

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2018KK504
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Name of Service:	Little Sunshine's Day Nursery
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Address of Service:	Mullinabro, Kilkenny, Co. Kilkenny
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Eircode:	X91 N243
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Name of Registered Provider:	Sarah Hayes
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Service type:	Full Day
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Date of Inspection:	25/02/2025
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No of pre-school children:	AM	30	PM	27
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Address of the Early Years Inspectorate:	Primary Care Centre, Castle Park, Arklow, Co. Wicklow Y14 AE10
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Inspection undertaken by:	Lorraine O' Connor
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Title:	Early Years Inspector
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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

Little Sunshine's Day Nursery is located in Mullinabro, Co Kilkenny. The service is registered to accommodate 32 pre-school children aged 1 – 6 years. It operates from 7.30am to 5.45pm Monday to Friday and provides a full-day care, part-time and a sessional service. A morning and afternoon sessional service is provided as part of the Early Childhood Care and Education (ECCE) Scheme.

The service is located in a purpose build premises. There are two care rooms within the service; the Little Stars (1-3 years) and Shooting Stars (2-5 years). There is an outdoor area adjoining the service which also includes a sheltered area at the side of the building. There is one sleep room adjoining the Little Stars room. Both care rooms have adjoining sanitary and nappy changing areas. A kitchen and office is available within the service also.

The service also runs a school age care service which is registered separately.

Staffing

The service employs seven staff, including the registered provider to work directly with the children. On the day of inspection, there were seven staff working directly with the children, including the registered provider.

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 and safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations Regulation 9 Management and recruitment, Regulation 11 -Staffing, Regulation 16 Record in relation to pre-school service, Regulation 19. Health, welfare and development of child and Regulation 25 - First Aid. However, on inspection additional non-compliance which posed a risk was identified under Regulation 10: Policies of a school age service, Regulation 23 Safeguarding health, safety and welfare of child and Regulation 29 Premises. These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under Regulation 16 Record in relation to pre-school service.

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

(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 registered provider was the designated person in charge of the service and a named staff member was appointed to deputise when required.

- (b) The registered provider was present and in charge of the service when the inspector arrived unannounced at the service and for the duration of the inspection.

(2) A total of 7 files were reviewed and the following was noted:

- (a)(b) Written validated references were available for the 7 adults from a previous employer and/or a source other than a previous employer.

(c) The required Garda vetting disclosures were in place for the 7 adults. The service adhered to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years.

(d) Through a review of documentation, it was determined that police vetting was not required.

(3) Recruitment and vetting procedures were carried out in advance of appointment for all staff.

(4) The adults working directly with the children held 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.

Part III – Management and Staff

Regulation 10 - Policies, procedures etc. of pre-school service

A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.

Non-Compliance Information

(c) On review of the service’s administration of medication policy, it did not provide the following details about the administration of medicine as follows;

- In what circumstances anti-febrile medication is administered
- The procedures to be followed when a child develops a fever

This posed an increased safety risk to the child in the event when the body temperature rises beyond a safe limit as the procedure as the procedure is not detailed within the service policy.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Little Sunshine’s Day Nursery have updated our administration of medication policy and management have reiterated to staff the updated policy and an up-to-date hard copy of the new policy. The service will keep the policy up to date and keeping staff aware of any changes.

Supporting documentation submitted

Updated administration of medication policy which included procedures of the circumstances when anti-febrile medication is administered and the procedures to be followed when a child develops a fever.

Summary Comment

The requirement for Regulation 10 - Policies, procedures etc. of pre-school service has been met.

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.

(4) Subject to paragraph (5), where a registered provider contemporaneously provides-

(a) a sessional pre-school service, and

(b) a full day care service or a part-time day care service, or both, the minimum ratio of adults to children applicable for the duration of the sessional pre-school service in respect of the children attending that service shall be the ratio specified in paragraph (3).

Compliance Information

(1)(2)(4)

There was an adequate number of adults working with the children for the duration of the inspection. At 9.45am, there were 7 adults including the registered provider, working with 30 pre-school children aged 1- 5 years. Additional support was available from the registered provider and another staff member within the service.

The Little Stars room catered for children aged 1-3 years attending on a full-time basis. On the day of inspection at 9.45am, there was 2 adults with 7 children and at 1.45pm, there was 2 adults with 6 waking and 3 sleeping children.

The Shooting Stars room catered for children aged 2 to 5 years attending on a full-time, part-time and sessional basis. At 9.45am, there was 15 children indoors with 3 adults and 8 children were in the outdoor area with 1 adult. At 1.55pm, there were 18 children present, 16 of the children were attending on a full day care basis and 2 children were attending on a sessional basis. There were 3 adults working with the children at this time.

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:

- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

Compliance Information

- (h) The attendance records were reviewed and were accurate. The staff members were observed to update the records within both of the care rooms to reflect when children arrived and departed from the service.
- (i) Staff rosters were available for review and were reflective of the staff present on the day. In discussion with staff, the hours worked on the day of inspection were reflective of the roster in place.
- (k) The service’s accident and incident records were reviewed through a sampling approach. Twelve records were reviewed, and the required details were recorded by the service. The records provided information on the accident and/or incident; the action taken by staff which included first aid. Each record was signed by the registered provider and the child’s parent and/or guardian. This practice was reflective of the procedures which were outlined within service’s policy.

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

Play was child-led throughout the inspection within both of the care rooms. Children were provided with choice and autonomy in the play they engaged in. In discussion with staff members, it was outlined that the children’s interests regularly changed and that through providing opportunities for free play it allowed for the

children to explore what they were interested in. The inspector observed a balanced approach to free-play whereby children in both of the care rooms were provided with opportunities for self-directed play while the staff members also provided table top activities if the children choose to part-take. For example;

- In the Little Stars room, the children were provided with table top activities including sensory trays, jigsaws and kitchen play equipment during the course of the inspection. While these activities were available for the children to engage with, children were also provided with a choice to play with the other equipment in the care room. The equipment was available in low level boxes and shelving, easily accessed by all of the children, regardless of their stage of development. This choice provided for the children was reinforced by the staff members in the room. For example, the staff members were overheard to ask the individual children if they would like to do the activity and verbally acknowledge the child's choice. For example, staff members playfully asked a child, 'would you like to play with the jigsaws at the table?' when the child looked towards the adult, the adult positively responded with 'I think you are happy looking at the puppets are you?' and smiled at the child who continued playing with the puppets.
- Within the Shooting Stars room, the children were observed to engage in varying activities and play throughout the inspection. For example, on arrival at 10am there were 3 children playing with blocks at a table, 7 children were listening to a story at the couch and 3 children were playing with cars and 2 children were playing with dolls.

The staff members engaged with the children using calm and playful tones. They were observed to position themselves at the child's level throughout the inspection. For example, staff members sat on the floor with the children who were playing and at the table while the children were engaged with table top activities or eating their snack/dinner. They remained within close proximity to the children which allowed them to provide support, re-direction or suggestions for the children when needed.

Staff encouraged and supported the children to reach their potential and acknowledged their achievements. In discussion, the children's individual needs and abilities were known to the staff members. During the inspection, staff members were overheard and observed to alter their approach regarding expectations of the children. For example, self-care practices, self-feeding and problem solving. The staff members provided additional support and guidance when needed. For example,

- In the Shooting Stars room, the staff members prompted the children to get tissues to clean their noses and positively recognised children's attempts to wipe their own noses. They provided support to the children when needed.
- In the Shooting Stars room, at 2.10pm there was six children at the dress up area. The staff member remained close-by observing the children playing. Two of the children walked towards the staff member and asked for help put the costume on. The staff member was overheard to say, 'these costumes are inside out, will we fix them?'. This encouraged the other children with costumes to do the same and provided additional support to children as required. During this time, the staff member supported the six children to solve a problem and to develop independence in their skills of self-dressing.
- In the Little Stars room, at 1:45pm there a child aged 1-2 years was eating their dinner. The staff member was sitting next to the child at the table and was placing the food onto the spoon for the child. Each time that the child put the spoon into their mouth and ate the food, the staff member positively acknowledged and affirmed the child's achievements.

Children were observed to eat a morning snack, afternoon snack and dinner. The mealtimes varied between the two care rooms. The registered provider outlined that the food is provided by the parents and/or guardians. It was outlined that the mealtimes are flexible and based on the child's routine and children ate their snack and/or dinner at varying times during the day. The registered provider confirmed that additional food was available on premises if required.

Children were observed to engage in outdoor play throughout the inspection. The children and staff members were appropriately dressed for the weather. There were two areas available for outdoor play within the service;

- The service had a sheltered area adjacent to the building which contained a variety of play equipment including play kitchen, couch and a ball pit. The children from the Little Stars room were observed to use this area on the day of inspection.

- The outdoor area which was located beside the Shooting Stars room included a wooden castle structure and cars. The staff members outlined that other equipment was available within the shed including bikes, cars and footballs. It was explained that the children can freely access these to play with them at any stage. The children from the Shooting Stars room were observed to engage in this outdoor area on the day at varying stages.

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.

Non-Compliance Information

General Safety:

- The registered provider did not adhere to their own healthy eating policy which stated that whole grapes were not permitted within the service. At snack time in the Shooting Stars room, there were two children aged 3-5 years with uncut grapes and large blueberries. This practice posed an increased risk of a child choking. The registered provider was made aware of this by the inspector and carried out remedial action.

Administration of Medication:

- A sample of the service's administration of medication records were reviewed by the inspector from January – February 2025 from the two care rooms. Records contained appropriate information such as details including the time, date, name of child, signature of a witness and a signature of a parent. However, through discussion with the registered provider, it was not clear in all cases why anti febrile medicine was administered. The administration of medicine records did not specify the reasons for deciding to administer this medicine. This posed a risk that there may be incomplete information provided to parents which would impact on the continuity of care for the child.

Safe Sleep:

- At 11.30am, in the sleep room two children aged 2 to 3 years were placed to sleep with bottles of milk. This practice is at variance with the service's healthy eating policy which stated that children will be upright when drinking a bottle. This posed an increased risk of infection or choking.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. Little Sunshine's have reiterated to staff to check all children's lunch boxes to make sure fruit is cut appropriately by parents, if the staff have not been made aware to cut appropriately. The manager and deputy manager spoke to parents individually. A reminder letter was also given to all parents regarding the cutting of children's fruit. Staff will continue to check all of the lunch boxes.

Administration of Medication:

2. Little Sunshines have updated the administration policy and have added new information to the consent form which includes the reason why the service give any medicine. The service have a new a medication record book where parents will always sign and receive a copy when a child receives medication. Parents have been provided with an up-to-date copy of the service's administration of medication policy. The service have also renewed their training on the service's policy.

Safe Sleep:

3. All children who are going to the sleep room will drink their bottles before going into the sleep room. All staff are aware there are no bottles allowed in the sleep room.

Supporting documentation submitted

General Safety:

A letter from the service to parents regarding cutting fruits to suitable sizing. Photograph to demonstrate staff training on the service's healthy eating policy.

Administration of Medication:

Updated administration of medication policy. Photograph to demonstrate staff training on the service's administration of medication policy. Photograph of the agenda of a staff meeting on 20 March 2025 which included the service's administration of medication procedures.

Safe Sleep:

No evidence submitted.

Summary Comment

Based on the assurances and actions provided by the registered provider, it is deemed that the requirement has been met for non-compliance 1 and 2. However, non-compliance 3 relating to sleep practices remains outstanding. The registered provider has not demonstrated that staff members have received training or have been informed by the registered provider of the updated practices within the service relating to safe sleep. Regulation 23 Safeguarding health, safety and welfare of child will be assessed on the next inspection.

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) 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 certification available.
- (2) A suitably equipped first aid box was available for the children within the service. The first aid boxes were located in an accessible position for both of the care rooms.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-

- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*

Non-Compliance Information

(c) The sanitary area and nappy changing area in the Little Stars room was not adequately heated. It measured as 13.9°Celsius at 12.40pm.

(d) There was black staining on the walls in the Shooting Stars sanitary area as follows:

- i. Black staining was evident on the walls of the sanitary area. It is noted that the registered provider outlined that planned works were commencing in due course.
- ii. Black staining was evident on one of the sinks on the surface area between the splashback and sink unit.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(c) On the day of inspection, both the heater was on and the window was opened for ventilation for a short period of time. The registered provider was made aware of the temperature and has added a thermometer in the nappy area to make sure it is at the right temperature at all times throughout the day.

(d) The service has completed the works on both sanitary areas. The wall was treated with a mould prevention treatment before PVC tiles were applied.

Supporting documentation submitted

Photo of thermometer in the nappy changing area and of the works carried out in the sanitary area. Photograph of temperature checks within the sanitary area.

Letter to staff members outlining that monthly checks will take place on the service and its environment. The letter also requested staff members to make the registered provider aware of any works which are or maybe required within the service.

Summary Comment

The regulatory requirement has been met for Regulation 29 Premises.