

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2023WD002
--------------------------	-------------

Name of Service:	Kids at Play
-------------------------	--------------

Address of Service:	Carn Glas Court Waterford City, Waterford.
----------------------------	---

Eircode:	X91 W0VF
-----------------	----------

Name of Registered Provider:	Aoife Lynch
-------------------------------------	-------------

Service type:	Sessional
----------------------	-----------

Date 1 of Inspection:	22/08/2024
------------------------------	------------

Date 2 of Inspection:	28/08/2024
------------------------------	------------

No of pre-school children:	AM	0	PM	n/a
Day 2	AM	8	PM	n/a

Address of the Early Years Inspectorate:	Community Care Centre HSE Building, Cork Road. Waterford City
---	--

Inspection undertaken by:	L. McGeeney M. Ryan.
----------------------------------	----------------------

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	Not applicable
---------------------------------	----------------

Description of service

Kids at Play is a privately owned service and located on the ground floor of a residential apartment block on the outskirts of Waterford City. Kids at play was registered as a pre-school for children with additional needs in August 2023 for no more than 11 children from 3 to 6 years of age at any given time. The service offers a play based and social skills programme for children from 3 years to 6 years of age, with allocated sessional appointments for up to 3.5 hrs. This service operates at the same time as a school age service in the afternoons. The building has two care rooms presently in operation, adult and children's toilet facilities, a kitchen/office and a cleaning store. The outdoor play space is adjacent to the service and is accessible from the main care room.

Staffing

The registered provider is the owner and manager of the service and currently employs five additional childcare staff for the pre-school.

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/ safety. The inspection focused on the following regulations:

Regulation 9 – Management and recruitment

Regulation 10 - Policies, procedures etc. of pre-school service

Regulation 11 - Staffing levels

Regulation 15 – Record of pre-school child

Regulation 20- Facilities for rest and play.

Regulation 22 – Food and drink

Regulation 23 - Safeguarding health, safety and welfare of child

Regulation 24 - Checking in and out and record of attendance

Regulation 27 – Supervision

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

As there were no pre-school children in attendance on 22 August 2024 a second day of inspection was conducted on 28 August 2024.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, person in charge, staff and children who were present on the days of 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) There was a designated person in charge and a named deputy designated person in charge who was able to deputise, as required.

(b) At all times during both days of the inspection both the designated person in charge and deputy designated person in charge were on the premises.

The review of files and in discussion with the staff it was confirmed that there were six staff available to work directly with the pre-school age children if required.

- (2)
- (a) Twelve written validated references were available from past employees for the staff working directly with the pre-school children on the premises.
- (b) Not applicable as all references available for the pre-school staff were from past employers.
- (c) There was evidence of completed Garda vetting disclosure certificates from An Garda Síochána which were on file in respect of all six staff available to work with pre-school age children and one staff member employed to work with school age children on the premises. All Garda vetting had been completed over the last 3-year period.
- (d) Police vetting certificates were available for two pre-school staff members who had lived and worked outside of the jurisdiction for periods of more than six months.
- (4) There was evidence that all six staff employed to work with the preschool children in the service held at least a major award in Early Childhood Care and Education at Level 5 or equivalent on the National Qualifications Framework.

Part III – Management and Staff

Regulation 10 - Policies, procedures etc. of pre-school service

A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.

Compliance Information

The service had written policies, procedures and statements developed specifically for the service, in line with those required under Schedule 5. Three policies and procedures were reviewed as part of the inspection process: Complaints Policy, Policy on Managing Behaviour and Healthy Eating Policy and were found to contain the essential information relevant to each policy.

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.

Compliance Information

(1)

On the 22 August 2024 there were no pre-school children in the service

On the 28 August 2024 there were eight preschool children in the service and three staff working directly with these children.

(3)

On the 28 August 2024 the staff: child ratios exceeded the requirement for the Child Care Act 1991 (Early Years Services) Regulations 2016.

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) or (2) shall be open to inspection on the premises by-

- (a) a parent or guardian of a pre-school child but only in respect of the record relating to that child,*
- (b) an employee who is authorised in that behalf by the registered provider, and*
- (c) an authorised person.*

Compliance Information

(1) Eleven completed registration forms were reviewed as part of the inspection process. The registration forms had been updated since the last inspection in 2023. The new forms contained all of the particulars as detailed under sections (a) (b) (c) (d) (e) (g) (h) (i) to (j) of this regulation.

(3) The registration forms were available in the premises for inspection by an authorised person.

Non-Compliance Information

(1)
(f) On the last inspection in November 2023 care plans with written details relevant to the provision of special care or attention, were not documented for the benefit of children’s learning needs or individual learning profiles.

As the service continues to cater for children with varying developmental stages and specific learning needs, documentation for planning for each child attending the service is essential. However, this continues to be undocumented and not implemented.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider stated in the response that a communication passport and curriculum has been created and is being implemented daily. Time has been allocated for continuous curriculum creation and review.

Supporting documentation submitted

On the 24 September the registered provider submitted two documents

1. My Communication Passport which was an over view template will be created for each child and will record and plan for each child's individual needs when enrolled in the service going forward for the new pre-school year of 2024/2025
2. A curriculum plan 2024/2025 was also submitted indicating the methods and practices that underpin the programme.

Summary Comment

Based on the template documentation submitted this was appropriate to address the requirement for regulation 15 (f). However, the implementation of this documentation to meet the needs of children in the service will be reviewed on the next inspection.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

(1) *Subject to this regulation, a registered provider shall ensure that-*

(a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child 19 to play indoors and, where required by these Regulations, outdoors, during the day, and

(b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

(2) *A registered provider-*

(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, or

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.

Compliance Information

(1)

(a) There were two childcare rooms available to the pre-school children in the building. An additional room connected these two rooms as a separate space for children needing one to one attention. The large room was the main play/care room while the second room was observed being used as a dining area for the children to eat their lunches and for arts and crafts.

On the second day of the inspection eight pre-school children were observed in the large room. This room had gross motor opportunities such as a trampoline that was observed being used by the children intermittently. Children played with some large handheld toys such as a boat and trucks. Some children were observed at the tables with staff encouraging fine motor work with the use of “busy boards”. There was a play kitchen, dolls house, and kitchen materials along one side of the room. Tables and chairs were arranged in the middle of the floor. Accessible shelving was arranged around the room and two large cabinets were used for storage of toys and equipment that were interchangeable throughout the day.

Throughout the session the staff were observed to be familiar with the individual needs of children in the group. Picture and Lámh sign prompts were used to support communication with the children.

(b) In one corner of the main childcare room an L shaped couch was arranged as a rest area and was observed being used by some children on the second day of the inspection. The breakout room was also available for any child needing a rest away from the main playroom.

(2)
(a) An outdoor play space was located at the front of the building provided on a green patch the surrounded the apartment block. This area was secured with a six-foot wooden fence. Since the last inspection this outdoor space had been covered throughout with artificial grass, the registered provider stated that this surface enabled greater usage of the space. It was observed that some children liked to go barefooted on this surface for the sensory stimulation. The area had a sand tray, crawling tunnel, hammock swing, large outdoor rubber blocks and outdoor games.

Non-Compliance Information

1.(a)(b) The main room was under refurbishment on both days of the inspection and some of the designated areas of interest were not available such as the construction zone. The open shelving was not stocked. All wall prompts/posters and photographs were removed. The registered provider said that the room was being redecorated. However, as the room was in active use by the preschool children it was necessary that materials and equipment remain accessible to the children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

The registered provider stated in the response that the refurbishments of the main care room have been completed and the room has been put back together as we usually use it.

Supporting documentation submitted

On the 24 September the registered provider supplied photographic evidence of the lay out and interest areas /soft rest area in the main care room.

Summary Comment

The registered provider had addressed the non-compliance of regulation 20 (1)(a) (b) therefore requirements for the Child Care Act 1991 (Early Years Services) Regulations 2016 had been met.

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

There was a healthy eating policy available in the service. Parents provided lunches for the pre-school children attending and these were refrigerated in the kitchen until required. Drinking water was available for the children throughout the day. There was a catering kitchen on the premises and any food supplied by the parents was to be reheated if required. On the day of inspection foods observed were fresh fruits, crackers, yogurts and sandwiches. Plates, cups and cutlery were provided by the service. Staff reported that children were drinking from open cups and this was a new achievement for some.

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:

A double locking system was in place on the entrance and exit doors of the building this was observed to ensure that children were unable exit the premises unsupervised. The door into the outdoor play area also had a double lock system and the staff member was observed to maintain the key on her person while outdoors.

All fire doors have been fitted with finger guards throughout the building, these doors were fitted with high level handles.

Administration of Medication:

All prescription medication was stored in a locked cabinet in the kitchen area, the key was readily available on a hook adjacent to the cabinet. There was a protocol available for the administration and documentation of prescribed medications within the service.

Non-Compliance Information

General Safety:

1. There were sharp and rough cement corners at children's height on the granite window sills in the outdoor play area.
2. There were sharp pointed corners on the laminate shelving furniture units in the main playroom.
3. There were four rubber mats on the tiled ramp for access to the outdoor play area. These mats were arranged along the ramp at intervals with gaps between that could pose as a trip hazard. The registered provider informed that the mat had been sprayed with a nonslip protective material.

Action submitted by the Registered Provider

Corrective & Preventive Action

The registered provider stated in the response for items 1,2 of general safety that cushioned protective material has been fitted to all sharp edges and corners. With respect to item 3. the registered provider stated in the response that rubber mats have been attached together and that all these protective measures will be maintained and replaced/repared if and when they need to be.

Supporting documentation submitted

On the 24 September 2024 the registered provider supplied three photographs.

Two photographs were of cushioned protective material fitted to

1. The corner of granite window sills in the outdoor play area.
2. Fitted to a sharp pointed corner on the laminate shelving furniture unit.

One photograph of the rubber mats on the ramp that were aligned and joined together.

Summary Comment

The non-compliance of regulation 23 General safety of the Child Care Act 1991 (Early Years Services) had been addressed.

Part VI - Safety

Regulation 24 - Checking in and out and record of attendance

(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.

(3) A registered provider shall ensure that-

(i) pre-school child attending the service,

(b) a daily record in writing is kept of the entry on the premises of any such person.

Compliance Information

(1) Since the last inspection a new weekly attendance record sheet was implemented which provided a space for the recording of arrival and departure times of children, names of the children, and signature of the checker.

Non-Compliance Information

(3) While these template records were adequate for recording of children's names and times, there was no space available on the template to record the dates.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider stated in the response that they have included a space for the date to be written in daily. This document has been saved and this template will be used moving forward.

Supporting documentation submitted

On the 24 September 2024 the registered provider supplied a sample template weekly attendance record sheet that included a space for the date to be written in daily.

Summary Comment

The registered provider had addressed the non-compliance of regulation 24 (3) therefore requirements for the Child Care Act 1991 (Early Years Services) Regulations 2016 had been met.

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

The service ensured that all children were appropriately supervised at all times throughout the inspection. The child staff ratios exceeded the requirements for care needed under the Childcare Act 1991 (Early Years Services) Regulations 2016.

The children were observed to be escorted individually to the toilet area by a staff member when required.

There was a documented established protocol transferring the children from the main playroom to the outdoor space this was detailed and required two staff to supervise this transition as it necessitated children going outside the premises in order to gain entry to the play space.

Staff were observed to be vigilant in their observations of the children while eating. The staff sat around the tables encouraging and reassuring the children to eat the food provided on plates, and in some incidences helped to feed some children who needed support with this.