

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2017CC111
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<b>Name of Service:</b>	The Farmyard Kindergarten
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<b>Address of Service:</b>	Strawberry Hill, Off Blarney Street, Cork, Co. Cork
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<b>Eircode:</b>	T23 TWF4
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<b>Name of Registered Provider:</b>	Paddy Lynch
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<b>Service type:</b>	Sessional
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<b>Date of Inspection:</b>	21/06/2023
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<b>No of pre-school children:</b>	AM	20	PM	N/A
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate Administration Building St Mary's Health Campus Gurrabraher Cork
<b>Inspection undertaken by:</b>	D Prendergast
<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

The Farmyard Kindergarten has been in operation since 2017 and is registered to provide a sessional early years service for children aged two to six years. Two daily sessions are offered, with registered times from 9.00am to 12.30pm and from 1.30pm to 5.00pm, in conjunction with the Early Childhood Care and Education (ECCE) Scheme. However, sessions are currently accommodated from 9.00am to 12.00pm in the morning and from 1.00pm to 4.00pm in the afternoon. Steiner pedagogy is implemented, and the service is predominantly based outdoors.

The premises is situated in an urban area, on the north side of Cork city and is provided from the grounds of a community centre. There is a large outdoor area and an indoor care room on the ground floor, which has an adjoining kitchen and both child and adult sanitary facilities.

### Staffing

A total of five adults are employed by the early years service, four of whom work directly with the children who attend. The registered provider is not involved in the direct care of the children. There is one adult employed under the Access and Inclusion Model (AIM) Support Scheme and all four of the adults who work at the setting have achieved a relevant award in Early Childhood Care and Education.

### 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 the child, safety, premises and facilities. The inspections 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 inspector wishes 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

*(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) The registered provider had appointed a person in charge of operating the service and a deputy person in charge had also been allocated.
  - (b) The person in charge was on duty at the service when the inspector arrived and remained present for the duration of the inspection. The deputy was also in attendance.
- (2) The person in charge confirmed that two adults had commenced working at the service since the previous inspection was undertaken on 27 May 2021. Therefore, recruitment records in relation to these adults were reviewed, along with the qualifications of all staff members.
- (a) Three written references had been provided by past employers, with validations available for two of the references.
  - (b) There was one written and validated reference on file from a source other than a previous employer.
  - (c) Garda vetting from the National Vetting Bureau was available in respect of the two adults.
  - (d) The required police vetting was maintained for 1 adult, who had resided outside the State for more than 6 consecutive months, while over the age of 18.
- (4) All four of the adults had achieved major awards in Early Childhood Care and Education, as listed on the National Framework of Qualifications or as deemed equivalent by the Department of Children, Equality, Disability, Integration and Youth (DCEDIY).

### Non-Compliance Information

- (2)(a)
- A record of validation was unavailable for one of the references, which had been obtained from a past employer.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

A new validation form was completed immediately, through contacting the referee by phone call. All staff record files will be checked by the manager twice yearly.

### Supporting documentation submitted

A copy of the validation record was forwarded.

### Summary Comment

The non-compliance identified under this regulation has been adequately 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

- (1) On the day of inspection, there was an adequate number of adults working with the children at all times.
- (3) The minimum ratio of adults to children was adhered to and met the requirements of the regulation. On the morning of the inspection, there was a total of 20 children, aged 3 to 5 ½ years in attendance. These children were under the direct care and supervision of three adults, including one adult employed under the Access and Inclusion Model (AIM) Support Scheme.

## 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:*

*(j) details of any medication administered to a pre-school child attending the service with signed parental consent;*

#### Compliance Information

(1)  
(j) A written record was available to demonstrate that parental consent had been obtained for staff to administer the medication that had been prescribed for one of the children, who attended the service.

## 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)

##### Basic needs:

- The early years setting promoted healthy eating and a mid-morning snack was accommodated during the sessional service. Drinking water was offered to the children after outdoor play and was available in the care room throughout the morning.
- The children were supported and encouraged by adults to use the toilet facilities independently, with prompts provided as necessary. Children were also reminded to attend to their respiratory hygiene, as the need arose.
- As the weather was warm, staff members ensured that the children wore sun hats while playing and exploring outdoors.

- There was sufficient space for children to initiate activities and to engage in various types of play within the care room and the children could easily move between the indoor and outdoor environments during the morning.
- Children who wished to rest while in attendance could avail of a quiet area, which was furnished with a sofa and an adjacent bookshelf.

### Supporting relationships around children:

- The mealtime routine, which was facilitated by the adults, created a warm and calming atmosphere. Tables were set with crockery and place names for the children and were decorated with flowers in vases and pots. It was observed to be a social, celebratory occasion, with singing and discussion about the various foods on offer. This unhurried approach also ensured that children had sufficient time to enjoy their food.
- Throughout the morning, the adults modelled positive behaviour by speaking in low tones of voice and through acknowledging the children's interest and perspectives. For example, when a child sought adult support following a minor dispute, the staff member responded in a calm and patient manner and discussed the issue with the children involved.

### 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

- An adequate amount of waist height tables and child size chairs was available for the children's use at mealtimes and for the purpose of engaging in table top activities. Suitable seating was also in place in the outdoor area.
- The display furniture used to store play materials was set low, which allowed the children to independently access their chosen interest items.
- Examples of the various play resources on offer in the care room included a play kitchen, with a broad range of play food and utensils, furnished dolls houses, animals figures, hand-held farm vehicles, wooden cots and dolls, building blocks and art and craft materials.

- A combination of walls and fencing surrounded the outdoor play area, which had both tarmacadam and bark chipping surfaces underfoot. Several interest areas were provided to encourage active, sensory, imaginative and exploratory play, with natural materials included throughout. For example, the children had access to:
  - Tunnels, tree stumps, tyres, seesaws and a wooden balance beam
  - Large sand pits, with digging equipment and wheelbarrows
  - A mud kitchen
  - Sheltered areas
  - A wooden bird house, wooden stationary vehicles and fence mounted drain pipes.

### 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

- Food for the children’s mid-morning snack was provided by their parents or guardians. The inspector was advised that a sharing day had been planned for the day of inspection, whereby each child brought in a snack to share with their classmates.
- The children therefore had the option to try a variety of foods, which included freshly baked bread, cheese, crackers, pasta, pancakes, plum marmalade, cucumber and fruit such as pineapple, watermelon, satsumas and sliced grapes. Water was offered as a drink.
- The person in charge advised that none of the children who attended had specific dietary requirements or food allergies.
- In keeping with the Healthy Eating policy, it was reported that children would be provided with a snack if they became hungry outside of the designated mealtime.

### 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 risk of unauthorised access to the service and the risk of a child exiting, while unsupervised, were appropriately managed; the gate which provided access to the service was found to be secure upon the inspector's arrival and was maintained secure when not in use.
- The outdoor environment was enclosed by high-level fencing, walls and secured gates.
- Low lying electrical sockets were fitted with safety plugs.
- Firefighting equipment was tethered.
- There were radiator covers in place to reduce the risk of a child sustaining a scald injury.
- Safe storage was provided for cleaning agents.
- Medication was stored in a wall mounted cabinet, which was out of the children's reach.
- A restrictive opening device was in place on a cupboard in the care room, which prevented the children from accessing potentially harmful items.

##### Infection Control:

- Handwashing was carried out after outdoor play and before the mid-morning snack. To accommodate this practice, warm water was available at each of the wash hand basins, along with liquid soap, disposable paper towelling and a foot pedal operated bin.
- Following the mid-morning snack, the tables were sanitised and the floor was swept. A cleaning schedule was also in place at the service.
- A refrigerator was provided to store the children's perishable snacks.
- Single use gloves and disposable aprons were readily accessible on the nappy changing unit for use during nappy changing procedures, as required.
- Separate storage was provided for the children's outdoor clothing and footwear.
- The care room was supplied with a source of natural ventilation via open windows.

##### Administration of Medication:

- Prescribed medication was observed to be administered to one of the children. This was undertaken by the person in charge, who held in-date First Aid Responder (FAR) certification.

- Following administration, the person in charge recorded the details of same, which included the time and date of administration, the child's name, the medication dosage and the signature of the staff member who administered the medication.

### Safe Sleep:

- None of the children were observed to sleep during the morning of the inspection.

### Outings:

- Not applicable, as the person in charge advised that outings were not undertaken.

### Non-Compliance Information

#### Administration of Medication:

The administration of medication was not witnessed by a second staff member, which is required to ensure that the correct procedure is followed. This it was also at variance with the service's Administration of Medication policy, which stated that: *A second staff member must be present when medications are administered.* It was also noted that the name of the medication was not detailed on the relevant administration record.

#### Action submitted by the Registered Provider

#### Corrective & Preventive Action

A column for the signature of a witness has been added to the medication administration record and the name and dose of the medicine are also included on the form. All staff members have been notified of the witness procedure.

#### Supporting documentation submitted

A copy of the medication administration form was submitted.

#### Summary Comment

The response from the person in charge was accepted in meeting the requirements of the regulation.

### 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 service provided evidence that one staff member held up to date First Aid Responder (FAR) training, with an expiry date of 24 March 2025.
- (2)
- (a) The first aid box was stored on a high-level shelf in the care room.
- (b) The first aid box was available in the pre-school service at all times, throughout the hours of operation.

### 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) A written record was available regarding the monthly fire drills, which had been completed at the service. The most recent fire drill took place on 7 June 2023.
- (b) A list of the number and type of firefighting equipment and smoke alarms was made available. Records from fire safety companies indicated that the firefighting equipment was last serviced in November 2022 and the wired smoke alarm was tested on 24 November 2022.
- (4) The service's fire evacuation procedure was displayed in the kitchen and the fire assembly point was identified by clear signage.