

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2021LS001			
<b>Name of Service:</b>	Lisgorm Services Ltd T/A Leabh Mo Chroí			
<b>Address of Service:</b>	Mooreville, Rathdowney, Co. Laois			
<b>Eircode:</b>	R32 P2K8			
<b>Name of Registered Provider:</b>	Rosaleen Fairbrother			
<b>Service type:</b>	Full Day, Part Time, Sessional			
<b>Date of Inspection:</b>	05/03/2024			
<b>No of pre-school children:</b>	AM	45	PM	34
<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Tusla, Child and Family Agency, Primary Care Centre, Church Avenue, Tullamore, Co. Offaly.			
<b>Inspection undertaken by:</b>	K. Murphy			
<b>Title:</b>	Early Years Inspector			
<b>Authority to Inspect</b>				
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

The age range of children that the service is registered to accommodate is 0 to 6 years of age. The full day care service operates between the hours of 07:00 and 18:00 on a Monday to Friday basis. The service is operated by an independent provider as part of a multiple. The Early Years' Service is located in a purposely adapted two storey building. Two pre-school rooms are located on the first floor and two pre-school rooms are located on the ground floor. A lift operates from the ground to the first floor for accessibility. A sleep room, a kitchen and a sluice room are provided. A staff room is located adjacent to the service. Outdoor play areas are attached to the rear of the service. Onsite parking and set down facilities are provided. The service is in an urban setting in a residential area in the town of Rathdowney, County Laois.

### Staffing

There were eleven adults present on 05 March 2024. The designated person in charge, deputy designated person in charge and seven childcare practitioners were working directly with the children. One support staff member was employed in the morning to prepare the snacks and meals for the children. The registered provider was present at various intervals during the inspection. The registered provider and the designated person in charge were present during the closing meeting.

### 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

The inspection was unannounced and focused on the area of governance/ health, welfare and development of child/ safety/ premises and facilities.

The inspection focused on an examination of compliance under:

- Regulation 9 Management and Recruitment (1)(2)(3)(4)(7)
- Regulation 10 Policies, Procedures of Pre-School Service.
- Regulation 11 Staffing levels (1)(2)(8)(a)
- Regulation 16 Record of a pre-school service (1) (i)(k)
- Regulation 19 Health Welfare and Development of Child (3)
- Regulation 21 Equipment and Materials
- Regulation 22 Food and Drink
- Regulation 23 Safeguarding Health, Safety and Welfare of Child
- Regulation 25 First Aid
- Regulation 26 Fire Safety Measures
- Regulation 27 Supervision
- Regulation 28 Insurance
- Regulation 32 Complaints (1)(2)(3)
- Regulation 33 Furnishing of information to Agency

The scope of the inspection included the baby room and the wobbler room.

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

The inspection was informed by information received by TUSLA on the 21 February 2024.

### Acknowledgments

The inspector wishes to acknowledge the co-operation 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
- (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.

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(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.

*(7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:*

- (a) the policies, procedures and statements of the service specified in Schedule 5;*
- (b) Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act, and*
- (c) these Regulations.*

### Compliance Information

(1)(a)

A designated person in charge and a named person to deputise were available as required.

(b)

The designated person in charge and deputy were present for the duration of the inspection. The registered provider was present at various intervals during the inspection.

(c)

The roster displayed in the entrance hall of the service included information relating to the persons in charge on identified days and times as well as any specific roles and responsibilities assigned to a staff member.

Fifteen staff files were reviewed and the following was noted:

(2)(a)

The required number of written validated references were available from past employers in respect of the staff members.

(b)

The required number of written validated references were available from a source other than a past employer in respect of the staff members.

(c)

A Garda Vetting disclosure was available in respect of the staff members.

The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d)

Police vetting was not required as no staff member had lived outside the state for a period of longer than six consecutive months.

(3)

The procedures in respect (2)(a)(b)(c)(d) were carried out by the registered provider prior to the employment of new staff in the service.

(4)

All staff members working directly with children held a major award at level 5 to 8 in Early Childhood Care and Education on the National Framework of Qualifications.

(7)(b)(c)

The staff present held certificates that indicated that they had completed some or all the training modules relating to the Tusla Quality Regulatory Framework (QRF) as evidence of training undertaken in The Child Care Act 1991 (Early Years Services) Regulations 2016 and Childcare Act 1991 (Early Years Services) (Amendment) Regulations 2016.

### Non-Compliance Information

(7)(a)

There was no evidence available to indicate that staff had read and understood the policies and procedures of the service.

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

#### Corrective and Preventive Action

(7)(a)

All staff members were emailed a copy of the policies and procedures for the service.

Each member of staff was asked to reply by email when they had read and understood the policies and procedures for the service. (Email responses included)

At our next staff meeting all staff will sign a physical record of acknowledgment of receipt of the policies and procedures for the service.

### Summary Comment

In respect of the corrective action taken documentary evidence was submitted to the office of the Early Years Inspectorate, reviewed by the Early Years Inspector and deemed to meet the regulatory requirement.

## 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.*

#### Compliance Information

The following policies were available in the service. These policies were reviewed and the content was found to be in keeping with the requirements of Regulation 10 with the exception of the non-compliance identified below.

- Risk Management Policy.
- Behaviour Management Policy.
- Complaints Policy.
- Staff Training Policy.
- Supervision Policy.
- Induction Policy.
- Child Safeguarding Policy.
- Accident and Incidents Policy.

#### Non-Compliance Information

The accident and incident policy did not refer to the following:

- The policy did not state that a risk assessment is taken following an incident or accident occurring in the service.
- The policy did not state how notifiable incidents will be informed to the Early Years Inspectorate.

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

##### Corrective and Preventive Action

The accident and incident policy has been reviewed and the required changes made. (Policy included)

The revised policy document has been emailed to all staff members.

#### Summary Comment

In respect of the corrective action taken documentary evidence was submitted to the office of the Early Years Inspectorate, reviewed by the Early Years Inspector and deemed to meet the regulatory requirement.

### 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 minimum ratio of adults to children was in place during the inspection.

(2)

There were forty-five children attending the service supervised directly by nine adults.

(8)(a)

The staff roster indicated that two adults are on the premises at all times.

### 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:*

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;*
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;*
- (c) details of the adult: child ratios in the service;*
- (d) the type of care or programme provided in the service;*
- (e) the facilities available;*
- (f) the opening hours and fees;*
- (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)

The service kept and maintained written records of information in relation to the service in accordance with Regulation 16 (1)(a)(b)(c)(d)(e)(f)(h)(i)(j) and (k).

## Part V - Care of Child in Pre-school Service

### Regulation 19 - Health, welfare and development of child

*(3) A registered provider shall ensure that no practices that are disrespectful, degrading, exploitive, intimidating, emotionally or physically harmful or neglectful are carried out in respect of a pre-school child whilst attending the service.*

#### Compliance Information

1(3)

##### Baby and Wobbler Rooms

During the inspection the staff were noted to be positive towards the children and were familiar with each child, their personalities and their daily routines. Children appeared content with their carers. Staff in the baby and wobbler rooms were observed to provide comfort to those children recently enrolled and settling into the service and to any child who was upset or required reassurance. Behaviour management practices aligned with the behaviour management policy reviewed. Staff were observed to use positive language in their interactions with the children. Parents were observed to collect their children from a staff member at the front door at the end of the child's registered session. A verbal handover was provided to parents at this time and a daily diary system was in place to exchange written information between the service and the parents.

## Part V - Care of Child in Pre-school Service

### Regulation 21 – Equipment and materials

*A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.*

#### Compliance Information

##### Wobbler Room

The room was laid out with a variety of age and stage appropriate toys and play materials including books, jigsaws, bricks, blocks, dolls, prams, arts and crafts, sensory trays and fine motor skill toys. Materials were accessible to children on low level wooden shelving and drawer units. Personal belongings and bags stored individually for each child.

##### Baby Room

The room was laid out with a variety of age and stage appropriate toys and play materials including push pull toys, play blocks and musical toys. Floor mats were in place to aid and support young children when crawling and sitting. An adult chair was in place for a staff member to feed or comfort a child.

### Non-Compliance Information

#### Wobbler Room

The tables and chairs for children attending the wobbler room were not age and stage appropriate and suitable for ten children in attendance. The tables and chairs did not provide an appropriate fit for the children. The tables were not at the waist height to suit the child. The children were observed to climb onto the chairs. The children were not able to place their feet on the floor which was necessary to provide a suitable base of support to the child.

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

#### Corrective and Preventive Action

The service has now reviewed the tables and chairs for the wobbler room and have purchased two new tables with legs that are extendable to grow as the children grow. These tables start at 40cm high and extend as the child grows. (Photograph included)

We have purchased new chairs for the wobbler room (Photograph included)

We will change the chairs for the tables as the children grow and assess as the room changes with the physical development of the children.

### Summary Comment

In respect of the corrective action taken photographic evidence was submitted to the office of the Early Years Inspectorate, reviewed by the Early Years Inspector and deemed to meet the regulatory requirement.

## 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

Upon discussion the cook described how the service provides meals and snacks each day for children attending on a full day care basis. Children attending the ECCE service on a sessional basis bring their own snacks provided by their parents. Breakfast is available for early attenders. A variety of meals and snacks were served throughout the day. The children in the wobbler room were observed partaking in meals and snacks consisting of baked beans, toast, raisins, potato waffles, cheese and chicken sandwiches.

The main meal, served in the afternoon consisted of a savoury minced beef with carrots, peas and onions served with mashed potato. Milk and water were served with all meals and snacks.

In the wobbler room each child had their own individual water bottle to self-serve throughout the day. In the baby room children were observed to enjoy their bottle feeds in line with their individual routine. Refrigeration facilities were available in the service for the storage of perishable food stuffs.

### 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 was secure to ensure the safety of the children within. The service met the necessary safety requirements in the baby and wobbler rooms in respect of the indoor environment, toys and equipment and the safe storage of cleaning agents.

##### Infection Control:

Cleaning schedules were available and reviewed. The toys and materials in the baby and wobbler rooms were easily cleanable.

Warm running water, liquid soap and hand towel dispensers were available in the sanitary accommodation and nappy changing area for the baby and wobbler rooms.

Openable windows for ventilation and foot operated pedal bins for the hygienic disposal of waste were provided in the baby and wobbler rooms and associated sanitary accommodation.

Respiratory stations were in place in the baby and wobbler rooms and stocked with a supply of tissues and wipes.

##### Administration of Medication:

No medication was administered during the inspection. Temperature reducing medication was available in a secure location in the service if a child presented with a high temperature.

##### Safe Sleep:

A record of the colour, position and breathing of sleeping children was noted in a sleep log. Sleeping children from the baby and wobbler rooms were physically checked every ten minutes by a staff member.

**Fire Safety:**

The emergency exit routes were unobstructed from the premises. A fire assembly point was noted to the front of the service.

**Outing:**

The registered provider stated that outings were not carried out from the service.

### 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)

Three adults present were qualified in First Aid response (FAR) and available on the premises during the hours of operation.

(2)(a)

First aid boxes were available in accessible and conspicuous location in the premises.

(b)

A first aid box was accessible to children in 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.*
- (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 for the completed monthly fire drills was available on the premises. The last fire drill was recorded as taking place on the 02 February 2024.

(b)

A record was available demonstrating the number, type and maintenance of the firefighting equipment and smoke alarms on the premises. The firefighting equipment was serviced in August 2023. The smoke alarms in the premises were serviced in January 2024.

(4)

A notice of the procedures to be followed in the event of a fire was displayed in a conspicuous position in the premises.

### Part VI - Safety

#### Regulation 27 – Supervision

*A registered provider shall ensure that pre-school children attending the service are supervised at all times.*

#### Compliance Information

Children were supervised by staff during play activities both indoors and outdoors. A staff member supervised the children's use of the toilet and handwashing. Staff were observed to hand over each child to their parent/guardian at the end of the service.

### Part VI - Safety

#### Regulation 28 - Insurance

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

#### Compliance Information

There was evidence of current insurance cover for the number of children attending the service. The expiry date noted was 27 March 2024.

### Part VIII - Notifications and Complaints

#### Regulation 32 – Complaints

- (1) A registered provider shall ensure that the complaints policy of the service specifies-*
- (a) the procedure to be followed by a person for the purposes of making a complaint in relation to the service,*
  - (b) the manner in which such a complaint shall be dealt with, and*
  - (c) the procedures for keeping a person who makes such a complaint informed of the manner in which it is being dealt with.*
- (2) A registered provider shall ensure that-*
- (a) a record in writing is kept of a complaint made to the provider in respect of the pre-school service, and*
  - (b) the complaint is duly dealt with in accordance with the provider's complaints policy.*
- (3) A record in writing referred to in paragraph (2)(a) shall-*
- (a) include the nature of the complaint and the manner in which the complaint was dealt with, and*
  - (b) be open to inspection on the premises by an authorised person.*

## Compliance Information

- (1)  
The service's "management of complaints" policy was available and reviewed. The relevant details in respect of (a)(b)(c) were noted in the policy.
- (2)  
The service kept and maintained written records of information in respect of (a) and (b).
- (3)  
The service kept and maintained written records that were open to inspection in accordance with (a) and (b).

## Part IX - Inspection and Enforcement

### Regulation 33 – Furnishing of information to agency

*A registered provider shall furnish the Agency with such information as the Agency may reasonably require for the purpose of enforcing and executing these Regulations and the information shall be in such form, if any, as may be specified by the Agency.*

## Compliance Information

The registered provider furnished all information as reasonably required by the Agency for the purpose of enforcing and executing these Regulations.