

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015WW124		
Name of Service:	Tinahely Community Playgroup Ltd		
Address of Service:	School Road, Tinahely, Co. Wicklow		
Eircode:	Y14 DE43		
Name of Registered Provider:	Siofra Gallagher		
Service type:	Full Day, Part Time, Sessional		
Date of Inspection:	20/07/2023		
No of pre-school children:	AM	17	PM 18
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 and M. Redmond		
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
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Description of service

This full day care service is located adjacent to the local National School in townlands of Tinahely Co. Wicklow and was first opened in 2010. It is a non-profit service that is registered to provide care and education for children aged between 1 years and 6 years of age. The service is open from Monday to Friday between 07.30 hrs and 18.30 hrs (including a sessional Early Childhood and Education Scheme (ECCE) service for 38 weeks of the year). A school age service is also provided. The premises is a purpose built, two storey building with four pre-school rooms, all with sanitary accommodation, an office, staff room, laundry room, staff sanitary area, storage room and kitchen. There is a large outdoor area to the rear of the premises, which the pre-school children have access to on a daily basis

Staffing

There is a board of management who are in charge of the pre-school and the chairperson is the registered provider but does not work directly with the children attending the service. There are twelve full-time members of staff employed in the service, this includes the manager. The manager and six other staff were present on the day of inspection, this included the full-time cook, who also has a childcare qualification.

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

An Immediate Action Noticed for Garda Vetting was issued to the registered provider on the 21st of July 2023. A written response was received from the registered provider on the 24th of July 2023 addressing the Immediate Action Notice. This response was accepted.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the 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*

(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)

There was a manager in charge of the service and there was a named staff member who was able to deputise as required.

(b)

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

(2)(a)

Written references were available from past employers with respect of five staff members.

(b)

References from reputable sources were available for seven staff members.

(c)

The required Garda vetting disclosures were available in respect of eleven staff members.

(d)

Police vetting was available for one staff member who had lived outside the State for a period of longer than six consecutive months since turning 18 years of age.

(4)

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

Non-Compliance Information

(2)(c)

Garda vetting was not available for one staff member on the day of inspection. An Immediate Action Notice was issued on the 21st of July 2023 for same. The registered provider responded on the 24th of July and this response was accepted.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(c)

The staff member was removed from the premises until the required Garda vetting is received. We will ensure to complete new vetting for all new staff members prior to their start date in the service.

Supporting documentation submitted

(2)(c)

A response was received from the registered provider following the issuing of an Immediate action Notice on the 21st of July 2023 and this response was accepted.

Summary Comment

The above actions will address the non-compliance found on the day of inspection in relation to Regulation 9 (2)(c)– Management and recruitment. This will be reviewed on next inspection.

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.

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

(2)
The correct adult/child ratio was maintained at all times. There were five adults employed and present with seventeen children on the day of inspection.

(8)(a)
There were two adults on the premises at all times.

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.

(5) A registered provider shall ensure that a record in writing referred to in paragraph (2) is retained for a period of 2 years from the date on which the child attends the service.

Compliance Information

(1)(a)-(i)

The manager ensured that a record in writing of the above particulars, were kept in respect of each child attending the pre-school service.

(3)(c)

The manager ensured that these records were available for inspection to an authorised person.

(5)

The manager had evidence that all children's records were kept for a period of two years from the time a child started the pre-school service.

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-

(c) an authorised person.

Compliance Information

The manager had a copy of the Act and the Regulations on the premises at the time of inspection.

(c)

The copy of the Act was open to inspection on the premises by an authorised person.

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

BASIC NEEDS:

There was a healthy eating policy in place. Hot meals and a snack were provided by the service, parents provided the morning snack. Adults sat with the children during their lunch and conversation was encouraged. Children were given plenty of time to eat their food in a relaxed and unhurried environment. Children had access to drinking water throughout the morning. Children were supported and encouraged to be independent with toileting but were supervised appropriately.

Low level beds and cots were available for children needing to sleep during the day.

Children were given opportunities to make choices as to which activities they wished to do and were supported in their choice. Examples of some activities included playing, drawing, painting, using Montessori equipment and construction toys.

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

PHYSICAL AND MATERIAL ENVIRONMENT:

There were specific areas of interest in the pre-school rooms and these areas were clearly labelled and equipment was visible and spaciouly laid out. There were low level tables and chairs and low-level shelving with equipment that was accessible to the pre-school children.

Children's artwork was displayed on the walls in the room.

There was a rest area with a large mats and cushions available for children should they require it during the morning.

The pre-school room was maintained at a comfortable temperature of 22°C for the morning.

Non-Compliance Information

(1)(a)

Basic Need.

In the Toddler/ Wobbler room, two children under two years of age were not afforded the opportunity to sleep, despite showing obvious signs of tiredness during their morning in the pre-school. The staff had been informed that the two children had been awake since early morning, when they were dropped off to the service. When the staff were questioned about not putting them down for a sleep, they said the children were going home at 12 midday and did not have time to have a full sleep. At 11.20am another child who was present in the service until 2 o'clock was showing visible signs of tiredness such as crying, irritability and rubbing his eyes but was not afforded an opportunity to sleep until after dinner at approximately 12.30pm. These children displayed visible cues of needing sleep that were not picked up by the staff present. Sleep is important for the health and well-being of children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1)(a)

The sleep policy has been amended to reflect the needs of the children and we have notified the parents of these changes. If a child presents with signs of requiring sleep their needs will be met regardless of what time they have arrived at the service or are being collected. We will regularly revise our policies to ensure all staff members are familiar with their content.

Supporting documentation submitted

(1)(a)

Photographic evidence of a revised sleep policy was submitted.

Summary Comment

The proposed actions in relation to Regulation 19 - Health, welfare and development of child (1)(a) Basic need will address the non-compliance. This 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 main door to the service was securely locked on arrival of the inspectors to the service.
- All toys were in good condition and equipment was suitable, age appropriate and in good working order.
- All cleaning products were stored at a safe level out of the reach of children.
- The emergency exit route in the pre-school rooms were free from obstruction. The outdoor area was suitable, safe and secure.

Infection Control:

- Table cleaning was observed before and after snack time as was cleaning of the room following mealtimes.
- A cleaning schedule was present and maintained.
- An exclusion policy was available for both staff and children stating that a 48-hour requirement is necessary for both adults and children following a vomiting and diarrhoea illness.

Non-Compliance Information

Infection Control:

1. There was no thermostatically controlled hot water available in all the pre-school sanitary areas. Warm water is required for effective hand washing. This was noted on the last two inspections on the 03/03/2021 and 05/11/2018.
2. No hand washing was observed in the Wobbler/Toddler room following the children coming in from playing outside and before having their lunch. Effective hand washing is a fundamental part in the prevention of the spread of infection.

Action submitted by the Registered Provider

Corrective & Preventive Action

Infection Control:

1. We have had a plumber complete a full check on all the taps in the service and the water now reads between 30-43°C. We will schedule regular checks to ensure the water is within the correct temperature range.
2. A full revision of the handwashing procedures that must be followed in the service were given to all staff members and will be highlighted in the next staff meeting to refresh the importance of good hand hygiene practices with all staff members.

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Supporting documentation submitted

Infection Control:

1. Photographic evidence of an invoice from a registered plumber for servicing the water system was submitted.
2. Photographic evidence of a hand hygiene meeting that took place following the inspection, and signed by all staff members was submitted.

Summary Comment

The proposed actions will address the non-compliances found on inspection in relation to Regulation 23 - Safeguarding health, safety and welfare of child (Infection Control) and 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)
There was a staff member trained in FAR first aid present and available to the children throughout the inspection.

(2)(a)

A suitably equipped first aid box was located in an accessible place within each pre-school room.

(b)

The first aid box was available to the children attending the service at all times..

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.

(2) The record referred to in paragraph (1) shall be open to inspection by-

(c) an authorised person.

(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)

There was evidence of regular fire drills haven taken place within the service. The most recent fire drill took place on the 3rd of June 2023.

(b)

There was a maintenance record of the firefighting equipment and smoke alarms in the premises dated November 2022 and the 13th of June 2023 respectively.

(2)(c)

These records were open to inspection by an authorised person.

(4)

There was a notice of the procedures to be followed in the event of a fire, displayed within each pre-school room.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

There was evidence that the service had adequate insurance for 90 children and expires on 27th of March 2024.