

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2023MN001
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Name of Service:	Ballybay Kindergarten CLG
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Address of Service:	Derryvalley Farmhouse Clones Road Ballybay Co. Monaghan
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Eircode:	A75E268
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Name of Registered Provider:	Ms. Karen Jeffares
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Service type:	Sessional
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Date of Inspection:	31/01/2024
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No of pre-school children:	AM	5	PM	-
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Address of the Early Years Inspectorate:	No.18 The Grange Plantation Walk Monaghan
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Inspection undertaken by:	S. Skinnader
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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).

Conditions if applicable	Not Applicable
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Description of service

This community run service commenced in 2023. It provides a sessional service to children aged 3 - 6 years. The service operates from 9:30 – 12:30 and caters for a maximum of 11 children. The service partakes in the ECCE scheme Monday to Friday. This service is located outside the town of Ballybay Co. Monaghan and operates from a converted 2 storey farmhouse. There is 1 preschool room on the first floor, a kitchen, a disabled access toilet and sanitary accommodation for the children on the ground floor. There is parking on the grounds of the house for drop off and pickups. There is an outdoor area to the back and side of the premises.

Staffing

There is 1 staff member who works directly with the children and an emergency contact person.

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 and health, welfare and development of child. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11 and 19 however, on inspection an additional non-compliance which posed a risk was identified under Regulation 22. 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 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.*

(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 designated person in charge and an emergency contact person. The person in charge was present during the inspection.

The following was recorded in respect of the 2 staff files reviewed.

(2)(a) (b) One written and validated reference was available for 1 adult.

(c) Evidence of 2 completed Garda vetting disclosures for the staff member and emergency contact person were available for review.

(4) One adult working directly with the children had an appropriate childcare qualification and a qualification was not required for the emergency contact person.

Non-Compliance Information

(2)(a) One adult did not have 2 written and validated references and one adult did not have a second written and validated reference.

(d) Documentary evidence of international police vetting was not available for 1 adult who had lived outside the Irish jurisdiction for a period of 6 months or more as an adult.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a) Missing references have been obtained and validated.

Checklist designed and printed and logged in HR file to facilitate ease of compliance.

(d) Missing international police clearance no longer required as a replacement emergency contact has been put in place.

Supporting documentation submitted

Copy of the HR checklist submitted and outstanding reference for the staff member.

Summary Comment

The Inspectorate have accepted the registered provider's response and the non-compliances identified have been addressed.

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.*
- (3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 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) therefore at that reference number is satisfied.*
- (8) Without prejudice to paragraphs (2) to (7)-*
- (c) a registered provider of a sessional pre-school service shall ensure that, where the person in charge operates the service single-handedly, a second person familiar with the operation of the service and in a position to provide assistance to the person in charge in operating the service is, at all times, within close distance of the service and available to attend the service to assist the person in charge in the event of an emergency.*

Compliance Information

- (1) When the inspector arrived unannounced to the service, there was one room in operation. During the inspection there were an adequate number of adults working directly with the preschool children attending the service.
- (3) There were 5 preschool children aged 3 -5 years attending this room with 1 member of staff.
- (8)(c) The registered provider ensured that there was an emergency person available to attend the service to assist in the event of an emergency.

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

There was one care room in operation on the day of the inspection.

(1)(a) The following examples demonstrate how the registered provider ensured that children's learning, development, and well-being was facilitated in the service:

Basic Needs:

- Independence with toileting was promoted for the children who were toilet trained and discreet supervision was also provided by staff as required.
- Assistance was given to the children who required help with opening lunches and certain foods.
- The children were observed to move freely in the care room and a change of environment was planned to the outdoor area after their snack. All children were dressed appropriately to go outside.

Supporting Relationships

- The adult in the service was observed to interact with the children in a warm and supportive manner. Soft tones, positive and respectful language were observed in interactions between the children and staff member for example "you're so kind", thank you" "well done..... great sharing". The children were observed to seek out the adult for assistance.
- The children were all given "jobs" in assisting with tidying up.
- Parents were informally communicated with at drop off and collection times.

Physical and Material Environment

- A variety of age-appropriate toys and equipment were available in the care room on low level shelving which promoted independence and facilitated choice for the children.
- Natural materials were available in abundance such as wooden toys, pinecones, twigs, rushes and real world little jars, metal pans, pots and cups were available for the home corner. The resources available supported many areas of development such as fine motor skills, role play and sensory development.
- There was a soft comfortable area consisting of soft cushions and a throw for the children to relax on and also a wooden frame which the children could put together to build a little fort to play and relax in.

- There was a seasonal nature table in the room.

Programme Of Activities

- Activities that promoted the children’s language development were observed with the singing of songs and social conversation between the staff member and children.
- The children were engaged in a number of activities which included using playdough and rushes to make “hedgehogs” and “buns”. They also incorporated the theme of St. Bridget’s day.
- Role play was actively engaged in by the children throughout the morning.

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

Healthy eating was promoted in the service. The morning snack was supplied by the parents and consisted of sandwiches, fruit, granola, milk, yogurt, bread, rice cakes, carrots and croissants.

Potable drinking water was available and the children and drinks were offered to children who had left their own drinks in their bag downstairs. The children were also offered rice cakes and peanut butter by the member of staff.

Non-Compliance Information

Perishable food items such as yogurt was not appropriately store in a fridge.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider stated a reminder was sent to parents regarding the storage of perishable snacks in the fridge and to inform the staff member if such items are in the lunches. The staff member will also check children’s lunches to ensure no perishable items are not left in the bags.

Periodic checks and reminders to be implemented regarding said items.

Summary Comment

The registered provider’s response is accepted and has addressed the non-compliance identified.