

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2015WW092

Name of Service: The Marian Centre CLG

Address of Service: Ballywaltrim Community Centre, Boghall Road, Bray, Co. Wicklow

Eircode: A98 D2R4

Name of Registered Provider: Lisa Kearns

Service type: Sessional

Date of Inspection: 20/03/2024

No of pre-school children:	AM	15	PM	N/A
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Address of the Early Years Inspectorate:	Tusla Child and Family Agency First Floor Trinity Building IDA Business Park Southern Cross Road Bray Co. Wicklow
Inspection undertaken by:	H. Bourke
Title:	Early Years Inspector

Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

Conditions if applicable	Not applicable
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Description of service

The Marian Centre is a community owned sessional childcare service and is registered to provide education for children aged between 2 years and 6 years of age. The service operates from two adapted rooms located in a community centre in the urban setting of Bray, Co. Wicklow. Both rooms are located upstairs in the building. The service is open from Monday to Friday for 38 weeks of the year and participates in the Early Childhood Care and Education (ECCE) scheme. The pre-school service operates from 9 am-12 pm. The children have access to an outdoor area at the side and rear of the premises and in adverse weather conditions, the service has access to a large hall located within the premises. The service also operates an after-school facility.

Staffing

There are seven staff members employed in this pre-school service and all staff members were present on the day of inspection, five staff members were working directly with the children attending the service. The team leader was there in a support and managerial capacity and there was a staff member who works in the kitchen preparing food for the children's snacks.

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.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

Acknowledgments

The inspector wished to acknowledge the cooperation of the team leader, 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

There were seven adults employed in the pre-school service and these files were reviewed.

(1)(a)

The service has a designated person in charge and there was a named staff member who was able to deputise as required.

(b)

The person in charge was on the premises at the time of arrival of the inspector and remained on the premises for the duration of the inspection.

(c)

There was a clear management structure in the service that identified the lines of authority and accountability.

(2)(a)(b)

Written references were available in respect of seven staff members.

(c)

The required three-year Garda vetting disclosures were available in respect of seven staff members.

(d)

Police vetting was not required as no adult had not lived outside the State for a period of longer than 6 consecutive months since turning 18 years of age.

(4)

Six staff members held a major award in Early Childhood Care and Education at Level 5 or higher on the National Framework of Qualifications.

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.

column (2) thereof at that reference number is satisfied.

(8) Without prejudice to paragraphs (2) to (7)-

(c) a registered provider of a sessional pre-school service shall ensure that, where the person in charge operates the service single-handedly, a second person familiar with the operation of the service and in a position to provide assistance to the person in charge in operating the service is, at all times, within close distance of the service and available to attend the service to assist the person in charge in the event of an emergency.

Compliance Information

(1)
Throughout the inspection there were an adequate number of adults working directly with the children attending the service.

(3)
The correct adult/child ratio was maintained during the inspection. There were five adults employed and present with 15 children.

(8)(c)
Not applicable as the service is not operated single-handedly.

Part IV – Information and Records

Regulation 15 – Record of pre-school child

(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:

- (a) the name and date of birth of the child;*
- (b) the date on which the child first attended the service;*
- (c) the date on which the child ceased to attend the service;*
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
- (e) authorisation for the collection of the child;*
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
- (g) the name and telephone number of the child's registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.*

(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-
(c) an authorised person.

Compliance Information

(1)(a)(c)(d)(e)(f)(g)(h)(i)

A record in writing of the above list of particulars was kept in respect of each child attending the pre-school service.

(3)(c)

The above list of particulars were available for inspection on the premises by an authorised person.

Non-Compliance Information

(1)(b)

The date on which the child first attended the service was not completed on eleven registration forms examined on the day of inspection.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1)(b)

The date on which the child first attended the service was completed on the 11 registrations forms that did not contain this information.

Application forms will be closely monitored to ensure they also contain the correct information when the children start the service.

Supporting documentation submitted

(1)(b)

Photographic evidence of the dated registration forms was submitted with the CAPA form.

Summary Comment

The non-compliance found on inspection in relation to Regulation 15 Record of pre-school child (1)(b) has been addressed and will be reviewed on next inspection.

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:

(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.

(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.

Compliance Information

(1)(h)

There were details of attendance by each child on a daily basis available for inspection.

(i)

There was evidence of staff rosters on a daily basis.

(j)

There were written details of medication administered to a child attending the service with signed parental consent.

(k)

There were written details of all accidents, injuries or incidents involving a child attending the service.

(3)

The above listed documentations were open to inspection by an authorised person.

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 door to the service was securely locked on arrival of the inspectors to the service.
- Documentary evidence was available of daily risk assessments being carried out in the service.
- All toys were in good condition and equipment was suitable, age appropriate and in good working order.
- All cleaning products were stored safely out of the reach of children.
- The emergency exit route in each pre-school room was free from obstruction and clearly marked.

Infection Control:

- The sanitary area was located in the larger pre-school room. There was warm running water at 35°C, liquid soap and paper towels available.
- A foot pedal bin was available in the sanitary area for the safe disposal of used paper towels.
- Table cleaning was observed before and after snack time.
- Hand washing by adults and children was observed before snacks, after using the toilet and outdoor play.
- A cleaning schedule was present and maintained in the pre-school rooms.

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

The adult to child ratios ensured that the children attending the pre-school service were adequately supervised at all times.