

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2022KE004		
Name of Service:	Shining Stars Academy Ltd		
Address of Service:	Glebelands, Athy, Kildare, Co. Kildare		
Eircode:	R14 TK25		
Name of Registered Provider:	Christine Bowden		
Service type:	Full Day, Part Time, Sessional		
Dates of Inspection:	12/09/2023		
No of pre-school children:	AM	36	PM 29
Address of the Early Years Inspectorate:	Early Years Inspectorate TUSLA Child & Family Agency Suite 7, Vista Primary Care, Ballymore Eustace Road, Naas, Co. Kildare. W91 X38W		
Inspection undertaken by:	F. Maher, T. Duignan		
Title:	Early Years Inspectors		

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	N/A
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Description of service

Shining Stars Academy Ltd. is one of three private services operated by the registered provider in Athy Co. Kildare. A full day care service including part time and sessional care and education is offered to children aged 0-6 years old. The service opened in 2022 and operates from a purpose build premises in a private residential estate on the outskirts of the town. Three pre-school rooms, a sleep room, office and reception area are provided. An outdoor play area wraps around the rear and one side of the building.

Staffing

There were ten adults present on the day of inspection, one of whom was the person in charge; eight adults were working directly with the children. The registered provider was not present for the inspection. The person in charge provided support to the care rooms when required. A chef and cleaner were also employed.

The registered provider arrived in the service after the inspection commenced and was present at the feedback meeting.

All adults working directly with the children all held a recognised qualification in Early Childhood Care and Education 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. The inspection 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.

Additional Information

1. 31 August 2023 - Information was received by the Feedback and Concerns department. The content of the information received, when assessed, triggered an inspection.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, person in charge, deputy 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.

(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;

Compliance Information

(1)(a)

There was a designated person in charge and a named person to deputise as required.

(b) The named person in charge remained on the premises for the duration of the inspection.

The files of 20 staff members were reviewed.

- (2)
- (a) Two written and verified past employer references were available in respect of seventeen adults employed in the service and one written and verified past employer reference was available in respect of two adults employed in the service whose records were reviewed.
- (b) Two written and verified references from a reputable source other than a past employer was available in respect of one adult and one written and verified reference from a reputable source other than a past employer was available in respect of two adults whose records were reviewed.
- (c) Garda Vetting disclosures was available for twenty adults.
- (d) Police vetting was available for six adults who had resided outside the state for a period of longer than 6 consecutive months.
- (3)
- The procedures specified in paragraph (2) had been completed prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.
- (4) Fifteen adults employed and working directly with children attending the service held at least a major award in Early Childhood Care and Education at Level 5 or higher on the National Framework of Qualifications and four adults were in possession of a letter of eligibility to practice issued by the Department of Children, Equality, Disability, Integration and Youth (DCEDIY).
- (7)(a) Staff members working in the service had documented they had received and read the policies of the service. There was evidence of continuing professional development documented in each staff file. Each staff members had undergone a comprehensive induction process when commencing employment in the service, this was documented and in the staff file record.

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 registered provider ensured that the required written policies, procedures, and statements specified in schedule 5 were in place in the service.

The content of the following policies was reviewed and met the requirement of the regulations:

- Behaviour management policy
- Accident and Incident policy
- Complaints policy

Through a review of the documentation, conversation with staff and observation by the inspectors, the practices in the services appeared to align with the policy statements as set out by the service.

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) There were thirty-six children attending the service being supervised directly by eight adults.

(2) The minimum ratio of adults to children was adhered to during the day.

(8)(a) There were at least two adults on the premises at all times for the duration of the inspection. This was confirmed following review of the staff roster for the service.

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:

(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;

Compliance Information

(1)(f) There was documentary evidence of written care plans in place for any child with specific medical needs or additional care requirements.

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.

in a drop-in centre or of a temporary pre-school service, for a period of 2 years from the date on which the child attends 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) (k) A system was in place to record, in writing, any details of any accidents or incidents involving a pre-school child when attending the service. The registered provider ensured all records were completed in full and a copy provided to parents.

(3) Records listed above, (1)(k) were available for inspection.

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-

(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.

(2) A registered provider shall ensure that no corporal punishment is inflicted on a pre-school child whilst attending the service.

(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)(b) Children were observed happy, content and relaxed within the pre-school environment. Staff members ensured children in their care were supported in all aspects of their physical, emotional and social wellbeing and demonstrated warmth and affection in all interactions with the children. Staff were very respectful towards the children in their care and positive body language and gentle voice tones were used. Any of the younger children who were settling into the service were held and comforted and provided with a familiar item from home to ease the transition. Younger children were provided with sleep on a needs led basis and staff were observed remaining with the children to soothe and comfort when settling to sleep.

Suitable rest areas with soft furnishings were available in each pre-school room should a child wish to rest or take a break from activities and low-level beds was available for any child attending the service aged 2 years requiring a period of sleep. Children's nappies were changed on a regular basis and as needed.

The service had a healthy eating policy and food was freshly prepared in the premises; the hot meal served was cottage pie. Drinking water was freely and readily available and children were observed self-serving when required. Suitable rest areas with soft furnishings were available in each pre-school room should a child wish to rest or take a break from activities and a cot was available for any child attending the service less than 2 years of age requiring a period of sleep.

All children availed of outdoor play on the day of inspection and in conversation with staff, suitable clothing was available for inclement weather such rainproof overalls and sun hats and sunscreen was applied during the recent hot weather.

(2) It was documented in the behaviour management policy of the service no physical punishment of any kind, including corporal punishment is inflicted on a pre-school child whilst attending the service.

(3) The staff members in each pre-school room were observed being very kind and respectful towards the children in their care. First names were used, and children were listened to and encouraged to express their thoughts and feelings. A staff member in Sunflower room was observed to intervene before any issue arose between two children in a calm and gentle manner. There was emphasis on positive praise and encouragement as observed throughout the inspection.

All staff were very clear on what are and are not acceptable ways of responding to behaviours that they may find difficult if a child becomes distressed.

Part VIII - Notifications and Complaints

Regulation 32 – Complaints

(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-*

- (b) be open to inspection on the premises by an authorised person.*

Compliance Information

- (2)
- (a) A record in writing was available of a recent complaint reported to the person in charge and registered provider of the service.
 - (b) The complaint procedures as outlined in the complaints policy had been followed by the registered provider.
- (3)(b) The record in writing, outlined above, was open to inspection.