

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015TY112
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Name of Service:	Happy Days
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Address of Service:	Ballyporeen Childcare Comm Ltd, Ballyporeen Childcare Centre, Ballyporeen, Cahir, Co. Tipperary
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Eircode:	E21 VH36
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Name of Registered Provider:	Patrick Clancy
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Service type:	Full Day, Part Time, Sessional
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Date(s) of Inspection:	04/11/2024
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Address of the Early Years Inspectorate:	Glenmorgan Building, Ferryhouse, Clonmel, Co. Tipperary E91RF38
Inspection undertaken by:	A. McNamara
Title:	Early Years Inspector

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 community based early years service which offers full day care, part time and sessional services. The service is open from 7:30am to 6:00pm, for 50 weeks of the year. A school aged service is also provided. The service is located in a purpose-built building in the village of Ballyporeen, Co. Tipperary. There are six early years rooms and three sleep rooms. The service has covered outdoor areas off several of its rooms which are assessable to children, an all-weather outdoor area and a large secure grass area for children.

Staffing

There are currently 22 staff employed in the service, this includes kitchen staff and manager who does not work directly with children. There was a designated person in charge on the day of inspection. The registered provider does not work directly in the service. Staff working directly with children held qualifications in Early Childhood Education and Care at Levels 5, 6, 7 and 8 on the National Qualifications Framework.

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.

Regulation 9 (1)(a)(b)(2)(a)(b)(c)(d)(4) Management and Recruitment,
Regulation 11(1)(3)(8) Staffing levels,

Regulation 15 Record in relation to pre-school child,
Regulation 19 (a) Health, Welfare, and Development of the Child,
Regulation 20 Food and drink
Regulation 25 First aid,
Regulation 28 Insurance.

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

(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.

Compliance Information

- (1)
- (a) The registered provider is the person in charge and oversees the operation of the childcare facility.
 - (b) The person in charge was present when the unannounced inspection commenced and facilitated the inspection process.
- (2) Recruitment records in respect of the twenty-two adults working in the service were reviewed and the following information was obtained:
- (a) 37 of the 44 required written and validated references were from past employers.
 - (b) There were seven written and validated references from sources other than previous employers.
 - (c) Garda vetting disclosures had been obtained for the twenty-two staff.
 - (d) Employment history records demonstrated that police vetting from other jurisdictions was required for 4 of the adults and the relevant documentation was in place.

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) The registered provider ensured that there were enough adults to respond to children’s individual needs.

(2) At all times during the inspection the person in charge ensured that the adult to children ratio was maintained.

The service exceeded the minimum child to adult ratio required under the regulation. Staffing levels were as follows:

Room	Age (years)	Minimum required ratio	Adult : child (morning)	Adult : child (afternoon)
Pre-school 2	3-5	1:11	3:20	3:21
Pre-school 1	2-5	1:11	4:18	4:18
Toddlers	2-3	1:6	3:10	3:8
Senior wobbler	2-3	1:6	2:5	2:5
Junior wobbler	1-2	1:5	2:5	2:6
Baby room	8months to 1y	1:3	2:6	2:6

(8) Documentary evidence indicated that there were always at least two adults on the premises while children were in attendance.

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 six completed registration forms were reviewed as part of the inspection process:

- (1) The registration forms contained the required information as detailed under parts (a) to (i) of this regulation.
- (3) The registration forms were available on the premises for inspection by an authorised person.

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

(1) A registered provider shall, in providing a pre-school service, ensure that-

(b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.

Compliance Information

Basic needs:

Drinking water was available to the children throughout the day, should they become thirsty at any stage.

Nappy changing was attended to at frequent intervals and as required.

A variety of defined areas of interest were provided for the children to play with. This included dress up area, kitchen, library and other age-appropriate toys. Low-level shelving provided children with access to a wide selection of activities.

Rest areas were incorporated into each of the playrooms for the older children and available for use by children as needed. These areas were well developed. Sleep rooms were available to the younger children.

Supporting relationships around children:

The children benefitted from the favourable adult to child ratios which enabled each child to receive as much individual attention and support as they needed.

Physical and material environment:

The Baby room had safe and comfortable spaces for the children not yet walking to lie, roll, creep and crawl with lots of soft floor mats to facilitate floor-based activities.

The available space within the care rooms supported the children to explore their environment and to freely engage with materials. Each of the downstairs rooms had access to a secure, covered area directly off the playrooms.

Outdoor play was promoted and included as part of the daily programme of activities. The large outdoor space consisted of a large, enclosed grass area, swings, hills, mud kitchen, a small, covered area, sand pit and a range of

activities. Children’s gross motor development was supported through access hill climbing and a slide. Additional resources were available such as ride on toys were also available to the children.

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. The service provided meals and snacks for the children who attended the service.

A water dispenser and glasses were available to children in each of the playrooms.

The children used glasses for drinking, ceramic plates for meals and metal cutlery. This empowers children as using 'real' things; shows children that they are trusted. It also helps to develop motor skills and aids children to learn and adjust their movements to the fragility of their environment.

There was a menu plan in place at the setting. The meals listed were varied, suitable and nutritious and were prepared in the onsite kitchen, by designated a chef.

Staff were aware that some children had food intolerances as was the chef. These children were provided safe alternatives as appropriate.

The inspector was advised that if a child expressed hunger outside of the routine mealtimes, they would be provided with a snack.

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 were staff trained in first aid responder (FAR) available to the children attending the service.

(2)(a)(b)

There was a suitably equipped first aid box available for use.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

An in-date insurance certificate was available for inspection to demonstrate that valid insurance was in place.