

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015WW235		
Name of Service:	Little Oaks Academy		
Address of Service:	Vevay Road, Bray, Co. Wicklow		
Eircode:	A98 CH56		
Name of Registered Provider:	Paula Driver		
Service type:	Part Time		
Date of Inspection:	11/05/2023		
No of pre-school children:	AM	13	PM 4
Address of the Early Years Inspectorate:	Tusla Child and Family Agency First floor Trinity Building 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
---------------------------------	----------------

Description of service

This privately owned part-time service opened in June 2015. The pre-school operates from an adapted single room on the ground floor of a commercial premises, in Bray Co. Wicklow. There is an enclosed outdoor area, a small storeroom/kitchenette and sanitary accommodation. The pre-school is registered to provide care and education to children aged between 2 years and 6 years of age. The service operates from 08.30am to 01.30pm and 01.45pm to 06.45pm. A sessional Early Childhood Care and Educational (ECCE) service operates from 09.00am to 12.00pm Monday to Friday for 38 weeks of the year. An after school service is also in operation.

Staffing

There are three full-time staff members employed in the pre-school and two staff members were present on the day of inspection. The registered provider operates a second pre-school service and was not present on the day. All staff members hold a qualification in Early Childhood Care and Education at Level 5 or higher on the National Framework of Qualifications.

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 Notice was issued to the registered provider on the 12th of May 2023. No response was received by the 15th of May 2023. On the 16th of May 2023 a Final Notice was issued to the registered provider. A written response was received from the registered provider on the 17th of May 2023 addressing the Immediate Action Notice. This response was accepted.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the person in charge, second staff member 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.

(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

Following a discussion with the person in charge it was confirmed that there were no new staff members working in the service since the previous inspection on the 24th of April 2021.

(1)(a)

There was a person in charge of the service 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 on the day of inspection.

(6)(a)

Not applicable as no staff member had a signed a retirement declaration.

(6)(A)

One staff member was employed pursuant to the scheme known at 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)-

(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.

(3)

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

(8)(a)

There were two adults on the premises at all times during the inspection.

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.*

(4) A registered provider shall ensure that a record in writing referred to in paragraph (1) is retained for a period of 2 years from the date on which the child to whom it relates ceases to attend the service.

Compliance Information

(1)(a)-(i)

The registered provider ensured that a record in writing was kept in respect of each child attending the pre-school service.

(3)(c)

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

(4)

The registered provider had evidence that all children's records were kept for a period of 2 years from the time a child left the pre-school service.

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 was documentation to support the recording of children's attendance on the child register.

(i)

A staff roster was available which demonstrated staff working hours.

(j)

Documentation was available to demonstrate that:

- signed parental consent was required prior to administering medication.

- administration of medication should be witnessed.
- parents are informed that medication has been administered.

(k)
Details of accidents, injuries and incidents involving pre-school children were recorded and parents informed, and parental signatures obtained.

(3)
The above records were available to be inspected 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:

- All cleaning products were stored, out of the reach of children.
- The emergency exit route in the pre-school room was clearly marked and free from obstruction.
- The entrance door to the service was appropriately secured to prevent children from exiting unsupervised and to restrict unauthorised persons from gaining access to the pre-school.
- The outdoor play area, to the rear of the premises was walled in and gated to prevent a child gaining unsupervised access to the lane behind the service or any other source of danger.
- Children had no access to the kitchen area in the service.
- The outdoor area was suitable, safe and secure.

Infection Control:

- Hand washing by adults and children was observed before snack time in the pre-school room.
- Cleaning schedules were present and signed up to date.
- In the sanitary area there was warm water, liquid soap and disposable hand towels available to the children and staff for effective hand washing.
- Foot pedal bins were available throughout the service for the safe disposal of used hand towels and other waste products.

- The cleaning of tables following snack time and the sweeping of the floor when the children left for the outdoor area, was observed on the day of inspection.

Non-Compliance Information

General Safety:

On the day of inspection, the internet modem, the service phone and other equipment were stacked on top of the service photocopier. The wiring from all the equipment was hanging off the photocopier. This posed an injury risk to both children and staff alike attending the service.

Infection Control:

On the day of inspection, the children's school bags were stored on the floor beside the cosy area and before home time, children's coats were also placed on the floor in the same area. This posed an infection control risk. There needs to be a suitable space to store children's belongings off the floor.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

All wiring was made safe following the inspection. Weekly health & Safety checks and risk assessments to be carried out.

Infection Control:

Staff meeting was held following inspection to discuss the routine and placement of children's bags and coats and review of Infection control policy. A new low-level shelf has been installed to accommodate the above and evidenced.

Supporting documentation submitted

General Safety:

Photographic evidence was submitted with the CAPA form to demonstrate how the wiring has been made safe.

Infection Control:

Photographic evidence was submitted with the CAPA form to demonstrate how bags and coats are now stored.

Summary Comment

The evidence submitted has addressed the non-compliances found on inspection in relation to Regulation 23 - Safeguarding health, safety and welfare of child General Safety and Infection control. These will be reviewed on 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

(2)(a)

The first aid box for children was stored in an accessible and conspicuous position on the premises.

(b)

At all times the first aid box was available to the children attending the pre-school.

Non-Compliance Information

(1)

A staff member trained in first aid was not present and immediately available to the children on the day of inspection. An immediate action notice was issued on 12th of May 2023 to the registered provider. This was addressed by the registered provider on the 17th of May 2023.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1)

All Educators have up to date FAR training, we will ensure all paperwork is up to date and Far training is complete 3 months before Educators certificates are due to expire.

Supporting documentation submitted

(1)

Certificates were submitted with the CAPA form to demonstrate that FAR training has taken place.

Summary Comment

(1)
The evidence submitted has addressed the non-compliance found on inspection in relation to Regulation 25 – First Aid. This will be reviewed on next inspection.

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 that regular fire drills haven taken place within the service. The most recent fire drill took place on the 24th of April 2023.
- (b)
There was a maintenance record of firefighting equipment in the pre-school dated 30th of January 2023.
- (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 on the wall in the pre-school room.

Non-Compliance Information

(1)(b)

There was no current record of the maintenance of smoke alarms in the premises on the day of inspection.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1)(b)

A maintenance schedule has been booked for the service of the smoke detectors for 12th June, we will ensure service company are booked for regular maintenance within the correct time frames.
evidence to follow.

Supporting documentation submitted

(1)(b)

Documentation was received to confirm that servicing of the smoke detection system took place on the 12th June 2023.

Summary Comment

The above action has addressed the non-compliance found on inspection in relation to Regulation 26 Fire Safety Measures. This will be reviewed again on next inspection.