

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2016TY013
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<b>Name of Service:</b>	Nikki's Kids Pre-School and Afterschool Care
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<b>Address of Service:</b>	Burgess National School, Ballywilliam, Nenagh, Co. Tipperary
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<b>Eircode:</b>	E45 FP97
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<b>Name of Registered Provider:</b>	Nicola Deely
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<b>Service type:</b>	Sessional
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<b>Date of Inspection:</b>	23/05/2024
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<b>No of pre-school children:</b>	AM	9	PM	-
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<b>Address of the Early Years Inspectorate:</b>	Civic Offices, Limerick Road, Nenagh, Co. Tipperary
<b>Inspection undertaken by:</b>	L McGeeney
<b>Title:</b>	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).

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

This sessional service was established to provide care and education to children aged 2 – 6 years old. A registered school aged service is also provided outside of the hours of the early years service. The service operates for three hours in the morning, Monday – Friday, for 38 weeks of the year. Places are funded under the early childhood care and education scheme (ECCE) for eligible children.

The service is operated from a single storey, detached modular unit on the grounds of Burgess National School in a rural area near the town of Nenagh in north Tipperary. The children have access to the large activity room and sanitary accommodation areas in the premises, which also includes a kitchenette/office area. The children have access to the school grounds for outdoor play.

### Staffing

The registered provider works directly with the children in the service on a daily basis. The school principal can be called on to provide assistance in an emergency. The member of staff who works in the school aged service in the afternoon can be called on to provide relief in the early years service when required.

### 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.

The inspection focused on an examination of compliance under regulations 9(2)(4), 11(1)(3)(8), 15(1), 20, 21, 22, 24(1), 25, 26(1)(4) and 28.

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 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.*

*(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)(a) There were two written references from past employers available in respect of the registered provider.

(b) There were two written validated references from a source other than a past employer available in respect of the member of staff.

(c) Garda vetting was carried out in respect of both staff and relevant documents were stored on file. Re-vetting was carried out on a three yearly basis.

(d) Not applicable as neither of the staff had lived outside the state.

(4) Staff held recognised qualifications in early childhood care and education at level 6 or 7 on the national qualifications framework.

### 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) The registered provider worked directly with 9 children aged between 3 and 5 years old on the morning of the inspection.

(3) The adult to child ratio was maintained at 1 adult to 9 children on the day of inspection, which was greater than the minimum requirement of 1 to 11.

(8)(c) On the day of inspection the registered provider worked alone with the children. On days when there wasn't a second member of staff in the room, the school principal could be called on in the event of an emergency.

### 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.*

#### Compliance Information

Eight registration forms were reviewed as part of the inspection process:

- (1) The registration forms contained the required information as detailed under parts (a) – (j) of this regulation.

### Part V - Care of Child in Pre-school Service

#### Regulation 20 – Facilities for rest and play

*(1) Subject to this regulation, a registered provider shall ensure that-*

*(a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child to play indoors and, where required by these Regulations, outdoors, during the day, and*

*(b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.*

*(3) A registered provider of a full day care service, a part-time day care service or a childminding service, other than such a service to which paragraph (2) applies, shall ensure that-*

*(a) a suitable, safe and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises.*

#### Compliance Information

(1)(a) The children had access to both indoor and outdoor spaces on a daily basis, including a covered outdoor play area to allow outdoor play in all weathers. The children had exclusive access to their activity room for the duration of the daily session. This space was well laid out in a number of well resourced, defined interest areas which included a cosy corner and library, imaginative play areas, art and craft areas, table top activities area, construction area, home corner and special interest areas. The children had access to the school grounds for outdoor play.

(b) Sleep facilities were not required as the children were aged over 3 years old and attended for 3 hours daily. There was a cosy relaxation area in one corner where the children could rest and relax as desired. The area was furnished with child sized sofas, cushions, blankets and a floor mat.

(3)(a) The children had access to three main outdoor play areas: the covered area directly outside their activity room, the ball court and the playing field. On the day of inspection the children enjoyed outdoor play on each of the three areas. The ball court had a tarmac surface and was secured by closing the gates on two sides of the space. These gates were closed when the children were using the space and opened again when they had finished. The playing fields had a grass surface. The covered area was over an area of wooden decking with concrete paths used for access.

## Part V - Care of Child in Pre-school Service

### Regulation 21 – Equipment and materials

*A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.*

#### Compliance Information

The service was well furnished and equipped. There were tables and chairs in a variety of heights that were used by the children and staff for dining and table-top activities. Toys and materials were organised into interest areas which were labelled with pictures to help the children to see what they wanted to play with and know where to return the items when finished. Furniture such as storage units which held plastic tub drawers, sofas, shop and kitchen were used to divide the room and define spaces. Tray tables were used for special interest activities such as play dough. Materials were freely available to the children and included: dolls house, farm, construction and manipulative play materials, puzzles, paints, crayons, paper, dolls and accessories, books, musical instruments and sensory toys.

Outdoor equipment included balls, sand and water tables, seating and dining areas and resources for making obstacle courses and to support games with rules.

## Part V - Care of Child in Pre-school Service

### Regulation 22 – Food and drink

*A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.*

#### Compliance Information

The service had a healthy eating policy. The children brought a packed lunch to eat at snack time. Perishable foods were stored in a fridge in the kitchenette. Children brought individual drink bottles of water or squash to drink with their snack and throughout the morning when they wanted a drink. Drink bottles were refilled with water when they were empty. Foods eaten on the day of the inspection included: sandwiches, crackers, waffles, cheese, yoghurt, yoghurt drinks, smoothies and fruit (raspberries, strawberries and apples).

### 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*

#### Compliance Information

(1) The registered provider recorded the arrival and departure times of the children using an electronic application designed for that purpose.

(3)(a) The registered provider managed the entry of all persons to the service.

### 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 and a member of staff held current certification in first aid response (FAR).
- (2)(a) A suitably equipped first aid box and a first aid cabinet were available in the kitchenette, where they could be easily accessed when required.
- (b) The first aid box was available if required by a child attending the service.

### 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.*
- (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 written record of the monthly fire drills that took place in the service, most recently on 13 May 2024.
- (b) There was a written record of the number, type and maintenance of the firefighting equipment and smoke alarms in the service. The fire extinguishers were serviced on an annual basis. Smoke alarms were serviced on a quarterly basis or when indicated by the panel lights.
- (4) There was a notice of the procedures to be followed in the event of a fire displayed on the wall in the entrance hall of the service.

## Part VI - Safety

### Regulation 28 - Insurance

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

#### Compliance Information

The service was insured to cater for up to 22 early years children or 20 school aged children at any one time valid until 27 March 2025.