

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2020RN001				
Name of Service:	Gingerbread Preschool				
Address of Service:	22 Waterville, Bealnamulla, Athlone, Co. Roscommon				
Eircode:	N37 E1H2				
Name of Registered Provider:	Rui Wu				
Service type:	Sessional				
Date(s) of Inspection:	12/09/2023				
No of pre-school children:	<table border="1"> <tr> <td>AM</td> <td>8</td> <td>PM</td> <td>n/a</td> </tr> </table>	AM	8	PM	n/a
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Address of the Early Years Inspectorate:	<p>Early Year's Inspectorate, Tusla, Child and Family Agency, Government Buildings, Convent Road, Roscommon, Co. Roscommon.</p>				
Inspection undertaken by:	A. Kennedy				
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

Not applicable

Description of service

The service operates from a ground floor room within the registered providers detached residential home. It is situated in a housing estate in Bealnamulla on the outskirts of the town of Athlone. In addition to the playroom, there is a separate sanitary accommodation for the preschool children. A secure outdoor play area is located to the rear of the premises.

Staffing

The registered provider operates the service single handedly. There is an emergency person available within close proximity to act if an emergency arose.

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.

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

On the 13th of September 2023, an immediate action notice was issued, for Regulation 23 (Safeguarding Health, Safety and Welfare of child) as the water temperatures from the warm tap of the wash hand basin, accessible to the children, was above the recommended 43°C upper safety limit to prevent a risk of scalding. On the 14th of September 2023, the registered provider advised contact was made with the solar panel company to investigate and rectify the water temperature readings. The registered provider submitted photographic evidence that actions were taken.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider 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,

(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) The registered provider was a designated person in charge of operating the service on the day of the inspection and an emergency person was available.

(b) The registered provider was present in the service at all times during the inspection. A review of the attendance records indicated that the registered provider was present when the service operated.

(2)(a)(b)

The registered provider advised that there have been no adults recruited since the services last inspection dated 11/06/2021.

(c) Vetting disclosure documentation was available for the two adults.

(d) Police clearance was available for the two adults who had resided outside the jurisdiction for a period longer than 6 consecutive months as an adult.

(4) Relevant documentation of a major award in Early Childhood Care and Education at level 5 or above on the National Qualifications framework was furnished for the registered provider.

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.

(8) Without prejudice to paragraphs (2) to (7)-

(c) a registered provider of a sessional pre-school service shall ensure that, where the person in charge operates the service single-handedly, a second person familiar with the operation of the service and in a position to provide assistance to the person in charge in operating the service is, at all times, within close distance of the service and available to attend the service to assist the person in charge in the event of an emergency.

Compliance Information

(1) At all times during the inspection there was one adult working with the children.

(3) On the day of the inspection the minimum ratio of adult to children was adhered to on the day of inspection There was one adult caring for 8 children.

(8)(c) An emergency person familiar with the operation of the service was within close proximity and available to attend to assist the person in charge in event of an emergency.

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.*

(4) A registered provider shall ensure that a record in writing referred to in paragraph (1) is retained for a period of 2 years from the date on which the child to whom it relates ceases to attend the service.

(5) A registered provider shall ensure that a record in writing referred to in paragraph (2) is retained for a period of 2 years from the date on which the child attends the service.

Compliance Information

(1)

(a)(b)(c)(d)(e) and (f)

A sample of four children’s records were randomly reviewed by the Early Years Inspector.

The entries reviewed were factual, consistent, and accurate.

The four children’s records contained the following:

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

- (e) Written authorisation / permissions for collecting the child.
- (f) Details are recorded of any illness, allergy, or additional need(s) the child had, together with all the information relevant to the provision of specific care or attention.

(4) & (5)

The registered provider advised and documentary evidence from the file review indicated, that the pre-school had a system to allow all relevant children's records were kept for 2 years from the date a child stops attending the service.

Non-Compliance Information

- (g) The name and telephone number of the child's registered medical practitioner was not available or recorded on the child's record.
- (h) No record of any immunisations the child has had was recorded on the child's records.
- (i) No written parental or guardian consent was included to allow the child to have appropriate medical treatment if there was / is an emergency.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

The registered provider submitted a written response on 3/10/2023 to state:

- (g) A copy of all children's GP contact details was submitted to the office of the early years inspectorate on 19/09/2023.
- (h) A copy of all children's immunisation records and a 'Protection by Exclusion' form have been submitted to the office of the early years' inspectorate.

A total of eight children are registered in the preschool. Seven children are immunised, and one child is not immunised as the family chose not to. Therefore, the parents have signed a 'Protection by Exclusion' form.
- (i) A copy of parental consent which allows the child to receive appropriate medical treatment at the preschool if there is an emergency are signed by parents.

Preventive action

The registered provider submitted a written response on 3rd of October to state:

- (g) All families will be reminded to provide the GP contact details before the child starts preschool every September.
- (h) All families will be reminded to provide the children's immunisation records before the child starts preschool every September.
- (i) The registered provider will ensure that make sure parental consent for medical treatment is obtained prior to

the child commencing in the service.

Supporting documentation submitted

- (g) Photographic evidence was submitted to the of the early years inspectorate on 19/09/2023 of the children's gp contact details.
- (h) Photographic evidence of the immunisation records for each child was submitted to the office of the early years inspectorate on 19th and 26/09/2023.
- (i) Photographic evidence of the signed parental consents for medical treatment were submitted to the office of the early years inspectorate on 03/10/2023.

Summary Comment

The Early Years Inspectorate has assessed the actions taken and evidence submitted and deems it to address the non-compliances under Regulation 15.

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.*

Compliance Information

(1)(a)

- The children were provided with plates and plastic cutlery to consume their lunch.
- Toilet trained children were able to access the toilet when required.
- The children were encouraged to be independent with supervision from the adult provided.
- Care was given to the personal hygiene of the children.
- Children were encouraged and supervised by the adult to wash their hands prior to eating, toileting, outdoor play and messy play activities. A change of clothes is kept on the premises should they be required. Aprons were available for messy play activities.
- The playroom contained a dedicated area where children could relax during the day. A readily cleanable sleep mat was available should a child wish to opt out of activities/relax during the session.

- A play-based ethos was implemented where children were provided with freedom to move about their playroom and the outdoor area and select play activities of their choosing.
- Outdoor play time formed an important part of the daily routine and the children played outdoors for part of the inspection.
- The adult was observed to engage positively with the children and was consistent in the management of children's behaviour. Minor incidents were dealt with calmly and prevented from escalating. Children were observed to respond well to the guidance given by the adult. The adult was able to recount positive approaches for managing children's behaviour.

SUPPORTING RELATIONSHIPS AROUND CHILDREN:

- The exchange of relevant information regarding the care of the child were communicated at handover and collection times. It was advised that contact would be carried out by phone to a parent or parents should the need arise.
- Positive engagements between the adult and the children were observed. The adult spoke with the children at their level and used positive language in a friendly tone when speaking to the children. The children in turn responded positively to the adult. The adult was able to describe to the inspector children's individual care routines, preferences, and dislikes.

Physical and Material environment

- The pre-school room was bright and colourful. Low level tables and chairs were in place and low-level open shelving with equipment and materials were accessible to the children. The room was laid out with clearly defined areas of play to include arts and crafts, large- and small-scale construction and manipulative materials; picture books, problem solving toys (e.g., jigsaws and shape sorters), role and pretend play (e.g., play kitchen, play garage); messy play and small world toys (e.g., play animals, transport toys, play figures). A soft matted area was also provided for circle time activities.
- Wall art and visual displays on the alphabet, the food pyramid, cough and nasal etiquette and the world added additional decorative features to the indoor play environment. An extensive secure outdoor play area was located to the rear of the pre-school premises. This was equipped with a slide, tunnel, a playhouse, a seesaw, sand play area with digging and pouring accessories, a blow bubbles machine, and a rocker. Ball games were also available.

Non-Compliance Information

- The privacy and dignity of a child using the toilet could not be maintained in the sanitary area, as a shower curtain was provided which was held open or partially open resulting in the possibility of a child, being easily viewed by another child and or a staff member, while toileting.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

The registered provider submitted a written response on 3/10/2023 to state:

- The shower curtain in children's bathroom has been removed. The bathroom door is kept closed at all times when toileting.

Preventive action

The registered provider submitted a written response to state

- The children will be reminded to close the bathroom door to protect their privacy and dignity when toileting.

Supporting documentation submitted

Photographic evidence was submitted to the office of the early years' inspectorate on 3/10/2023 of the removed shower curtain and the door closed to the bathroom.

Summary Comment

The Early Years Inspectorate has assessed the actions taken and evidence submitted and deems it to address the non-compliance under Regulation 19.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

(1) Subject to this regulation, a registered provider shall ensure that-

- (a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child to play indoors and, where required by these Regulations, outdoors, during the day, and
- (b) there are adequate and suitable facilities for a pre-school child to rest during the day.

Compliance Information

The design, organisation and resourcing of the environment supported each child’s wellbeing, learning and development, within the ethos and philosophy of the service.

The environment provided a range of challenging, diverse, creative, and enriching experiences for the children in line with their stage of development. The atmosphere in the learning environment was encouraging and unhurried. The play materials and environment were changeable, flexible, and responsive to the emerging changing needs, preferences, and interests of the children. The adult encouraged children to interact and to engage with a range of materials, activities, and equipment in the environment, based on the child’s choices, age and

The playroom was designed and arranged to

- maintain a space that was clean, organised, and free of clutter,
- accommodate children individually, and in small groups,
- divide the space into areas that were supplied with materials organised in a way to support children’s play and learning,
- give all children access to the same facilities, activities and play opportunities, to promote their welfare and development.
- The equipment was stored on low-level shelving and was readily accessible by the pre-school children.
- The play equipment and materials were age and stage appropriate, they were designed to offer a child manipulative activity, to encourage hand eye co-ordination, to develop fine motor skills and logical thinking.
- Materials and items of interest included counter, puzzles, pins, games, and insets. There were magnets, shapes and stacking materials.

- There was a play kitchen with play accessories. There were musical instruments and dress up clothing. There were dolls and dolls clothing. There were transport vehicles and construction items. There was a library area with a selection of picture and word books. There were art and craft materials such as paper, paints, brushes, trays, and glitter.

Displayed on the walls were art and visual displays on the alphabet, the food pyramid, cough and nasal etiquette and the world which added additional decorative features to the indoor play environment.

(1)(b)

A rest / quiet area was provided in the playroom in the form of child size matting to facilitate a child to rest or opt out of an activity if he or she chose to.

(3)(a)

Outdoor area

- The outdoor area was surrounded by wooden fencing and gates. The area was covered with cement, paving slabs, grass, and impact absorbing matting was provided under the swing set.
- The outdoor play equipment and materials were age and stage appropriate. Items in the outdoor area included a playhouse, a swing set, a seesaw, and a large slide. There was a sand tray with play accessories. There were goals posts and a selection of balls. There was a shed provided for the storage of extraneous equipment.

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

- There was a healthy eating policy. There was evidence that the foods consumed were adequate, nutritious, and varied. The registered provider advised that healthy eating was promoted within the service by ongoing training, visual aids, and adherence to best practice guidelines.
- Upon arrival to the service the children had their snacks, provided by parents and guardians, including fruit pieces, yogurt drinks, crackers, sandwiches, cheese, meat, and raisins.
- Cutlery and plates were offered for children’s snack.
- Clean and safe drinking water at a low-level drinks’ tables were available and accessible to children in the playroom.
- There was a designated fridge provided in the hallway, for the safe storage of perishable foodstuffs from children’s lunch boxes, for their snack times.

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 was appropriately secured to prevent a child gaining unsupervised access and unauthorised persons gaining access to the premises.
- The external outdoor play area was secured by wooden fencing and two gates so that unauthorised persons could not access or enter the area or children could not exit unsupervised.
- The doors into the registered providers living accommodation had a system of security.
- All toys and play equipment were observed to be safe and in good condition.
- All cleaning agents were stored inaccessible to the children.
- There were restrictive access devices on the low-level windows in the playroom, as a safety security precaution.

- The heating system was thermostatically controlled, to ensure the temperature was maintained between 18°C to 22°C.

Infection Control:

- The adult prompted and supervised the children to wash their hands before eating and following toileting, messy play, and outdoor play.
- Adequate liquid soap and paper towels were available at the wash hand basin in the sanitary area.
- The toys and play equipment were maintained in a clean and hygienic condition.
- A cleaning and disinfection schedule was available in the service. There were suitable cleaning products available in the service.
- The inspector noted high contact areas, were cleaned regularly, as per best practice guidance. The outdoor play equipment was cleaned prior to/ after a child's use.
- Adequate supplies of disposable tissues were readily available in the playroom.
- There were foot operated lidded bins in the playroom.

Administration of Medication:

- There were no medications administered to a child on the day of the inspection. The adult demonstrated knowledge of safe practices with regards to the safe storage and administration of medication should it be required.

Outings:

- Not applicable as children were not brought on outings off the premises.

Non-Compliance Information

General Safety:

- On the day of inspection, a temperature of 57°C from the hot water tap used by children taken at 11.32pm. a temperature of 60°C from the hot water tap used by children taken at 11.33pm and 60.2°C from the hot water tap used by children taken at 11:34pm. These water temperatures were above the recommended 43°C upper safety limit to prevent potential risk of scalding.
- A cover on a four-inch pipe on the footpath in the outdoor area was not securely fixed and could pose a potential tripping hazard.
- There were two wheels absent from a plastic lawn mower in the outdoor play area, thereby posing a safety risk, as it was unstable.

4. There was a worn lath of wood on the wooden gate, which was broken and had a metal nail exposed, posing a safety risk.
5. A pipe cover from the kitchen sink to the exterior drain was broken and could pose a potential safety hazard.
6. A section of the plastic playhouse in the outdoor area was worn and had a sharp edge exposed posing a potential safety concern.

Action submitted by the Registered Provider

Corrective Action

The registered provider submitted a written response on 3/10/2023 to state:

1. After consulting the solar panel company, the water temperature has been reduced by turning off the hot water booster during operating hours and by using the control panel to set the maximum temperature at 43°C.
2. The builder used a strong construction adhesive to glue the round pipe cover onto the ground.
3. The toy lawn mower has been disposed of.
4. The nail has been replaced with a new screw.
5. The pipe cover has been replaced.
6. The sharp edge at the entrance of the playhouse has been duck taped.

Preventive action

The registered provider submitted a written response to state:

1-6. Regular checks will be carried out on the above areas to ensure the equipment is in good condition and in a proper state of repair.

Supporting documentation submitted

Photographic evidence was submitted to the office of the early years' inspectorate on 3/10/2023.

1. Evidence of the water temperature reduced to a safe temperature less than 43°C was submitted on 14/09/2023.
2. Evidence of the glued cover of the four-inch pipe on the foot path.
3. Evidence of the removal of the toy lawn mower.
4. Evidence of the old nail removed from the wooden gate in the outdoor area.
5. Evidence of the pipe cover replaced from the kitchen sink.
6. Evidence of the covered section of the plastic playhouse.

Summary Comment

The early years inspectorate has reviewed the actions taken and evidence submitted for points 1-6 and deems them to adequately address the non-compliances. These will be reviewed 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) The service provided evidence that a person trained in first aid for children, was always available to the children attending the pre-school service. The adult had current training in first aid for children with an expiry of 02/12/2024.

(2)(a) The first aid box was safely stored on a high shelf in the playroom, easily accessible and stored in a conspicuous position.

(b)The service demonstrated that the first aid box was fully equipped and available to the children attending the pre-school 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.
- (2) The record referred to in paragraph (1) shall be open to inspection by-
- (a) a parent or guardian of a pre-school child attending or proposing to attend the pre-school service,
 - (b) an employee, and
 - (c) an authorised person.
- (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

- (4) There was evidence of the fire evacuation procedures setting out the procedures to be followed in the event of a fire, displayed in a conspicuous position on the wall in the playroom.

Non-Compliance Information

- (1)(a) A written record was not available of the monthly fire drills completed in the service.
- (1)(b) Records of the annual servicing by a competent person, of the firefighting equipment and the smoke and fire detection system were not available. The last documented records presented were dated June 2020.

Corrective & Preventive Action submitted by the Registered Provider

Corrective action

The registered provider submitted a written response on 3/10/2023 to state:

- (1)(a) The records of the monthly fire drills have been submitted to the office of the early years' inspectorate.
- (1)(b) The fire alarms and fire extinguishers have been inspected and serviced.

Preventive action

The registered provider submitted a written response to state:

- (1)(a) They will ensure fire drills records are up to date.
- (1)(b) Make sure all fire alarms and fire extinguishers are inspected and serviced annually.

Supporting documentation submitted

On 19th of September the registered provider submitted:

- (1)(a) A copy of the monthly fire drills has been submitted to the office of the early years' inspectorate.
- (1)(b) A copy of the two certificates have been submitted to the office of the early years' inspectorate.

Summary Comment

The early years inspectorate has reviewed the actions taken and evidence submitted and deems it to adequately address the non-compliance under Regulation 26. These will be reviewed on the next inspection.

Part VII - Premises

Regulation 29 - Premises

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

- (a) of sound and stable structure,*
- (b) safe and secure,*
- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

Compliance Information

(a)

From a visual inspection the premises were of sound and stable structure.

The service's exterior walls, roof and foundation appeared to be structurally sound, weather/water-tight, to ensure protection from the weather elements.

The interior floors, walls and ceilings appeared to be well finished, with no evidence of mould.

(b)

Exits were clearly identified and visible during service hours.

Electrical sockets were safe.

Floor coverings were secured and non-slip.

(c)

There was natural lighting from the windows on the outer walls in the playroom.

The artificial lighting provided was shatter proof.

(d)The service had a cleaning schedule.

(e)A designated staff toilet with a wash hand basin was provided in the registered providers main dwelling.

There was one toilet and one wash hand basin provided for the preschool children.