

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015GY052
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Name of Service:	Buttercups - Childminding Service
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Address of Service:	24 Portacarron, Ballymoneen Road, Knocknacarra, Co. Galway.
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Name of Registered Provider:	Breda Langan
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Service type:	Childminder
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Date of Inspection:	01/08/2023
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No of pre-school children:	AM	2	PM	2
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Address of the Early Years Inspectorate:	Tusla – Child and Family Agency, Early Years Inspectorate, Quality Assurance Directorate, Clinical & Administration Building, Block A - (1st Floor- Green Corridor), Merlin Park, Galway,
Inspection undertaken by:	F. Nic Dhonnacha
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

This childminding service operates from Monday to Friday, between 8.00hrs to 18.00hrs, for children aged between 0 to 6 years. On the day of inspection, 2 children were attending the service. The childminder offers a play-based programme of care. The pre-school service is carried out in the home of the childminder. The pre-school service is in a detached domestic dwelling, in a housing development in Knocknacarra, a suburb in the west of Galway city. The children have access to a designated purpose-built playroom at the back of the home, the sitting room, and the kitchen / dining room. There is a designated sleep area in the sitting room, with 2 cots for children to have the opportunity to sleep. The pre-school children have access to a grass area to the back of the premises, for outdoor play, exploration, and fresh air. The children under the supervision of the registered childminder, go on outings to a green communal area within the housing development.

Staffing

The childminder was present on the day of inspection and directly caring for the children. A named support person lives in the home, is nearby and is capable of knowing what to do without instruction, provides additional support in case of emergency. The registered childminder held a Quality and Qualifications Ireland (QQI) at a minimum of a Level 5, in Early Childhood Care and Education on the National Qualifications Framework, or a qualification deemed by the Minister to be equivalent. The childminder has evidence of on-going training and education. The registered childminder was present on the day of inspection.

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

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This inspection was unannounced and focused on the area of governance, health, welfare and development of child, safety, premises and facilities. The inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9,11,12,15,16,18, 19, 23, 25, 26, and 28.

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

A referral was made to the chief fire officer on the 14.07.2023, suitability of a battery-operated smoke detection system being the only means of fire detection in the childminders home.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered childminder, the adult who was living in the home and the 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*

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(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 childminder was the designated person in charge and there was a named person available within a close distance in the event of an emergency.
- (b) At all times during the period of inspection, the childminder was on the premises.
- (2)(a)&(b) Four written validated references were available on file for the adults in the service who were from a past employer or a source other than a past employer.
- (c) Garda vetting disclosures was available in respect of the two adults.
- (d) Documentary evidence indicated that no staff had lived outside the jurisdiction, for longer than 6 consecutive months, while over the age of 18 years therefore did not require police vetting.
- (4) The registered childminder held a Quality and Qualifications Ireland (QQI) at a minimum of a Level 5, in Early Childhood Care and Education. A copy of the qualification was on file for the childminder.

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Part III – Management and Staff

Regulation 11 - Staffing levels

(8) Without prejudice to paragraphs (2) to (7)-

(b) a childminder shall ensure that a second person familiar with the operation of the service and in a position to provide assistance to the childminder in operating the service is, at all times, within close distance of the service and available to attend the service to assist the childminder in the event of an emergency.

Compliance Information

(8)(b) The registered child-minder ensured that there was a second adult on the premises or close by at all times, who could be called upon if required in an emergency.

Part III – Management and Staff

Regulation 12 - Childminders

(1) A childminder shall ensure that-

(a) there are no more than 5 pre-school children in his or her care at any given time, including his or her own pre-school children,

(b) subject to paragraph (2), there are no more than 2 children under the age of 15 months in his or her care at any given time, including his or her own pre-school children, and

(c) there is a working telephone on the premises.

(2) A childminder may have more than 2 children under the age of 15 months in his or her care at any given time where all such children are siblings of each other.

Compliance Information

(1)(a) On the morning of the inspection, from observation and documentary evidence in the form of attendance records, there were two children attending the childminding service at any giving time.

(b) All children were aged between 12 months and 3 years of age on the day of inspection.

- One child was aged 12months of age.
- One child was 35 months of age.

(c) There was a working telephone on the premises and a charged mobile phone with good network coverage.

(2) One child was under the age of 15 months on the day of inspection.

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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.*

Compliance Information

(1) Two enrolment forms for children that were currently attending were reviewed by the inspector. The details relating to (1) (a) to (i) were documented on each record.

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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:

- (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.*

Compliance Information

- (g) Hard copies of records in writing were available on file for inspection of the childminding service policies, procedures and statements.
- (h) Records in writing of the childminding service's child attendance on a daily basis were available for review with the time of arrival to, and departure from, the service.
- (i) Medication administration forms were available for the recording of any medication given to a child attending the service with parental or guardian consent.
- (j) Accident and incident records were available and maintained of any accident or incident involving a child attending the service.

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Part IV – Information and Records

Regulation 18 – Copy of Act etc.

A registered provider shall ensure that a copy of Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act and of these Regulations is kept on the premises and the said copies shall be open to inspection on the premises by-

- (a) a parent or guardian of a child attending or proposing to attend the service,*
- (b) an employee, unpaid worker or contractor, and*
- (c) an authorised person.*

Compliance Information

A copy of Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act and of these Regulations was available in the playroom and available for parents, guardians, employees, unpaid workers, contractors, and authorised persons to view.

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

Basic Needs

(1)(a)

- Meals and snacks provided by the childminder, were offered at regular times, but there was flexibility. Healthy eating was promoted within the service. The children sat together and ate their meals and snacks with the childminder. The food observed was healthy and nutritious.
- Clean bibs were available for the children at meal and snack times.
- The children could easily access their sip bottles and drinks throughout the session.
- The atmosphere during mealtimes was relaxed, with pleasant social interaction among the children, child minder and support adult.

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- Plates and cutlery were offered for snack / mealtimes and on the day of inspection these were suitable for the child's age and stage of development.
- The privacy and dignity of each child toileting and having their nappy changed was respected.
- On the day of inspection, one child attending wore a nappy. The inspector observed the childminder chatting to the child, while the nappy was changed.
- The childminder encouraged and supported the children to be independent.
- A clean intact highchair was provided for the younger child during meal and snack times.
- The tables and chairs were suitable for the children's ages and stages of development.
- The childminder recognized the children's individual cues of tiredness and allowed them to rest and sleep when they were tired not just at designated times.
- The children had opportunities to move about freely and explore their environment indoors. The childminder planned a stroll to the local green park after lunch with the two children.

Physical Material environment

- The designated playroom was bright and spacious, with a colourful mural painted on the wall.
- Suitable sized tables and chairs were provided in the playroom.
- Toys and play materials were stored on the floor, so the children were able to choose freely, there were a varied toys and equipment to suit the age and stage of development of the children.
- The outdoor area to the rear of the premises was covered with concrete paving, artificial grass and was surrounded by a block wall and secure gate. Items included a slide, a water basin, goal posts and soft balls extra toys and play materials were stored in the shed.

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

Infection Control:

- There was antibacterial liquid soap available at the wash hand basin for hygienic hand washing.
- A supply of tissues was readily available indoors and in the outdoor play area.
- All toys and play equipment were observed to be clean.

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- The child's perishable food items / snacks, and meals were stored in the service fridge.
- The nappy changing mat was clean and intact.
- The childminder had a supply of gloves and aprons for use during nappy changing.
- The childminder used a steam sterilizer to disinfect a soother.

Administration of Medication:

- No medication was administered on the day of inspection.

Safe Sleep:

- Written sleep check records were available and maintained by the child minder, evidence was available of a sleep policy being implemented in the service.
- Clean individual linen was available for each child requiring rest and sleep provision, the linen was adequately stored in individually labelled containers.
- A thermometer was available to monitor the temperature of the sleep room/ sitting room.
- It was observed the windows were open for adequate ventilation in the sleep room/ sitting room.

Non-Compliance Information

General Safety

1. In conflict with fire safety requirements, set out in Fire Safety in Pre-Schools 1999, there were 2 battery operated non-wired smoke detectors rather than a self-contained smoke detection / main operated system.

This non-compliance was previously noted on last inspection dated 17/11/2021 and 14/07/2022.

It was acknowledged by the childminder via email that she had made contact with a reputable source regarding works to be carried out in relation to the installation of fire/ smoke detection system that is mains operated and complies with the fire safety requirements for a childminding service.

Corrective & Preventive Action submitted by the Registered Provider

On the 15/09/2023 the registered childminder advised of the following.

Corrective and Preventive Action

The childminder has tried to source a competent person to install a mains operated fire and smoke detection alarm system that complies with the fire safety requirements for a childminding service. The estimated date for completion of the work is the end of November 2023.

Supporting documentation submitted

No evidence submitted.

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Summary Comment

The action as stated by the registered childminder will address the non-compliance identified and has stated that this work will be completed by the end of November 2023.. The non- compliance remains outstanding until the work is completed.

Part VI - Safety

Regulation 25 - First aid

- (1) A registered provider shall ensure that a person trained in first aid for children is, at all times, immediately available to the children attending the pre-school service.*
- (2) A registered provider shall ensure that a suitably equipped first aid box for children-*
- (a) is safely stored in an easily accessible and conspicuous position on the premises, and*
 - (b) is available to the children attending the pre-school service at all times.*

Compliance Information

- (1) The registered childminder had current training in first aid and documentary evidence that a childcare module was included in the training.
- (2)(a) There was a first aid bag which was easily accessible and in a conspicuous position in the kitchen.
- (b) The registered childminder demonstrated that the first aid bag was fully equipped, with content items within expiry date and available to the children attending the pre-school service.

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Part VI - Safety

Regulation 26 - Fire safety measures

- (1) A registered provider shall ensure that a record in writing is kept of-
- (a) any fire drill that takes place in the premises, and
 - (b) the number, type and maintenance record of fire fighting equipment and smoke alarms in the premises.
- (4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.

Compliance Information

- (1)(a) There was a written record available of the monthly fire drills completed in the premises. The last drill was dated 12/07/2023.
- (1)(b) The annual maintenance records were available in relation to the firefighting equipment dated 25/04/2023.
- (4) A notice was displayed on the side of a press, in the kitchen of the procedure to be followed in the event of a fire, in the premises.

Non-Compliance Information

- (1) (b) The annual maintenance records were not available in relation to the smoke alarm detection system.

Corrective & Preventive Action submitted by the Registered Provider

On the 15/09/2023 the registered childminder advised of the following.

Corrective and Preventive Action

The childminder is sourcing a competent person to install a mains operated smoke and fire detection alarm system.

Supporting documentation submitted

No evidence submitted.

Summary Comment

The non- compliance (1) (b) remains outstanding as there was no evidence submitted to support the actions taken by the registered childminder.

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Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

Adequate insurance with an expiry date of 16/10/2023 was available for a childminding service for a maximum of 5 preschool children.