

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2017FL507
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Name of Service:	Mighty Oaks Pre-School
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Address of Service:	St. Colmcilles GFC, Hollybank, Glen Ellan Road, Swords, Co. Dublin
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Eircode:	K67 H996
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Name of Registered Provider:	Andrea Fearon
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Service type:	Sessional
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Date(s) of Inspection:	13/06/2024
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No of pre-school children:	<table border="1"> <tr> <td>AM</td> <td>20</td> <td>PM</td> <td>No.</td> </tr> </table>	AM	20	PM	No.
AM	20	PM	No.		

Address of the Early Years Inspectorate:	Tusla Early Years Inspectorate, 180-189 Lakeshore Drive, Airside Business Park, Swords, Co Dublin K67 Y5C6.
Inspection undertaken by:	S. Cully
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
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Description of service

Might Oaks Pre School is a privately owned sessional preschool service established in 2018 and is located in Swords, Co. Dublin. The service offers a morning and afternoon preschool session for children between the ages of 2 – 6 years and participates in the Early Childhood Care and Education (ECCE) from 9.00am – 12.00pm and 12.30pm to 3.30pm. The preschool operates from 1 care room located on the ground floor of St. Colmcille GAA clubhouse with access to an enclosed outdoor area on the premises.

Staffing

The registered provider is present in the service on a daily basis carrying out administrative duties. The service manager and an additional core staff member work directly with the children. A third staff member working directly with the children is currently employed in the service through funding from the Access and Inclusion Model (AIM). On the day of the inspection the service manager was not present for the morning session due to unforeseen circumstances. A person who is available to the service as relief staff was present and working in the service. A third level student was present on the day of inspection as part of a work placement programme.

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, 11, 15, 19, 23, 24, 25, 26 and 28.

A sampling process was used to assess compliance under Regulation 15 Records for a Preschool Child with children's 12 files from the morning group reviewed.

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, 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) The service manager is the designated person in charge of the service and there is a named person appointed to deputise as required.

(b) The registered provider, the deputy person in charge, was present and in charge of the service when the inspector arrived unannounced at 10.00am on the morning of the inspection and was present in the service for the duration of the inspection. The service manager was present for the closing meeting.

On the day of inspection, the files for 5 staff members including the registered provider and the staff member employed in a relief capacity were reviewed. The file for the third level student present as part of a work placement programme was also reviewed.

(2)(a) & (b) There were 2 written and validated references available for the 5 staff members and the student.

(c) Garda vetting disclosures had been obtained for the registered provider and 4 staff members who work directly with the children, including the relief staff member. A Garda vetting disclosure was also obtained for the student present on the day of inspection. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) International police vetting was available as required for 2 adults who had lived outside the State as adults for more than 6 consecutive months.

(4) The Registered Provider ensured that all adults working directly with the children in the preschool service held a major award in Early Childhood Care and Education at Level 5 - 8 on the National Framework of Qualifications (NFQ) or a qualification deemed by the Minister to be equivalent.

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 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 provider satisfied.

Compliance Information

(1) There was an adequate number of staff working with the children on the day of the inspection.

(3) The adult to child ratio was correct and appropriately maintained in the service throughout the inspection. There were 3 adults caring for 20 children aged 3 years 5 months to 5 years 2 months. One staff member was employed to reduce the adult to child ratio to support children with additional needs, when necessary, as part of the Access and Inclusion Model scheme.

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-

- (a) a parent or guardian of a pre-school child but only in respect of the record relating to that child,
- (b) an employee who is authorised in that behalf by the registered provider, and
- (c) an authorised person.

Compliance Information

(1) Twelve children's records were reviewed. The records contained the required information as set out in Regulation 15 (1) (a) (b) (c) (d) (e) (f) and (h).

(3)(c) The records were available and open to inspection by the inspection, an authorised person.

Non-Compliance Information

(1)(g)&(i) On review of the 12 records it was identified that the paperwork used to gather the required information did not include the information required under Regulation 15 (1)(g) *'the name and telephone number of the child's registered medical practitioner'* and (i) *'written parental consent for appropriate medical treatment of the child in the event of an emergency'*.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

The registered provider stated that the registration form had been amended to include the missing information.

Preventive Action

The updated form will be in use from September and parents of existing children will be required to complete new registration form also.

Supporting documentation submitted

Photographic evidence of updated information included in the registration form.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 15 (1)(g) and (i) has been adequately addressed by the registered provider.

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) The following observations are examples on how each child's learning, development and well-being was observed being facilitated during the inspection:

Basic needs:

- When the inspector arrived unannounced at the preschool the children were actively engaged in play and activity and there was a friendly atmosphere in the service. The children appeared to be familiar with their daily routine with an understanding of what was happening next such as a clean-up time, tabletop activity and snack time.
- Children were encouraged to independently meet their personal care needs such as toileting, handwashing, wiping their nose or putting on their coats. They were discreetly supervised and provided with support when needed.
- Snack time was a social and pleasant experience for the children. Children assigned the task of helping to pass out lunchboxes and water bottles did so. The children and the staff sat chatted together about recent events.
- Children's photographs, drawings of family and artwork were displayed throughout the care room. Displaying children's photographs and artwork supports them to feel safe a sense of belonging in their learning environment.
- Throughout the session the registered provider, staff and student were observed providing the children with warm, caring and nurturing interactions. At one point a child was upset and said to a staff member "I need a hug" and the staff member picked up the child to comfort them in her lap until the child was ready to return to play.
- There was a couch available in the care room for children to rest on if they needed a break or felt tired.

Supporting relationships around children:

- The children appeared to feel safe and comfortable in the service and with their peers. They were familiar with the staff members including the relief staff member they called by name. They were excited to tell the relief staff member about a recent activity and showing her their new stick insect. The children expressed themselves freely and looked to the adults for support or guidance when needed.
- The staff members modelled positive interactions and relationships to the children when talking and working together.
- There is a key worker system in place so where core staff members document their observations on their key children's learning and development and share this with families. The service keeps families updated on children's preschool experiences by sending photos home, emails and texts and social media posts. The service also sends home the children's learning journals and are planning the end of year graduation for children and families.

Physical and material environment:

- The care room was arranged by identifiable interest areas including the well-resourced home corner, construction, and small world area, reading area, sensory tray set up with leaves, nets, magnifying glass and toy insects and art area. There were shelving units where a selection of Montessori materials were available along with puzzles, games and other table-top activities.
- The materials and equipment available were stored on sturdy, low-level shelving facilitating children's easy access to resources of choice.
- The service had visual aids available in the room to support children's non-verbal communication such as a visual routine, emotions chart, choice board and jobs board.
- Although not in use on the day due to poor weather conditions, the enclosed outdoor space had equipment available such as slides and ride on toys with additional outdoor equipment and resources stored in the shed.

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

Reasonable measures were taken to ensure the health, safety and welfare of the children was maintained in the following ways.

General Safety:

- The external door and internal door of the service was appropriately service were appropriately secured to prevent an unauthorised person from gaining access to the children and prevent children from exiting the premises unsupervised.
- The furniture and equipment, indoors and outdoors, were in good condition. An 'equipment fit for purpose' checklist was in use to identify and equipment that may need repair or removal.
- The water temperature in the hot taps did not exceed the recommended maximum water temperature of 43°C. This reduced the risk of scalding for the children in attendance.
- Cleaning agents were stored out of the reach of children.

Infection Control:

- Thermostatically controlled running warm water, liquid soap and single use paper towels were available at all wash hand basins to support effective hand hygiene procedures in the service.
- The children and the staff were observed to wash their hands prior to snack time.
- Children's snacks from home were stored in the refrigerator located in the care room.

Administration of Medication:

- No children were observed having or requiring medication on the day

Fire Safety:

- The fire exit was signposted and unobstructed.

Non-Compliance Information

Fire Safety:

Following review of fire drill records, the frequency of fire drills in the service was not adequate. The last fire drill carried out with the morning group was recorded to have been carried out 08/11/2023 and last carried out with

the afternoon group 07/02/2024. Fire drills should be carried out with both groups on a monthly basis as part of fire safety practices.

Action submitted by the Registered Provider

Corrective & Preventive Action

Fire Safety:

Corrective action:

On 17/06/2024 a fire drill was carried out in both the morning session and the afternoon session.

Preventive Action:

The registered provider stated that going forward in September fire drills will be carried out on a monthly basis.

Supporting documentation submitted

Fire Safety:

A copy of the fire drill records with recent fire drills recorded to have taken place.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 23 has been adequately addressed by the registered provider.

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 registered provider ensured that each preschool child attending the service was checked in and out of the service on a daily basis.

(3)(a)(b) A system was in place to ensure that no person other than the children and their parents or guardians, employees, approved students or authorised visitors could enter the service. A visitor's book was maintained and the inspector was requested to record their attendance on the premises and the purpose of their visit.

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.

Compliance Information

(1) A person trained in first aid including first aid responder (FAR) training was immediately available to the children attending the pre-school service as evidenced in the staff roster and the in-date FAR certifications provided for inspection in respect of a number of staff members.

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 record was kept of fire drills that had taken place on the premises.

(b) A record was kept of the number, type and maintenance of the firefighting equipment and smoke alarms in the premises. Fire extinguishers were certified as having been serviced on 09/01/2024 and the smoke detection system on 08/11/2023.

(4) Notices of the procedures to be followed in the event of a fire were conspicuously displayed in the premises.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The registered provider ensured the service was adequately insured with a policy cover in place for 22 children attending the service on a sessional basis with an expiry date of 27/03/2025.