

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2016WH035
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<b>Name of Service:</b>	Bright Star Academy
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<b>Address of Service:</b>	Main Street, Ballynacargy, Mullingar, Co. Westmeath
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<b>Eircode:</b>	N91 WE12
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<b>Name of Registered Provider:</b>	Sylwia Kalamarz
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date of Inspection:</b>	09/05/2024
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<b>No of pre-school children:</b>	AM	47	PM	36
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Tusla, Child and Family Agency, SAP Office, St. Loman's Campus, Springfield, Mullingar, Co. Westmeath.
<b>Inspection undertaken by:</b>	C. O' Connor Hughes
<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 service provides full day, part time and sessional places to children aged between 1 to 6 years. The service is open from 07:30 to 18:00 on a Monday to Friday basis. A school age childcare service is provided.

The premises consists of an adapted two storey residential building. On the ground floor three pre-school rooms are available namely the Caterpillar room, Butterfly room and Bumble Bee room. The Ladybug room is located on the first floor of the premises. There is an outdoor play area provided to the rear of the service.

### Staffing

Ten adults were present and working directly with the children including the deputy manager. The registered provider arrived at the service for after the inspector's arrival and was responsible for cooking the meals for children attending the service.

### 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.

A sampling process was used to assess compliance under the following regulations:

Regulation 19 Health, Welfare and development of child.

Regulation 20 Facilities for Rest and Play.

As a result, the scope of the inspection included the Butterfly room (aged 1 to 3 Years) and Caterpillar room (aged 3 to 5 years).

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, deputy manager, 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,*

*(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.*

*(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 Programm*

## Compliance Information

(1)(a)

The designated person in charge and a named person to deputise were available as required.

(b)

The deputy manager was the designated person in charge. The registered provider was rostered to cook meals and provide cover for a staff member on annual leave and arrived to the service at 10:40 approximately.

Thirteen staff files and the file of the registered provider were reviewed and the following was noted:

(2)(a)(b)

The required number of written validated references were available from previous employers or sources other than a previous employer in respect of the staff employed in the service.

Two written references were available in respect of the registered provider.

(c)

A Garda Vetting disclosure was available in respect of the staff members and the registered provider. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d)

Police vetting was available in respect of two staff members and the registered provider who had lived outside the state for a period of longer than six consecutive months.

(4)

Twelve staff members working directly with children attending the service and held a major award in Early Childhood Care and Education at Levels 5 to 8 on the National Framework of Qualifications or an equivalent deemed by the Minister.

(6)(A)

An adult was employed to work directly with children under the Access and Inclusion Model. (AIM)

### Non-Compliance Information

(4) A full award in Early Childhood Care and Education was not available for review in respect of for one staff member. A determination could not be made on the evidence presented if the staff member held a Level 5 qualification in Early Childhood Care and Education.

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

#### Corrective and Preventive Action

A member of staff with an incomplete award in Early Childhood Care and Education is working under the constant supervision of staff who have acquired a level 6 qualification in Early Childhood Care and Education and is never left in the room on their own.

This member of staff is scheduled to complete the full level 5 qualification in September/October 2024.

Management will inspect the certification of new staff and ensure that they are compliant with the regulation of the Early Years Inspectorate.

#### Supporting documentation submitted

Written documentation submitted.

### Summary Comment

The non compliance, (9)(4) remains outstanding. The practice stated will be reviewed on the next TUSLA 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)

The minimum ratio of adults to children was maintained during the inspection.

(2)

There were forty-seven children attending the service supervised directly by nine adults.

(8)(a)

The roster indicated that two adults are 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-

(a) each child's learning, development and well-being is facilitated within the daily life of the pre-school service through the provision of the appropriate activities, interaction, materials and equipment, having regard to the age and stage of development of the child, and

#### Compliance Information

(1)(a)

##### Butterfly Room

Younger children explored their environment moving freely from one play experience to the next in the Butterfly room supervised by staff. Children enjoyed a picnic in the outdoor play area supervised by staff, story time and dancing to music.

Children slept on an individual need's basis in the sleep room and were physically checked by staff every ten minutes. Nappy changing was carried out on a regular basis and as required. Children were encouraged to feed themselves. Bibs were applied to protect children's clothes. Staff supported and assisted children at mealtimes. Meals and snacks were prepared by the registered provider. At approximately 13:00, a hot meal consisting of chicken curry and rice was served to the children with water to drink.

The pre-school room was laid out to meet the developmental needs of the children attending with age and stage appropriate toys and equipment accessible to children. Children's family photographs were presented in a family tree style.

There is a limited changeover of staff thus helping to promote emotional security for the young children attending. Children were observed to be happy and content with their carers. Staff were familiar with each child and their daily routine. Staff were observed to use individual names while conversing with children, hold their hands while walking to the outdoor play area and calmly reassuring them if required.

##### Caterpillar Room

Older children enjoyed tabletop activities including colouring pictures and extended free play in the outdoor play area supported by staff.

Children went to the toilet independently. Staff reminded children to wash their hands before meals and after toileting. Children enjoyed a healthy lunch provided by their parents with water to drink.

Good teamwork was observed amongst staff. Positive interactions were observed between staff and children. Eye contact was maintained and soft language tones were used while conversing with children.

The pre-school room was bright and colourful. Low level tables and chairs were noted. Play materials were accessible to children on low level shelving and included books, jigsaws, bricks, blocks, arts and crafts and fine motor skill toys. Children's artwork was displayed depicting "Under the Sea".

The service worked in partnership with parents, a verbal handover is given to parents on collection. A short messaging system (SMS) is used to provide parents with updates of daily play activities. A scrapbook incorporating the children's work and play activities is shared with parents.

### 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, or*

#### Compliance Information

(1)(a)

Suitable play equipment was provided indoors and outdoors which included toys and equipment for tabletop activities, creative and imaginary play.

(b)

The sleep room for children attending the Butterfly room was equipped with five standard cots. Low level sleep beds were available in the service for any child over the age of two years who required rest or sleep. Soft furnishings were in place in the pre-school rooms for children's rest and relaxation.

(3)(a)

A large outdoor play area was attached to the rear of the service. The outdoor play area had been revamped since the last inspection on the 19 October 2023. The perimeter was secured with a high-level wall and large gates. A sheltered play area was in place with low level table and chairs. Toys and equipment include a large wooden climbing frame with slide and swings, a wooden boat, a playhouse and sand play.

### 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 main entrance door to the service was secure to ensure the safety of the children within. A coded system and doorbell with camera were in operation. The inspector signed the visitor book on arrival at the service.

The service met the necessary safety requirements in respect of toys, equipment and the safe storage of cleaning agents in the Butterfly and Caterpillar rooms and in associated sanitary accommodation.

##### Infection Control:

Toys and equipment were easily cleanable.

Children in the Caterpillar room were observed to wash their hands before snacks and after using the toilet.

Soothers and formula milk were stored correctly in the Butterfly room.

The Butterfly and Caterpillar rooms and associated sanitary accommodation were ventilated by natural ventilation with open windows.

Pedal bins were in place in both rooms for the hygienic disposal of waste.

##### Administration of Medication:

No medicine was administered during the inspection. Temperature reducing medication was available and stored out of the reach of children.

##### Safe Sleep:

A sleep log was maintained noting the colour, position and breathing of sleeping children. The sleep room temperature noted was 18.3 degrees Celsius on the services thermometer.

##### Fire Safety:

Emergency exits were unobstructed. A designated fire assembly point was located to the rear of the service.

#### Non-Compliance Information

### Infection Control:

1.The following was inadequate for infection control purposes in the sanitary accommodation across from the Ladybug room:

- Soap was not available in the soap dispenser in the sanitary accommodation.
- The paper hand towel was not placed into the hand towel dispenser.
- The pedal bin was broken and required replacement.

2.The paper hand towel was not in the hand towel dispenser in the nappy changing area for the Butterfly room for the staff member to wash and dry her hands post nappy changing.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

### Infection Control:

1.Management have put the following in place for infection control purposes;

The hand soap has been replaced in the sanitary accommodation for the ladybug room.

A new pedal bin was purchased to replace the broken one in the sanitary accommodation for the ladybug room

2.The paper hand towel dispensers have been refilled and no paper towels are kept outside of it in the sanitary accommodation for both the ladybug and butterfly rooms.

A daily checklist for toiletry upkeep has been created for staff to follow every day.

#### Supporting documentation submitted

### Infection Control:

Photographic evidence was submitted.

### Summary Comment

Evidence submitted and reviewed by the Early Years Inspector met the Regulatory requirement.

## 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*

*(b) a daily record in writing is kept of the entry on the premises of any such person.*

### Compliance Information

(1)

The records of arrival and departure reviewed verified that each child attending the service was checked in and out of the service by a nominated staff member.

(3)(a)

All entry to the service with the exception of (i), (ii), (iii) and (iv) has to be approved by a staff member.

(b)

A visitor log was in place to record the details and purpose of all visitors 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)

Nine staff members present were qualified in First Aid response (FAR) and available on the premises.

(2)(a)

First Aid boxes were available in the office and in the Bumble Bee room.

(b)

A first aid box was accessible to children in the pre-school 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 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 written record for the completed monthly fire drills was available on the premises. The last fire drill was recorded as taking place on the 8 May 2024.

(b)

A record was available demonstrating the number, type and maintenance of the firefighting equipment and smoke alarms on the premises. The firefighting equipment were serviced on the 6 December 2023.

The smoke alarms in the premises were serviced on the 22 June 2023.

(4)

A notice of the procedures to be followed in the event of a fire was displayed in a conspicuous position in the premises.

## Part VI - Safety

### Regulation 28 - Insurance

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

#### Compliance Information

There was evidence of current insurance cover for the number of children attending the service. The expiry date noted was 27 March 2025.

## Part VII - Premises and Space Requirements

### Regulation 30 - Minimum space requirements

*(1) Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.*

#### Compliance Information

(1)  
The room measurements in the service met the required space allocations for the children attending the service on the 9 May 2024.

Room 1	Room 2	Room 3	Room 4	Room 5
Ground Floor	Ground Floor	Ground Floor	First floor	First floor unoccupied
20.6m <sup>2</sup>	33.6.m <sup>2</sup>	40.7m <sup>2</sup>	23.4m <sup>2</sup>	11m <sup>2</sup>

#### Non-Compliance Information

(1)  
Following a review of child attendance records twelve children were noted attending Room 1 from 26 February 2024 to 8 April 2024 on a sessional basis.  
This room accommodated eleven children only attending on a sessional basis at 1.81m<sup>2</sup>.

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

##### Corrective and Preventive Action

The child was moved to a different room in the facility in order to comply.  
Regular checks are being conducted in order to ensure correct assignment of the children to their rooms.

##### Supporting documentation submitted

Written evidence submitted.

#### Summary Comment

Evidence submitted and reviewed by the Early Years Inspector met the Regulatory requirement.