

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015TY035
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Name of Service:	Land of the Living Heart
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Address of Service:	Fertiana, Holycross, Thurles, Co. Tipperary
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Eircode:	E41 T9W4
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Name of Registered Provider:	Jackie Matthews
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Service type:	Childminder
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Date of Inspection:	16/11/2023
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No of pre-school children:	AM	4	PM	-
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Address of the Early Years Inspectorate:	Civic Offices, Limerick Road, Nenagh, Co. Tipperary
Inspection undertaken by:	L McGeeney
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 service was established to provide care and education to children aged 2 – 6 years. Children attend on a sessional basis, 9am – 12pm, Monday- Friday, for 38 weeks of the year, with places funded under the early childhood care and education scheme (ECCE) for eligible children.

The service is provided from the registered provider's home which includes a dining area, loft play area and a large outdoor play area with enclosed shelter.

Staffing

The registered provider works alone with the children each day. There is a second person available in the second residence on the site who can be called on in the event of an emergency.

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/ premises and facilities. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9(2)(4), 11(1)(8), 15(1)(3), 20(1)(3), 21, 22, 24(1), 25, 26(1)(4) and 28.

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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 and children who were present on the day of the inspection.

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Part III – Management and Staff

Regulation 9 – Management and recruitment

(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

(2)(a)(b)(c)(d) Not assessed on this inspection as there had been no change in staff since the last inspection. Staff files for current staff were compliant when assessed previously.

(4) The registered provider held recognised qualifications in early childhood care and education at level 6 on the national qualifications framework.

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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)-

(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

(1) The registered provider worked directly with 4 children aged between 3 and 5 years throughout the morning of the inspection.

(8)(b) There was a second person, familiar with the operation of the service, available to call on in the event of an emergency. The second person was located nearby, in the residential house beside the registered providers home.

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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) There were five children registered to attend the service of whom four were present on the day of inspection.

- (b) The children registered to attend the service were all aged over three years.
- (c) There was a working phone on the premises.

(2) Not applicable to this service as all of the children were aged over three years.

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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.*

(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) There were five registration forms available and reviewed as part of the inspection process: one for each of the children enrolled in the service. Each registration form held the required information as detailed in subsections

(a)-(j) of this regulation.

(3) Registration forms were available for inspection by a parent or guardian, member of staff or an authorised person.

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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 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.

(3) A registered provider of a full day care service, a part-time day care service or a childminding service, other than such a service to which paragraph (2) applies, shall ensure that-

(a) a suitable, safe and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises, or

Compliance Information

(1)(a) The children had access to both indoor and outdoor spaces during the day. The daily routine was that children went indoors when they arrived in the morning and once all of the children had arrived, the registered provider and children went outdoors until snack time at approximately 11am. After snack time they moved to the loft space for indoor activities.

(b) There were cosy seating areas in the loft area with a sofa and armchair, cushions, lambskin rugs and a thick piled carpet on the floor. This area was comfortable for both rest or quiet play with sensory materials, dolls or art materials.

(3)(a) The outdoor play area was a large, enclosed space at the side and back of the premises which was divided into several interest area by the use of planting, construction, structures or equipment. The registered provider described how the children spent long periods of time playing outdoors each day. There was an outdoor playroom with heat and light, which provided a sheltered play space for activities. A polytunnel near the entrance door of the service was converted to an outdoor art room for the winter months. Interest areas in the outdoor space included a story tree with wooden logs to sit on, teepee, planting areas, mud kitchen, basket swing, hill with tunnel and slide, willow amphitheatre and seesaw.

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Part V - Care of Child in Pre-school Service

Regulation 21 – Equipment and materials

A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.

Compliance Information

The service was well equipped with a wide range of quality toys, materials and furniture. There was a child-sized table and chairs in the kitchen where the registered provider and children sat together to share meals. There was another table and chairs in the outdoor shelter for tabletop activities as well as chairs in the polytunnel/art room. There were books, dress up clothes, a wide variety of art materials, sensory materials and exploration toys such as dynamo torches. All equipment and materials were well maintained and in excellent condition. The children were taught to be respectful of the equipment they used, to care for it and to put it away when they had finished using it.

Outdoor equipment included gardening materials, ride-on vehicles, opened construction materials, collections of found and gathered materials such as timber discs, shells and pinecones.

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

The service had a healthy eating policy. Children brought a packed lunch to eat during the morning. Perishable foods were stored in a fridge in the outdoor room. A jug of water was placed on the table for snack time and was available to the children at all times during the day when they wanted a drink. Children were assisted to pour their own drink from the jug. The children helped to set the table with crockery plates, cups and cloth napkins. Lunches were put onto plates for the children to eat from. Food eaten on the day of inspection included: sandwiches, wraps, pasta salad, fruit (banana, apple, kiwi, strawberries, grapes and blueberries) and fromage frais. A fruit knife and cutting board were provided so that the children could cut up their fruit, such as grapes. A bowl of fruit was available if children wanted more food when they had finished what they had brought.

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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.

Compliance Information

The daily attendance of the children was recorded by the registered provider who marked the arrival and departure times of the children on the register.

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 provider held current certification in first aid response (FAR) valid until June 2025.

(2)(a) There was a first aid box available in the utility cupboard off the main room.

(b) The first aid box was available if required by a child attending the 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 firefighting 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 of the monthly fire drills that took place in the service.
- (b) There was a written record of the number, type and maintenance of the firefighting equipment and smoke alarms in the service, which were newly installed in August 2023.
- (4) There was a notice of the procedures to be followed in the event of a fire displayed on the wall in the kitchen.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

There was adequate insurance cover for up to five children attending at any one time valid until 27 March 2024.