

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2018TY508
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Name of Service:	Ladybird's Pre-school Newtown
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Address of Service:	Old School House, Newtown, Nenagh, Co. Tipperary
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Eircode:	E45 K372
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Name of Registered Provider:	Stephanie Kennedy
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Service type:	Full Day
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Date of Inspection:	14/08/2024
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No of pre-school children:	AM	16	PM	16
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Address of the Early Years Inspectorate:	North Tipperary Civic Offices, Limerick Road, Nenagh, Co. Tipperary
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Inspection undertaken by:	L McGeeney
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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

This full day care service was established to provide care and education to children aged between 2 and 6 years old. A registered school aged care service is also provided. The service operates Monday to Friday, 7.30am to 5.30pm for 49 weeks of the year. During term time a three-hour sessional service funded under the early childhood care and education scheme (ECCE) for eligible children, operates Monday to Friday, 9am to 12pm. The service is operated from a single storey, detached building in the village of Newtown in north Tipperary that was formerly a school. The service consists of a large activity room, kitchenette, sanitary accommodation areas and several enclosed outdoor play areas.

This is one of three early years services in the Nenagh area operated by the same registered provider, the others being: Ladybird's Pre-School and Childcare Centre and Ladybirds CBS Preschool and Afterschool Service.

Staffing

The registered provider does not work in the service. The service manager is the person in charge on a daily basis. There are five staff employed in the service including three staff who work directly with the early years children, catering staff and a childcare student on work experience.

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 8, 9(1)(2)(4)(7), 10, 11(1)(2)(8), 16(1)(k), 23, 24, and 27.

A sampling process was used to assess compliance under regulation 10 Policies, Procedures and Statement of Preschool.

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.

Additional Information

The inspection was triggered by receipt of information to the Inspectorate.

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 II - Registration and Register

Regulation 8 - Notification of change in circumstances

(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.

Compliance Information

(1) The service changed from part-time to full day care in 2023. The registered provider notified the proposal to change in writing to the Agency prior to the change being approved following a fit for purpose inspection on 7 September 2023.

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.*

(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.

(7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:

- (a) the policies, procedures and statements of the service specified in Schedule 5;*
- (b) Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act, and*
- (c) these Regulations.*

Compliance Information

(1)(a) The service manager was the person in charge on the day of inspection. There was a named person who was able to deputise in her absence.

(b) The person in charge or her deputy were present in the service while it was in operation. If neither staff were available then a manager from Ladybird's Pre-School and Childcare Centre, Carrig Rua, Nenagh would be present in the service.

(c) The service had a clear management structure and staff were aware of who was in charge at any one time.

Staff files were held in Ladybird's Pre-School and Childcare Centre for all staff. The staff files of the five staff employed in Ladybird's Preschool Newtown were reviewed as part of the inspection process.

(2)(a) Written, validated references from past employers were available in respect of the five members of staff.

(b) A written, validated reference from a source other than a past employer was available in respect of one member of staff.

(c) Garda vetting had been carried out in respect of each member of staff and relevant records were maintained on file. The registered provider had not conducted re-vetting in line with requirements for one staff.

This is reported on under Regulation 23.

(d) Not applicable to this service as none of the staff had lived outside the state for a period exceeding six consecutive months as adults.

(4) Staff employed to work directly with the early years children held recognised qualifications in early childhood care and education at levels 5, 6 or 8 on the national qualifications framework. The childcare student was employed to work with the school aged children on the day of inspection.

(7) The service had a comprehensive induction process for staff that was signed off on when completed, this included staff becoming familiar with the services policies, procedures and statements. Ongoing professional development and training was supported within the service. Staff joined with the staff in the other Ladybird's services for training that was delivered 'in house' such as paediatric first aid and manual handling.

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.

Compliance Information

The service had a comprehensive set of policies, procedures and statements that were specific to the service and included those required under Schedule 5. Several of the policies and procedures were reviewed as part of the inspection process and were found to contain the relevant information. Policies and procedures reviewed were in respect of: Outdoor Play; Risk Management; Accidents and Incidents and Supervision.

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) There were two staff working directly with 16 children aged between 2.5 and 6 years old on the day of the inspection. All children attended on a part-time or full day care basis. There were two additional staff present who were working with the 16 school aged children who were also present in the service on the day of inspection. A staff manager came out from Nenagh to assist the service manager while the inspection was taking place to ensure that the adult to child ratios were maintained. The catering staff member was also present but not included in the adult to child ratios.

(2) The adult to child ratios were maintained within the requirements while the service was in operation.

(8)(a) There were at least two staff present in the service at all times while it was in operation.

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:

- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;
- (h) details of attendance by each pre-school child on a daily basis;
- (k) details of any accident, injury or incident involving a pre-school child attending the service.

Compliance Information

(1) A review of records on the day of inspection demonstrated that the service maintained a record in writing of the policies, procedures and statements of the service, details of each child's attendance on a daily basis and details of any accident, injury or incident involving a child attending the service.

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 registered provider had arranged for improvement works to be carried out in the service over the past two weeks to strengthen the security of the perimeter and to reduce the risk of a child gaining unsupervised access to the roadway in front of the service. A second layer of fencing and gates had been erected in the outdoor area to create a void space between the entrance/exit gates and the outdoor play area. In addition to this, green, plastic mesh fencing has been erected above the stone walls that surround the site to ensure that a child cannot exit the premises by jumping over a wall.

The service recently changed their procedures for arrival and departure of the children to increase the safety at this transitional time and reduce the risk of a child gaining unsupervised access to the roadway. Parents and children enter the site through the corner gate into the new void space and follow the path to the second barrier. There were two gates in the barrier: one directly into the outdoor area at the front of the premises and one to the path leading to the back door of the service. This second gate was used by the children to enter the service with

the back door now the main entry/exit point for children and staff when arriving and departing. The front door of the service is used as the access point to the outdoor play areas.

Infection Control:

The service had a policy on infection prevention and control.

The service was maintained in a clean and hygienic manner. There was a cleaning schedule for the service. Staff practiced 'clean as you go', especially of table-tops and floors and deep cleaning was carried out when the service was closed.

Children and staff washed their hands at appropriate times during the day such as before eating, after messy play, outdoor play and after using the toilet or a tissue.

Administration of Medication:

The service had a policy on the administration of medication to children attending the service. Consent forms were available for parents to sign before the staff administered any medication to a child.

Fire Safety:

Fire escape routes were kept clear of obstruction.

Non-Compliance Information

General Safety:

Garda vetting for one member of staff was dated 10 May 2021, which was more than three years ago. It is required that all staff be re-vetted on a three-yearly basis.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

Updated Garda vetting has been received in respect of the member of staff. For the future Garda vetting for staff members will be reapplied for in the right timeframe.

Supporting documentation submitted

General Safety:

Evidence of the updated Garda vetting document for one member of staff was received by the early years inspector on 2 October 2024.

Summary Comment

All evidence submitted meets the requirements of the Child Care Act 1991 (Early Years Services) Regulations 2016.

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

Compliance Information

(1) Staff were responsible for recording the arrival and departure times of the children in the register book designed for that purpose.

(3)(a) Staff met all visitors to the service at the door before allowing them entry if appropriate.

Part VI - Safety

Regulation 27 – Supervision

A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Compliance Information

Staff were observed to supervise the children both during indoor and outdoor play. Staff sat with the children and took part in their play and exploration indoors. When the children were outdoors the staff positioned themselves where they would see the children and where they might be needed to give assistance, such as near the swings and slides.