

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2021WW003		
Name of Service:	Ray of Sunshine Morning and Afterschool		
Address of Service:	Block 32, Hazelbrook Rise, Rathnew, Co. Wicklow		
Eircode:	A67 HX39		
Name of Registered Provider:	Amanda Spiteri		
Service type:	Full Day		
Date of Inspection:	04/08/2023		
No of pre-school children:	AM	18	PM 18
Address of the Early Years Inspectorate:	Tusla Child and Family Agency, First Floor Trinity Building, IDA Business Park, Southern Cross Road, Bray, Co. Wicklow		
Inspection undertaken by:	H. Bourke		
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
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Description of service

Ray of Sunshine Morning and Afterschool opened in September 2021. The service is registered to provide care and education for children aged between 1 years and 6 years of age, on a sessional, part-time and full-time basis. The hours of operation are from 07.00am to 07.00pm Monday to Friday and the service participates in the Early Childhood Care and Education (ECCE) scheme for 38 weeks of the year. The pre-school is located over two floors of a newly constructed two storey building, which has been modified to accommodate a childcare service. There are two pre-school rooms, the first, the Creche is located on the ground floor with its own sanitary accommodation and nappy changing area. In addition, on the ground floor, there is a kitchen and staff office and a separate sleep room. On the second floor there is the Pre-school room, also with its own sanitary accommodation. The service also provides an afterschool service. There is a large, enclosed outdoor area to the rear of the premises.

Staffing

The registered provider does not work directly with the children and has appointed a designated person to manage the pre-school service. There are twelve full time staff members working in the service, and six staff members were present on the day of inspection.

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 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

On the day of inspection twelve staff files were reviewed

(1)(a)

There was a person in charge of the service and there was a named staff member who was able to deputise as required.

(b)

The person in charge was on the premises at the time of arrival of the inspector and remained on the premises for the duration of the inspection.

(2)(a)

Written references were available from past employers with respect to five staff members.

(b)

References from reputable sources were available for four staff members.

(c)

The required Garda vetting disclosures were available in respect of twelve staff members.

(d)

Police vetting was available for four staff members who had lived outside the State for a period of longer than six consecutive months since turning 18 years of age.

(4)

The twelve members of staff held a major award in Early Childhood Care and Education at Level 5 or higher or a qualification deemed equivalent on the National Framework of Qualifications

Non-Compliance Information

On the day of inspection, the following were not available.

(2)(a)

Validated references from the person's past employers or

(b)

Validated references from reputable sources in the case of a person who has no past employers,
In respect of three staff members.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a)(b)

All References have been signed. Going forward all references will have signed proof of validation.

Supporting documentation submitted

(2)(a)(b)

Photographic evidence of validated references was submitted with the CAPA response.

Summary Comment

The non-compliance found on inspection in relation to Regulation 9 – Management and recruitment has been addressed and will be reviewed again on next inspection.

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)
Throughout the inspection there were an adequate number of adults working directly with the children attending the pre-school service.

(2)
The correct adult/child ratio was maintained at all times. There were six adults employed and present with eighteen children on the day of inspection.

(8)(a)
There were two adults on the premises at all times. This was supported by the staff roster.

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.

- (3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-
- (c) an authorised person.

Compliance Information

- (1)(a)(c)(d)(e)(f)(g)(h) and (i)

The person in charge ensured that a record in writing of the above particulars, were kept in respect of each child attending the pre-school service.

- (3)(c)

The person in charge ensured that these records were available for inspection to an authorised person.

Non-Compliance Information

- (1)(b)

Of the ten files examined, nine did not contain the date on which the child first attended the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (1)(b)

All application forms have the children's start date on them. Going forward all application forms will have a child's start date on them.

Supporting documentation submitted

- (1)(b)

Photographic evidence of completed forms with the start dates of children documented was submitted with the CAPA response.

Summary Comment

The non-compliance found on the day of inspection in relation to Regulation 15 – Record of pre-school child has been addressed and will be reviewed on next inspection.

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.*

(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.

Compliance Information

(1)(h)-(k)

The person in charge ensured that a record in writing was kept of the above-named information in relation to the service.

(3)

The above list of records referred to in paragraph (1) were open to inspection by an authorised person.

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-

(c) an authorised person.

Compliance Information

The person in charge had a copy of the Act and the Regulations on the premises at the time of inspection.

(c)

The copy of the Act was open to inspection on the premises by an authorised person.

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 door to the service was securely locked on arrival of the inspector to the service.
- All toys were in good condition and equipment was suitable, age appropriate and in good working order.
- All cleaning products were stored at a safe level out of the reach of children.
- The emergency exit route in the pre-school rooms were free from obstruction. The outdoor area was suitable, safe and secure.

Infection Control:

- Table cleaning was observed before and after snack time as was cleaning of the room following mealtimes.
- A cleaning schedules were present and maintained in each pre-school room.
- An exclusion policy was available for both staff and children stating that a 48-hour requirement is necessary for both adults and children following a vomiting and diarrhoea illness.
- Thermostatically controlled hot water was available in all the sanitary areas, with liquid soap and paper towels. Foot pedal bins were in place for safe disposal of used paper towels.

- While no nappy changing was observed on the day of inspection, when staff members were asked about their practices, they were able to relate the correct nappy changing procedure that was in keeping with the nappy changing policy of the service.
- Hand washing was observed by the children after returning from outdoor play and before their lunch was served.

Safe Sleep:

- The pre-school has a designated sleep room and there were enough standard cots provided for each child under 2 years of age.
- Low level beds were also provided for children aged between 2 years and 3 years of age who required sleep.
- All cots and beds were placed 50cm apart and positioned safely away from any blinds and windows in the room.
- The beds, cots and mattresses were clean and in good condition. For safety reasons there were no duvets or fleece blankets in the cots.
- The core room temperature was 19°C.
- Each child had their own bed linen.
- Children were physically monitored while asleep at 10-minute intervals and the same observations were recorded. Both staff members were aware of safe sleep guidelines to reduce the risk of SIDS.

Part VI - Safety

Regulation 24 - Checking in and out and record of attendance

(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.

(3) A registered provider shall ensure that-

(a) no person other than-

(i) pre-school child attending the service,

(ii) a person dropping or collecting such a child,

(iii) an employee, or

(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and

(b) a daily record in writing is kept of the entry on the premises of any such person.

(4) A registered provider shall ensure that a record in writing referred to in paragraph (3)(b) is retained for a period of one year from the date to which it relates.

Compliance Information

- (1)
The person in charge was able to demonstrate that a record in writing was kept showing that all children attending the service were checked in and out on a daily basis.
- (3)(a)(i-iv)
The person in charge was able to demonstrate that no one other person other than the above list of people can enter the premises without prior approval.
- (b)
The person in charge was able to demonstrate that there was a written list kept of any other person that entered the premises.
- (4)
The person in charge was able to demonstrate that the written list referred to in the above (3)(b) was kept for one year from the date to which it relates.

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)
There was a staff member trained in FAR first aid present and available to the children throughout the inspection.
- (2)(a)
A suitably equipped first aid box was located in an accessible place within each pre-school room.
- (b)
The first aid box was available to the children attending the service at all times.

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-
- (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)

There was evidence of regular fire drills haven taken place within the service. The most recent fire drill took place on the 17th of July 2023.

(2)(c)

These records were open to inspection by an authorised person.

(4)

There was a notice of the procedures to be followed in the event of a fire, displayed within each pre-school room.

Non-Compliance Information

(1)(b)

There was no in date maintenance record of the firefighting equipment and smoke alarms in the premises.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1)(b)

The maintenance of the firefighting equipment and smoke alarms has been carried out. Going forward we will ensure that our firefighting equipment and smoke alarms will be kept up to date

Supporting documentation submitted

(1)(b)

Photographic evidence of invoices for servicing of the smoke detection system and the fire equipment was submitted with the CAPA response.

Summary Comment

The non-compliance found on inspection in relation to Regulation 26 - Fire safety measures has been addressed and will be reviewed on next inspection.