

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2020KE006
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Name of Service:	Happy Years Childcare
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Address of Service:	The Green, Oldtown Mill, Celbridge, Co. Kildare
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Eircode:	W23 H288
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Name of Registered Provider:	Diane Ryan
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Service type:	Sessional
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Date of Inspection:	08/01/2024
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No of pre-school children:	AM	44	PM	13
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Address of the Early Years Inspectorate:	Early Years Inspectorate Suite 7, Vista Primary Care Centre Child and Family Agency Ballymore Eustace Road Naas Co. Kildare, W91X38W
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

Description of service

Happy Years Childcare was established in 2020 as a privately run childcare service for pre-school children aged 2 years 6 months to 6 years.

The service provides sessional childcare and education to children Monday to Friday. The morning sessions are 9.00am -12.15pm and the afternoon session operates from 12.30- 15.30 hrs.

The Early Years' Service is based in a purpose-built premises, located in a residential development on the outskirts of Celbridge. There are three pre-school rooms, two nappy changing facilities, an office, a kitchen and a secure outdoor play area located on the premises. Set down and parking facilities are available outside the premises.

Staffing

There were eight adults including the registered provider present on the day of inspection. All adults including the registered provider were working directly with the children.

The adults working in the service had completed a major award in Early Childhood Care and Education as per the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent.

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

- Regulation 9(1)(a)(b), (2)(a)(b)(c)(d), (4), – Management and recruitment.
- Regulation 11(1), (3) – Staffing levels.
- Regulation 19(1)(b) – Health, welfare and development of child.
- Regulation 22 – Food and drink.
- Regulation 23 – Safeguarding health, safety and welfare of child.
- Regulation 25 -First aid.
- Regulation 26 – Fire safety measures.
- Regulation 28 - Insurance

However, on inspection additional non-compliance which posed a risk was identified under:

- Regulation 15(1)(f) – Record of a pre-school child.

The findings are outlined within the relevant regulation within this report.

A sampling process was used to assess compliance under

- Regulations 19(1)(b) – Health, welfare and development of child.
- Regulation 22 - Food and drink.
- Regulation 23 - Safeguarding health, safety and welfare of child.

As a result, the scope of the inspection included rooms name rooms 1 and 2 and not room 3.

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

1. A written immediate action notice under Regulation 15(1)(f) – Record of a pre-school child was issued to the registered provider by the Early Years Inspector on 9 January 2024.
2. A written response was received by the Early Years Inspector on 9 January 2024 from the registered provider in relation to the immediate action notice. The response was accepted by the Early Years Inspectorate.

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) There was a designated person in charge and a named person to deputise as required.
 - (b) The named person in charge remained on the premises for the duration of the inspection.
- The records of the ten staff members were reviewed.
- (2)
- (a) Two written and verified past employer references were available in respect of seven adults and one written and verified past employer reference was available in respect of two adults whose records were reviewed.
 - (b) Two written and verified reference from a reputable source other than a past employer were available in respect of one adult and one written and verified reference from a reputable source other than a past employer was available in respect of two adults whose records were reviewed
 - (c) Garda Vetting disclosure was available for ten employees.

(d) International Police vetting was available for three adults who had resided outside the state for a period of longer than 6 consecutive months.

(4) Nine 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 on the National Framework of Qualifications.

Non-Compliance Information

(4) One adult employed and working directly with children attending the service did not have documentation of a qualification deemed by the Minister to be equivalent.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

All staff qualifications are in the correct folder, one staff qualification was in the wrong folder.

Supporting documentation submitted

Document.

Summary Comment

The written response and documentary evidence submitted has 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-four children attending the service being supervised directly by eight adults during the inspection.

(3) The minimum ratio of adults to children was adhered to during the day as specified in column (3) of Part 1 of Schedule 6.

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:

(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;

Non-Compliance Information

(1)(f)

1. There were no individual medical care plans available for two children attending the service who required prescription only medication to be administered in an emergency situation and on ‘as required’ basis for a pre-existing medical condition.

A written immediate action notice under Regulation 15(1)(f) – Record of pre-school child was issued to the registered provider by the Early Years Inspector on 9 January 2024.

A written response was received by the Early Years Inspector on 9 January 2024 from the registered provider in relation to the immediate action notice. The response was accepted by the Early Years Inspectorate.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Individual care plans have been completed for the two children attending with medical needs.

Supporting documentation submitted

Two individual care plans submitted.

Summary Comment

The written response and documentary evidence submitted has been assessed by the Early Years Inspectorate.

Regulatory compliance is met for regulation 15(1)(f).

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

The children were observed to be engaged, happy, content and relaxed within the care rooms.

The staff members ensured the children were supported in all aspects of their physical, emotional and social wellbeing and demonstrated kindness and respect in all interactions with the children. Children were spoken to using their first name, appropriate eye contact and gentle vocal tones during all interactions.

The service had a healthy eating policy, and the snacks were observed to be healthy. Mealtimes were social experiences and the staff members assisted and sat with the children at snack time.

Children were supervised and assisted with hand washing depending on their age and stage of development.

A suitable rest area with soft furnishings was available in rooms 1 and 2 should a child wish to rest or take a break from activities.

The outdoor area was at the rear of the premises and there was direct access from each room on the ground floor. It was spacious and there was plenty of space for playground games or to enable children to run freely. The children did not play in the outdoor area on the day of inspection as the surface was icy due to the cold weather.

Non-Compliance Information

- The physical and material environment in Room 1 required further development around presentation of the following interest area to promote child led play and choice of activity - the home corner; the construction area, a larger sand tray with plenty of sand available for the children and an art easel set up with paper, paint and protective clothing to enable the children to independently engage in art work.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- The physical and material environment in room 1 has been changed to promote more child led play, some more materials have been ordered.

Supporting documentation submitted

Seven photographs of physical and material environment for Room 1.

Summary Comment

The written response and photographic evidence submitted has been assessed by the Early Years Inspectorate.

Regulatory compliance is met for regulation 19. This area of practice will be assessed at the next inspection.

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 in place. The children were observed to have healthy snacks including sandwiches, crackers, cheese, fruit and yogurts.

The children's water bottles were readily available in the care rooms throughout the morning for the children to self-serve. Lunches were placed in the fridge on arrival in 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 entrance door to the service was controlled by staff to prevent children from exiting the service unsupervised and to restrict unauthorised persons from gaining access to the pre-school rooms. 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 ensured that grapes provided for snacks were cut in half to mitigate the risk of a child potentially choking.

The staff members ensured that children were safely escorted and supervised when using the stairs.

Infection Control:

Thermostatically controlled hot water, liquid hand soap and paper hand towel, hygienically dispensed from wall mounted units, were readily available for hygienic hand washing and drying. The staff members supervised children's handwashing and handwashing routines were well established and observed.

Facilities for nappy changing were available for any child who was not toilet trained.

Foot pedal operated bins were provided for the disposal of used tissues and paper towel. Used nappies were disposed of in the outdoor bin immediately after changing.

Written cleaning schedules were maintained for the room environments which were observed to be maintained in a clean and hygienic condition.

Administration of Medication:

Medication was not given at the time of the inspection and during conversations with the staff members, they advised they were aware of the procedures to be followed to administer medicine safely to a child if required while attending the service.

Safe Sleep:

Each care room had a rest area co-located beside the library area. It included a sofa with soft furnishings and a rug

Fire Safety:

Regular monthly fire drills were carried out and records were maintained. The fire exits were easily identifiable and unobstructed. The staff were aware of the evacuation procedures in the event of a fire or other emergency.

Outing:

The service does not conduct outings.

Non-Compliance Information

General Safety:

1. The indoor and outdoor environmental risk assessments for rooms 1 and 2 were not completed daily. The last written record available for both areas was for the week of 11 -15 December 2023.
2. The toilet seat in sanitary area used by room 1 was loose which created a potential risk of injury for a child if they fell.
3. The windows in rooms 1 and 2 did not have fire safe window restrictors fitted.
4. The internal entrance door to room 1 was not appropriately secured and created the potential for children to access unsafe areas.
5. The cord blind on first window on left hand side in room 1 was broken and required to be repaired.
6. A charging phone cable was accessible to children in room 1.
7. A tall storage unit in room 1 was not anchored and could potentially topple over in room 1.

Administration of Medication:

8. There was no temperature reducing medication on premises which could be required as part of the measures used to care for a child with a fever.

Fire Safety:

9. Fire drills were not carried out in the service on a monthly basis in room 1. The last fire drill completed for the morning service was 27 November 2023 and 26 October 2023 for the afternoon service. This creates a potential safety risk for the children attending the service.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. Risk assessments for the indoor and outdoor environment are completed daily by all rooms.
2. The toilet seat has been replaced.
3. Window restrictors have been fitted to the windows.
4. The internal entrance door in Room one has been secured.
5. The cord blind has been replaced.
6. All phone chargers have been removed from the rooms.
7. The tall unit in Room 1 has been anchored to the wall.

Infection Control:

8. Pedal bins in room 1 and 2 have been replaced.

Administration of Medication:

9. Temperature reducing medication has been purchased and it is on the premises.

Fire Safety:

10. Fire drills will be carried out monthly with all rooms doing the fire drill at the same time. This will be documented.

Supporting documentation submitted

General Safety:

Photographs points 2-7.

Infection Control:

Photograph point 8.

Administration of Medication:

No evidence submitted point 9.

Fire Safety:

Document point 10.

Summary Comment

The written response, documentary and photographic evidence submitted has been assessed by the Early Years Inspectorate. Regulatory compliance is met for regulation 23. This area of practice will be assessed at 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) 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)(b) A record was kept of the number, type and maintenance of the firefighting equipment and smoke alarms in the premises. Firefighting equipment and the smoke/fire detection system was last serviced in August 2023 and 15 December 2023 respectively.

Non-Compliance Information

- (1)(a) A written record was available of fire drills completed in the service; however, it was not up to date. The last recorded fire drill took place on 27 November 2023.
- (4) Notices of the procedures to be followed in the event of a fire were not conspicuously displayed in the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (1)(a) Written records will be documented immediately after the fire drill has been completed.
- (4) Notices of the procedures to be followed in the event of a fire has been displayed in a conspicuous area.

Supporting documentation submitted

- 1(a) Document.
- (4) Photograph.

Summary Comment

The written response, documentary and photographic evidence submitted has been assessed by the Early Years Inspectorate. Regulatory compliance is met for regulation 26. This area of practice will be assessed at the next inspection.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

There was evidence of current insurance cover valid until 27 March 2024. The insurance provided cover for 50 children.