

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015WH042		
Name of Service:	Ballymore Community Childcare Facility		
Address of Service:	Market Hill, Ballymore, Mullingar, Co. Westmeath		
Eircode:	N91 D264		
Name of Registered Provider:	Patrick Mcgleenan		
Service type:	Full Day, Part Time, Sessional		
Date of Inspection:	18/05/2023		
No of pre-school children:	AM	43	PM 18
Address of the Early Years Inspectorate:	Early Years Inspectorate, Tusla, Child and Family Agency, SAP Office, St. Loman's Campus, Mullingar, Co Westmeath		
Inspection undertaken by:	C. O'Connor Hughes and K. Murphy		
Title:	Early Years Inspectors		
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

This community service provides a full day, part time and sessional service to children aged between 2 to 6 years.

The service is operating from 08:00 to 17:30 on a Monday to Friday basis.

The premises is a purpose-built single storey dwelling and consists of four pre-school rooms, namely the Cherryblossom room, the Willow room and the Laurel room on the ground floor. The Little Acorns room was in operation on the first floor. An office, a kitchen and staff room are available in the service. Outdoor play areas are attached to the rear, side and front of the service. The service is located in a residential area in a rural setting in the village of Ballymore, Co. Westmeath.

Staffing

The service has three designated persons in charge who were present on the 18 May 2023. Ten adults were working directly with children. An administrator, a person doing accounts and a cook were also present.

The registered provider does not work with the 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 inspections may also focus on other areas as required.

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 co-operation of the persons in charge, staff and children who were present on the day of the inspection.

Part II - Registration and Register

Regulation 8 - Notification of change in circumstances

(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.

Compliance Information

The registered provider had submitted a change in circumstance to the TUSLA registration office on the 6 October 2022 in respect of a change of the designated persons in charge and the operating hours of the service. This change in circumstance was accepted by the registration office.

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.*

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(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.

(6) Paragraph (4) shall not apply before 1 September 2021 to a person who-

- (a) has signed a declaration on or before 30 June 2016 to the effect that he or she intends to retire from employment in a pre-school service before 1 September 2021, and*

(b) is in possession of a letter from the Minister confirming that paragraph (4) shall not apply to him or her before that date.

(6A) is inserted by S.I. No.632 of 2016 CHILD CARE ACT 1991 (EARLY YEARS SERVICES) (AMENDMENT) REGULATIONS 2016 which states; Regulation 9 of the Child Care Act 1991 (Early Years Services) Regulations (S.I. No. 221 of 2016) is amended - in paragraph (4), by the substitution of “paragraphs (5), (6) and (6A)” for “paragraphs (5) and (6)”, and (b) by the insertion of the following paragraph after paragraph (6): “

(6A) Paragraph (4) shall not apply to an employee of a registered provider where - (a) the registered provider receives funding for the employment of the employee pursuant to a scheme funded by the Minister and known as the Access and Inclusion Model, and (b) the employment of the employee is for the purpose of providing support, pursuant to the scheme referred to in subparagraph (a), for a child attending the service to enable the child to participate in the programme known as the Early Childhood Care and Education (ECCE) funding Programme.”

Compliance Information

(1)(a)

The designated persons in charge were available in the service.

(b)

Designated persons in charge were present for the duration of the inspection.

The designated person in charge stated that two new staff members were employed in the service since the last inspection on the 5 April 2022. The files of the new staff members were reviewed, and the following was noted.

(2)(a)

Three written validated references were available from past employers in respect of the new staff members.

(b)

One written validated reference was available from a source other than a previous employer was available in respect of a new staff member.

(c)

Garda Vetting disclosures were available in respect of the new staff members.

(d)

Police vetting was not required in respect of the new staff members as they had not lived outside the state for a period of longer than six consecutive months.

(3)

The procedures in respect (2)(a)(b)(c)(d) were carried out by the registered provider prior to the employment of the new staff members.

(4)

A major award at Level 5 in Early Childhood Care and Education on the National Framework of Qualifications was in place in respect of the requirement for one of the new staff members.

(6) (a)(b)

Not applicable, no employee had signed a declaration on or before the 30th of June 2016 to the effect that they intended to retire from employment in a pre-school service.

(6A)

One employee present was working directly with children under the Access and Inclusion Model.

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).

Compliance Information

(1)

The minimum ratio of adults to children was maintained during the inspection.

(2)

There were forty- three children attending the service supervised directly by ten adults.

(4)(a)(b)

An adequate number of adults were available for the children attending the service on a full day care and sessional basis.

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

(1)

A sampling process was used, and twelve child records were inspected.

Information relating to (a)(d)(e)(f)(g)(h) and (i) was available in respect of five children attending the service.

Information relating to (a)(d)(e)(f)(g)(i) was available in respect of seven children attending the service.

Non-Compliance Information

(1)

(b)(c)

The date on which the child first attended the service and ceased to attend the service was not noted on the child record forms.

(h)

A record of immunisation dates was not available in respect of seven children attending the service.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated the following corrective and preventive actions in his response;

Corrective and Preventive Action

(1)(b)(c)

The date that the child first attended and ceased to attend the service was registered on the Pobal Hive. However it is acknowledged that the child record forms were not updated. All the paperwork has now been updated for the particular child. Please see attached.

A separate entry record template has now been created for all the children which includes the dates that the children have started in the service and left the service. Please see attached.

(h)

All seven parents were contacted seeking the immunisation records. The service has now received four of the outstanding immunisation records. The service will continue to remind the parents of the children of the outstanding records. Please see attached emails and template recording the immunisation details which have now been received.

The service have highlighted the requirement for vaccination records on the children's enrolment forms. Please see attached enrolment form.

Supporting documentation submitted

Written documentation submitted.

Summary Comment

Evidence submitted and reviewed by the Early Years Inspector met the Regulatory requirement.

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;*
- (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)
Written records of information in relation to the service in accordance with Regulation 16 (1)(a)(b)(c)(d)(e)(f)(h)(i) and (k) were available and reviewed.

Part IV – Information and Records

Regulation 17 – Information for parents

A registered provider shall ensure that a parent or guardian of a child proposing to attend the service is provided with the information referred to in subparagraphs (a) to (g) of Regulation 16(1).

Compliance Information

Parental information was given to parents and guardians prior to their child commencing in the service in respect of Regulation 16 (1)(a) to (g).

Part IV – Information and Records

Regulation 18 – Copy of Act etc.

A registered provider shall ensure that a copy of Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act and of these Regulations is kept on the premises and the said copies shall be open to inspection on the premises by-

- (a) a parent or guardian of a child attending or proposing to attend the service,*
- (b) an employee, unpaid worker or contractor, and*
- (c) an authorised person.*

Compliance Information

The designated person in charge presented a copy of the of Part V11A (inserted by section 92 of the Child and Family Agency Act 2013 (No.40 of 2013) of the Act and Regulations for inspection of (a)(b)(c).

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

Compliance Information

(1)(a)

Children were observed to enjoy extended play time in the outdoor play areas and were observed to avail of the various play opportunities supported by the adults. The outdoor environment was laid out to accommodate the learning and development needs of children. Children were encouraged to make their own choice as to what activity they wished to participate in. Adults held children in positive regard using their individual names, interacting and conversing with children at eye level. Children requiring extra support were assisted as required. Access and Inclusion plans were in place for children requiring extra support. Adults were familiar with each child and their personality. Children were reminded to use the toilet in a positive manner. Good teamwork was observed amongst staff. A staff biography was noted in the main entrance of the service.

The indoor environment in the pre-school rooms provided a range of developmentally appropriate, creative and enriching experiences for all children. The pre-school rooms were bright and colourful. Areas of interest included dress up, a home area, construction area and a shop. Age and stage appropriate toys and materials were accessible to children on low level shelving. Children's artwork, family photos and a space display were noted.

The designated person in charge stated the service worked in partnership with parents in the following ways: A verbal handover is given on collection, a monthly newsletter with updates is sent out to parents, the child's learning journal 2022 to 2023 is shared with parents at the end of the pre-school term and photographs of children's activities are displayed on the windows of the pre-school rooms. Photographic evidence was reviewed of a recently held grandparents' day. Photographic evidence and the service's curriculum in action depicting photographs of children at work and play was available for review 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 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

(b) Where no such space is provided, the pre-school children attending the service have access on a daily basis to a suitable outdoor space.

Compliance Information

(1)(a)

Suitable play equipment was provided indoors and outdoors which included toys and equipment for construction, sensory, tabletop activities, arts and crafts and home corners.

(b)

Low level beds were available for children over two years of age to sleep on as required. Rest areas were available to rest and relax in the pre-school rooms.

(3)(a)

The outdoor play area was safe and secure located at the back and to the front of the service. A sheltered area was available in the outdoor play area to the side of the service with a large sand play area for children's use. Children were observed enjoying outdoor play using the toys and equipment available which included a large wooden tractor, a climbing frame with slide, a playhouse, basketball hoop, rockers, tractors and ride on toys.

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 recently commenced a pilot food provision programme in association with “Safe food 101 square meals”. The menu in the service reflected the provision of the food for breakfast, morning snack, dinner and evening snack. The cook prepared the main meal of the day in line with the recipes provided for each meal.

Children enjoyed the selection of food and how it was presented to them as small toy wooden sharks were noted with the snack. Snack consisted of melon boats, ham rolls and fresh live yoghurt.

The dinner consisted of meatballs, mixed vegetables and pasta shapes. Water and milk were offered to children.

Fridges were available for the storage of perishable goods in each of the pre-school rooms.

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 main entrance door to the service was secure to ensure the safety of the children within. An intercom system was used to gain access to the service. The entrance doors were locked with a safety lock mechanism.

The service met the necessary safety requirements in respect of the indoor environment, toys and equipment and the safe storage of cleaning agents. The inspector signed the visitors book on arrival.

Infection Control:

Cleaning schedules were available and reviewed. All toys and materials were easily cleanable. A cleaner was observed cleaning in the service during the inspection.

Warm running water, liquid soap and hand towel dispensers were available in the sanitary accommodation.

The water temperature at the wash hand basins in the sanitary accommodation were recorded at 30.1 degrees Celsius.

Foot operated pedal bins were available in the pre-school rooms and in the associated sanitary accommodation for the hygienic disposal of waste.

Openable windows provided natural ventilation in the sanitary accommodation on the ground floor.

Mechanical ventilation was in operation in the sanitary accommodation on the first floor.

Children were observed to wash their hands before snacks and after toileting.

Administration of Medication:

No medication was administered during the inspection. Temperature reducing medication was available in the service if a child presented with a high temperature.

Safe Sleep:

A record of the colour, position and breathing of sleeping children was noted in a sleep log.

Fire Safety:

Emergency exits were unobstructed from the pre-school rooms. A fire assembly point was noted to the front of the service.

Outing:

Children from the Cherry blossom and Willow rooms had gone an outing to the playground in the village before the Inspectors arrival to the service.

An outing policy and checklist were available and reviewed. Upon discussion with the designated person in charge she stated she carried out a verbal outing checklist with staff members before the outing commenced.

Non-Compliance Information

General Safety:

1. The glazed doors in the Cherry Blossom and Laurel rooms which opened onto the staff car park were not alarmed to give notice in the event of a child opening the door and exiting their assigned pre-school room.
2. In the Cherry Blossom room cords from the bubble tube, salt lamp and wall mounted television were not secured and out of the reach of children which presented as a potential risk of harm to a pre-school child.
3. Visibility strips were not in place on the patio doors in the pre-school rooms for children to recognise glass.
4. Solutions used for cleaning were decanted into bottles without any content label or instructions for use attached.

Infection Control

1. The ventilation grid in the sanitary accommodation on the first floor was dusty with debris and required cleaning.
2. Children's aprons were stored in the sanitary accommodation on the first floor which was unsuitable for infection control purposes.
3. Vinyl cushions used for rest were stored in the sanitary accommodation on the ground floor which was unsuitable for infection control purposes.

Outing:

1. The risk assessment for the outing presented for review was inadequate as it did not detail the hazards and controls required for an outing to the playground in the village with twenty- two children.
2. There was no evidence of a written checklist for an outing completed prior to the outing to the playground in the village.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The side gates are now kept closed with a child proof mechanism. Please see attached photograph. A security company were contacted. They have conducted an examination of the service and have agreed to fit security buzzers on the two side doors. Please see email dated the 8th June attached.

2. All electrical cords have been tied with cable ties. Please see photographs attached.

3. Visibility Strips have been attached to all the glass doors. Please see photographs attached.

The caretaker and designated person in charge will assume responsibility for checking cable ties.

4. The appropriate labels have been put on the disinfection bottles. Please see photographs attached.

All staff have been advised that disinfectant bottles must be kept in their correctly labelled bottles.

Infection Control:

1. The ventilation grid has been cleaned. Please see photographs attached.

The cleaning of the ventilation grid has been added to the bathroom cleaning sheet. Please see attached cleaning sheet.

2&3. The children's aprons and the vinyl cushions have been moved to a new location outside the sanitary accommodation. Please see photographs attached.

All staff have been advised that items cannot be stored in the sanitary accommodation.

Outing:

1&2. It is acknowledged that the risk assessment provided prior to the specific outing lacked detail. A specific risk assessment template for outings plus an accompanying checklist for outings has now been prepared.

These documents are now stored on the Health and Safety File. They will be completed by the Health and Safety Officer/Designated person in Charge prior to each outing. Please see attached.

Supporting documentation submitted

Photographic and written documentation submitted.

Summary Comment

Evidence submitted and reviewed by the Early Years Inspector met the Regulatory requirement with the exception of General Safety point 1.

The registered provider will submit evidence of the security buzzers post fitting on the glazed doors in the Cherry Blossom and Laurel rooms. This will be reviewed on the next TUSLA 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)

Three adults present were qualified in First Aid response (FAR) and available in the premises.

(2)(a)

A first aid box was available in accessible and conspicuous location in the pre-school rooms.

(b)

A first aid box was accessible to children in the pre-school 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 firefighting 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)

A written record for the completed monthly fire drills was available on the premises. The last fire drill was recorded as taking place on the 16 April 2023.

(b)

A record was available demonstrating the number, type and maintenance of the firefighting equipment and smoke alarms on the premises. The firefighting equipment were serviced on the 21 June 2022. The smoke alarms were serviced on the 27 February 2023.

(4)

A notice of the procedures to be followed in the event of a fire was displayed in a conspicuous position in the premises.

Part VI - Safety

Regulation 27 – Supervision

A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Compliance Information

Children in the pre-school rooms were supervised at all times during the daily routine of activities during the inspection. Staff supervised children during care practices, transitioning to the outdoor play areas and while playing outdoors.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

There was evidence of current insurance cover for the number of children attending the service and the expiry date noted as 27 March 2024.

Part VIII - Notifications and Complaints

Regulation 31 - Notification of incidents

A registered provider shall notify the Agency in writing within 3 working days of becoming aware of any of the following incidents occurring in the preschool service:

(b) the diagnosis of a pre-school child attending the service, an employee, unpaid worker, contractor or other person working in the service as suffering from an infectious disease within the meaning of the Infectious Diseases Regulations 1981 (S.I. No. 390 of 1981);

Compliance Information

The registered provider notified TUSLA of an infectious disease that had occurred in the service by submitting a notification of incident form on the 14 February 2023.