

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015WW160		
Name of Service:	Pine Trees		
Address of Service:	St Joseph's Centre, Newtownmountkenny, Co. Wicklow		
Eircode:	A63 YW85		
Name of Registered Provider:	Carol Messitt		
Service type:	Sessional		
Date(s) of Inspection:	21/02/2024		
No of pre-school children:	AM	32	PM n/a

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

Pine Trees Playgroup was first established in 2010. The service is registered to provide care and education for children aged between 2 years and 6 years of age on a sessional basis. The registered provider operates a sessional Early Childhood Care and Education (ECCE) service for 38 weeks of the year Monday to Friday 09.00am to 12.00pm. The service operates from two rooms in a standalone building in St. Joseph's Centre in the rural town of Newtownmountkennedy Co. Wicklow. In addition to the two pre-school rooms there is a kitchen, a lobby area and an adult sanitary area. Each pre-school room has its own sanitary accommodation. There is a large outdoor facility located at the rear of the premises, which the children have access to on a daily basis.

Staffing

There are six members of staff employed in the pre-school service and this includes the registered provider. Five members of staff were present on the day of 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, 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 wishes to acknowledge the cooperation of the registered provider, 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.

(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

There are six full time adults employed in the pre-school service, these files were reviewed.

(1)(a)

The registered provider was in charge of the service and there was a named staff member who was able to deputise as required.

(b)

The registered provider 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 on the day of inspection.

(2)(a)(b)

Written references were available with respect to six staff members.

(c)

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

(d)

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

(4)

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

(6)(A)

One adult was employed pursuant to the scheme funded by the Minister and known as 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.

(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.

(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 pre-school service.

(3)

The correct adult/child ratio was maintained at all times. There were five adults employed and present with thirty-two children on the day of Inspection.

(8)(c)

There were two adults on the premises at all times. The registered provider does not operate a single-handed service.

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 entrance door to the service was appropriately secured to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the pre-school.
- All cleaning products were stored out of the reach of children.
- The emergency exit route in each pre-school room was clearly marked and free from obstruction.
- All toys were in good condition and equipment was suitable, age appropriate and in good working order.

Infection Control:

- Table cleaning was observed before snack time.
- Hand washing by adults and children was observed before snack time and after using the toilet.
- The pre-school had two sanitary areas, one in each care room. Each sanitary area contained two child sized toilet and two low-level sinks. There was warm running water, liquid soap, and paper towels available. A foot pedal bin was available in each area for the safe disposal of used paper towels.
- A cleaning schedule was present and maintained for both pre-school rooms.

Non-Compliance Information

General Safety:

The outdoor area to the rear of the premises was found not to be secure to prevent unauthorised persons entering the playground. A section of fencing in the playground was broken and lying on the ground, while a temporary fix was in place it was not secure. The sections of fencing on either side of the broken section were unstable and also required repair.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

The fence to the rear of the premises has been removed and children now have access to the entire enclosed garden, when the fence is replaced, it will have sufficient foundations put in first.

Supporting documentation submitted

General Safety:

Photographic evidence to show the entire enclosed garden area that is available was submitted with the CAPA form.

Summary Comment

The non-compliance found on inspection in relation to Regulation 23 General Safety has now been addressed and will be reviewed on next inspection.

Part VI - Safety

Regulation 24 - Checking in and out and record of attendance

(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.

(3) A registered provider shall ensure that-

(a) no person other than-

(i) pre-school child attending the service,

(ii) a person dropping or collecting such a child,

(iii) an employee, or

(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and

(b) a daily record in writing is kept of the entry on the premises of any such person.

Compliance Information

(1)
The registered provider ensured that each child attending the service was checked in and out by a staff member.

(3)(a) (i)-(iv)

The registered provided ensured that no other person other than the approved list (i)-(iv) could enter the premises.

(b)

A daily record in writing of any such person was available in the premises.

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 a staff member who was trained in FAR first aid, was available to the children attending the pre-school throughout their day.

(2)(a)

There was a fully stocked first aid box located in a visible place located between the pre-school rooms.

(b)

The first aid box was available to all children attending the service throughout their day.

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 a record available detailing the fire drills that had taken place in the service. The last recorded fire drill was on the 24th of January 2024.

(b)

There was a maintenance records of the firefighting equipment and smoke alarms in the premises dated January 2024 and September 2023 respectively.

(2)(c)

The above records referred to in paragraph (1) were available for inspection by an authorised person.

(4)

A notice of the procedures to be followed in the event of a fire was clearly displayed in the premises and both 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/child ratios were such that the children attending the service had supervision throughout their day.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The registered provider was able to demonstrate that there was adequate insurance in place to cover 38 pre-school children and expires on the 27th of March 2024.