

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DR149
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Name of Service:	Nutgrove Loreto Preschool
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Address of Service:	Nutgrove and Loreto Community Centre, Rathfarnham, Dublin 14, Co. Dublin
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Eircode:	D14 C952
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Name of Registered Provider:	Barbara Perry
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Service type:	Sessional
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Date of Inspection:	03/05/2023
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No of pre-school children:	AM	8
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Address of the Early Years Inspectorate:	1st floor Trinity Building, IDA Business Park, Southern Cross Road, Bray, Co. Wicklow.
Inspection undertaken by:	Sarah Quigley
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	N/A
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Early Years Inspectorate Regulatory Report

Pre School

Description of service

Nutgrove & Loreto Preschool is privately owned sessional service which was established in 1997 by the current registered provider. Care and education is provided to children aged two to six years and the programme of care is facilitated through a play based curriculum. The service is located in a residential area in Rathfarnham, South County Dublin and is open from 09:00 to 12:00 each weekday. The service operates from one room within the Nutgrove and Loreto Community Centre. An outdoor play area is available to the front of the premises with natural grass surfacing.

Staffing

There were two adults present on the day of inspection including the registered provider who works directly in the service each day.

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/information and records/ health, welfare and development of child/ and safety. The inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11, 16, 19, 23, 25, 26, and 28; These findings are outlined within the relevant regulations within this report.

Early Years Inspectorate Regulatory Report

Pre School

A sampling process was used to assess compliance under regulation 9(2)(3)(4). As a result, the scope of the inspection included a review of documentation for staff members who had been employed in the service following the last date of inspection on the 30th September 2020. A sampling process was also used to assess compliance under regulation 16(1).

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

An immediate action notice was issued to the registered provider following the inspection on the 3rd May 2023 in relation to Regulation 25 – First Aid. A response was received by the registered provider with supporting documentation on the 5th May 2023 outlining measures which had been taken to address the risk identified.

The registered provider was afforded the opportunity to submit corrective and preventive actions (CAPA) in response to the non-compliances identified on inspection. The registered provider did not submit a response and stated when contacted she was not in a position to respond and would be closing her service. The inspectorate is yet to receive notification of the provider's intention to cease operating.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, staff and children who were present on the day of the inspection.

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.

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(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 sample of documentation was reviewed in respect of one adult who had commenced working in the service since Regulation 9 was last inspected. The following records were available for the adult:

(a) (b)

The registered provider demonstrated that they had verified the references obtained from two sources for the adults.

(c) A Garda vetting disclosure from The National Vetting Bureau for the adult.

(3) A review of documentation evidenced that the procedures specified above under Regulation 9(2) had been completed prior to the eight adults commencing employment in the service.

(4) Not applicable, the adult did not require a qualification.

Non-Compliance Information

(2)

(d) The requirement for international police vetting could not be assessed for the adult as no record of previous employment was available.

Early Years Inspectorate Regulatory Report

Pre School

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

None received.

Supporting documentation submitted

None received.

Summary Comment

As no corrective or preventive actions were submitted by the registered provider the non-compliances remain outstanding. The regulatory requirement has not been met.

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)

An adequate number of adults were working directly with the pre-school children attending the service during the inspection.

(3)

The registered provider ensured that the minimum ratio of adults to children was maintained in the service on the day of inspection. There were eight children present in the service being supervised by two adults during the inspection.

(8)(c)

Not applicable as the registered provider does not operate the service single handedly.

Early Years Inspectorate Regulatory Report

Pre School

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:

- (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

- (1)
- (h) A written record was available in each of the care room detailing the attendance of each preschool child on the day of inspection.
 - (i) A record of the hours and days which staff members worked was available in the service.
 - (j) There were no written records of the administration of medication available in the service as no medication had been administered to a child. Appropriate documentation was available to record the administration of medication to children if required which was in line with the service policy.
 - (k) Written records of accidents and incidents which occurred in the service were available on the day of inspection. A sample reviewed documented necessary details.

Early Years Inspectorate Regulatory Report

Pre School

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, and

Compliance Information

(1)(a)

The registered provider stated that lunch is provided daily by the parents of the children in attendance. Staff were observed to sit with the children during mealtimes engaged in conversation, creating a sociable atmosphere. Children's drinks were accessible to them throughout the inspection.

Staff members were observed interacting with the children in a caring manner and spoke kindly to the children using gentle tones during conversations. Staff members supported children to be independent in their environment including assisting with tasks within the care rooms and cleaning up following mealtimes and play. The play experiences in the service were observed to be child-led. Children were content in their environments, partaking in activities and playing alone, in groups, and with the staff as desired.

The care room was appropriately resourced to meet the needs of the children in attendance. A variety of play materials and equipment were available which were accessible to the children at all times during the inspection on low level shelving units. The room was equipped with suitable low-level tables and chairs and a rest area was available to enable the children to take time away from the group if required. The children had access to an outdoor play area to the front of the premises. The play area had an artificial grass surfacing and was resourced with a range of equipment and play materials.

Early Years Inspectorate Regulatory Report

Pre School

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

The inspectors found by observation of practice, review of documentation, discussion with staff and inspection of the premises that the registered provider had taken the following steps to safeguard children attending:

General Safety:

The entrance door to the service was adequately secured to ensure the safety of the children within and to avoid unauthorised persons accessing the service or children exiting unsupervised. The toys and play equipment observed in use by the children on the day of inspection were safe and in good working order. The registered provider had taken measures to ensure the play environment was safe and free from hazards. Cleaning products and hazardous materials were stored securely out of reach of the children.

Infection Control:

The children were supported to wash their hands before lunch. Schedules were in place and maintained to ensure the service, equipment and materials are regularly cleaned. The registered provider stated appropriate exclusion periods for adults and children with infectious illnesses were implemented in the service as per the policy. Liquid soap and warm water were available to facilitate hand washing.

Administration of Medication:

There was written evidence of prior parental consent for the administration of both temperature reducing and prescribed medications, and there were procedures in place to safely administer and document such medication if required, including in the case of an emergency. Staff adequately detailed the procedures for administering medication when required during discussions with the inspectors. Documentation was available to record such administration if required.

Fire Safety:

The designated fire escape routes were clearly indicated and free from obstruction on the day of inspection. Staff members adequately outlined the evacuation procedures in place in the event of a fire.

Non-Compliance Information

Early Years Inspectorate Regulatory Report

Pre School

Infection Control

1. Perishable items contained in children's lunch boxes were stored at room temperature in the care room and not refrigerated as required. This poses the risk of gastrointestinal illness.
2. An unlidded bin was in use in the room for disposal of paper towels following handwashing and food waste posing a risk of cross contamination.

Fire Safety:

3. Records reviewed indicated that fire drills had not been regularly completed in the service. The last fire drill completed was completed on the 21st October 2022. This may hinder the safe and timely evacuation of children in the event of an emergency.

Action submitted by the Registered Provider

Corrective & Preventive Action

Infection Control:

None submitted.

Fire Safety:

None submitted.

Supporting documentation submitted

Infection Control:

None submitted.

Fire Safety:

None submitted.

Summary Comment

As no corrective or preventive actions were submitted by the registered provider the non-compliances remain outstanding. The regulatory requirement has not been met.

Part VI - Safety

Early Years Inspectorate Regulatory Report

Pre School

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

(2)
(a)(b)
A suitably equipped first aid box was observed to be immediately accessible to the children within the service and was stored in a conspicuous location on the day of inspection.

Non-Compliance Information

(1) There were no adults available in the service with up to date First Aid Responder (FAR) or Paediatric First Aid training. First Aid training had not been completed by the registered provider or the second staff member employed to work in the service since December 2018.
An immediate action notice was issued following the inspection in relation to Regulation 25(1).

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

A response was received to the immediate action notice stating the registered provider had enrolled in a FAR training course.

Supporting documentation submitted

None submitted.

Summary Comment

The response to the immediate action notice if implemented will address the non-compliance. This will be reviewed on the next inspection of the service.

Part VI - Safety

Early Years Inspectorate Regulatory Report

Pre School

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) A written record was available detailing fire drills that had taken place in the service.
 - (b) There was record to show that the firefighting equipment had been serviced on the 29th August 2022 and that maintenance of the fire detection and alarm system had taken place on the 30th November 2022.
- (4)
- The procedures to be followed during a fire drill and in the event of a fire were displayed in conspicuous locations within the service.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

Documentation reviewed evidenced that the service was appropriately insured for the type of service provision and the number of children enrolled in the service.