

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015TY139
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<b>Name of Service:</b>	Play and Learn Creche and Montessori
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<b>Address of Service:</b>	Gort Na Manach, Cahir Road, Clonmel, Co. Tipperary
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<b>Eircode:</b>	E91 YA07
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<b>Name of Registered Provider:</b>	Tracey O'Keeffe
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date of Inspection:</b>	04/12/2024
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<b>No of pre-school children:</b>	AM	105	PM	90
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<b>Address of the Early Years Inspectorate:</b>	Glenmorgan Building, Ferryhouse, Clonmel, Co. Tipperary E91RF38
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<b>Inspection undertaken by:</b>	A. McNamara & L. McGeeney
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<b>Title:</b>	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).

<b>Conditions if applicable</b>	Not applicable
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### Description of service

Play and Learn Creche and Montessori is located in a purpose built, two storey premises in the town of Clonmel in South Tipperary. This full day care service, which caters for children aged 1 to 6 years old, commenced operating in 2006. The hours of opening are 7.30am to 6.00pm, Monday to Friday, for 51 weeks of the year including a sessional service operated under the Early Childhood Care and Education Scheme (ECCE) from 9am to 12pm for 38 weeks of the year for eligible children. The service is located within a large spacious building containing eight early years rooms at both ground and first floor levels. Other facilities include sleep rooms, kitchen, staff room, office, sanitary accommodation areas for staff and children and outdoor play facilities.

### Staffing

The registered provider with deputy person in charge and 26 staff members are employed in the service. The registered provider, manager, housekeeper and maintenance staff do not work directly with the children, on a daily basis.

### 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 10 Polices  
Regulation 11(1)(2) Staffing levels,  
Regulation 15 (1) (a-i) Record in relation to a pre-school child,  
Regulation 19 (1)(a) Health, Welfare, and Development of the Child,  
Regulation 23 Safeguarding Health, Safety, and Welfare of the Child,  
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 inspectors wish 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
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.

(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) The registered provider is the person in charge and oversees the operation of the childcare facility. A manager is present daily to deputise as person in charge when needed. There were also two staff members identified in writing to undertake person in charge duties in the event that the registered provider and manager were not on site.
  - (b) The person in charge was present when the unannounced inspection commenced and facilitated the inspection process.
  - (c) The service had a management structure, which clearly outlined a named manager and deputy persons in charge.

(2) Recruitment records in respect of 29 staff members were reviewed and the following information was obtained:

(a) 45 of the 58 required written and validated references were from past employers.

(b) There were 13 written and validated references from sources other than previous employers.

(c) Garda vetting disclosures had been obtained for the twenty-nine staff. Garda vetting for seven of the staff members had expired since the previous inspection and were not compliant with the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.

(d) Employment history records demonstrated that police vetting from other jurisdictions was required for three of the adults and the relevant documentation was in place.

(4) The adults employed to work directly with children held a major award in Early Childhood Care and Education and copies of the corresponding certificates were available.

## Part III – Management and Staff

### Regulation 10 - Policies, procedures etc. of pre-school service

*A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.*

#### Compliance Information

The following policies were assessed for compliance and were deemed to meet the necessary requirements:

- Managing behaviour
- Safe sleep
- Inclusion policy
- Healthy eating
- Outdoor play
- Settling-in

### 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) On the morning of the inspection there were 105 children aged between 1 and 5 years old being supervised by 20 staff across 9 rooms. The registered provider and service manager were also available and provided relief or support in the rooms when required. By 1pm the number of children present had reduced to 90. A member of staff involved in cleaning duties was also present but not included in the adult to child ratios.

The staff and children were divided across the nine activity rooms as follows:

Wobbler room 1: There were 9 children aged between 12 and 17 months old being supervised by 2 staff. The service manager and registered provider also came in to assist.

Wobbler room 2: There were 4 children aged between 17 and 22 months old being supervised by 1 member of staff.

Toddler room 1: There were 7 children aged between 20 months and 2 years old being supervised by 2 staff.

Toddler room 2: There were 9 children aged between 2 and 2.5 years old being supervised by 2 staff.

Playschool room: There were 12 children aged between 2 years 7 months and 3 years old being supervised by 2 staff.

Junior Montessori rooms:

Red room: There were 17 children aged between 2 years 11 months and 3.5 years old being supervised by 3 staff.

Orange room: There were 16 children aged between 3 and 4 years old being supervised by 3 staff.

Senior Montessori rooms:

Green room: There were 15 children aged between 3 and 5 years old being supervised by 2 staff.

Blue room: There were 16 children aged between 3 and 5 years old being supervised by 3 staff.

(2) and (4) The adult to child ratios were maintained within the recommendations throughout the day.

(8)(a) There were at least two staff present in the service 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.*

### Compliance Information

A sample of 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.

### 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

(1)(a) The following was observed on the day of inspection which supported the health, welfare and development of the children. Assessment of this regulation was carried out by direct observation, review of records and discussions with staff.

#### Basic Needs:

The children enjoyed freedom of movement within their activity rooms as well as the freedom to explore and learn through play opportunities of their own choice.

The children were encouraged to be independent with self-care practices such as using the toilet, washing their hands and wiping their noses, suitable to their age and stage of development. The staff were observed to actively assist the younger children with these tasks, giving guidance and praise. Staff said that they washed the children's hands after nappy changing and said that because of this, when the children transitioned to being toilet trained, they automatically went to wash their hands afterwards without needing to be prompted by the staff.

There were cosy rest areas in each room with a floor mat and lots of cushions where the children could rest and relax during the day when they wanted to.

These areas were also used for quiet floor play activities. There were sleep rooms off the Wobbler and Toddler rooms where the children could sleep during the day according to their individual sleep needs and schedules. Floor beds and sleep mats were available for the older children who required a sleep during the day. Toddler room 2 became a sleep room for the older children after dinner time.

The children in each room ate their meals and snacks together in their rooms. Staff sat with the children and encouraged a relaxed dining atmosphere for the children. The children's drink bottles were kept within their reach on a tray or a shelf in each room so that they could have a drink when they wanted one.

### **Supporting relationships:**

Staff were observed to be engaged with the children and available to them, sitting near them and interacting with them according to the children's needs.

The children in each room appeared to be confident and content in their environment.

The service had a settling-in policy to assist children with the transition from home care to centre based care.

There were additional staff present in Wobbler room 1 on the morning of the inspection to support the settling-in process for one child.

### **Physical and Material Environment**

Each of the activity rooms was spacious and bright, lit by natural light from openable windows supplemented by artificial light when needed. The weather on the day of the inspection was dull and wet but the indoor environment was warm and cosy. The rooms had large areas of clear floor space to support the children's free movement and to facilitate floor play activities.

The entrance area and the rooms had been decorated for Christmas, creating points of interest for the children and their mounting excitement for the Christmas season.

The children's artwork, pictogram timetables and items of interest such as family photos were displayed on the walls in each room.

The rooms were well resourced with a range of toys, materials and equipment to support all areas of development. Each room had a number of defined interest areas which supported the children to find what they wanted to play with and to tidy it away afterwards. Interest areas included: table-top activities area, home corner, art and mark making area, construction area, cosy area, book area, small world area and manipulative play area. The rooms upstairs had Montessori equipment while the rooms for the younger children included activity centres, push and ride-on toys and musical recliner or rocking infant chairs.

There were open shelving units of toys and equipment in the wide corridors upstairs and downstairs. These were used for rotation of resources and to ensure that the rooms did not become cluttered.

### 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 entrance to the children's areas on both floors were secured with a magnetic lock that had to be open by staff.

##### Infection Control:

The building was kept clean and tidy. A member of staff was engaged in cleaning the communal areas, such as corridors and stairwells, on the day of inspection.

The children and staff were observed practicing good hand hygiene. There were sinks in each of the activity rooms as well as in the sanitary accommodation areas, supplied with hot and cold running water, liquid soap, paper towel and lidded bins to facilitate hand washing at appropriate times during the day such as before eating, after nappy changing or using the toilet and after messy play.

The children's bed linen was stored in individually labelled baskets in the sleep rooms between uses and sent for laundering weekly or when soiled.

Mouthed toys were washed after use in a mild bleach solution before being returned to the shelves for the children to play with.

All nappies were placed in nappy bags before being put in the nappy bin. Nappy bins were emptied twice a day.

The sanitary accommodation areas were kept clean and free from smells.

##### Safe Sleep:

The inspectors observed that children were placed down to sleep according to individual requirements. Staff were familiar with best practices in safe sleep and carried out physical checks on individual sleeping children, every 10 minutes, recording individual children's sleep positions, colour and breathing

## Non-Compliance Information

### General Safety:

1. Garda vetting disclosures for seven staff members were not dated within the previous three years in adherence to the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

### General Safety:

New Garda vetting disclosures were applied for in respect to the seven staff members whose vetting had not been dated in the previous three years.

#### Supporting documentation submitted

Copies of new Garda vetting for the expired staff members was sent to the Early Years inspectorate.

### Summary Comment

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

## 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. There were 15 FAR trained staff employed in the service.

(2)(a)(b)

There were suitably equipped first aid boxes stored in an easily accessible position and available for use. There was signage on the wall in each room stating where the nearest first aid box was located.

### Part VI - Safety

#### Regulation 28 - Insurance

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

#### Compliance Information

An in-date certificate was in place to demonstrate that the service was insured to provide full day care for the number of children the service is registered to accommodate.