

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2016DS002

Name of Service: Ballyboden Children's Centre

Address of Service: Scoil Mhuire, Glenmore Court, Rathfarnham, Dublin 16.

Eircode: D16 F2R3

Name of Registered Provider: Jean Garland

Service type: Sessional

Date of Inspection: 10/12/2024

No of pre-school children:	AM	10	PM	N/A
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Address of the Early Years Inspectorate: Early Years Inspectorate
2nd Floor, Unit 4/5
The Nexus Building
Blanchardstown Corporate Park
Ballycoolin
Dublin 15 | D15 CF9K

Inspection undertaken by: C. Harte

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

Ballyboden Children’s Centre is a non-for-profit sessional service based in primary school. It is one of two services established by the registered provider. The service participates in the Early Childhood Care and Education (ECCE) scheme and offers care for children aged from 2 to 6 years old. Two sessional services are offered each day; first session operating from 8.45am to 11.45am with the second session operating from 11.45am to 2.45pm.

The service is in a residential area of Rathfarnham. The pre-school service operates from a designated pre-school room in Scoil Mhuire Primary school which is a single storey building. The service has the use of a large bright hall and an outdoor area at the side of the school.

Staffing

The service employs seven staff including two adults participating in a community employment scheme. The deputy person in charge, two staff members and one adult participating in a community employment scheme were present when the inspector arrived. The service childcare manager who oversees operations of both premises attend ed the service 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 and safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under;

- Regulation 9(2)(a)(b)(c)(d), (4) Management and Recruitment
- Regulation 11(1), (3) Staffing Levels
- Regulation 15(1)(a)(b)(c)(d)(e)(f)(g)(h)(i), (3)(c) Record of a Pre-school Child
- Regulation 19(1)(b) Health, Welfare and Development of child
- Regulation 23 Safeguarding the Health, Safety and Welfare of the Child
- Regulation 25 First Aid

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 day one of the inspection in relation to concerns under Regulation 23- Safeguarding the Health, Welfare and Development of child. A response which adequately addressed the concerns was received on 11th December 2024.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the deputy 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
- (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.

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(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. The deputy person in charge was in the service when the inspector arrived.

(2) The files of all four staff members, the childcare manager and two adults who participate in a community employment scheme were reviewed.

- (a) Ten written and validated references were available from a past employer.
- (b) Four written and validated references were available from a source other than a past employer.
- (c) Garda vetting disclosures had been obtained for all seven adults employed by the service. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d) Police vetting was not required as none of the staff files reviewed demonstrated that the staff members had resided outside of the jurisdiction for 6 months or longer as an adult.

(4) Documentary evidence was available to show that the childcare manager, deputy person in charge and three childcare practitioners who worked directly with the children held 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.

Non-Compliance Information

(9)(3) The procedures specified in paragraph (2) were not carried out prior to the employment of one new staff member since the last inspection. A review of a staff file showed that a reference was verified after the persons start date.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Management will ensure validation before any new staff members begin.

Supporting documentation submitted

No supporting documents submitted.

Summary Comment

The inspector has reviewed the actions submitted. The non-compliance identified under Regulation 9 has been addressed.

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.

Compliance Information

The registered provider ensured the following:

(1)(3) On the day of the inspection there were an adequate number of adults working directly with the children.

There were three adults available to 10 children aged between 2 years 11 months - 4 years old when the inspector arrived unannounced to the service.

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 sample of ten record forms of children who currently attend the service were reviewed. These records contained all the information required under (a) to (i) above.

(3)(c) On the day of the inspection a record in writing was available for review by the inspector.

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-

(b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.

Compliance Information

(1)(b) The following practices were observed to be in place to support the children attending:

- The staff interacted with the children in a respectful, warm and sensitive manner. Appropriate communication using soft tones was observed.
- Lunchtime was a relaxed and pleasant atmosphere with a variety of food available including yogurts, bread, crackers, chicken strawberries, blueberries and rice cakes. Staff advised that parents may choose to send in food from home, but a selection of snacks is always available at the premises. A child who brought food from home on the day of inspection was also offered the snack provided by the service.
- The experiences and activities provided to the children were suitable to the age and stage of development of the children present. Children had the freedom to choose their own activities, and planned activities facilitated individual and group activities.
- Staff were observed to be responsive to the children's needs for example a child who tripped was immediately comforted, staff responded to a child who showed an interest water play was supported by staff creating a space for water play encouraging the child's interest and extending a play opportunity.

- Visual images were used to support children through transitions and provide support to understand routine.
- Staff were observed to regularly remind children about toileting.

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 service entrance was secure when the inspector arrived unannounced, and staff attended the door to allow access. This prevented children from exiting the premises unsupervised and prohibited unauthorised persons from entering the service.
- Tall shelving was secured safely to the wall.
- Cleaning products were stored out of reach of children.
- Cupboard doors in the sanitary area were suitable fitted and closed securely.

Infection Control:

- Children were observed washing their hands before lunchtime.
- Warm water and dispensed soap were available in the sanitary area supporting effective hand hygiene practices.
- Lunches including perishable items were refrigerated.
- Windows were open in the care room which allowed for ventilation and air to circulate.

Non-Compliance Information

General Safety:

1. Radiators in the hall were accessible to children and had temperatures exceeding 50°C which posed a risk of injury to the children. The following was observed at 9:58 am:
 - Radiator 1 - 56.2°C
 - Radiator 2 - 53°C
 - Radiator 3 - 55.2°C

An immediate action notice was issued.

Fire Safety:

- Attendance records were not maintained in a timely manner. At 9:39am a review of attendance records demonstrated that a child who was present in the service was not signed in. This posed a potential risk of hindering safe evacuation of the premises in the event of an emergency.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

- Corrective action:** As the radiators are in the main school building and not in our class, we are unable to adjust the main thermostats. Temporarily the class routine will be adjusted so the children will avail of the garden/outside area instead of the shared school hall during the scheduled hall time. This is a short-term measure. Thermometers will be ordered for temperature monitoring.
Preventive action: Going forward, each morning we will check the radiator temperature and adjust manually each day if required. The radiators will be checked again prior to the children being brought out to the hall. This will be logged each time. If the temperature is correct, we will use the hall, if not we will use the outdoor space.

Fire Safety:

- Corrective and Preventive action:** Management will ensure roll is filled in as each child arrives in the service.

Supporting documentation submitted

General Safety:

No supporting documents were submitted.

Fire Safety:

No supporting documents were submitted.

Summary Comment

The inspector has reviewed the actions submitted. The non-compliances identified under Regulation 23 have been addressed.

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) A review of available documents and conversation with management showed that a staff member trained in First Aid Response (FAR) was rostered to be on the premises and available to the children at all times during the opening hours of the service.

(2) (a)(b) A suitably equipped first aid box was stored safely out of reach of children, readily available and easily accessible to staff if required at any time.