

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015WD018			
Name of Service:	Cappoquin Childcare Facility			
Address of Service:	Mill Street, Cappoquin, Co. Waterford			
Eircode:	P51 E2NV			
Name of Registered Provider:	Denis McCarthy			
Service type:	Full Day, Part Time, Sessional			
Date of Inspection:	27/02/2025			
No of pre-school children:	AM	53	PM	32
Address of the Early Years Inspectorate:	Community Care Centre, HSE Buildings, Cork Road, Waterford City			
Inspection undertaken by:	Aileen Bradshaw			
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			

Description of service

Cappoquin Childcare Facility is a non-profit early years service based in a community centre in the town of Cappoquin in west Co Waterford. There are five care rooms, a kitchen, sanitary areas for both staff and children. There is a secure rooftop outdoor space which has direct access from the preschool room and the main hallway. The service offers full-day, part-time and sessional care for up to 69 children aged 0 to 6 years. It operates from 8:00 to 18:00, Monday to Friday. The service also offered school age care.

Staffing

The service employs a total of 24 staff members, including relief and auxiliary staff. On the day of the inspection, 17 staff cared for 53 children with 1 student also in the service but not included in the adult child ratio. The registered provider does not work directly in the service but was available to the inspector on the day of the inspection.

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, safety/ premises and facilities.

The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations:

Regulation 9(1)(2)(4) – Management and Recruitment;

Regulation 11(1)(2)(4) – Staffing Levels;

Regulation 15(1) – Record of Preschool Child;

Regulation 16(1)(a)(b)(c)(d)(e)(f)(g)(h)(i)(j)(k) – Record in Relation to Pre-School Service;

Regulation 23 – Safeguarding Health, Safety and Welfare of Child;

Regulation 25 – First Aid;

Regulation 26 – Fire Safety Measures;

Regulation 28 – Insurance.

These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under Regulation 15(1) Record of Preschool Child and Regulation 16 – Record in Relation to Pre-school Service.

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

An immediate action notice was issued to the registered provider on the 28th of February 2025 regarding a non-compliance identified under Regulation 9(2) Management and Recruitment. The registered provider submitted an adequate response to the office of the Early Years Inspectorate on the 28th of February 2025 to demonstrate the actions taken to correct the non-compliance.

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
- (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)(b)(c)

The person in charge remained on the premises during the inspection and the deputy person in charge was included in the adult child ratio. The registered provider was in the centre on the inspector's arrival and introduced the person in charge. The names and photographs of the person in charge and the deputy person in charge were on display in the hallway of the service.

(4)

Evidence was available on the day to demonstrate that all staff members who work directly with children held a qualification at the minimum level 5 or above on the National Qualification Framework or qualification deemed by the minister to be equivalent.

Non-Compliance Information

(2) The inspector reviewed 24 files.

(a)(b) Evidence was not available to demonstrate that references for 19 staff were considered. Two validated written references for each of these staff members were not available on the day of the inspection.

(c) While it is acknowledged that Garda vetting was available on the day of the inspection for 20 staff members, Garda vetting was not available for four staff. An immediate action notice was issued.

(d) Records available demonstrated that police vetting was required for two staff who had lived outside the jurisdiction for more than six months, however, Police vetting was not available for one of these staff members. In addition, records were not available for four staff members to determine if Police vetting was required.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)
(a)(b) The registered provider stated that all staff files have been checked and received references have been validated. A few references remain outstanding, but staff have assured them they will have them as soon as possible. Going forward, the manager will ensure all new staff have vetting in place, validated references, proof of identity, curriculum vitae, and necessary qualifications prior to the commencement of employment.

Evidence was reviewed by the inspector on 20 August to demonstrate compliance.

(c) An immediate action notice was issued to the registered provider on the 28th of February 2025 for non-compliance identified under this regulation. The registered provider submitted an adequate response to the office of the Early Years Inspectorate on the 28th of February 2025 to demonstrate the actions taken to correct the non-compliance immediately. Evidence of Garda vetting for two of the four staff was submitted and the registered provider stated that the remaining staff would not have contact with children until the vetting was received.

(d) The registered provider stated that Police vetting was now on file however there was a delay in the application for a second Police vetting. The staff member does not work over the summer period and the registered provider has stated that all correspondence will be in place on their return. Evidence that additional Police vetting was not required was submitted. The registered provider stated that the manager will ensure all new staff have vetting in place prior to the commencement of employment.

Supporting documentation submitted

Copies of two Garda vetting disclosures were submitted to the Inspectorate on the 28th of February 2025 and copies of the remaining two Garda vetting disclosures were submitted on the 20th of March 2025.

A copy of one of the required Police vetting's was submitted.

Copies of curriculum vitae's for four staff was submitted.

Outstanding references and Police vetting was

Summary Comment

The action submitted by the registered provider has partially addressed the non-compliance identified on inspection. Actions submitted in response to regulation 9(2)(d) have not yet been completed.

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.

Compliance Information

(1)(2)

During the inspection, there were an adequate number of staff working directly with the children. There were 17 staff caring for 53 children. There was one student on the premises on work experience. The person in charge was available to offer support if required.

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 10 children's registration forms was reviewed. Details required from (a) to (i) were included in the sample reviewed.

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

Information required in this regulation from (a) to (i) was available to the inspector. This information was displayed on the noticeboard, included in the parents' handbook and in the staff files.

Non-Compliance Information

- (j) A sample of 15 administration of medication forms were reviewed, and of these 9 had not been completed fully. For example, these forms did not include the child's name and their date of birth, and the required signatures were missing.
- (k) A sample of 10 accidents and incident reports were reviewed, and of these 8 were not completed fully. For example, the children's details were not completed fully and the risk assessment sections of the forms were left blank.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider has stated that a meeting was held with all staff on the 3rd of March 2025 to discuss the details of the inspection with an emphasis put on the correct procedure for completing forms. Each room leader has relayed this information to the staff on their teams. The deputy manager will review all medication forms and accident books to ensure compliance is met.

Supporting documentation submitted

New record books have been purchased and a receipt was submitted as evidence.

Summary Comment

The action submitted by the registered provider has addressed the non-compliance identified on inspection and the implementation of these actions will be reviewed on the next inspection.

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 temporary main entrance to the service was secured to prevent unauthorised entrance or exit from the service.
- The furniture in the rooms was of a suitable height for the children using it. There were lower tables and chairs in the Wobbler and Toddler room which allowed children to independently use them safely.
- The shelving was sturdy, solid in some cases, attached to the wall to prevent it from moving.
- The water was thermostatically controlled at a temperature not more than 43^oC
- One of the changing units had steps to allow children access to the unit with support from staff.

Infection Control:

- Liquid soap, disposable paper towels and lidded bins were in the care rooms and the sanitary areas.
- Children were encouraged with self-help skills, for example, cleaning their noses and washing their hands.
- Each child had an individual basket with their nappies and creams.
- Cleaning checklists were completed and available for the inspector to review.

Administration of Medication:

- Medication was stored suitably and away from the children.
- Care and emergency plans were available for children with allergies or food preferences.

Safe Sleep:

- Sleep checks were carried out regularly and records were kept digitally.
- Staff described how sleep was child-led. They described how once a child began to get tired, a cot or low bed was prepared for them so they could sleep or rest.

Fire Safety:

- There was evidence to demonstrate that staff members had completed fire safety training on the 10th of May 2024.
- Emergency exits were kept clear at all times during the inspection.
- An accurate record was maintained of the adults and children attending the service. The children were signed in and out digitally on arrival and at collection time. The daily roster had been amended to reflect the availability of the staff on the day.

Non-Compliance Information

General Safety:

Garda vetting for three of the staff members was not dated within the previous 3 years in adherence with the Early Years Inspectorate Regulatory Notice 'EYI-N12.3 Renewal of Garda Vetting.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

The registered provider has stated that Garda vetting has been applied for the three staff members. A spreadsheet has been developed to ensure all relevant training and vetting is renewed in a timely manner

Supporting documentation submitted

General Safety:

No evidence was submitted.

Summary Comment

The action submitted by the registered provider has addressed the non-compliance identified on inspection and the implementation of these actions will be reviewed on the next inspection

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) The registered provider ensured that persons trained in first aid were available to the children at all times. On reviewing the staff training records, evidence available demonstrated that 17 staff were qualified in First Aid Responder (FAR) training.

(2) The main first aid box was prominently available to all staff, with smaller first aid kits in each care room.

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)(b)

A written record of the fire drills was available for review. The last drill was carried out on the 22nd of January 2025. Evidence to demonstrate the fire-fighting equipment had been serviced in June 2024 and maintenance on the smoke alarms was completed in February 2025.

(4)

Procedures for the evacuation of the building in case of fire were displayed in each room and the hallways. Each room had a floor plan of the exit paths and a photograph of the assembly area outside of the building.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The insurance certificate available demonstrated that the service had insurance for 95 children from the 28th of March 2024 to the 27th of March 2025.