

Early Years Inspectorate Regulatory Report

Pre School

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| TUSLA Identifier: | TU2023KY002 |
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| Name of Service: | Curious Minds Lyrecrompane |
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| Address of Service: | Glanshanacree, Lyrecrompane National School, Listowel, Kerry. |
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| Eircode: | V31 P996 |
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| Name of Registered Provider: | Marie Sheehy |
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| Service type: | Full Day Care |
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| Date of Inspection: | 14/11/2023 |
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| No of pre-school children: | AM | 6 | PM | 2 |
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| Address of the Early Years Inspectorate: | 134 Bank Place, Mallow, Cork. |
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| Inspection undertaken by: | E. Friel |
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| Title: | Early Years Inspector |
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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).

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| Conditions if applicable | N/A |
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Description of service

Curious Minds Lyrecrompane is an early years care and education setting registered to provide a choice of full day care, part-time and sessional services. The service opened in September 2023 accommodating children aged from 2 to 6 years of age and currently operates on a part-time basis from 9.30 am until 2.00 pm, Monday to Friday, 50 weeks of the year. The Early Childhood Care and Education (ECCE) Scheme is facilitated between the hours of 9.30 am until 12.30 pm, term time only.

The service is located in the rural area of Lyreacrompane in County Kerry. The newly built, single storey, childcare facility is situated on the grounds of Lyreacrompane National School and comprises one care room and a sanitary area with two separate toilet cubicles. A fully enclosed outdoor play area is available to the front and rear of the service, and a car park is available on site.

Staffing

There were two staff members working directly with the children in the service on the day of inspection and the registered provider was present to facilitate the inspection process.

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 the child 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.

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 registered provider did not notify the Agency of the change in details of the designated person in charge, leading to incorrect information being recorded on Tusla's National Register.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1) A new change in circumstances has been submitted and a designated person has been appointed to ensure all changes in circumstances are notified in a timely manner.

Supporting documentation submitted

(1) Confirmation of the change in circumstances was received internally from the registration department on 01/12/2023. The statement that a designated person has been appointed to ensure all changes in circumstances are notified in a timely manner has been accepted.

Summary Comment

The non-compliance identified under Regulation 8 has been addressed.

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, in so far 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) The registered provider ensured that there was a designated person in charge and a named person available to deputise. The registered provider was available along with the designated person to facilitate the inspection.
 - (b) The designated person in charge and the named person were both on the premises when the inspector arrived. The staff rosters indicated that both adults were available in the service while the pre-school children were present.

- (c) There was a clear management system available on the parent's notice board in the service. In conversation, staff stated they were aware of their roles and responsibilities.
- (2) As the registered provider's recruitment file had been reviewed previously recruitment files for the two adults working directly with the children, on the day of the inspection, were reviewed.
- (a) (b) There were four validated references from past employer.
- (c) Garda vetting disclosures from the National Vetting Bureau were available for both adults.
- (d) An international police disclosure was available for one adult who had lived outside of Ireland for more than six consecutive months as an adult.
- (3) All staff vetting, references and validations had been carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.
- (4) There was evidence that both adults working directly with the children had attained at a major award in Early Childhood Care and Education at Level 8 on the National Framework of Qualifications.

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) At all times during the period of the inspection, the registered provider ensured that an adequate number of staff were working directly with the children.

(2) Documentary evidence in the form of staff rosters and attendance records confirmed that adult/child ratios were adhered to. There were six children, observed aged between 2 years 6 months and 4 years, in attendance in the morning from 9.30 am until 12.30 pm with two adults. Two children remained on in the afternoon to avail of the part-time hours until 2.00 pm.

(8)

(a) The staff rosters and attendance books confirmed that there were two adults on the premises while the early years children were present in 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:

- (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) shall be open to inspection on the premises by-

- (c) an authorised person.*

Compliance Information

(1) The pre-school records of the six children present on the day of inspection were reviewed. Each record was found to contain the particulars of (a) to (i) above.

(3)

(c) The records of the pre-school children were open to review on the day of inspection by the inspector.

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:

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;*
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;*
- (c) details of the adult:child ratios in the service;*
- (d) the type of care or programme provided in the service;*
- (e) the facilities available;*
- (f) the opening hours and fees;*
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*
- (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, by an authorised person.

Compliance Information

(1)

- (a) The name, position, qualifications and experience of the registered provider, designated person and named person were kept in the staff recruitment files.
- (b) Details of the class of service and the age profile of children for which the service is registered to provide were available on the Tusla Registration Certificate displayed on the notice board in the service.
- (c) The details of the adult child ratios were available in the parent information leaflet.
- (d) (e) (f) The type of care programme available was in the parent information leaflet along with the facilities available, opening hours and fees.
- (g) The services policies and procedures, required for Regulation 10, were kept in soft form in the service.

- (h) The attendance records for each child were available and stored on a software application in the service.
- (j) There was no administration of medication records completed to date, as the service only commenced operation in September 2023.
- (k) There was one record of an accident recorded on the software application, dated 20 September 2023, this record contained the necessary particulars and had been witnessed and signed by staff and a parent.

Non-Compliance Information

- (i) The staff roster, furnished to the inspector on the day of inspection, had been completed in anticipation of both staff members being available to work for the full week, and did not contain the break times of the staff. It was also noted that there was no space available to record relief staff or persons not included in the adult/child ratios on the roster. When this was discussed with the registered provider a template was furnished to the inspector by the end of the inspection with the necessary details added to the new staff roster.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (i) The new staff roster containing break times and space to record relief staff was given to the inspector before completion of the inspection process. Staff have been reminded to complete the roster on a daily basis to reflect the staff on duty on the day.

Supporting documentation submitted

- (i) The new staff roster with the missing details was received on inspection. The statement from the registered provider that staff have been reminded to complete the roster on a daily basis to reflect the staff on duty on the day has been accepted.

Summary Comment

The non-compliance under Regulation 16 (i) has been addressed.

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

Compliance Information

BASIC NEEDS:

- Staff were observed assisting children who required help with removing packaging from their food at snack time and with the reheating of food ensuring the children had access to hot food which was safe to eat at both snack and lunch times.
- The needs of individual children were taken into consideration at snack time with one child invited by the adults to sit at the table on several occasions and when ready was supported to eat without being rushed.
- Children were able to access the sanitary area independently and adults were nearby to provide support, if required. Nappy changing was observed to be carried before snack time and as required and was handled in a sensitive and caring manner with the adults using the time for one-to-one interactions with the children.
- A rest/quiet area fitted with a stackable bed and cushions was available for children who wished to sit quietly away from noisy activities. A book rack, with age and stage appropriate books, was located in the area for the convenience of children who wished to browse while sitting in the area.
- The weather on the day of inspection was damp and wet, staff ensured that each child had their hats and coats on for outdoor play. Waterproofs were available, if required.
- The adults helped the children to find positive solutions when they experienced challenges during play by reminding and encouraging the children to take turns when sharing equipment.

PHYSICAL AND MATERIAL ENVIRONMENT:

- The compact indoor area was laid out in clearly defined areas with the children able to access playful opportunities to enhance their learning needs across all areas of development. Examples included coloured rice available with receptacles and four individual water filled bags with pom poms and paint providing opportunities for sensory experiences, a well-resourced home corner and baskets with zoo animals, dinosaurs and vehicles offering opportunities for both role and imaginative play.

- The play materials and resources were presented in baskets on low-level shelving which provided easy access for the children and enabled them to make choices while encouraging independence.
- The layout of the room facilitated the staff to supervise the children as they moved to the different areas.
- The outdoor play area was directly accessible from the care room and provided an alternative change of environment for the children. A range of developmentally appropriate equipment, which promoted gross motor skills, was available in the fully enclosed play area which included bikes, scooters and hula hoops. The children had access to sensory materials for example sand and compost which was available from two covered shells and a mark making board and chalk were available to practice fine skills. Children could rest and sit down at the two available picnic tables.

PROGRAMME OF ACTIVITIES:

- Observations were available which were linked to Aistear the curriculum framework and were used to record the children's interests and individual needs. Photographs in the children's learning journals detailed the monthly themes and activities which included an autumn walk, staff stated the photographs are sent home to the parents via a software application, in use in the service, in which the adults also include details of the children's daily activities.
- Children's language development was supported through one to one and groups discussions.

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.

Compliance Information

Staff stated parents/guardians provided the food being served on the day of inspection:

- Snack was observed being served at 11.00 am and consisted of sausage rolls, filled sandwiches, crackers and fruit.
- Lunch was served at 1.00 pm and consisted of soup which could be heated in the available microwave, leftover food from the morning, fruit pots and crackers.
- Water was available throughout the day from individual water bottles located on an accessible shelf in the care room.
- Children were provided with plates and cutlery, where required.
- The service had additional food available should a child require it.

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 was secured preventing children leaving the service unsupervised and unauthorised adults entering.
- All windows were fitted with restrictors preventing children exiting from them.
- Toys and equipment appeared clean and in good condition.
- Heavy storage units were secured to the service walls preventing tipping or falling.
- There were no visible cords or flexes.
- Cleaning agents were stored under the kitchen sink which was secured with a child proof lock.
- The outdoor play area was secured with metal fencing, a bolted gate and a stone wall preventing unauthorised adults from gaining access to the area and children from exiting the area unsupervised.

Infection Control:

- All wash hand basins, in use by the adults and children, were fitted with thermostatically controlled hot water (32.9°C), dispensing soap, paper towels and pedal operated bins for the disposal of waste.
- Children were observed washing their hands before and after snack and when they came in from outdoor play.
- Staff were observed wearing disposable gloves and aprons for each nappy change, cleaning down the area and mat after use, disposing of the nappy in a sealed bag in the pedal operated nappy bin and washing their hands and the child's hands in line with the service's nappy changing procedure. Children's personal belongings, which were labelled, were located in baskets above the changing area.
- Perishable food was observed being stored in the fridge ensuring the food did not spoil.
- Staff were observed disinfecting the tables before and after food and sweeping the floor ensuring a safe and hygienic area when there were spillages.
- The service cleaning records were noted to be completed and up to date.

Administration of Medication:

- Anti-febrile medication, which was stored in its original container, was placed out of reach of the children in a high cupboard above the adult sink in the care room.

Safe Sleep:

- Stackable beds with individual linen were available for the children should they require a rest/sleep, no children were observed resting on the day.

Fire Safety:

- The main fire/exit door, located at the front of the premises, was unobstructed.
- Fire extinguishers were secured to the walls.

Outing:

- Staff stated that the children take part in outings to the local park area, these are conducted in line with the service's outings policy and procedures. Photographs were available of four children walking with two adults on an autumn walk.

Part VI – Safety

Regulation 28 – Insurance

A registered provider shall ensure that the pre-school service is adequately insured.

Compliance Information

The registered provider ensured that the service had a valid insurance certificate which had an expiry date of 27 March 2024. Particulars of the policy included the number of children insured, which was eleven, and the type of service cover was listed as full day care.