

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2017WX501
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<b>Name of Service:</b>	Smart Kidz
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<b>Address of Service:</b>	Scurlocks Bush, Oylegate, Enniscorthy, Co. Wexford
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<b>Eircode:</b>	Y21 HT98
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<b>Name of Registered Provider:</b>	Eileen Nolan
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<b>Service type:</b>	Full Day
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<b>Date of Inspection:</b>	24/10/2024
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<b>No of pre-school children:</b>	AM	34	PM	9
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspector Tusla Child and Family Agency Ely Hospital, Ferrybank, Wexford
<b>Inspection undertaken by:</b>	C. Ryan
<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

Smart Kidz is a privately operated preschool service caring for children from 1 to 6 years of age. The service offers part time care and can accommodate up to 38 children. The core values of Smart Kidz are “responsibility, security, happiness, equality, nurture and respect”. The premises is located beside the registered provider’s home in a rural area close to Enniscorthy. The service consists of three playrooms, entrance lobby, sanitary accommodation, a sleep room and storage facilities. The children have direct access from the playrooms to the outdoor play areas which are fully enclosed.

### Staffing

There are eight staff employed in the service including the registered provider. The registered provider is the designated person in charge and works directly with the children. The staff working with the children held the minimum level 5 and above qualifications in Childcare and 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 child/ safety/ premises and facilities. The inspection may also focus on other areas as required.

Regulation 9 (1)(a)(b)(2)(a)(b)(c)(d)(4) Management and Recruitment,  
Regulation 11(1)(2) Staffing levels,

Regulation 20 – Facilities for rest and play

Regulation 21 Equipment and materials,

Regulation 22 Food and drink,

Regulation 23 Safeguarding Health, Safety, and Welfare of the Child,

Regulation 25 First aid,

Regulation 26 Fire Safety and

Regulation 28 Insurance.

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, 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)(b)

On the day of the inspection the registered provider was the designated person in charge of the service. There was a second named staff member available to deputise as needed.

The staff files for eight staff working directly with children were reviewed on the day.

(2)(a)(b)

There were validated references for all employees kept in each staff member's file.

(c)

Garda vetting disclosures were available for all staff working in the service. The service also demonstrated partial compliance with the Early Years Inspectorate Regulatory Notice requiring services to re-new Garda vetting every 3 years.

- (d)  
Police vetting disclosures were available on file for the staff who had lived outside the state for more than six consecutive months.
- (4)  
Certificates of qualifications for all staff members working directly with the preschool children were available on file.

## 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.*

### Compliance Information

- (1)(2)  
Throughout the period of the inspection there were adequate numbers of staff working directly with children ensuring that the correct adult to child ratios were maintained at all times. During the morning there were 34 children being directly cared for by 8 staff. In the afternoon there 9 children were being cared for by 4 staff.

### 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.

#### Compliance Information

(1)(a)

Children had access to outdoor areas to the rear of the premises. These included two covered areas directly off two of the rooms, and a grassy area to the side. To the front of the premises the grassy area was enclosed and allowed for space for children to run freely. The outdoor areas were well developed with sufficient space and toys for the children to use. Interest areas in the outdoor area were well developed to allow children the opportunities for free and imaginative play. All children were provided with an opportunity to go outside on the day of inspection.

(b)

The service had a designated sleep room with cots for younger children and mats for older children to sleep on. The playroom also had rest/quiet areas available to the children in the room to rest or opt out of an activity.

### 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 playrooms were well equipped and furnished with a variety of furniture, toys and materials. There were child sized tables and chairs suitable for tabletop activities and snack time. There was sufficient space for children and staff to move around and enjoy circle time. There were open shelves available where children could choose what they wanted to play with. There were benches for children to sit and change in and out of their wellies. Books were easily accessible to the children. Interest areas were well developed and resourced with a variety of toys, equipment, open ended and natural materials.

Children were able to easily access what they wanted to choose during free play time. There was a sufficient variety including manipulative play materials, fine motor skills and life skill materials. Toys and materials included a water table, a kitchen/home corner, a library, a shop, a rest area, boxes of bricks, cars and dolls. Around the room there was photographs of their activities, birthdays, family photographs and their daily routine. The outdoor equipment and interest area included items such as the mud kitchen, tables and chairs set up for tabletop activities, soft mat area, playhouse, seating, ride on toys and sand pits. There was a variety of surfaces such as lawn and concrete areas.

### 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 and parents were asked to supply healthy foods and snacks in line with the policy. Children’s lunches including perishable foods were stored in the fridge in the playrooms. The children and staff sat together to eat their food with staff helping children as needed. The staff reheated dinners/food that were supplied from home. Most of the children drank water from their individual bottles, which they were available to freely access in the rooms. The atmosphere during snack time was relaxed and sociable with plenty of chatting between staff and children.

### 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 entrance to the premises was secured including the gate to the carpark. The outdoor areas were fully enclosed and secured to prevent a child from exiting the service unsupervised and to prevent an unauthorised adult from entering. Emergency exits in the service were clear and unobstructed. Cleaning products were stored out of reach of the children. Cleaning checklist and play area safety checklists were complete daily.

### Infection Control:

Thermostatically controlled warm water, liquid hand soap and dispensed handtowels were available in the sanitary facilities. Pedal operated lidded bins were available for waste disposal. Effective hand hygiene practices were observed throughout the day including good nappy changing practices.

### Administration of Medication:

An individualised health care plan was available for a child who required administration of medication and staff were aware of the plan and actions required. The children's medication was stored out of reach in a clearly defined area and was easily located during the inspection.

### Safe Sleep:

Children were provided with cellular blankets for sleep in the sleep room. Staff were observed to physically check sleeping children every 10 minutes and completed sleep check records, while children slept which included each child's colour, breathing and position.

The sleep room temperature was recorded at 18 degrees Celsius. Cots were available for young children and sleep mattresses for older children. The registered provider had completed a sleep care plan for each child with their parents to ensure children's sleep needs were met when attending the service.

### Non-Compliance Information

#### General Safety:

1. The service did not demonstrate compliance with the Early Years Inspectorate Regulatory Notice requiring services to re-new Garda vetting every 3 years. Garda vetting was available for all staff members. However, one staff member's vetting disclosure was not dated within the previous 3 years in adherence to with the Early Years Inspectorate Regulatory Notice EYI-RN12.3 renewal of Garda vetting.

#### Action submitted by the Registered Provider

#### Corrective & Preventive Action

Following the inspection Garda vetting was applied for the staff member and subsequently received back. An excel spreadsheet has been set up for all staff which includes current vetting date and renewal dates. These have been printed and put on the wall beside staff roster so it shouldn't be missed again.

#### Supporting documentation submitted

Copy of Garda vetting.

#### Summary Comment

The requirements of the regulation are met.

## 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)

There were staff trained in FAR and first aid for children available to the children attending the preschool service.

(2)(a)(b)

There was a suitably equipped first aid box stored in an easily accessible position and was available for use.

## 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)

The last recorded fire drill was carried out on 24 October 2024.

(1)(b)

A record was maintained of when the firefighting equipment and smoke alarm were serviced in July 2024.

(4)

There was a notice of the procedures to be followed in the event of fire displayed in a conspicuous position in the hallway of the service.

## Part VI - Safety

### Regulation 28 - Insurance

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

#### Compliance Information

An insurance certificate was available to demonstrate that insurance was in place.