

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2022KE004
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Name of Service:	Shining Stars Academy Ltd
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Address of Service:	Glebelands, Athy, Kildare, Co. Kildare
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Eircode:	R14 TK25
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Name of Registered Provider:	Christine Bowden
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Service type:	Full Day, Part Time, Sessional
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Date(s) of Inspection:	17/09/2024
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No of pre-school children:	AM	46	PM	34
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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 services operated by the registered provider in Athy and offers full day care, part time and sessional care and education to children aged 0-6 years old. Opening hours are from 07:30am-18:30pm, Monday-Friday. The service operates from a purpose-built premises located in a private residential housing estate on the outskirts of Athy. Following a recent change in circumstances, the approval of five pre-school rooms is now provided and the number of children registered to attend has increased to 77. A sleep room and kitchen are provided and a standalone modular unit, located to the rear of the premises is a staff room. Play areas are located to the rear and side of the building and carparking is available outside the service.

Staffing

There were fifteen adults present in the service on the day of the inspection. Eleven of the adults were working directly with the children. The persons in charge were supernumerary and available to assist in the rooms, as necessary. The cook was present during the inspection and the maintenance person arrived during the morning.

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 and safety. 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

The inspection was undertaken due to information received by the inspectorate relating to the service on 3 September 2024.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the persons 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.

(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 person in charge and a named person to deputise.

(b) Both the person in charge and a named person who could deputise were on the premises during the inspection.

(c) The service had a clear, documented management structure and was displayed in the entrance hall of the service.

The files of 3 staff members recruited since the last inspection were reviewed.

(2)(a)(b)

Two written and verified past employer references or references from a reputable source other than a past employer, were available in respect of 3 adults employed.

(c) Garda Vetting disclosures were available for all adults employed in the service.

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

(d) Police vetting was available for 2 adults who had resided outside the state for a period of longer than 6 consecutive months whose records were reviewed.

(4)
Of the three staff records reviewed, the 3 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 or a qualification deemed equivalent by the Minister.

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 46 children attending the service being supervised directly by 11 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.

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 to the service was electronically secure and controlled by staff to prevent children from exiting the service unsupervised and to restrict unauthorised persons from gaining access to the pre-school service. The recent addition of electromagnetic locks in place on the high-level entrance gate and the two high level side gates prevented unauthorised access and prevented children exiting the premises unsupervised.

The electromagnetic locking systems were engaged and in working order when the inspectors arrived at the service and were also fully functioning during the inspection as observed by the inspectors when several parents arrived to drop and collect their children at which times the person(s) in charge were observed controlling entry and exit to the service. The person in charge advised that regular spot checks were undertaken to ensure the premises were secure.

It was observed that the three low level metal gates in the outdoor play area had, along with the slide-bolt locking mechanisms the further addition of carabiner clips and hook-clasp mechanisms to ensure children could not.

Daily indoor room and outdoor risk assessments were completed and maintained to ensure a safe play and work environment for the children and staff. A staff member from each pre-school room completed an individual outdoor daily risk assessment which included documenting that the gates in outdoor play area were secure before children entered the area.

The service met the necessary safety requirements in respect of the toys and equipment and safe storage of cleaning agents which were stored out of the children's reach.