

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2019TY003
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<b>Name of Service:</b>	Muddy Puddles Country Childcare
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<b>Address of Service:</b>	Fantane, Borrisoleigh, Co. Tipperary
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<b>Eircode:</b>	
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<b>Name of Registered Provider:</b>	Trevor Groome
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<b>Service type:</b>	Full Day
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<b>Date of Inspection:</b>	20/03/2024
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<b>No of pre-school children:</b>	AM	46	PM	29
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<b>Address of the Early Years Inspectorate:</b>	Civic Offices, Limerick Road, Nenagh, Co. Tipperary
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<b>Inspection undertaken by:</b>	L McGeeney
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<b>Title:</b>	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).

<b>Conditions if applicable</b>	Under Review
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### Description of service

This full day care service was established in 2019 to provide care and education to children in the early years. A registered school aged care service is also provided. The early years service caters for children aged between 6 months and 6 years old, Monday to Friday, 7am – 5.45pm for 50 weeks of the year. This includes a three-hour sessional service operated under the early childhood care and education scheme (ECCE), 9am – 12pm, Monday to Friday for 38 weeks of the year. Places are funded under the scheme for eligible children.

The service is operated from the building of a former national school in the rural area of Fantane, near the town of Borrisoleigh in north Tipperary. The service is operated across four buildings on the site that include: the main school building which has three activity rooms, sanitary accommodation areas, kitchenette and sleep rooms; the pre-school building which has an activity room and sanitary accommodation areas; a prefabricated building which has two activity rooms and sanitary accommodation and the kitchen building. Another modular building is under development for use by the staff as an office and staff room. The grounds to the front and back of the premises are available to the children for outdoor play.

### Staffing

The registered provider works in the service each day, directly with the children when required as well as being responsible for catering and transport. There are 11 staff employed in the service to work with the early years children including 2 staff employed under the access and inclusion model (AIM). Additional staff are employed to work in the school aged care service. The service facilitates childcare students to undertake work placement as part of their studies. The childcare student currently on placement in the service was not present on the day of inspection.

### 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(2)(4), 11(1)(2)(4)(8), 15, 19(1)(b), 23, 24, 25 and 26.

A sampling process was used to assess compliance under regulation 9 Management and Recruitment.

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 national registration enforcement panel of the Inspectorate is engaging with the registered provider ongoing about matters related to the registration status of the service as per the condition attached.

An immediate action notice was issued to the registered provider regarding risk identified under regulation 15. This notice was responded to by the registered provider who outlined the steps being taken to address the risk.

### 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

*(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

The staff files of the member of staff who had commenced working in the service since the last inspection on 14 November 2022 was reviewed as part of the inspection process, as were the qualification certificates of six existing staff who had completed their childcare studies in 2023.

(2)(a) A written, validated past employer reference was available in respect of the member of staff.

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

(c) Garda vetting had been carried out in respect of the member of staff and relevant records were retained on file. There was a process in place whereby staff Garda vetting was renewed on a three yearly basis.

(d) Not applicable to this service as the member of staff had not lived outside the state.

(4) Staff who worked with the children in the early years service held recognised qualifications in early childhood care and education at levels 6 or 8 on the national qualifications framework.

### Non-Compliance Information

(2)(b)(c) On the day of inspection the staff file for the childcare student on work placement in the service was requested but was not available. The registered provider said that the student may have taken it home.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

The students file has been returned to the premises and in future all staff files will be held on the premises.

#### Supporting documentation submitted

(2)(b)(c) Two written, validated references from a source other than a past employer and garda vetting records in respect of the student were received by the early years inspector via email on 17 April 2024.

### Summary Comment

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

## 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).*

*(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) On the morning of the inspection there were 46 children aged between 8 months and 6 years old present across 4 activity rooms being supervised by 10 staff. In the afternoon there were 29 children in 3 activity rooms being supervised by 8 staff. The registered provider was also present in the service for the day but was not included in the adult to child ratios.

(2) and (4) The adult to child ratios were maintained within the requirements throughout the inspection.

(8)(a) There were at least 2 staff present in the service while it was in operation.

### 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.*

### Compliance Information

(1) The service maintained a record in writing of the following required information:

- (a) The name and date of birth of the child,
- (d) The name and address of a parent or guardian of the child and a telephone number where that parent or guardian or relative or friend can be contacted during the hours of operation of the service.

### Non-Compliance Information

(1) The service did not maintain a written record of the following required information.

- (b) The date on which the child first attended the service,
- (c) The date on which the child ceased to attend the service,
- (e) Authorisation to collect the child,
- (f) Details of any illness, disability, allergy or special need of the child, together with all 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,
- (i) Written parental consent for appropriate medical treatment of the child in the event of an emergency.

An immediate action notice (IAN) was issued to the registered provider on 21 March 2024 as a potential safety risk was identified in the failure to maintain the above information, in particular parts (e) and (i).

The registered provider responded to the IAN as directed on 25 March 2024 including a sample of the registration forms that had been issued on that day to all parents of children attending the service. The registration forms included the required information.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

The service now maintains a written record of the following required information. (b) The date on which the child first attended the service, (c) The date on which the child ceased to attend the service, (e) Authorisation to collect the child, (f) Details of any illness, disability, allergy or special need of the child, together with all 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, (i) Written parental consent for appropriate medical treatment of the child in the event of an emergency

Parents or guardians of children enrolling in the service will be required to complete the registration form before the child starts attending the service.

### Supporting documentation submitted

The registered provider responded to the IAN on 25 March 2024 as requested. The email received on that day contained copies of the new registration form which had been sent to parents of children attending the service to be completed and returned.

### Summary Comment

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

## 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-*

*(b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.*

### Compliance Information

(1)(b) The following care practices were observed on the day of inspection which supported the health, welfare and development of the child:

Children's requests and choices were responded to in a positive manner, for example, the children in Muddy's Room, who were aged between 2 and 3 years old had a choice between sitting in a child sized chair at a table or sitting in a highchair with tray table for mealtimes. Staff said that the children had different preferences or needs on different days and they supported the children to choose their seating for mealtimes.

The children's need for rest or quiet play in their own space was respected and responded to. Staff picked up on the children's verbal and non-verbal cues as well as their knowledge of each child's individual routines and desires. For example, one child in Muddy's room liked to rest with a cuddly toy in one of the play pens in the room for a few minutes after lunch, which was facilitated. There were four standard cots with fitted mattresses available in Puddles room and five more cots between three sleep rooms for the younger children to use for their daytime naps and sleep times. Sleep times were according to each child's individual needs and routines.

In the pre-school room staff responded to the children's need for time away from the larger group by bringing small groups of approximately three children to play in the sensory room when appropriate. The sensory room had been further developed since the last inspection through the interest and creativity of one member of staff who made many of the resources for the space such as the wall mounted activity boards.

The area between the pre-school room and the main building had been partially covered with a roof since the last inspection which provided the older children with an all-weather outdoor play space. On the afternoon of the inspection the door between the pre-school room and the outdoor play area was left open so the children could move between both spaces for play and exploration.

### 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

The following was observed on the day of inspection which supported the health, safety and welfare of the children attending the service:

##### General Safety:

The access doors and gates into areas used by the children were kept secured to prevent unauthorised access to the service and to prevent the children from gaining unsupervised access to the roadway in front of the premises. Outdoor areas were enclosed by fencing and secured with gates.

The play buses were closed when not in use and when there were children playing in them there were staff present with them. Early years children were restricted from going to the upper level of the bus which was used by the school aged children only.

##### Infection Control:

There were hand washing sinks in the sanitary accommodation areas in or beside each activity room which gave the staff and children easy access to hand washing facilities.

The older children were observed washing their hands at appropriate times during the day such as after using the toilet and before eating.

There was a supply of new highchairs in the storage room so that highchairs could be quickly replaced when the plastic cover of the padded seating split, was beyond repair and difficult to clean.

Staff were observed to practice 'clean as you go'. Highchairs were wiped clean after use and removed from the room if not required. The tables were wiped clean after dining or messy activities and the floor were swept after mealtimes and as required.

### Administration of Medication:

Medication was stored in a fridge in the kitchenette in the main building where it was not accessible to the children.

### Safe Sleep:

The service had a safe sleep policy which was displayed on the wall beside the sleep rooms. Staff physically checked on sleeping children every ten minutes and made a record of it. An electronic monitor was also used to alert staff when a child was awake.

### Fire Safety:

Fire escape routes were kept clear of obstruction.

### Non-Compliance Information

### Infection Control:

Hand washing of the infants and younger children's hands was not routinely carried out in Puddles room prior to mealtimes or after nappy changing.

### Administration of Medication:

Signed parental consent to give medication had not been sought or received in relation to two medications present in the service on the day of inspection which were to be administered to children that day. Staff said that they had received a verbal request and instructions from parents only.

The medication book for the service was not available to the inspector on request on the day of inspection.

### Action submitted by the Registered Provider

### Corrective & Preventive Action

### Infection Control:

Hand washing of the infants and younger children's hands is now routinely carried out in Puddles room prior to mealtimes or after nappy changing.

### Administration of Medication:

Signed parental consent to give medication is now sought in relation to medications present in the service. The medication book for the service is now available.

### Summary Comment

The above actions meet the requirements 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 each child in the attendance register in each room.

(3)(a) Staff met any visitors to the service at the entrance door before allowing them access to the service. Staff reported that they referred to the registered provider before admitting anyone that was not known to them.

### 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 present in the service who held current certification in first aid response (FAR).

(2)(a) There were suitably equipped first aid boxes available in each of the buildings on the site. First aid boxes were stored where they could be easily accessed when required. For example the first aid box for the main building was in the kitchenette and in the prefabricated building it was on the sink unit in the entrance lobby.

(b) The first aid boxes were available if required by a child attending the service.

### 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) There was a written record of the fire drills that took place in the service. Most recently on 26 February 2024.

(b) There was a record of the number, type and maintenance of the firefighting equipment and smoke alarms in the service. The annual servicing of the firefighting equipment was carried out in October 2023 and the smoke alarm system was serviced in June 2023.

(4) There were notices of the procedures to be followed in the event of a fire displayed in each building on the site.