

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2020RN002		
<b>Name of Service:</b>	Happy Feet Childcare Tarmon Preschool		
<b>Address of Service:</b>	Tarmon National School, Tarmon, Castlerea, Co. Roscommon		
<b>Eircode:</b>	F45 K298		
<b>Name of Registered Provider:</b>	Anita Flynn		
<b>Service type:</b>	Sessional		
<b>Date(s) of Inspection:</b>	15/06/2023		
<b>No of pre-school children:</b>	AM	15	PM n/a

<b>Address of the Early Years Inspectorate:</b>	Early Year's Inspectorate, TUSLA, Child and Family Agency, Government Buildings, Convent Road, Roscommon, Co. Roscommon
<b>Inspection undertaken by:</b>	A Kennedy
<b>Title:</b>	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).

<b>Conditions if applicable</b>	Not applicable
---------------------------------	----------------

### Description of service

This service is a privately operated service which commenced in September 2020. It is registered to provide a sessional service for children aged three to six years. The hours of operation are from 09.15hrs to 12.15hrs, Monday to Friday and it operates for 38 weeks of the year. The service is operated from a room within the local primary school which is situated approximately three miles from the town of Castlerea. Separate sanitary accommodation is provided for the preschool children and the outdoor area to the rear of the premises is shared with the primary school.

### Staffing

A total of three adults are employed in the service and the two adults were present on the day of the inspection. The registered provider does not work in the service and has employed a manager to manage the service. The three adults held a relevant major award in Early Childhood Care and Education.

### 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 15<sup>th</sup> of June 2023, an immediate action notice was issued, for Regulation 23 (Safeguarding Health, Safety and Welfare of the Child)

1. The external outdoor play area to the front of the national school was not secured potentially allowing unauthorised persons access and or entry into the premises and a child could gain access to the carpark/roadway/school grounds.
2. The main entrance door to the preschool room was not secured potentially allowing unauthorised persons access and or entry and a child could gain access to the main school building.
3. On the day of inspection, the room temperature of the playroom was not maintained between 18°C to 22°C, while fourteen children between the age of 3 and 5 years, were playing.

On the 16<sup>th</sup>, of June 2023, the registered provider, advised of the remedial actions taken to address points 1-3 above.

### Acknowledgments

The inspector wishes to acknowledge the cooperation of the person in charge, 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
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.

(2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,
- (b) consideration of references from reputable sources in the case of a person who has no past employers,
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and
- (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.

(4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

#### Compliance Information

(1)(a) There was a designated person in charge operating the service and a named deputy to deputise in the event of an emergency.

(b) The manager was present in the service at all times during the inspection. A review of the attendance records indicated that the manager or their named deputy were present whenever the service operated.

(2) From a total of three adults employed in the service, the personal files of the three adults were reviewed.

(a)(b) Six written validated references, were on file in respect of the three staff, were from a past employer or a source other than a past employer.

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

- (d) Not applicable as none of the adults had resided outside the jurisdiction for a period in excess of six months.
- (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 three adults.

### 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)  
At all times during the period of the inspection, the registered provider ensured that an adequate number of staff were working directly with the children.
- (3)  
Documentary evidence in the form of attendance records and staff rosters indicated that adult child ratios were adhered to.
- On the morning of the inspection, there were 15 pre-school children, aged 3 to 5 years, being cared for by two staff members. Additionally, the person in charge, assisted with the administration elements 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.*

*(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)(f)(g)(h) and (i)

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

The entries reviewed were factual, consistent, and accurate.

The seven children’s records contained the following:

- The name and date of birth of the child.
- The date on which the child first attended the service.
- The date on which the child stopped attending the service (where relevant).

- 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.
- Written authorisation / permissions for collecting the child.
- 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.
- The name and telephone number of the child’s registered medical practitioner.
- A record of any immunisations the child has had.
- Written parental or guardian consent was included to allow the child to have appropriate medical treatment if there was / is an emergency.

(4) & (5)

The person in charge advised and documentary evidence from 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.

### Part IV – Information and Records

#### Regulation 18 – Copy of Act etc.

*A registered provider shall ensure that a copy of Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act and of these Regulations is kept on the premises and the said copies shall be open to inspection on the premises by-*

- (a) a parent or guardian of a child attending or proposing to attend the service,*
- (b) an employee, unpaid worker or contractor, and*
- (c) an authorised person.*

#### Compliance Information

A copy of Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act and of these Regulations was available on the notice board and available for parents, guardians, employees, unpaid workers, contractors, and authorised persons.

### 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, and*

*(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 staff encouraged and supported the children to be as independent, as possible.

- The tables and chairs were suitable for the children's ages and stages of development.
- The children had unrestricted access to the toilet and did not have to wait to use the toilet. The staff used the correct language surrounding toileting.
- The children had the opportunity to rest or relax in a designated cosy area in the playroom.
- The children had opportunities to move about freely and explore their environment. Play activities and experiences were developmentally appropriate and suitably challenging. Children had plenty of opportunities to practice and improve their emerging skills, such as co-ordination and balance.
- The children were observed at free play, making puzzles, drawing/ painting, playing house / kitchen, using transport vehicles on tracks, and at dress up / pretend play. The children were observed stacking, constructing, shape sorting, connecting, and playing with animals. The children chatted to the inspector about the activities in pre-school.
- The staff read stories and children questioned the characters and gave their views. The children sang songs, nursery rhymes, their graduation song and chatted about colours, the weather and the days of the week. The staff used visual aids and probed with questions such as 'who is this?', 'how many are there?'.
- All the children had the opportunity to play outside. In the outdoor area, the children were observed running, chasing, playing catch, climbing.
- The staff supported children in forming and sustaining positive relationships by
  - having a key person system for each child,
  - showing respect for each unique child and developing their trust,

- listening to the voice of the child as they communicate their needs, thoughts, and experiences both verbally and non-verbally, by reading children’s cues, gestures, and body language,
  - using soft tones, the child’s individual name, and getting down to their level and making eye contact,
  - providing opportunities for individual and small group activities and play, leading to increased social awareness, co-operation, collaboration, teamwork, and a sense of belonging,
  - providing opportunities for children to learn from each other and with each other, to work together, join in and contribute to projects and tasks, working with parents and guardians by sharing knowledge and observations of the child’s interests, strengths, developmental and care needs, approaches to learning, changes in their life, and any other concerns.
- On speaking with the staff, the inspector was informed that they verbally provided parents with daily information on their child’s experiences in the pre-school including the child’s likes, interests and preferences and play activities engaged in. This information was provided at collection times and via text messages, by phone calls, and by email.
  - The staff were observed helping children to find solutions, supporting them, and talking to the children in a variety of ways, discussing, questioning, modelling, and commentating, extending a child’s activities and initiating games and activities. The staff provided significant opportunities for the child to decide their play activities and experiences. The inspector noted the staff acknowledged a child’s achievements ‘that is great’ ‘well done’ and used questions such as ‘what should we do next?’, ‘is there any other way to do this?’, to allow children to critically think and explore.
  - On the day of the inspection the staff showed kindness. They were thoughtful, supportive, and reassuring whilst caring for the children. They cared for children by being supportive while the children engaged in free play, role play, and creative play. A climate was fostered where the children knew their boundaries. The staff supported children to enter social groups, and to learn to help and positively engage with other children. They encouraged and praised children for specific, positive, and appropriate behaviours. Children were given positive alternatives, rather than just being told ‘no’. Children were supported in preventing, managing, and resolving conflict. The children could identify, name, and explore their feelings both positive and negative.

### Physical And Material Environment

- The pre-school room was spacious, bright, and colourful. The room was laid out with clearly defined areas of play to include a storage press with an abundance of arts and crafts supplies to include paint, glue, brushes foam shapes, scissors, glitter, sponges, stampers, paper and card.
- Large and small-scale construction (plastic and wooden blocks) and manipulative materials; picture books, problem solving toys (e.g. jigsaws), role and pretend play (e.g. a play kitchen with a wooden coffee machine and food mixer, dolls, buggies and accessories), shopping trolleys, cash registers and food items, a farm with play accessories, a dolls house with play accessories and small world toys (e.g. play animals, transport toys, play figures).
- A soft matted area with child sized couches, cushions and blankets was provided as a reading area should a child wish to relax or opt out of activities.
- Low level tables and chairs were in place and low-level shelving with equipment and materials were accessible to the children.
- An extensive outdoor play area was located to the rear of the pre-school premises.

### 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

(1)(a)

The design, organisation and resourcing of the pre-school 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 all 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 staff 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 stage of development.

The indoor playrooms were 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.
- Displayed on the walls were visual aids, educational materials, photographs, posters and children's artwork, themes including a display of outdoor play, the seasons, science, holiday time, months of the year, cough and sneeze etiquette and transition posters with photographs of the local primary schools.

(1)(b) Rest / quiet area was provided in the playroom in the form of child sized seating with blankets and cushions to facilitate a child to rest or opt out of an activity if he or she chose to.

(3)(a)

### Outdoor area

The outdoor play areas were located to the rear of the premises. The children had access to five areas of play to include a walking track, a grassed area with a poly tunnel, outdoor seating and a sensory area. An impact absorbing matted area with a large climbing frame, a vast walking track and a grassed football pitch and an astro turf area.

## 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 manager advised that healthy eating was promoted within the service by ongoing staff training, visual aids, and adherence to best practice guidelines.
- At 11.00hrs, the children had their snacks provided by parents and guardians, including fruit pieces, yogurts, crackers, sandwiches, cheese, meat Juice and water were provided as drinks.
- Cutlery, plates, and crockery were offered for children’s snack times.
- Clean and safe drinking water was at a low-level and accessible to children in the playroom.

## 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:

Children were observed to be actively supervised by the adults at all times when playing in the indoor and the enclosed outdoor play areas during the inspection.

The external outdoor play areas were secured thus preventing potential unauthorised persons access and or entry into the premises.

Toys and play equipment were developmentally appropriate, kept in good repair and did not pose an injury risk to children.

Cleaning agents were stored in a locked press inaccessible to a preschool child.

The water was thermostatically controlled with a temperature reading of 21.8°C on the day of inspection.

### **Infection control**

The inspector observed that the children washed their hands regularly throughout the inspection to include, prior to consuming snack, after outdoor play and after toileting.

Suitable hand washing facilities were provided with supplies of liquid soap.

The playroom had hand sanitiser, cleaning products and foot operated lidded bins.

There were cleaning procedures in place with records of completed works maintained in the service.

The pre-school room was well ventilated with the windows open throughout the inspection.

Tabletops were cleaned immediately prior to children's snack break.

Mouthed toys were removed after use and sterilised appropriately. The adults were observed regularly washing their hands including after disposing of tissues into bins.

Fixtures, fittings and play resources were observed to be in a hygienic condition. The adults showed awareness of the services procedures including the management of suspected infection when questioned.

A refrigerator was provided for the storage of perishable foods.

### **Administration of Medication:**

There were no medications administered to the children on the day of the inspection.

The staff demonstrated knowledge of safe practices with regards to the safe storage and administration of medication should it be required.

### **Fire safety**

Monthly fire drills were carried out on the premises to ensure the children were familiar with the procedure in event of an emergency.

All exit routes from the service were free from obstruction during the inspection.

### **Non-Compliance Information**

### General Safety:

1. The external outdoor play area to the front of the national school was not secured potentially allowing unauthorised persons access and or entry into the premises and a child could gain access to the carpark/roadway/school grounds. The plastic chain fitted to the posts was inadequate to prevent a potential safety risk and the opposite side of the play area had no barrier erected to prevent a child gaining access to the side and rear of the school grounds. The metal gate was rusty and had no method of security potentially posing a safety risk.
2. The main entrance door to the preschool room was not secured potentially allowing unauthorised persons access and or entry and a child could gain access to the main school building.
3. On the day of inspection, the room temperature of the playroom was not maintained between 18°C to 22°C, while fourteen children between the age of 3 and 5 years, were playing.

At 11:00hrs a temperature reading of 24.3°C was recorded

At 11.30hrs, a temperature reading of 24.5°C was recorded.

At 12.00hrs, a temperature reading of 24.6°C was recorded.

### Infection control

4. The pipe work and the radiator in the children's sanitary accomodation was rusty with the paintwork chipped which could pose difficult to effectively clean.

### Administration of medication

5. The record maintained for the recording of medication had only the initials of the staff member recorded when the full name was required.

### Action submitted by the Registered Provider

The registered provider submitted a written response on 16<sup>th</sup> of June and 3<sup>rd</sup> of July to advise:

### Corrective & Preventive Action

#### General safety

1. The external area to the front of the premises which was used by the children to plant flowers is no longer in use.
2. The main entrance door to the pre-school room has been secured. and one staff has been assigned responsibility to ensure it is locked at all times during the hours of operation.

3. Additional fans have been placed in the pre-school room to reduce the room temperature. There are now three fans in operation and the room temperatures will be monitored throughout the session to ensure it is maintained between 18°C to 22°C.
4. The children's sanitary accommodation will be renovated over the summer months and the registered provider has committed to submitting the evidence once completed.

### **Administration of Medication:**

5. All staff were informed of the requirement to record the child's full name on the medication records and the staff will be reminded of same at the staff meetings.

### **Supporting documentation submitted**

#### **General Safety:**

2. Photographic evidence was submitted by the person in charge of the secured main door to the pre-school service with the key hung on a hook out of child reach.
3. Photographic evidence of the additional fans in place in the preschool room to reduce the room temperature.

### **Summary Comment**

The inspector has reviewed the actions taken and evidence on points 1-3 submitted by the registered provider and deems it to meet regulatory compliance.

The registered provider has committed to submitting the evidence of the renovated children's sanitary accommodation when completed over the summer months and the non-compliance identified on point 4 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 available at all times to the children attending the pre-school service. Two staff members had current training in first aid for children.

(2)(a) A first aid box was available in the preschool room stored on a high shelf. This contained an adequate quantity of first aid items for the numbers of children attending the service at any one time. and was readily available in the event a child required first aid treatment.

### 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

(1)(a)

A written record was available of the monthly fire drills completed in the service.

The last recorded fire drill was on 22/05/2023.

(b) A record of the number, type, and maintenance record of firefighting equipment in the service was on file.

Records indicated that the annual service of the firefighting equipment was dated 04<sup>th</sup> of January 2023 and for the smoke and fire detection system was dated 25<sup>th</sup> of April 2023.

(4) Notices were displayed within the preschool room of the service of the procedures to be followed in the event of fire in the premises.

### Part VI - Safety

#### Regulation 28 - Insurance

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

#### Compliance Information

The service's insurance with an expiry date 27<sup>th</sup> of March 2024 was for 22 children and included the following

- public liability insurance,
- insurance against fire and theft,
- buildings insurance,
- insurance for outings undertaken as part of the service provision.