

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2023CE002
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Name of Service:	Curious Minds
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Address of Service:	Cooraclare National School, Dangananella East, Cooraclare, Co. Clare.
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Eircode:	V15D728.
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Name of Registered Provider:	Marie Sheehy
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Service type:	Full Day Care
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Date(s) of Inspection:	23/10/2023
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No of pre-school children:	AM	20	PM	13
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Quality and Regulation Directorate, Tusla, Station Road Primary Care Centre, Station Road, Ennis, Co. Clare
Inspection undertaken by:	M. Ní Nialláin
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

Curious minds is a full day care service in a classroom in Cooraclare Primary School in West Clare operating since September 2023. The service can cater for 20 (ECCE) pre-school children. The service operates from 07.00 to 18.00 hours Monday to Friday, providing an option of extended care to the children who attend the ECCE morning session. The accommodation consists of an average sized classroom, a cloakroom, sanitary accommodation, and a nappy changing room containing an additional single sanitary facility. The classroom/playroom was used by school aged children between 14.00 and 15.00 hours, who relocated to another classroom within the school at 15.00 hours to join other children availing of school aged care. Sleep facilities were provided in the playroom.

Staffing

The registered provider was present on the day of the announced inspection. She stated that she works in the service 2-3 days per week and will continue to do so until the service is established. Three childcare staff are also employed in the service.

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 announced and focused on the area of governance/ health, welfare and development of child. The inspection may also focus on other areas as required.

This inspection focused on an examination of compliance under regulations 9,11,19; however, on inspection additional non-compliance which posed a risk was identified under Regulation 8, 20, 22, 23 and 30. These findings are outlined within the relevant regulations 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.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, person in charge, staff and children who were present on the day of the inspection.

Part II - Registration and Register

Regulation 8 - Notification of Change in Circumstances

(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect

Non-Compliance Information

(1) The service failed to notify Tusla of a change in the opening hours of the service and of the name of the designated person in charge, at least 60 days before the proposed change would take effect or as soon as possible thereafter.

The service is registered to open between 07.00 and 18.00, however the opening hours at the time of inspection were 07.00 to 18.30. The name of the designated person in charge is at variance with the name on the directory of services.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

A Change of Circumstances form was submitted to the registration office

Supporting documentation submitted

A change in circumstances form.

Summary Comment

The requirement of the regulation has been met.

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

- (1)(a) On the day of the inspection the manager was the designated person in charge and there was a named person available who was able to deputise for her if required.
- (b) During the period of the inspection, the designated persons in charge were present on the premises. The staff roster indicated that the designated person in charge or her deputy were always available on the premises. The files of three adults were inspected.
- (2)(a) Three validated references from past employers were available for some of the adults.
- (b) Where past employer references were not available, three references from a source other than a past employer were provided.
- (c) Vetting disclosures received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 were available for the three adults employed at the service.

- (d) Not applicable as no adult who had lived outside the state for a period greater than six months.
- (4) Three adults employed to work directly with children on the day of inspection held an appropriate qualification in Early Childhood Care and Education.

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.

(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) On the morning of Inspection there were three adults working with twenty pre-school children. There were two adults working with thirteen pre-school children in the afternoon. The adult/child ratio in the service was correct.
- (8) (a) The service was not operated single-handedly, and more than two adults were available in the service at all times.

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.

Compliance Information

(1)(a) BASIC NEEDS OF CHILDREN:

- All snacks, drinks and meals were supplied by the parents. Perishable items were stored in a fridge in the playroom and reheated in a microwave in the playroom and in a second microwave in the school staff room of the service. Children had access to their drinks at all times.
- The children were encouraged and supported to manage their own personal care appropriate to their age and stage of development. The sanitary accommodation and nappy changing room were adjacent to the playroom. Hand washing by children was observed.
- There was one indoor playroom in use by the pre-school children. They also had the use of the national school outdoor play area at designated times during the day.
- Rest facilities in two low-level beds were available for the children attending.

PHYSICAL AND MATERIAL ENVIRONMENT:

- The playroom was resourced to provide opportunities for different types of play and learning. All activities were observed to be adult led.
- An outdoor area play area was available to the front and side of the premises. It had a tarmac, concrete and grassy surface. Play equipment observed include three ride on trikes, two scooters, a plastic sand pit with lid on, a plastic container containing an unopened bag of moss peat with lid on, a wooden kitchen, two storage bins with various toys.

Non-Compliance Information

(1)(a) BASIC NEEDS OF CHILDREN:

1. The privacy and dignity of the children was not respected during nappy changing. One adult took three pre-school children to the nappy changing room for nappy changing. Two children observed each nappy change and were also observed touching the toilet and other surfaces in the nappy changing room.

PHYSICAL AND MATERIAL ENVIRONMENT:

The outdoor play area was not set up for play as evidenced by;

2. The wooden kitchen had three stainless steel basins full of dirty water, stones and leaves. There were not accompanying accessories with the kitchen and no child was observed to gravitate towards it for play. Some accessories were placed in the kitchen following a request by the Early Years Inspector.

3. A plastic sand box had the lid on and no child was observed to play with it. When the lid was removed, there were no play accessories in the sand box. Some were then placed there by the staff following a request by the Early Years Inspector.
4. A limited amount of toys and equipment was made available to the pre-school children when playing outdoors. There were two outdoor storage units used to house the outdoor play equipment. The children could not access the toys in these units as they were too high and out of their reach.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The CAPA response of the 30.11.2023 stated that;

1. Staff have been reminded of the nappy changing policy of the service.

- 2,3,& 4. Staff have been reminded by the registered provider to treat the outdoor space the same as the indoor space with regards to setting up inviting play spaces prior to the children going out to play. Staff will be reminded at induction and the service manager will monitor this. It will be added to the induction process for new staff.

Supporting documentation submitted

Written submission.

Summary Comment

The response submitted will be reviewed at the next inspection.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

(2) A registered provider shall ensure that-

(a) of a full day care service, a part-time day care service, a sessional preschool service or a childminding service that is registered for the first time on or after 30 June 2016, shall ensure that a suitable, safe and secure outdoor space to which the preschool children attending the service have access on a daily basis is provided on the premises.

Non-Compliance Information

(2)(a)

- Two childcare staff stood at either end of the outdoor play area when the children were outdoors. This was to ensure that children did not venture into the area designated for the national school children or go through the fencing between the school yard and the field belonging to the adjoining farm. This practice reduced the availability of the staff to engage with the children playing outdoors.
- An incident form reviewed during inspection recorded that a pre-school child escaped from the outdoor play area into the field of the adjoining farm when distracted by animals in the field. A risk assessment was completed on the 25.09.2023 identifying the necessity to reinforce the boundary fencing between the outdoor play area and the adjoining farm. On the day of inspection, 20.10.2023 the action identified in the risk assessment had not been completed, thus posing a safety risk to the pre-school children attending the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- The CAPA response stated that staff will bring children outdoors in smaller groups to improve opportunities for engagement with all the children. Please also note there was three staff present so engagement was occurring. Staff also feel as this is a new service, children are learning boundaries and space awareness also.
- The fence has been secured by the primary school.

Supporting documentation submitted

Written submission and photo of repaired fence.

Summary Comment

The response submitted will be reviewed at the next inspection.

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.

Non-Compliance Information

1. The food supplied to the pre-school children was insufficient to meet the nutritional needs of the children attending on a part-time/full day care basis and was at variance with the healthy eating policy of the service. Thirteen pre-school children were present in the service after 12.30, they were attending on a part time /full day care basis.

Seven children were not supplied with hot meals on the day of inspection. The content of the meals observed consisted of sausage and waffle, a pot of instant hot noodles served from the container, plain pasta, pasta with sauce and bread rolls. One child choose to eat a pasta-based meal cold. The requirement of each child being supplied with a minimum of one hot meal was not met. The registered provider stated that some frozen dinners were available in the freezer, but these were not made available to the children who did not have a hot meal supplied by their parents.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1.The CAPA response stated that parents were all reminded of the healthy eating policy of the service. Staff have been reminded to enforce it by providing reminders directly to parents if required. Children will be offered an alternative meal choice supplied by registered provider if required.

Supporting documentation submitted

Written submission and healthy eating policy of the service.

Summary Comment

The response submitted will be reviewed at 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.

Non-Compliance Information

General Safety:

1. The safety catch on a low level press where cleaning products were stored in the playroom was broken posing a safety risk to the pre-school children.
2. On the day of inspection, the temperature of the water at the wash hand basins in the children's sanitary accommodation measured 47.7° C at 11.00 hours. This exceeded the maximum recommended safe water temperature of 43° C and posed a risk of burning of the pre-school children's hands. The water temperature was reduced to 41.5° C at 12.40 hours following the intervention of the Early Years Inspector.

Infection Control:

3. There was a strong odour in the nappy changing room. The plastic sanitary waste bin used to store used nappies did not provide an adequate seal thus posing a risk of cross infection.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. New type lock catches have been purchased as one child was able to pull them off. Locks have been changed and will use alternative in the setting going forward.
2. The Primary School set new temperature gauge to regulate the water of the water at the wash hand basins. Staff will monitor water temperature.

Infection Control:

3. New nappy changing bin has been purchased.

Supporting documentation submitted

General Safety:

1. Photo.
2. Written submission.

Infection Control:

3. None

Summary Comment

The responses submitted will be reviewed at the next inspection.

Part VII - Premises and Space Requirements

Regulation 30 - Minimum space requirements

(1) Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.

Non-Compliance Information

(30)(1) The following table illustrates non-compliance relating to space requirements in the playroom room of the service:

- In the afternoon, between 14.00 and 15.00 hours there was an inadequate amount of space available in the playroom to cater for the number of pre-school children in the service. The space required for the 13 children attending PT/FDC from 12.30 onwards was 30.15 m².

The space available was 37.44 m². Nine school aged children occupied the playroom from 14.00 to 15.00 resulting in the space of the 13 pre-school children being compromised.

Room	Number and age range of children present	Type of Service required	Space required per child	Space available	Space required
Playroom/Classroom 14.00 to 15.00	Total=13 pre-school children 5: 2-3 years 8: 3-5 years	Part time /FDC Part time /FDC	5 x 2.35m ² =11.75m ² 8 x 2.3 m ² =18.4m ²	37.44 m ²	30.15 m ²
	9 school aged children	School aged care	Not specified	7.29 m ²	Not specified

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. The registered provider stated that afterschool children do not share the room with preschool children. They have a designated room in the school and are separated, as a sensory room was under construction by the primary school. The school age children will have a separate space in a different classroom permanently

Supporting documentation submitted

1. Written submission.

Summary Comment

The response submitted will be reviewed at the next inspection.