

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2022LM001		
<b>Name of Service:</b>	Ballinamore Childcare		
<b>Address of Service:</b>	Aghadark Road, Ballinamore, Co. Leitrim		
<b>Eircode:</b>	N/A		
<b>Name of Registered Provider:</b>	Padraig Mac Aodha		
<b>Service type:</b>	Full Day, Part Time, Sessional		
<b>Date(s) of Inspection:</b>	28/06/2023		
<b>No of pre-school children:</b>	AM	27	PM 27
<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, TUSLA Child & Family Agency, Markievicz House, Barrack St, Sligo, F91 XC84.		
<b>Inspection undertaken by:</b>	L Costello and F Carty		
<b>Title:</b>	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).

<b>Conditions if applicable</b>	Not applicable
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### Description of service

Ballinamore Childcare is a community run service located in a renovated vocational school. The service consists of 5 playrooms, 4 of which were operating on the day of the inspection. The outdoor area is to the side of the building. The service is located on the outskirts of Ballinamore town.

### Staffing

On the day of inspection 11 adults were working in the service, 9 adults working directly with children. There was a manager working directly with the children and an operations director who did not 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 and safety. The inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9,11,19,23 and 27. These findings are outlined within the relevant regulation(s) within this report.

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 had been triggered on receipt of feedback and concerns received to Tusla Early Years Inspectorate on the 18<sup>th</sup> of May 2023.

### Acknowledgments

The inspectors wish 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*
- (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.*

### Compliance Information

1 (a) (b) (c)

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

2. (a) (b)

The records of sixteen staff employed in the service were reviewed. Two written and verified references or references from a reputable source, in the absence of past employer were available in respect of twelve staff.

(c)

A garda vetting disclosure was available for sixteen staff employed in the service.

(d)

International police vetting was available for two members of staff who had lived in a state other than Ireland for a period of longer than 6 consecutive months as an adult.

4.

Ten adults employed and working directly with children held a major award at level 5 to level 8 in Early Childhood care and education on the national qualification framework.

## Non-Compliance Information

### 2. (a) (b)

Four adults did not have the required references from a past employer or a reputable source available for inspection.

### (d)

International police vetting was not available for three members of staff who had lived outside the state for a period of six consecutive months as an adult.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

(2)(a)(b). The person in charge has submitted documentary evidence of the required references and has assured that references will be on file prior to appointment going forward.

### (d)

The person in charge has submitted documentary evidence of international police vetting for the three staff members.

### Supporting documentation submitted

Photographic and documentary evidence submitted.

## Summary Comment

The written response, photographic and documentary evidence submitted by the authorised person on behalf of the registered provider has been assessed by the early year's inspectorate. Regulatory requirement for regulation 9 has been met at this time.

### 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.*

#### Compliance Information

1. On the day of inspection there were 27 children attending the service being supervised directly by 9 adults.
2. The minimum ratio of adults to children was adhered to during the day.

### 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*

*(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

The children were provided with regular meals and snacks that were freshly prepared by the cook in the service, these meals were varied and nutritiously adequate. On the day of inspection, the meal provided was chicken curry, with an alternative of potato, chicken, carrot, and gravy. Drinking water was freely available to the children throughout the day. Bibs were used to protect the younger children's clothes at mealtimes and low level baby chairs were used in the baby room as required for the comfort and safety of the younger children.

Standard cots were available for children less than 2 years of age and low-level sleep beds were in place for the sleep needs of older children. All children requiring sleep were put to sleep on the day of inspection. Transition to sleep time for the older children was observed to be smooth and relaxed. Preparation for sleep in the toddler and baby room included low level lighting, relaxing music and quiet story time, all low arousal techniques aimed at supporting sleep and rest.

Children who were toilet trained were supported and encouraged by staff to use the toilet as needed. Nappy changing was observed to be undertaken regularly and as required for children who were not toilet trained.

Nappy changing processes were observed to be in line with policy.

The children's individual art work displayed in each room provided colour and warmth to the environment. All rooms in the service are comfortable, inviting and planned out to accommodate the needs of the children. The toys and resources available provide a range of challenging, diverse creative and enriching experiences for all children in line with their stage of development. The outdoor area provides opportunities for fresh air and discovery. Resources in the outdoor area included mud kitchen, covered Teepee, wooden bus with seating, large climbing frames, slides, swings and balance beams. The surface consisted of a mixture of concrete and wooden bark. On the day of inspection, the preschool room and Toddler room spent time outdoors.

The service took measures to support the children's relationships including displaying photographs of the children's families. Records were kept for sharing of information with parents and guardians in relation to the younger children's eating, drinking, nappy changing and sleep during the day.

### Non-Compliance Information

(1) (b)

The practice observed transitioning the children from lunch to afternoon sleep in the wobbler room was not managed appropriately to facilitate children to prepare to sleep. In the wobbler room at 12:30pm staff began to sing songs with actions resulting in children requesting to go outside to play. An additional staff member returned from lunch at 12.55 and began to prepare the room for sleep.

This was in contrast with the toddler room where the lights were dimmed, and calming music was put on to prepare the children for sleep.

In the wobbler room, unsuitable care practices were observed, examples of this are outlined below in relation to three children.

1. At 10.24 a staff member spoke in a raised voice to a child who was playing saying 'No.Stop that...No, you aren't allowed to jump. No, you're not allowed.'
2. At 10:45 a Child was wanting to wash their hands in the sink in the room, a staff member responded in raised voice. 'Guys Guys come away from the water' Go and Play'.
3. At 11:00am a child fell from the lap of a staff member and bumped their face on the floor. The child immediately became upset, and a large red mark was noted on the child's face. The staff member did not offer comfort to the child or check for signs of injury. The child then sought comfort from another staff member who hugged and calmed the child down. No first aid was administered to the child following the incident. No incident report was recorded.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

The person in charge has submitted documentary evidence and assurances that the following steps have been taken to address the non-compliances of regulation 19. This includes staff restructuring, training and education and one to one staff supervision.

### Supporting documentation submitted

Documentary evidence submitted.

## Summary Comment

The written response and documentary evidence submitted by the authorised person on behalf of the registered provider has been assessed by the early year's inspectorate. Regulatory compliance has been met for regulation 19 at this time and will be reviewed at the time of the next 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 into the service was found to be secured upon arrival, preventing unauthorised access to the service and unsupervised exit from the service.
- Toys, materials and resources were maintained in a good state of repair.
- All cleaning products were stored on high shelving out of the reach of children.
- Nappy changing units were sturdy and stable and at an appropriate height for staff to use. All nappy supplies were stored in individual baskets, in arm reach of the changing unit.
- Blind cords appeared secured.
- The outdoor play area was well maintained with equipment that is sturdy and stable.

##### Infection Control:

- Adequate handwashing facilities were provided in the service with warm water, liquid soap and paper towels.
- Tables were observed to be cleaned prior to meal and snack times.
- The materials and resources throughout the preschool were visibly clean with cleaning schedules in place and up to date.
- Foot operated bins were available throughout the service for the hygienic disposal of soiled tissues or paper towels.
- Hand washing took place following outdoor play, after nappy changing and toileting and prior to mealtimes.

##### Administration of Medication:

- There was no medication administered on the day of inspection.
- The service had an administration of medication policy in place. Staff were aware of the necessary steps to follow if required.

##### Safe Sleep:

- Cots were available for children under two years of age. Low level beds were available for older children.
- Rest areas were provided in each of the playrooms to facilitate a child to rest or opt out of an activity.

- Thermometers were available in all playrooms and guidance on how to reduce temperatures was displayed on the wall.
- Cellular blankets were used for children under 2 years of age.

### Fire Safety:

- Fire doors remained clear for evacuation.
- Fire evacuation notices were displayed throughout the service.
- The fire assembly point was clearly displayed.

### Non-Compliance Information

#### Infection Control:

1. The service was not using a foot operated bin for the disposal of nappies. Nappies should be disposed of in a foot operated pedal bin which are changed regularly.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### Infection Control:

1. The person in charge has submitted evidence of purchase of a foot operated bin for safe disposal of nappies.

#### Supporting documentation submitted

Documentary evidence submitted.

### Summary Comment

The evidence and the corrective and preventative actions submitted for the non-compliances found upon inspection in relation to regulation 23 has been reviewed by the inspector and regulatory compliance has been achieved.

## 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

On the day of inspection, it was observed that the 27 children were being supervised by 9 staff members. There was appropriate supervision throughout the day, including indoor and outdoor activities. Staff supervised children at mealtimes, prompting and encouraging them as appropriate. Staff were observed to supervise children at toileting, encouraging independence and prompting as required for hand hygiene.

Break times were covered by additional staff members rostered for afternoon hours, to maintain ratios in the service.

Sleep times were supervised by staff present in the rooms and 10-minute observations and physical checks where staff were not sitting in sleep rooms.