

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2016DR015
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<b>Name of Service:</b>	The Nest School
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<b>Address of Service:</b>	Waverly Hill, Waverly, Blacklion, Greystones, Co. Wicklow
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<b>Eircode:</b>	A63 K573
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<b>Name of Registered Provider:</b>	Lynda Browne
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<b>Service type:</b>	Part Time, Sessional
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<b>Date of Inspection:</b>	18/09/2023
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<b>No of pre-school children:</b>	AM	62	PM	51
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<b>Address of the Early Years Inspectorate:</b>	Loughlinstown Health Centre, Loughlinstown Drive, Loughlinstown, Co. Dublin.
<b>Inspection undertaken by:</b>	M. Condon & O. Quill.
<b>Title:</b>	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).

<b>Conditions if applicable</b>	Not applicable
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### Description of service

The childcare service provides sessional and part-time care service to pre-school children who are currently aged between two years and eight months to five years of age. The service currently operates between the hours of 08:30 and 14.00 on a Monday to Friday basis. The service operates in a purpose-built premises which is in a residential area in Greystones village, Wicklow town. There are four care rooms in use at present, an office and a storeroom. There is an outdoor area at the rear, front and side of the premises where children have access to outdoor play equipment.

### Staffing

There are a total of 10 staff members employed to provide direct care to the children. In addition, the manager is available to provide additional care in the rooms when needed. The registered provider is not present on a daily basis.

### 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 and safety. 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 inspectors wish to acknowledge the cooperation of the registered provider, 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)(b) The service had a designated person in charge and a named person to deputise as required who were both on the premises throughout the inspection.
- (2)
- Documentation was reviewed in respect of all 12 adults:
- (a)&(b) Twenty-two validated written references were available.
- (c) Documentary evidence of a processed Garda Vetting Disclosure was available for twelve staff members.
- (d) International Police vetting was available for five staff members who had lived in another state for a period longer than six consecutive months as an adult.

(4) A record was available evidencing that all staff members who were employed to work directly with the children held the required qualification.

### Non-Compliance Information

(1)(a)(b)

1. One reference was available but there was no written evidence that this reference had been validated.
2. One reference which was available was not accepted, as its source was considered unsuitable.

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

#### Corrective and Preventive Action

1.

#### Corrective Action

The manager verified with a previous manager that this reference had been verified by phone. The present manager decided to also verify the reference herself by phone on 22<sup>nd</sup> Sept 2023

#### Preventive Action

The manager will verify written references and record this action in writing so this should not happen again.

2.

#### Corrective Action

Due to changes of staff roles, the exact role of the referee was unknown by the manager on then day of inspection. This situation has since been clarified and this information will be available on next inspection.

#### Preventive Action:

The manager now manages all HR files and verifies written references so this should not happen again.

### Summary Comment

The corrective and preventive actions have been considered by the inspector. The Registered Provider has addressed the non-compliances as identified on inspection in relation to Regulation 9.

### 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) At all times during the inspection an adequate number of adults were working directly with the children attending the pre-school service.
- (2) The minimum ratio of adults to children was adhered to at all times during the inspection. There were sixty-two children attending the service being supervised by ten adults on the day of inspection.
- (8)(a) The staff roster demonstrated two adults are on the premises at all times during the hours of operation.

## 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.*

### Compliance Information

- (1)
- (h) A written record of attendance for each pre-school child was maintained by the service.
- (i) The staff roster was available and included the names of the staff present on the day of inspection and their hours of work.
- (j) Documentation was available to demonstrate that signed parental consent was required prior to administering medication to a pre-school child. The details of medication given to children were recorded with all details completed.
- (k) Written details of any accident, injury or incident involving a pre-school child attending the service were available. This was signed by the staff member and manager. The details were immediately sent to the parent of the child using a secure app, which recorded when this message was seen by the parents.

## 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 kitchen and storage areas were inaccessible.
- All toys and play equipment were safe for the age group using them and in good condition.
- All electrical wiring was secured.
- Five children required individual care plans. These plans were available in the care room and staff were aware of the contents of these plans.

##### Infection Control:

- The environment was clean and cleaning schedules were available.
- Children were supervised washing their hands at key times for example before lunch, after using the toilet and after outdoor play.
- Liquid soap, paper towel and pedal operated bins were provided in all areas to facilitate hand hygiene.

##### Fire Safety:

- Fire exits were unobstructed.

##### Administration of Medication:

- Temperature reducing medication was available and stored safely out of reach of children.
- Staff were aware of the procedure regarding the safe administration of medication.

### 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 person trained in first aid was at all times immediately available to the children attending the pre-school service. Two staff members had certificates in First Aid Response, which expired in November 2023.

(2) (a) and (b)

A first aid box was safely stored in a conspicuous position and available 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 fire fighting equipment and smoke alarms in the premises.*

*(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) A record in writing was kept of all fire drills that took place in the premises. The last fire drill was recorded on the 14<sup>th</sup> of September 2023.

(b) A record was available detailing the number, type and maintenance of firefighting equipment which was last serviced in August 2023 and the smoke alarms last serviced in October 2022.

(4) Notices were displayed detailing the procedures to be followed in the event of fire in the care rooms and in the hallway.

## 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

During the inspection all children were supervised by staff members while indoors and outdoors at all times.

## Part VI - Safety

### Regulation 28 - Insurance

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

#### Compliance Information

The registered provider had ensured that the Early Years' service was adequately insured to cover up to 66 children attending on a part-time day care basis.

The service was insured from 28/03/2023-27/03/2024.