

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015TY105
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Name of Service:	Clever Clogs Community Childcare
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Address of Service:	Church Road, Elm Park, Clonmel, Co. Tipperary
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Eircode:	E91 P767
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Name of Registered Provider:	Olivia O'Keeffe
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	11/07/2023
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No of pre-school children:	AM	14	PM	N/A
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Address of the Early Years Inspectorate:	Tusla Child and Family Agency, Ferryhouse, Clonmel, Tipperary.
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Inspection undertaken by:	E Cullen
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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 urban full day care service is located in Clonmel Co Tipperary. The service currently caters for children aged 1 to 6 years of age. The service proposes to cater for children from 6 months of age from August 2023. The premises is a detached, single storey purpose-built facility. The service consists of four early years rooms: a baby room, a toddler room, a junior and senior preschool room. The baby and senior preschool rooms were closed on the day of inspection. The children have access to three outdoor areas in the service to the side and rear of the premises.

Staffing

There are six staff members employed by the service to work directly with children and one cleaner. The manager is the designated person in charge. The registered provider does not work directly with children in the service. The service proposes to employ two additional staff members to accommodate the proposed increase in capacity.

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 and 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, 25, 26, 28 and 30. A sampling process was used to assess compliance under regulation 20, 22, 23, and 29. As a result, the scope of the inspection included the baby, toddler and junior preschool 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.

Additional Information

This inspection also assessed a proposed change in circumstances application for the following changes:

- Change in Number of Children: From 50 to 65.
- Change in Age Profile: From 1 – 6 years to 6 months to 6 years.
- Change in Hours of operation: From 08:30 – 16:00 to 08:30 – 17:30.
- Change in Number of Staff Employed: From 7 to 8.

Recommendation following inspection to approve the changes.

Acknowledgments

The inspector wishes 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*

(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) There was a designated person in charge on the day of inspection and a named person was available to deputise as required.

On review of documentation and discussion with staff members it was established that there was one new staff member since the last inspection in November 2023. Documentation for this staff member was reviewed on this inspection.

(2)(a)(b) Two validated references were available for the staff member from past employers.

(c) Garda vetting was available on file for the staff member.

(d) Police vetting was not required as the staff member had not lived outside the state for a period over 6 months.

(4) A certificate of qualification was available on file demonstrating that the staff member held a qualification at the minimum level 5 and above 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.

(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 adequate numbers of staff were working directly with the children at all times. There were 14 children with 4 staff members directly supervising them during the morning of the inspection. The manager was available to assist in rooms if required.

(2) On the morning of the inspection, the staff to child ratios were maintained as follows throughout the service:

- In the toddler room, there were 6 children aged 19 to 30 months old being cared for by 2 staff.
- In the junior preschool room, there were 8 children aged 3 to 5 years old being cared for by 2 staff.

(8)(a) The service manager was familiar with the requirement that 2 staff members are present at all times. The staff roster confirmed this.

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 19 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, or

Compliance Information

(1)(a) There were adequate and suitable facilities available for the numbers of children attending the service. The four early years rooms were clean and organised. There was consideration given to the layout of the rooms, to ensure children could play together in groups or individually. Children’s play and learning was supported through defined areas of interest and adequate materials and resources.

(b) The service sleep room, which had five cots, was available for children under two years of age. Low-level beds available to meet the sleep requirements of children over two years of age in the service.

(3)(a) Children could directly access the enclosed outdoor play areas from the toddler, junior and senior preschool rooms. On the day of inspection children were observed to use the play areas to the rear of the building. The play spaces were free from hazards and equipment was safe for use by the age groups of children in attendance. A new soft fall all weather surface had been installed in the outdoor area used by the toddlers since the last inspection.

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 has an adequate healthy eating policy which is shared with parents and guardians. All food and drink is supplied by parents and guardians daily. There are refrigerators available on the premises for storage of perishable food items. The service has an additional supply of food for use when required. Drinkable water is also available onsite.

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:

There was a keypad and buzzer entry and exit system in place on the main entrance door of the building to prevent unauthorised persons gaining entry or children exiting unsupervised. The kitchen and staff areas were inaccessible to children. All cleaning agents were stored safely and out of reach of children.

All blind cords were securely mounted out of reach of children. Room temperatures were monitored in each room by staff, temperatures were maintained between the required 18°C to 22°C in the early years rooms.

All highchairs, tables and chairs used by children were in good condition and suitable for use by the age range of children using them. Equipment and materials used in each of the rooms were appropriate for use by the age range of children using them. The outdoor play area was maintained to a good standard and free from hazards.

Infection Control:

The service was clean and well maintained with cleaning schedules maintained daily by staff. Children were observed washing their hands before snack, after outdoor play and toileting. There was warm running water, liquid soap and paper hand towels available for hand washing throughout the service.

Each room had designated children's toilets or a nappy changing area. Hand washing facilities were adequately stocked with paper hand towels and liquid soap.

Tables and equipment were cleaned prior to food being served to children and appropriate safe food storage and preparation was observed. Cots and low-level beds in the sleep room were spaced the required 50cm apart.

Administration of Medication:

The service had a policy for the safe administration of medication. An area was identified for the safe storage of medication. There were medication consent forms for parental consent in the event that staff were required to administer medication to a child in the service.

Safe Sleep:

No children were observed sleeping on the day of inspection; however, staff were familiar with best practices in safe sleep. Processes in place to complete physical checks on individual sleeping children, every 10 minutes, recording individual children's sleep positions, colour and breathing. Relevant staff were familiar with the services sleep policy.

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

(1) There was a person trained in first aid available to the children attending the early years service.

(2)(a)(b)

There was a suitably equipped first aid box stored in an easily accessible and conspicuous position on the premises and was available for the use of the children attending the early years service.

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 record of fire drills which had taken place monthly in the service. The most recent fire drill was recorded as having taken place on 23 May 2023.
- (b) There was a record available demonstrating that the firefighting equipment was last serviced on 11 July 2023 and the smoke alarm system was last serviced on 14 August 2022.
- (4) There was a notice of the procedures to be followed in the event of a fire displayed beside each emergency exit door on 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 demonstrated insurance cover for full day care for the 50 children currently attending the service. The insurance policy commenced 28 March 2023 and will expire 27 March 2024.

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 was a single storey purpose-built building. The designated person in charge confirmed that they were not aware of any structural defects.

(b) The premises was safe and secure. The access points were kept secured to prevent unauthorised access. The outdoor area was enclosed and gated.

(c) The rooms were well lit by natural light through large windows, supplemented by artificial light. The windows were openable to allow for natural ventilation. The rooms were heated by an oil-based heating system with wall mounted radiators in the rooms and sanitary accommodation areas.

(d) The rooms, fixtures and fittings appeared to be clean, well maintained and in a good state of repair. There were cleaning schedules for the service.

(e) The service had adequate sanitary accommodation areas which were accessible off each of the classrooms. The toddler, junior and senior preschool rooms each had two cubicles with a toilet and two wash hand basins. The baby and toddler rooms each had a dedicated nappy changing area with wash hand basin. This was sufficient sanitary accommodation for 66 toilet trained children and 22 children in nappies to attend. Three staff toilets were also available in the building.

Part VII - Premises and Space Requirements

Regulation 30 - Minimum space requirements

(1) Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.

(2) A registered provider of a full day care service or a part-time day care service shall ensure that the minimum amount of clear floor space specified in column (3) of Schedule 7 opposite a particular reference number specified in column (1) of that Schedule in respect of the age range of children specified in column (2) thereof at that reference number is available for each child in that age range attending the service.

Compliance Information

(1) The proposed reconfiguration of the early years room provides adequate clear floor space for the proposed additional 15 children aged 0 to 6 years to attend the service on a sessional, part time and full day care basis.

(2) There is sufficient clear floor space for the proposed increase in numbers of children who attend the service on a sessional, part time and full day care basis.

Room	Age Range	Space available	Maximum Capacity
Baby Room	0 -1 years	28.9 m ²	9
	1 -2 years		
Toddler Room	1 - 2 years	48.3 m ²	12
	2 - 3 years		
Junior Preschool	3 – 4 years	63 m ²	22
Senior Preschool	4 – 5 years	45.6 m ²	22
			Total: 65