

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2020WD001
--------------------------	-------------

<b>Name of Service:</b>	Tir na Nóg
-------------------------	------------

<b>Address of Service:</b>	Carrowleigh, Carrick-on-Suir, Co. Waterford
----------------------------	---

<b>Eircode:</b>	E32 RD78
-----------------	----------

<b>Name of Registered Provider:</b>	Barbara Byrne
-------------------------------------	---------------

<b>Service type:</b>	Full Day
----------------------	----------

<b>Date of Inspection:</b>	15/03/2024
----------------------------	------------

<b>No of pre-school children:</b>	AM	22	PM	9
-----------------------------------	----	----	----	---

<b>Address of the Early Years Inspectorate:</b>	Tusla Child and Family Agency, Glenmorgan Building, Ferryhouse, Clonmel, Tipperary.
<b>Inspection undertaken by:</b>	E Cullen and N Ruddy
<b>Title:</b>	Early Years Inspector and Inspection Registration Manager

### 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

Tir na Nóg full day care service is located in a rural setting of Carrowleigh, Rathgormack near Carrick-on-Suir in north county Waterford. A service is provided to children aged between one and six years of age. The service is open from Monday to Friday between 07:30 and 18:30 hours (including a sessional service from 09:00 to 12:00 hours for 38 weeks of the year). A registered school aged care programme is also provided onsite.

The premises is a detached building with three early years classrooms, sleep room, kitchen area, bathroom facilities for staff and children and an accessible toilet. There is a large outdoor play area at the rear of the building that is directly accessed from the premises. This is a sister service of Kilsheelan Playschool in South Tipperary.

### Staffing

There are seven staff members employed in the service to work directly with children. The registered provider is available to provide cover are required, however does not work directly with children in the service daily. On review of documentation staff members were observed to hold qualifications in Early Childhood Education and Care at Levels 5 and 6 on 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, 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 regulations 9 (1)(2)(4) – Management and Recruitment, 10 - Policies, procedures etc. of pre-school service, 11 (1)(2) – Staffing levels, 15 – Record of a pre-school child , 16 (h, l, j, k)- Record in relation to pre-school service, 22 – Food and Drink, 23- Safeguarding health, safety and welfare of child, 26 – Fire safety measures and 28 – Insurance. These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under regulation 15 – Record of a pre-school child, 16 (h, l, j, k)- Record in relation to pre-school service. As a result, the scope of the inspection included the baby/wobbler room, junior and senior ECCE rooms.

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

An immediate action notice was issued to the registered provider on 15 March 2024 arising from the findings on inspection: A non-compliance was identified with regulation 23 Safeguarding health, safety and welfare of child as the management and storage of medications posed risk to children. A response received from the registered provider on 19 March 2024 provided assurances that the non-compliances had been addressed.

### Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, 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

(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)(b) The service has a designated person in charge and a nominated deputy person in charge. The rostered hours of both staff members ensures that a person in charge is onsite during the hours of operation of the service.

(2) On review of records, no new staff members had commenced employment since the last inspection. A record was available for one work experience student.

(a)(b) Two validated references were available for the student from either a past employer, or from a reputable source.

(c) A Garda vetting disclosure had been obtained for the student. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years. Garda vetting disclosures were also available for a maintenance worker who attends the setting as required and a relief staff member who is available to work in the setting if needed.

(d) Police vetting was not required as the student had not lived outside the state for a period over 6 months.

(4) Not accessed on this inspection as no new staff member had commenced employment since the last inspection.

## Part III – Management and Staff

### Regulation 10 - Policies, procedures etc. of pre-school service

*A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.*

#### Non-Compliance Information

The service's healthy eating policy was reviewed as an outstanding non-compliance from inspection in September 2023. The healthy eating policy available on the day of inspection had not been updated to provide adequate information for parents and staff. Information was not available within the policy on the frequency of snack and meals, appropriate portion sizes, and guidance for parents on the food requirements for the hours of attendance.

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

##### Corrective and Preventive Action

The registered provider has updated the healthy eating policy to provide adequate information for parents and staff about portion sizes, as well as food and meal examples. A newsletter has also been sent out to parents as a reminder about our healthy eating policy and ideas.

Policy folder checked to ensure all policies up to date. This will be done on a monthly basis to ensure policies are up to date in folder.

##### Supporting documentation submitted

Revised healthy eating policy and copy of newsletter.

#### Summary Comment

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

### Part III – Management and Staff

#### Regulation 11 - Staffing levels

*(1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.*

*(2) Subject to paragraphs (4) and (5), a registered provider of a full day care service or a part-time day care service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 1 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) thereof at that reference number is satisfied.*

#### Compliance Information

(1) On the day of inspection there were adequate numbers of staff were working directly with the children at all times. There were 22 children with 4 staff members directly supervising them during the morning of the inspection. The person in charge was available to provide cover in rooms as required throughout the day.

(2) On the morning of the inspection, the staff to child ratios were maintained as follows throughout the service:

- In the baby/wobbler room, there were 5 children aged 18 months to 3 years old being cared for by 2 staff.
- In the junior ECCE room, there were 7 children aged 3 to 4 years old being cared for by 1 staff.
- In the senior ECCE room, there were 10 children aged 3 to 6 years old being cared for by 1 staff.

During the afternoon of the inspection, the staff to child ratios were maintained as follows:

- In the baby/wobbler room, there were 3 children aged 18 months to 3 years old being cared for by 2 staff.
- In the senior ECCE room, there were 6 children aged 3 to 6 years old being cared for by 1 staff.
- The junior ECCE room was closed for use by preschool children and was in use by school aged children.

### 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

Prior to a child commencing in the service, all parents and guardians were issued with a child registration form. Records available contained the required information for sections (a) and (c) - (j), for parents and guardians and the service to complete.

A sample of ten child registration forms were reviewed on the day of inspection.

#### Non-Compliance Information

(1) On review a sample of ten records the following non-compliances were identified:

- (b) There was no evidence available on the premises to confirm the date on which children first attended the service.
- (e) Information on persons authorised to collect a child was missing on one record.
- (f) Details of the medical information on one record were inaccurate.
- (h) A record of immunisations received was not available for two children

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

#### Corrective and Preventive Action

(b) Children's start date has been added to each attendance record form. Children's start dates will be put on form on the day they start the setting going forward.

(e) Authorisation to collect form was completed by parent and now on file. Registration forms will be thoroughly checked when given in and made sure all information is completed correctly.

(f) Medical information was upgraded by parent and now on file. Registration forms will be thoroughly checked when given in and made sure all information is completed correctly and upgraded when necessary.

(h) Two records of immunisations have been provided and are now on file. Registration forms will be thoroughly checked when given in and made sure all information is completed correctly and upgraded when necessary.

### **Supporting documentation submitted**

(b, e, f, h) Photographs of updated records.

### **Summary Comment**

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

## Part IV – Information and Records

### Regulation 16 – Record in relation to pre-school service

*(1) A registered provider shall ensure that a record in writing is kept of the following information in relation to the service:*

*(h) details of attendance by each pre-school child on a daily basis;*

*(i) details of staff rosters on a daily basis;*

*(j) details of any medication administered to a pre-school child attending the service with signed parental consent;*

*(k) details of any accident, injury or incident involving a pre-school child attending the service.*

### **Compliance Information**

(1)(h)(i)(j)(k)

The registered provider ensured that all relevant information was accessible and available for inspection by authorised persons. Staff rosters were available and displayed at the entrance to the service. Records of attendance, administration of medication and any accident or incident records were available.

### 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

All food and drink were supplied by parents and guardians daily. There were refrigerators available on the premises for storage of perishable food items. Children attending the service for over five hours were provided with a hot meal. Drinkable water was also available onsite. The service had provisions in place where a child may require additional food.

### 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 service had a buzzer entry system in place at the main entrance of the building to ensure that unauthorised persons could not gain entry and that children could not exit the premises unsupervised. Parents were observed to drop and collect their children at the main entrance. The area outside the entrance was covered, providing shelter during inclement weather, and was also secured from the adjacent carpark with an iron railing and gate. The side entrance to the service was also secured by an iron gate, with the perimeter of the grounds and outdoor play area secured by five-foot-high metal fencing and natural hedgerow.

The kitchen and staff areas were inaccessible to children. All cleaning agents were stored safely and out of reach of children. Room temperatures were monitored in each room by staff, temperatures were maintained between the required 18°C to 22°C in the early years rooms. All highchairs, tables and chairs used by children were in good condition and suitable for use by the age range of children using them. Equipment and materials used in each of the rooms were appropriate for use by the age range of children using them.

##### Infection Control:

The service was clean and well maintained with cleaning schedules maintained daily by staff. There was warm running water, liquid soap, electric hand dryers and paper hand towels available for hand washing throughout the service. Each room had designated children's toilets or a nappy changing area.

Tables and equipment were cleaned prior to food being served to children and appropriate safe food storage and preparation was observed. Four cots in the sleep room were spaced the required 50cm apart.

### Administration of Medication:

Signed medication record forms documented the details of any medications which had been administered in the service in line with the service policy on administration of medication.

### Safe Sleep:

The sleep room temperature was recorded at 20.9°C while a child was sleeping, which was within the required temperature range of 18°C to 22°C for children over the age of one.

## Non-Compliance Information

### Infection Control:

1. Children's hands were not observed to be washed prior to eating in the baby/wobbler room posing a risk of cross contamination.
2. Nappy changing processes observed during inspection were not in line with the service's nappy changing policy and posed a risk of cross infection:
  - a) The nappy changing mat and unit were not cleaned after each nappy change was completed. It was observed to be cleaned after three nappy changes were completed. Cleaning materials were not readily available as the staff member had to leave the room to retrieve products.
  - b) Children's hands were not washed after nappy changing was completed.
  - c) Staff's hands were not consistently washed after each nappy change was completed.
  - d) Single use aprons were not consistently changed between each nappy change.

### Administration of Medication:

An immediate action notice was issued to the registered provider on 15 March 2024 because of the following risks which were identified in relation to emergency medication practices for children attending the service:

3. Appropriate care plans detailing steps to follow in the event of an emergency were not available for two children attending the service with identified allergies.

4. Access to emergency medication such as auto adrenaline injector and antihistamine for two children was not clearly identified. In discussion with the inspector, the person in charge and staff members give varying accounts as to the emergency medication requirements for two children and locations of same in the service.
5. The registered provider did not have appropriate records to confirm consent for the administration of an auto adrenaline injector and antihistamine for one child.

### Safe Sleep:

6. While staff observed and recorded children's position, colour and breathing during sleep checks, these checks did not always take place at the required frequency of 10-minute intervals. Sleep checks were observed being performed at intervals of 10, 15 and 19 minutes between 10:40am and 11:25am, posing a risk to the child's safety.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

##### Infection Control:

1. Meeting was held with staff to remind of importance of handwashing before and after eating. The registered provider will ensure to check regularly that these actions are being followed consistently.
2. (a, b, c, d)  
A meeting held to remind staff of importance of cleaning nappy changing mat and unit between every nappy change. Also reminded to keep sufficient supply of cleaning supplies in the room in safe area at all times. Staff reminded of importance of washing children's hands, their own hands and changing single use aprons after each nappy change.  
New reminder signs have been displayed. The registered provider will ensure to check regularly that these actions are being followed consistently.

##### Administration of Medication:

3 – 5.

The registered provider has reviewed and improved location of emergency equipment and care plan for emergency medication. A staff meeting was held and all staff are well informed on what to do in the event of emergency and location of medications.

The registered provider will ensure to keep all allergy notifications up to date and all staff informed about any allergy in the setting and care plan for children with allergies.

### Safe Sleep:

6. Staff reminded to complete sleep checks at 10 minutes intervals. Meeting held and new reminder signs have been displayed. Service provider ensures to check regularly that these actions are being followed consistently.

### **Supporting documentation submitted**

#### **Infection Control:**

1. Minutes of staff meeting.
2. Minutes of staff meeting and photographs of new signage.

#### **Administration of Medication:**

In response to the immediate action notice the following were submitted on 19 March 2024 by the registered provider:

3. Care plans for two children.
4. Photographs of the new storage locations for emergency medication in their classrooms. Minutes of a staff meeting held to ensure all staff are informed and up to date on the emergency medication protocols and locations of same.
5. Signed parental consent forms for the administration of medications.

#### **Safe Sleep:**

6. Minutes of staff meeting and photographs of new signage.

### **Summary Comment**

All evidence submitted meets the requirements Child Care Act 1991 (Early Years Services) Regulations 2016. Implementation will be reviewed on next inspection.

## 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 fire fighting 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.

#### Compliance Information

- (1)(a) There was a record of fire drills which had taken place in the service. The most recent fire drill was recorded as having taken place on 28 February 2024.
- (b) There was a record available demonstrating that the firefighting equipment was last serviced in September 2023 and the smoke alarm system was last serviced on 01 February 2024.

## Part VI - Safety

### Regulation 28 - Insurance

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

#### Compliance Information

The service demonstrated insurance cover for a full day care for 60 children. The insurance policy commenced 28 March 2023 and will expire 27 March 2024.