had been carried out in respect of staff who had lived outside the state for a period exceeding six consecutive months. Relevant records were maintained on file.

(4) Staff who worked directly with the pre-school children held recognised qualifications in early childhood care and education at level 5, 6 or 8 on the national qualifications framework. There were two students, who worked with the children as part of their work experience, who were engaged in studies towards a recognised qualification in early childhood care and education. Other staff present who did not hold qualifications were not employed to work with the pre-school children.

(7) The staff were supported and encouraged to engage in further studies and ongoing professional development. All staff completed the online course 'An Introduction to Children First' before commencing work in the service. Trainers were engaged as required to provide staff with training and certification in first aid, fire safety awareness and manual handling. Staff enrolled in online courses in early childhood care and education were provided with support and mentorship from staff in the service to assist them in their goals to acquire their 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.

(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) On the day of inspection there were 33 children aged 11 months to 5 years being supervised by six staff on the morning of the inspection. The person in charge was also available to work in the rooms or provide relief as required. There was one additional member of staff who held qualifications in early childhood care and development on the premises working directly with the 24 school aged children who were present in the service on the day of inspection. There were seven members of staff present who were not included in the adult to child

ratios as they were either present in a learning capacity as a childcare student or were employed to work with the school aged children. The catering staff member was likewise not included in the adult to child ratios.

A member of staff arrived to work in the afternoon to replace a member of staff who was rostered off in the afternoon.

During the summer months Little Owls Naionra was closed, so staff from that service came to work in The Owl and the Pussycat. This arrangement enabled staff to take annual leave while ensuring that there were sufficient staff available to work with the children.

(2) The adult to child ratios were maintained within the required ratios throughout the day.

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

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-

- (a) a parent or guardian of a pre-school child but only in respect of the record relating to that child,*

- (b) an employee who is authorised in that behalf by the registered provider, and*
- (c) an authorised person.*

Compliance Information

A sample of nine completed registration forms were reviewed as part of the inspection process.

(1) The registration forms contained the required information as detailed under sections (a) to (i) of this regulation.

(3) Completed registration forms were held on the premises and were available for inspection by an authorised person.

Part IV – Information and Records

Regulation 16 – Record in relation to pre-school service

(1) A registered provider shall ensure that a record in writing is kept of the following information in relation to the service:

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;*
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;*
- (c) details of the adult:child ratios in the service;*
- (d) the type of care or programme provided in the service;*
- (e) the facilities available;*
- (f) the opening hours and fees;*
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*
- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

Compliance Information

(1) The information required under sections (a) to (k) of this regulation was maintained in writing in the service.

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) On the day of the inspection there were four rooms in operation for the purpose of full day care provision for pre-school children. An additional room, called the Den, was used for a school age summer camp.

The pre-school rooms were as follows:

The ECCE room offered junior summer camp for the 3 to 4-year-olds. The play school room catered for children in full day care aged 2.5 to 3 years old. The wobbler room accommodated children from 18 months to 2 years old and the baby room catered for children from 12 to 18 months old.

All rooms were specifically designed for childcare provision with ample space for children to move around. The three rooms on the south facing aspect of the building had bay windows that ensured each room got adequate day light and sunshine which supported the cosy and comfortable atmosphere in these rooms. There were viewing panels between the rooms and onto the corridors. Each room had a built-in sink that was observed being used for hand washing and wash up after messy play.

All rooms were set out to accommodate the needs of the age range of children being cared for. The play equipment and materials were laid out around the rooms on accessible shelving. For the most part tables and chairs were arranged in the middle of the floor in each room. All chairs, tables and furniture were graduated and age appropriate to the children in each room.

The service had well-resourced toy environments throughout . All rooms had toys and materials for imaginative and pretend play and were particularly well catered for with the selections of dressing up outfits and play kitchens. The rooms were stocked with ample supplies of blocks, plastic animals, manipulative fine motor play exercises as well as arts and craft materials. The wobbler room and playschool room had large hand-held toys such as dumper trucks and fire brigades appropriate to the play needs of the younger age groups. Numerous decorative features, such as family walls, birthday displays and murals were observed throughout the building and in the rooms.

The baby room located at the rear of the building was spacious and had a sizable area in the middle of the floor designated and organised for children learning to crawl, walk and move around with comfort. A soft low level leatherette couch was available for staff to cradle and comfort children as observed on the day when one staff member was calming a child who was upset. There was an extensive ball pool and numerous baby toys such as sound making, push and pull toys, pop up and activity cubes.

(b). There was one dedicated sleep room adjacent to the baby room with six cots. After dinner in the afternoon the wobbler room was set up for sleep. Seven children were observed sleeping comfortably on floor mattresses. Cotton blankets were observed being used on all the children throughout these sleep times in the service. Linen was laundered on the premises. Some rooms had defined rest areas with large bean bags. The Den had a selection of leatherette couches arranged around the room, in the afternoon two school aged children were observed comfortably stretched out snoozing on these.

(3)(a) The main outdoor area was located at the rear of the service enclosed by high concrete walls and residential buildings. The entire surface was covered with soft sponge matting. On the day of the inspection the outdoor space was partitioned and divided between the pre-school service and school age children attending summer camp. There was a range of age-appropriate games and outdoor equipment. In the pre-school children's part of the outdoor space, there were two plastic playhouses, selection of tricycles/bubble cars, low level slides, large plastic blocks, sand trays and some wall mounted features such as a music wall. Staff were attentive to supervising the children, moving about this space overseeing the children's engagement and helping the children when necessary. The school age/summer camp had large, quality pieces of wooden outdoor equipment such as a yellow bus which had been erected in the middle of the play area and was big enough to provide shelter and a play space for this age group of children. For most of the day children were observed playing in this area and the food trolley

was brought outdoors at snack times. Staff were observed encouraging and reassuring the children with all these outdoor activities.

Non-Compliance Information

(1)(a) It was noted on the day that there were 24 school age children availing of the summer camp. These children spent most of the day outdoors which meant that half of the outdoor space was in use and not available to the pre-school children. It was observed that this impinged on the opportunities for access to outdoor play by older pre-school children attending the service. The day of inspection was warm and sunny which made outdoor play popular with all of the children present. On the morning of the inspection the older pre-school children were eager to go outside to play but there was not enough room for them to do so while the school aged children were using the space.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

On the day of inspection it was stated to the inspector that there was work taking place in the club house this work finished on the 2nd of August and the club house was used for the remainder of the summer. Plus we also had access to the local GAA pitch when camps were not taking place.

Summary Comment

The actions above address the non-compliance and meet the requirements of the Child Care Act 1991 (Early Years Services) Regulations 2016.

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

All food and meals were prepared and cooked from an onsite kitchen on the premises. The catering staff stated that the service had been inspected by the Health Service Executive (HSE) Environmental Health Services in May 2023. The service employed a full-time chef. There was a 4 weekly menu plan that was adhered to on the day. All special dietary and cultural food requirements were catered for as far as possible. The healthy eating policy and menu plan was made available to parents.

Breakfast was available for all children between 9am and 9.30am offering a selection of cereals and toast with milk or water drinks. The first snack was offered at 10:30am which comprised of fresh, home cooked mini pizzas and potato cakes, and fresh fruit platters. A further snack was given at 3pm consisting of cheese chunks, brown bread and fresh fruit.

The main meal on 31 July 2024 was chicken and vegetable curry. The children’s meals were brought to their respective rooms on a food trolley and the meals were served up by the chef. The wobbler room and the play school room came together for the main meal time on the day of the inspection. Children were observed enjoying the arrival of the trolley and were observed chanting ‘din-ner, din-ner’ as their meal was being served. There was no shortage of food or second helpings and staff were observed asking regularly if anyone wanted more food, of which some children availed. Drinking water was available for the children. Most of the children drank water from their individual water bottles, and these were available and accessible in all the rooms.

Staff were observed seated around the tables with the children at the mealtimes. Staff were observed to be vigilant in their observations of the children while eating, encouraging them to swallow before the next spoonful.

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

(b) a daily record in writing is kept of the entry on the premises of any such person.

Compliance Information

(1) Staff were responsible for recording the arrival and departure times of the children in their care on a daily attendance page. There was one page per week, and these were kept in each room. There was also a sign in/out book in the entrance lobby where parents signed their children in and out of the service.

(3)(a) Staff met visitors to the service at the front door before allowing them access to the service if appropriate.

(b) A visitors sign-in log was available in the entrance lobby and signed by visitors to the service.

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 well-stocked first aid kit stored in the office where it was accessible when required

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

Non-Compliance Information

(1) There were no staff present who held current certification in first aid response (FAR). It is required that there is at least one member of staff with current FAR training present in the service while it is in operation. It is acknowledged that thirteen members of staff recently completed cardiac first response (CFR) and basic first aid training, several of whom were present in the service on the day of inspection.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Click or tap here to enter text. The service manager advised the early years inspector by telephone on 17 October 2024 that three staff had been enrolled to undertake FAR training: two in November 2024 and one January 2025.

Summary Comment

The non-compliance remains outstanding until there is at least one member of staff with current FAR certification present in the service while it is in operation.

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, most recently on 30 July 2024.
- (b) There was a written record of the number, type and maintenance of the firefighting equipment and smoke alarms in the service. Firefighting equipment was serviced annually, most recently on 15 March 2024 and the smoke alarm system was serviced in July 2024.
- (4) A notice of the procedures to be followed in the event of a fire were displayed above each fire alarm point throughout the premises.

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 96 children attending at any one time valid until 28 February 2025.