

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2020KE004
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Name of Service:	Early Learning Academy
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Address of Service:	Church Street, Kilcock, Co. Kildare
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Eircode:	W23 VP92
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Name of Registered Provider:	Michelle Futter, Syliva Malanaphy
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Service type:	Sessional
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Date of Inspection:	30/09/2024
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No of pre-school children:	AM	40	PM	16
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Child & Family Agency, Suite 7, Vista Primary Care, Ballymore Eustace road, Naas, Co. Kildare, W91 X38W.
Inspection undertaken by:	T. Duignan
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	n/a
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Description of service

Early Learning Academy was established in 2020 as a privately run childcare service by Michelle Futter and Sylvia Malanaphy, the registered providers. It provides sessional care and education to pre-school children aged two years and six months to six years for 38 weeks of the year. The opening hours are 9:00 am – 12:00 and 12:30 – 15:30hours, Monday to Friday.

The Early Years' Service is based in a purpose-built building, located on the outskirts of Kilcock. Two pre-school rooms, one indoor activity room, a sensory room, a staff room/ office, a kitchen and a secure outdoor play area are located on the premises. Set down and parking facilities are available at the rear of the premises.

Staffing

Seven adults were present on the day of the inspection, and they were all working directly with the preschool children. One of the adults was a student on placement.

The registered providers were supernumerary and managed the oversight of the service and provided additional support to the care rooms as needed.

All adults employed and working directly with the pre-school children in the service had completed a major award in Early Childhood Care Education as per the National Framework of Qualifications.

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

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 providers, 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 files of seven six members and one student were reviewed.

(2)

(a)(b) Two written and verified past employer references or references from a reputable source other than a past employer, were available in respect of six adults employed and one student.

(c) Garda Vetting disclosures were available for all adults working in the service. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) Police vetting was available for two adults who had resided outside the state for a period of longer than 6 consecutive months whose records were reviewed.

(4) Of the seven records reviewed, the six adults employed and working directly with children attending the service held at least a major award in Early Childhood Care and Education at Level 5 or higher on the National Framework of Qualifications or a qualification deemed equivalent by the Minister.

Non-Compliance Information

(2)(d) Police vetting was not available for one adult who had resided outside the state for a period of longer than 6 consecutive months whose records were reviewed.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(d) Police vetting for one adult is now on file.

Supporting documentation submitted

(2)(d) Police vetting document.

Summary Comment

The written response and documentation have been assessed by the Early Years Inspectorate. Regulatory compliance is met for regulation 9.

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 provider 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 satisfied.

Compliance Information

(1) There were forty children attending the service being supervised directly by five adults during the inspection.

(3) The minimum ratio of adults to children was adhered to on the day of the inspection.

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)
(a) – (i) A sample of ten records were assessed and all were found to be compliant.

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 door to the service and gate to the outdoor area was controlled by staff members to prevent children from exiting the service unsupervised and to restrict unauthorised persons from gaining access to the care rooms. The person in charge documented the inspectors' visit to the service in the visitor's book on arrival. The service met the necessary safety requirements in respect of the indoor environment, toys and equipment and safe storage of cleaning agents. The staff members in the service completed daily indoor and outdoor risk assessments to promptly manage any risk identified. The service had a system in place to manage maintenance issues.

Infection Control:

Thermostatically controlled hot water, liquid hand soap and paper towels in paper dispensers were readily available for hygienic hand washing and drying. The children's hand washing practices were well established and supervised by a staff member. Foot pedal operated bins were in place for the hygienic disposal of used paper towels and other waste materials. Cleaning schedules were available to evidence daily cleaning.

Facilities were available for any child that were not fully toilet trained. A nappy change step by step procedure was displayed in the sanitary area. Staff were familiar with required nappy change practices for infection control purposes.

Administration of Medication:

Medication was not given at the time of the inspection, written parental consent was available should medication be required to be administered to a child. Medication was stored safely out of the reach of children. The staff members were aware of the administration of medication policy and the safe practices to follow when administering medication.

Safe Sleep:

A comfortable rest area was available to any child who wished to have a rest or take a break from activities for a while.

Fire Safety:

The staff members were familiar with the fire evacuation procedures from the service. Fire exits were not obstructed. Fire drills were carried out and records maintained.

Outing:

The service does not conduct outings.

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) Persons were trained in in First Aid Response (FAR) for children and were immediately available to the children attending the service.

(2)

(a) The first aid equipment was safely stored, in a conspicuous position in the care room.

(b) A suitably equipped first aid box for children was available to the children 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) A written record was available of fire drills completed in the service. The last recorded fire drill for the morning session was on 17 May 2023.
 - (b) A record was kept of the number, type and maintenance of the firefighting equipment and smoke alarms in the premises. Firefighting equipment were last serviced in January 2024 and the smoke alarm was serviced on 2 February 2024.
 - (4) A notice of the procedures to be followed in the event of a fire was displayed in the service.