

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2016DS032
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<b>Name of Service:</b>	ABA Preschool Academy
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<b>Address of Service:</b>	Brookfield Youth and Community Centre, Brookfield Road, Tallaght, Dublin 24, Co. Dublin
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<b>Eircode:</b>	A94 KP93
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<b>Name of Registered Provider:</b>	Jennifer James
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<b>Service type:</b>	Part Time
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<b>Date of Inspection:</b>	22 May 2023
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<b>No of pre-school children:</b>	AM	10	PM	6
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<b>Address of the Early Years Inspectorate:</b>	2 <sup>nd</sup> floor Carysfort House, Carysfort Avenue, Blackrock, Co Dublin
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<b>Inspection undertaken by:</b>	Linda Magee & Rosemary Brien
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<b>Title:</b>	Early Years Inspectors
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### 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

ABA Preschool Academy is an early years service which caters for children on the autistic spectrum. The service is registered to provide part-time care and education to pre-school children aged from to 3-6years. The service operates Monday to Friday from 8.45am – 12.45 pm and 1pm – 5 pm. The early years service is located in a purpose built two storey care facility which is part of Brookfield Youth and Community Centre building in west Tallaght. The service operates over two floors and both care rooms are divided into two classes. A sensory room is available on the ground floor. An outdoor play area for the children is situated to the front of the premises.

### Staffing

Seventeen adults were employed by the service. On 22 May 2023, fifteen adults were present including the designated person in charge and deputy. Fourteen adults were employed to work directly with the children. The registered provider does not work directly with the children.

### 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.

The inspection focused on an examination of compliance under regulations 9, 11, 19, 23, 25 and 29. These findings are outlined within the relevant regulations within this report.

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 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

*(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

(2) Following a review of the service file and a discussion with the person in charge, eleven staff had been recruited since the last inspection. These staff files were reviewed as evidenced below;

(a) Fourteen validated references on file were from a past employer.

(b) Two validated references were on file from a reputable source.

(c) Completed Garda vetting disclosures were available for staff whose role involved contact with or access to children.

(d) Police vetting was available for five adults who had lived outside of the state for more than six consecutive months as an adult.

(4) Eight of the adults employed held a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications, or qualifications deemed to be equivalent.

### Non-Compliance Information

9 (2) The service did not take all appropriate measures to ensure that employees were suitable and competent to work in an early years service as outlined below:

(a)&(b)

One reference on file was from a past employer but was not validated in respect of one staff member. Three references were on file but were not deemed suitable. There were no references on file for one employee.

(4) Two of the adults employed did not hold a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications, or qualifications deemed to be equivalent.

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

#### Corrective and Preventive Action

2 (a) & (b)

Five validated references were received in respect of four employees. A sixth reference was unable to be obtained for one employee who has since left the service.

(4) One staff member has left the school and the other staff member is in the process of completing Level 6 on the National Qualifications Framework. The service is continually trying to improve their recruitment procedure to ensure none of the above get missed and will continue to do so in the future.

**Supporting documentation submitted**

Supporting documentation was submitted and reviewed by the early years inspector.

**Summary Comment**

The non-compliances under regulation 9 (2) (a)&(b) have been addressed. The non-compliance under regulation 9 (4) remains non-compliant and will be reassessed on the 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) There were an adequate number of adults working directly with the children attending the service. On the day of inspection there were twelve adults working directly with ten pre-school children during the morning session and seven adults working directly with six pre-school children during the afternoon session

(2) The minimum ratio of adults to children specified in column (3) of Part 1 of Schedule 6 was maintained during the inspection.

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

### 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)

Appropriate and suitable care practices were observed on the day of inspection as evidenced below:  
Nutritious lunches were sent in from home. Adults sat with the children and helped them with their lunch. Water and milk were offered during mealtimes and available during the day. The children's nappies were changed regularly, and the older children were supervised using the toilet. The children washed their hands and adults interacted attentively with the children. Adults engaged with children using appropriate language and were observed to physically comfort children when required. Individual child led activities were observed, these included sensory play, story time, construction of small world toys and a soft rest area for the children to rest when tired. Adults were observed speaking kindly and praising the children during these activities. The children had access to an outdoor play area and wore appropriate clothing when outside. A shaded area was erected in the outdoor area as it was a sunny day.

### 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 hazardous equipment and cleaning materials were stored out of reach of the children. The fire escape routes were free from any obstructions. Heavy furniture was secured. Attendance was monitored going in and out of the outdoor area.

##### Infection Control:

The children were observed washing their hands after using the toilet, outdoor play and before eating. Both the indoor and outdoor environment were maintained in a clean condition. Completed cleaning schedules were in place demonstrating the daily and weekly procedures taken by the service.

### Non-Compliance Information

#### General Safety:

1. The room temperature in T3 and T4 was between 23.5- 23.8 degrees Celsius while the children were playing. Staff stated they could only open one window as the second window was in the soft play area where the children were playing. A mobile fan was operating during this time but did not reduce the temperature. The room temperature in T1 and T2 was between 22.2 – 22.4 degrees Celsius while the children were playing. One window was opened at this time.

#### Infection Control:

2. The wood between the sinks in both sanitary areas was warped and could not be cleaned effectively. This was a non-compliance on the last inspection. The registered provider stated the wood between the sinks would be removed and replaced during the corrective action and preventative action. The wood has been repainted but remains in place.

3. Toilet roll, and hand towels were not stored appropriately for use in the sanitary area in T3 & T4. The wall mounted holders were empty. This poses a contamination risk as they were for shared use among children. The indoor daily risk checklist was completed and signed as being conducted in T3 & T4 on the day of inspection. This was a non-compliance on the last inspection.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### General Safety:

1. The service has contacted the council to ask that safety bars be placed on windows in soft play area. Staff will ensure all windows are opened when children are out at playground to try and circulate the air. A safety gate has been placed on the bathroom to allow the window in there to be open and help the circulation of air.

#### Infection Control:

2. The Wood box under the sink was removed and was painted, however, this area will now be tiled.
3. The service has contracted an agency to supply the rollable hand towel dispensers and toilet rolls.

### Supporting documentation submitted

Supporting documentation was submitted and reviewed by the early years inspector.

### Summary Comment

The actions stated by the registered provider will address the non-compliances under regulation 23. This regulation will be reassessed 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) A person trained as a First Aid Responder was immediately available to the children attending the pre-school service.

(2)

(a) The first aid box was adequately stored in an easily accessible and conspicuous location within the service as required.

A first aid box was available to the adults and children in the service at all times.

## Part VII - Premises and Space Requirements

### Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-*

*(b) safe and secure,*

### Compliance Information

(b) The fencing level around the outdoor area has been raised and the blind spot has been eliminated.