

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2021CC002		
Name of Service:	The Orchard Preschool		
Address of Service:	Kilnagleary, Carrigaline, Cork, Co. Cork		
Eircode:	P43 TY72		
Name of Registered Provider:	Karen Cotter		
Service type:	Part Time, Sessional		
Date of Inspection:	11/09/2023		
No of pre-school children:	AM	22	PM n/a
Address of the Early Years Inspectorate:	Early Years Inspectorate Administration Building St Mary's Health Campus Gurrabraher Cork T23X440		
Inspection undertaken by:	V. McCarthy		
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 Orchard Preschool is carried out in a prefabricated building that is situated close to the registered provider's private residence in a small residential area that is located to the rear of a commercial business park. The service has 1 care room and has access to a secured outdoor play area situated to rear of the premises. The service is registered to operate as a part-time service to children aged 2 to 6 years between the hours of 9am to and 2pm.

Staffing

There are 3 adults attached to the service including the registered provider and all work directly with the children.

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. The inspections may also focus on other areas as required.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered 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) The service had a named person in charge and a deputy that could deputise as required. A record displaying the names and positions of the adults was available in the main foyer.
- (b) The registered provider who was the named person in charge was on duty when the inspector arrived at the premises and remained on duty for the duration of the inspection.
- (2)
- (a) There were 4 references and required validations available on file from past employers in respect of 2 of the adults.
- (b) There were 2 references and required validations available on file from a source other than a past employer in respect of the third adult.
- (c) A Garda vetting disclosure was available on file in respect of each of the 3 adults.
- (d) Police vetting was available on file in respect of 2 of the adults that had lived outside the jurisdiction for a period of more than 6 consecutive months.
- (4)
- A copy of a childcare qualification as listed on the National Qualifications Framework was available on file in respect of each of the 3 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.*
- (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.*
- (8) Without prejudice to paragraphs (2) to (7)-*
- (a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times,*

Compliance Information

- (1)
The registered provider ensured that there were an adequate number of adults always working with the early years children.
- (2)
On the morning of the inspection there were 22 early years children on the premises with 3 adults working directly with them.
- (8)(a)
The registered provider ensured that there were always at least two adults on the premises during the hours of operation. On the morning of the inspection, there were 3 adults on the premises at 9am when the service opened its doors and the roster demonstrated that there would be 2 adults on the premises when the service closed at 2pm.

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:

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

Compliance Information

- (1)(k)
The service maintained a designated book for the recording of any accidents, injuries and incidents regarding children whilst attending the service. During the inspection, the inspector assessed that all entered records were completed in full and showed an account of the event, the management and care provided, were signed by the adult maintaining the record and were co-signed by the respective child's parent/guardian.

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

Compliance Information

(1)(a)

PHYSICAL AND MATERIAL ENVIRONMENT

- The care room was noted to be bright, airy, and comfortable and had been freshly painted prior to the service reopening after the summer break.
- The care room which was divided into 2 areas by a sliding door and was furnished with child sized tables, chairs, low shelving, and a variety of play equipment that was maintained in good condition and met the needs of the children.
- The play materials and equipment were all set up attractively at a child's height level to promote independent visibility and easy accessibility by the children themselves.
- Varied areas of interest were set up in the care room such as a tent area, a rest area, home areas with dolls, a dress up section, a playhouse, arts and crafts areas, tabletop activities, games, library rack and wooden natural play materials.
- The outdoor area had been further developed since the previous inspection and the area had been provided with an anchored wooden play tractor that the children could climb into and participate in imaginary play with their peers. There was a messy wooden play kitchen, a gravel area with water play trays, a sand pit, a low slide, a blackboard which was fixed to the fencing and a bug hotel which hung from a tree branch. The adults supported the children with opportunities to be creative and imaginative during their free play activities.
- The care room walls were decorated with craftwork and free style paintings carried out by the children.
- There were 2 toilet cubicles available on the premises for children's use and 1 toilet cubicle available for use by the adults.
- There were 2 stackable beds available on the premises for any child that required a sleep.

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 main entrance door leading into the premises was kept secured to prevent the unauthorised access by an adult or the leaving of an unsupervised child.
- The outdoor play area was secured by a gate and fencing that was fitted with a netting to prevent children climbing through the fencing.
- The toilet area used by the adults was kept secured and the key to this door was kept on a high hook out of children's reach.
- The cleaning agents were stored on a high shelf out of children's reach.
- The water at the hot water taps was thermostatically controlled to no higher than 43°C.
- The first aid box was kept stored on a high shelf out of children's reach.
- Any medications and creams were kept stored in a separate box on a high shelf out of children's reach.
- The fire doors were maintained unobstructed.
- The fire extinguishers were securely wall mounted throughout the premises.

Non-Compliance Information

General Safety:

1. The Hoover and humidifier were stored in a corner of the care room and their attached leads and flexes were accessible to the children posing as strangulation and trip hazards.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The Hoover is now stored on a wall hook with the flex kept out of children's reach. The humidifier is stored more carefully with the flex not accessible to the children.

Supporting documentation submitted

General Safety:

1. The registered provider submitted photographs to the inspectorate on 26 September 2023 demonstrating the safe storage of equipment with attached flexes.

Summary Comment

The documentation and photographs submitted by the registered provider relating to the non-compliance were reviewed and deemed to meet the regulatory requirements.

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)
It was acknowledged that the service provided evidence that 2 adults had up to date training in paediatric first aid.

(2)
(a) There was a fully equipped first aid box available in the care room which was stored on a high shelf out of children's reach.

(b) The first aid box was always available on the premises.

Non-Compliance Information

- (1) None of the 3 adults had up to date first aid response (FAR) training. Therefore, the service did not meet the requirement of always having an adult with up to date FAR training on the premises.

Action submitted by the Registered Provider

Corrective & Preventive Action

(1) The registered provider is enrolled for FAR training during October 2023.

Supporting documentation submitted

(1) The registered provider submitted copies of correspondence to the inspectorate on 26 September 2023 demonstrating that FAR training has been booked for 1 adult. The registered provider will ensure in future that an adult with up to date FAR training is on the premises.

Summary Comment

The documentation submitted by the registered provider relating to the non-compliance was reviewed and deemed to meet the regulatory requirements.

Part VI - Safety

Regulation 26 - Fire safety measures

(1) A registered provider shall ensure that a record in writing is kept of-

(a) any fire drill that takes place in the premises, and

(b) the number, type and maintenance record of firefighting equipment and smoke alarms in the premises.

(4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.

Compliance Information

(1)

(a) There were records of monthly fire drills carried out at the service available on file. A fire drill was last carried by the service on 02 June 2023 prior to its summer break.

(b) A record of the number, type and maintenance record of firefighting equipment and smoke alarms was maintained. It was recorded that the fire equipment was serviced during July 2023 and that the wired smoke alarm was serviced on 26 March 2023.

(4)

The fire evacuation procedure for the service which contained details in relation to the procedure to be followed in the event of a fire was displayed in the main foyer area of the premises.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-
 (e) equipped with adequate and suitable sanitary facilities.*

Compliance Information

(e) There were an adequate number of toilets and wash hand basins available on the premises. There were two toilet cubicles for use by the 22 early years children of which one was situated off the main foyer and the second was positioned off the back of the care room. A separate toilet area for adult use that was furnished with a toilet and a wash hand basin was located off the main foyer area. Each wash hand basin was provided with liquid soap, paper towels and thermostatically controlled hot water for hand washing. The water temperature was recorded at 33.4°C during the inspection. Pedal operated bins were available throughout the premises for the safe disposal of used paper towels and used tissues.