

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DS157
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Name of Service:	Cappaghmore Playschool
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Address of Service:	58 Cappaghmore, Clondalkin, Dublin 22, Co. Dublin
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Eircode:	D22 T2C3
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Name of Registered Provider:	Karen Ryan
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Service type:	Sessional
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Date(s) of Inspection:	22/06/2023
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No of pre-school children:	AM	17	PM	n/a
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Tusla Child and Family Agency, 7th Floor, Brunel Building, Heuston South Quarter, Dublin 8.
Inspection undertaken by:	E. Mulhern
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

Cappaghmore Playschool is a sessional, early years service providing the Early Childhood Care and Education (ECCE) scheme to eligible children aged 2 to 5 years. The service is open from 9am to 12pm and is registered to accommodate 16 children. The service operates from the ground floor of the provider's home. An outdoor area is available to the rear.

Staffing

Three staff are employed to work with the children including the registered provider.

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

The inspection focused on an examination of compliance under regulations 9 (1),(2) & (4), 11(1) & (3), 19 (1)(a) and 30 (3); however, on inspection additional non-compliance was identified under regulation 8 (1) – registration and register. These findings are outlined within the relevant regulations within this report.

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.

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

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Part II - Registration and Register

Regulation 8 - Notification of change in circumstances

(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.

Non-Compliance Information

The registered provider did not notify the Agency of a change in the number of children attending the service. The service is registered to accommodate a maximum of 16 children. There were 17 children present on the day of inspection. Through review of attendance records and discussion with staff it was evident that on some days there are 18 children attending.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Cappaghmore Playschool has since applied for planning permission to increase the number of children who can attend from 16 to 20. Cappaghmore Playschool will keep to the original maximum number of 16 children until such time that the correct permission has been issued.

Supporting documentation submitted

Copy of application for planning permission.

Summary Comment

The action has been deemed appropriate in addressing the non-compliance. The inspectorate is satisfied that the registered provider is aware of the requirement to notify the inspectorate of any proposed changes to the registration status of the service.

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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) The service had a named person in charge and a person who could deputise in their absence.
 - (b) The named person in charge or deputy were always on the premises. The deputy was on the premises when the inspector arrived. The person in charge arrived subsequently.

The inspection focused on the recruitment procedures for staff employed since the previous inspection dated 13 December 2021 under regulations (2) (a), (b), (d) and (4). No new staff had been employed since that date. Regulation 9(2)(c) was inspected for all three staff.

(2)(c) Garda vetting disclosures were available for all staff.

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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.*
- (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) The inspector observed that an adequate number of adults were working directly with the children.
- (3) The minimum ratio of adults to children was always maintained. There were two adults working with 16 children when the inspector arrived at the service. A third adult and another child arrived subsequently, leaving three adults working with 17 children.

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

The inspector observed the children spending some time outdoors where they had space for full body movement and access to equipment for various types of play. These included ride-on toys, small world toys, dolls and prams. The children appeared engaged and content when outdoors and staff were mindful to prevent sunburn by ensuring they wore hats and had suncream applied.

Children brought lunches from home and drinks were offered regularly when the children were outdoors in the warm weather. Children were encouraged and supported to manage their personal care. The children were assisted to wash and clean their hands and faces. They used the toilet as needed with staff available to help.

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Staff demonstrated warmth and affection in their interactions with the children through use of soft and gentle language and tones.

Non-Compliance Information

1. The indoor area was not adequately resourced to provide quality learning and play experiences for the number of children present. The children had access to only one room during the inspection which the inspector observed was overcrowded. There were no designated interest areas and access to materials and equipment was limited. The inspector observed that consequently the children were restricted to mainly table-top activities which were adult led.
2. There was no area available for children to rest or take a break from activities. This was non-compliant on the previous inspection. The registered provider had subsequently submitted an action stating, "A new cosy/rest corner has been added". The non-compliance had not been addressed.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The service has introduced several different areas to provide for quality learning and play experiences for the children and improved the layout of the other room to cater for the extra interest areas. The service has also adapted the number and layout of materials and equipment to encourage the early learning and development of the children. The cosy/rest corner now has soft cushions and mats for the children to rest or take a break. More in depth staff meetings to be held to discuss improvements.

Supporting documentation submitted

Photographs of designated interest areas for children laid out over three rooms and a rest area.

Summary Comment

The inspectorate acknowledges that the service commenced engagement with Better Start Quality Development Service following the inspection. The actions have been deemed appropriate in addressing the non-compliance. The regulatory requirement will be assessed on the next inspection.

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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) Records were available of fire-drills carried out in the service. The most recent fire drill recorded was dated 8 May 2023.
- (4) Notices of the procedures to be followed in the event of a fire were displayed in conspicuous positions on the premises.

Non-Compliance Information

- (1) (b) Through review of records it was not evident that the firefighting equipment and smoke alarm system were appropriately maintained. The most recent records of servicing were dated February 2022. This regulatory requirement was non-compliant on the previous inspection dated 13 December 2021. The registered provider did not submit a preventive action at that time and did not prevent the non-compliance from recurring.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

An external company carried out an inspection and servicing of the fire/smoke and heat alarm system and the control panel on 4 August 2023. A certificate for the fire extinguishing equipment was present on the file and dated 14 February 2023. Annual inspection will be scheduled.

Supporting documentation submitted

Copy of certificates for maintenance of firefighting equipment and smoke alarm system dated 14 February and 4 August 2023 respectively.

Summary Comment

The corrective actions have been deemed to adequately address the non-compliance. The regulation will be assessed on the next inspection to ensure maintenance of the smoke alarm system is carried out as required.

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Part VII - Premises and Space Requirements

Regulation 30 - Minimum space requirements

(3) A registered provider of a sessional pre-school service or a pre-school service in a drop-in centre shall ensure that a minimum of 1.818 square metres of clear floor space is available for each child attending the service.

Non-Compliance Information

The registered provider did not ensure that the minimum required clear floor space was available for the children. The children were allocated to one room when they were indoors. The room measured approximately 19 square metres which could accommodate a maximum of 10 children. There were 17 children present on the day of inspection with 18 attending on some days.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

No corrective and preventive action submitted.

Supporting documentation submitted

Photographs of three rooms laid out with equipment for children.

Summary Comment

The inspectorate acknowledges the actions submitted under regulations 8 and 19 should address the issue in relation to space for children. Compliance with the regulatory requirement will be assessed on the next inspection.