

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015WH076		
<b>Name of Service:</b>	Precious Angels Pre-School		
<b>Address of Service:</b>	65 Raithin Eoghan, Ashe Road, Mullingar, Co. Westmeath		
<b>Eircode:</b>	N91 HH51		
<b>Name of Registered Provider:</b>	Marion Corbett, Valja Mc Cabe		
<b>Service type:</b>	Sessional		
<b>Date of Inspection:</b>	24/04/2023		
<b>No of pre-school children:</b>	AM	39	PM N/A
<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Tusla, Child and Family Agency, SAP Office, St. Loman's Campus, Mullingar, Co. Westmeath.		
<b>Inspection undertaken by:</b>	K. Murphy and C.O' Connor Hughes		
<b>Title:</b>	Early Years Inspectors		
<b>Authority to Inspect</b>			
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		

### Description of service

The service is registered as a sessional service operating on a Monday to Friday basis for 38 weeks. The service is operated by independent providers. The Early Years' Service is located in a two-storey purpose-built premises. Two pre-school rooms, an art room, a story room, a fun room, a dance/ PE room, a kitchen, a mop room and a breakout room/office are provided. An outdoor play area is attached to the rear of the service. The service is situated in a residential area on the outskirts of Mullingar town, County Westmeath.

### Staffing

The registered providers, three employees and a relief staff were present and working directly with children on the 24 April 2023. A cleaner arrived to clean the service when the morning session was finished. One of the registered providers attended the closing meeting.

### 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.

## Additional Information

- The inspection was informed by information received by TUSLA on the 20 April 2023.
- An immediate action notice was issued to the registered providers on 25 April 2023 in respect of: Regulation 9 Management and Recruitment - (2) (c) and (3) Garda Vetting Disclosures.
- The registered providers responded on 26 April 2023 outlining the corrective actions taken.
- The response was accepted and acknowledged by Tusla on 26 April 2023.
- An immediate action notice was issued to the registered providers on 27 April 2023 in respect of: Regulation 23 Safeguarding Health, Safety and Welfare of Child, General Safety.
- The registered providers responded on 28 April 2023 outlining the corrective actions taken.
- The response was accepted and acknowledged by Tusla on 03 May 2023.

## Acknowledgments

The inspectors wish to acknowledge the co-operation of the registered providers, 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.

(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)

A designated person in charge and named person to deputise were available as required.

(b)

Both registered providers were present for the duration of the inspection.

The registered providers stated that a relief staff was employed in the service on 24 April 2023. The file of the relief staff member was reviewed, and the following was noted;

(2)(a)(b)

The required number of written references were available from either a past employer or a source other than a previous employer in respect of the relief staff member.

(d)

The relief staff member had not lived outside the state for a period of longer than 6 consecutive months.

(3)

The procedures in respect (2) (a)(b)(d) were carried out by the registered providers prior to the employment of the relief staff.

(6) (a)(b)

No staff member had signed a declaration on or before the 30<sup>th</sup> of June 2016 to the effect that they intended to retire from employment in a pre-school service.

(6A)

One staff member present was working directly with children under the Access and Inclusion Model (AIM).

### Non-Compliance Information

(2)(c)

Completed Garda Vetting disclosures were not available in respect of one adult present and working directly with children in the service.

(3)

The procedures in respect (2)(c) were not carried out by the registered provider prior to the employment of a relief staff in the service.

An immediate action notice was issued to the registered providers on 25 April 2023 in respect of Regulation 9 Management and Recruitment - (2) (c) Garda Vetting Disclosures and (9)(3). The registered providers responded on 25 April 2023 outlining the corrective actions taken.

(4)

1. One staff member working directly with children attending the service did not hold 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. This non-compliance was previously identified on the inspection of 07 December 2022. It is acknowledged that in line with the CAPA response the staff member is currently studying for a major award in Early Childhood Care and Education at Level 5 on the National Qualifications Framework with 5 modules completed, a 6<sup>th</sup> module due to be completed in two weeks, a 7<sup>th</sup> module to commence on 08 May 2023 and the final 8<sup>th</sup> module to be completed over the summer months.
2. One staff member working directly with children attending the service and employed in a relief capacity on 24 April 2023 did not hold 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.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective & Preventive Action

A registered provider stated the following in the response:

(2)(c)

The staff member no longer works in the service and Garda Vetting Disclosures are available for all staff.

(3)  
Managers will ensure that Garda Vetting Disclosures are available for all staff including relief staff should they be needed in the future.

Managers will ensure that prior to hiring relief staff that they will have all the necessary documents and qualifications required.

(4)

1. TUSLA were made aware that the staff member did not hold her full QQI L5 during the inspection which occurred on December 7th, 2022. As part of the CAPA response to Tusla post inspection, this staff member is working to achieve their QQI L5 award in Early childhood Care and Education. They had four modules completed prior to joining the service but unfortunately as these were out of date, the staff member had to begin training for the QQI L5 award again. The staff member is on track to complete this before the expected timeframe of September 2023. Below is an outline of their progress to date. So far this staff member has completed 6 modules and has received provisional results for four of these.

- Work experience was completed 17th January 2023 with a pass.
- Communications was completed 28th March 2023 with a distinction.
- Child development was completed 28th March 2023 with a distinction.
- Child health and well-being was completed 28th March 2023 with a distinction.
- Early Childhood Education and Play was completed 25th April 2023 (Results pending)
- Early Care and Education Practice was submitted 17th May 2023.
- SNA Level 5 will start 8th May and deadline is 12th June 2023.
- Creative Arts for Early Childhood dates will be distributed on completion of Module 6.

In accordance with staff child ratio regulations this staff member is always above the number of qualified staff required in the room with children.

2. The staff member working directly with children attending the service and employed in a relief capacity on 24 April 2023 who did not hold 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 is no longer working in the service.

### Summary Comment

(2)(c), (3) and (4) point 2.

In respect of the corrective actions taken an undertaking was submitted to the office of the Early Years Inspectorate as part of the immediate action notice response and deemed to meet the regulatory requirement.

(4) point 1.

In respect of the corrective actions taken documentary evidence was reviewed by the Early Years Inspector in respect of (4) point 1. The registered provider will submit the evidence of qualification to the Early Years Inspector when the eight modules are completed. The regulatory requirement in respect of (4) point 1 will be met when the registered provider submits the remaining evidence upon completion.

### 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.*

*(3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 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) therefore at that reference number is satisfied.*

#### Compliance Information

(1)

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

(3)

There were thirty- nine children attending the service supervised directly by six adults.

## 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)

The service kept and maintained written records of information in relation to the service in accordance with Regulation 16 (a)(b) (c) (d) (e) (f) (h) (i) (j) and (k).

## 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)

Healthy snacks were provided for the children by the service. The mid-morning snack was nutritious and included corn cakes, cheese, ham, banana pieces and apple slices with water to drink. Additional helpings were available to the children if required. Perishable food products were stored appropriately in a fridge in the kitchen.

The children were given plenty of time to enjoy the whole food experience. Staff sat at tables with the children during the snack promoting conversation and interactions. Self-service and a family style dining experience using individual plates and beakers was observed in each pre-school room.

Hand washing was supervised and facilitated before snack time, on return from the outdoor area and after using the toilet.

The children were supported to be self-caring, suitable to their age and stage of development including caring for their belongings and dressing for outdoor play.

All children were observed enjoying freedom of movement within the pre-school rooms and in the outdoor play area.

The staff present spoke to all children in a positive way and listened attentively to each child. Staff were observed offering choices to children, using the child's name, making eye contact and speaking in a positive tone to the children. Staff engaged with the children and allowed children to lead activities. Staff were observed to offer support to each child as they worked individually, in pairs or as part of a group activity. Staff praised each child present for their involvement in activities.

The service operated in partnership with parents and exchange of information and an update on the child's days was observed as children were collected by their parents or guardians at the end of service. The service communicates with parents using a short messaging system (SMS) and social media. Children's artwork is sent home on a regular basis. The child's learning folder depicting their artwork and play activities is shared with parents at the end of the pre-school term.

All rooms were spacious and bright. The lay out of the service allowed for supervision by staff as the children moved into and through different spaces and experiences.

A range of developmentally appropriate, challenging, creative and enriching experiences were available for all children. Low level tables and chairs were in place in all rooms. Equipment and materials were freely available and accessible to the children and pictures and signage helped children to engage with specific chosen activities. Paper, crayons, puzzles, and art materials were in plentiful supply. A fun room was laid out with areas of interest. A variety of age and stage appropriate equipment and materials were in place. A programme of care and education was displayed in each pre-school room documenting the weekly programme plan, including discussion topics, children's interests, songs, poems and stories and themed art. All curriculums and activities were child led and based on observations and showed balance between activities, free play and relaxation. Art displays were available showcasing themes that had been explored in the service throughout the year. Language, communication, social and emotional development resources were available and language development activities were observed through discussion, rhyme, song and role play.

### 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 doors to the service were secure to ensure the safety of the children within. A coded keypad and magnetic lock system is in place on both entrance doors. The service met the necessary safety requirements in respect of the indoor environment, toys and equipment and the safe storage of cleaning agents.

##### Infection Control:

The premises were visually clean. All toys and materials were easily cleanable. A cleaner is employed in the service to clean on a daily basis.

Warm water, hand paper towels and liquid soap was available in the sanitary accommodation. The temperature recorded at the wash hand basin was 38 degrees Celsius.

Children were observed to wash their hands before snacks. Staff washed their hands prior to dispensing food at snack time.

Foot operated pedal bins were available in the pre-school rooms and in the sanitary accommodation.

##### Administration of Medication:

No medication was administered at the time of the inspection. Temperature reducing medication was available in the service if a child presented with a high temperature. A record book was available to record any medicine administered should it be required.

**Fire Safety:**

Emergency exits were unobstructed from the pre-school rooms. A fire assembly point was identified.

**Outing:**

A risk assessment form was available for completion in respect of any outings from the service.

### Non-Compliance Information

**General Safety:**

The main gates at the entrance to the service were open on the inspector's arrival at the service and remained open for the duration of the inspection. This is contrary to the preventive action include in the CAPA response to the inspection dated 19 October 2020 which stated that "the registered provider closes the gate each morning and checks that both doors have been locked by 09:45".

This posed a potential risk of harm to a child as there was no means to prevent a child from leaving the premises if they gained access to the service car park area.

An immediate action notice was issued to the registered providers on 27 April 2023 in respect of: Regulation 23 Safeguarding Health, Safety and Welfare of Child, General Safety. The registered providers responded on 28 April 2023 outlining the corrective actions taken.

### Action submitted by the Registered Provider

**Corrective & Preventive Action**

**General Safety:**

Staff have reviewed their policy and practice to ensure that the gates are now being bolted at 09:45. Verbal reminders have been issued to all staff and the responsibility for the gates has been allocated to named staff members. Contingency measures are also in place in case the designated staff are absent. Written reminders of the policy in relation to the gates have been displayed at both exits. (Updated policy included)

### Summary Comment

In respect of the corrective actions taken an undertaking and detailed procedures were submitted to the office of the Early Years Inspectorate as part of the immediate action notice response and deemed to meet the regulatory requirement.

## 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 were supervised by the registered providers and staff in both pre-school rooms for the duration of the inspection.

Staff supervised children when attending the bathroom and transitioning to other rooms for play activities.

At the end of the morning sessions between 12:15 and 12:30 the registered providers met the parents/guardians of the children at the main doors and handed each child over to individual parents and guardians.