

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015WD072
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Name of Service:	Shirley's Childcare
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Address of Service:	The Cross Roads Russian Side Cheekpoint Co. Waterford X91 Y768
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Name of Registered Provider:	Ms. Shirley Ferguson
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Service type:	Childminder
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Date of Inspection:	04/09/2024
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No of pre-school children:	AM	5	PM	none
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Address of the Early Years Inspectorate:	Community Care Centre, HSE Buildings, Cork Road, Waterford City.
Inspection undertaken by:	M. Ryan.
Title:	Early Years Inspector

Authority to Inspect

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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

Shirley's Childcare is located in Cheekpoint, a village on the river Suir estuary approximately 10 kilometres from Waterford City. The service offers family day care for no more than 5 children aged 2.5 to 5 years of age in the mornings. The service participates in Early Childhood Care and Education Scheme (ECCE) and offers school age care in the afternoons. The premises is a converted and refurbished cottage, it has a dedicated playroom, child friendly toilet facilities and a kitchen area. There are outdoor play spaces at the rear and the front of the house.

Staffing

The registered provider is the childminder and has a second adult familiar with the operations of the service working with her in the home who is also available to assist 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

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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 inspection may also focus on other areas as required.

Regulation 9 – Management and recruitment

Regulation 12 – Childminders

Regulation 15 – Record of pre-school child

Regulation 16 – Record in relation to pre-school service

Regulation 20 – Facilities for rest and play

Regulation 22 – Food and drink

Regulation 23 - Safeguarding health, safety and welfare of child

Regulation 25 - First aid

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 co-operation of the registered provider, and the 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)

There was no change in the adults that lived in the household since the last inspection.

The childminders file was reviewed:

- (a) There were written references from past employers available for the childminder.
- (b) Not applicable as all written references were from past employers.
- (c) A Garda vetting disclosure was available on file and had been re-vetted in the last 3 years for this person.
- (d) Not applicable as this person had not resided outside of the jurisdiction for a period of longer than six consecutive months.

(4)

There was evidence that the childminder while not required to hold a major award in Early Childhood Care and Education at level 8 on the National Qualifications Framework. There was evidence of continuous professional development and qualification certificates on file.

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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 childminder had written policies and procedures specific to the service in line with schedule 5 of the Early Years services Regulations 2016 and Childcare Act 1991. Four policies and procedures reviewed as part of the inspection process were Policy on Administration of Medication, Behaviour Management, Fire Safety, and Settling in policy. All were found to contain all essential information relevant to the service.

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, and

Compliance Information

(8)

(b) The childminder had a family member who was living nearby in the village and was available at all times to assist in the event of an emergency.

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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,*

Compliance Information

- (1)
- (a) On the day of the inspection, there were 5 children aged 3 to 4 years of age which included 1 child of her own.
 - (b) Not applicable as there were no children under the age of 15 months in the care.

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*

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Compliance Information

(1) Four completed registration forms were reviewed as part of the inspection process. The registration forms had been updated since the last inspection in 2021. The new forms contained all of the particulars as detailed under sections (a) (b) (c) (d) (e) (g) (h) (i) of this regulation.

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.*

(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,*

Compliance Information

(1)
(a) The childminder had a good-sized playroom built onto the side of her home with toilets and a kitchenette area. The room was bright, well-lit and ventilated and children were observed to have sufficient space to move about freely in this room which opened onto the dining and kitchen area of the house.

The playroom had an extensive supply and variety of toys and equipment arranged in areas of interest around the room. There was a kitchen area, supplies of manipulative play materials such as stickle bricks, plastic blocks and numerous small world play items. Another corner had a stock of musical instruments, arts and craft materials. The soft area had three large beanbags with a selection of books and puzzles. The child minder frequently brought the children for walks to the to the park and beach in the village.

(b) The childminder had two large beanbags arranged to create soft area where children could relax if they so choose with a selection of books.

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(3)
There are two separate area for children to play outdoors one at the rear of the house and one at the front of the house. At the front of the house the external play area was secured with a high wall, wooden fencing, and bolted timber gates. The surface was tarmacadam and was observed to have an ample supply of ride on toys that the children were observed enjoying.

At the time of the inspection a large activity frame was erected with ladders, slides and climbing walls. Under the frame there were different sections that had a playhouse and several sand and mud pits. There was a well-used mud kitchen in this area with supplies of saucepans and pans. A sensory garden was in full bloom with various herbs and lavender plants.

Non-Compliance Information

(3) (a) On the day of the inspection, it was observed that the outdoor play space at the rear of the home was almost completed, however there remains to be access from the road via a side entrance to the house. While this is a distance from the rear play area it is possible that children could gain unsupervised access to the roadside. The childminder informed the inspector that she had been recently successful in obtaining a grant to further secure this play area with new gates and was waiting for the availability of builders.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider stated in the response that she was successful in her application for the childminding development grant which was sought for developing the safety and quality of the childminding service. The registered provider stated that monies will be used to put a gate at the side entrance of the garden to stop the children having access to the road. Until the gate is up, the children will use the front yard for outdoor play, this yard is completely closed in and has no access to the road.

Supporting documentation submitted

On the 25 September 2024 the registered provider submitted written verification of the successful outcome of the grant application.

Summary Comment

The actions submitted to address the non- compliance under regulation 20(3)(a) of the Childcare Act 1991 (Early Years Services) Regulations 2016 are appropriate to address the non compliance. The implementation of this will be reviewed on the next inspection.

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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. There was a kitchenette area off the large playroom inaccessible to children which had facilities to refrigerate perishable foods and reheat foods if required. Foods eaten in the service on the day of inspection were supplied by the children's parents, these included sweet and savoury sandwiches, fresh fruit, yogurts and water or juice to drink. The childminder kept a supply of snacks such as cream crackers, and fruit to give to any child who wanted more food than they had brought with them. Drinking water was available to the children throughout the day. Children could have water or milk to drink when they were thirsty. The snack time was observed to be sociable as the children and the childminder sat together around the one table chatting.

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 childminder held current certification in First Aid Response (FAR), valid until 23 January 2026.

(2)(a) There was a well-stocked first aid box available in the kitchen cupboard.

(b) The first aid box was available if required by a child attending the service.