

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015FL210
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Name of Service:	Madeline's Pre-School
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Address of Service:	153 Grange Abbey Grove, Baldoyle, Dublin 13, Co. Dublin
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Eircode:	D13 E3P3
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Name of Registered Provider:	Madeline McGowan
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Service type:	Sessional
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Date(s) of Inspection:	5 December 2022
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No of pre-school children:	AM	13	PM	No.
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Address of the Early Years Inspectorate:	Unit 4&5 Nexus Building, Block 6A, Blanchardstown Corporate Park, Dublin 15.
Inspection undertaken by:	E Hosford
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

Madeline's Pre School is a private service which provides sessional education and care to children aged from 2 to 5 years of age. The service operates from 9:15-12:15pm Monday to Friday and participates in the Early Childhood Care and Education (ECCE) scheme.

The service is located in an urban area of Dublin city and operates from a purpose built care room situated to the rear of the registered providers residential home. The service has access to an outdoor play area to the rear of the premises.

Staffing

The service employs two members of staff to include the registered provider and one childcare staff. There were two staff present on the day of inspection working directly with the children.

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.

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The inspection focused on an examination of compliance under regulations:

9(2)(a)(b)(c)(d),(4),

11(1)(3)(8)(c),

16(h)(j)(k)

19(1)(a)(b)

23,

25(1)(2)(a)(b)

26(1)(a)(b)(4)

32(1)(a)(b)(c)(d)(2)(a)(b)

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

This inspection was triggered by information received to the Inspectorate.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, staff member 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

(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*
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.*

(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 designated person in charge and a named person to deputise as required.*
- (b) The person in charge was present when the inspector arrived and was present throughout the inspection.*

One discussion with the registered provider no new staff members had been employed in the service since the last inspection in 2021. The files for the registered provider and the staff member were available for inspection.

- (2)(a) Two validated written references were available for one staff member from a past employer.*

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(b) Two validated written references were available for one staff member from a source other than a past employer.

(c) Garda vetting disclosures were available for the registered provider and the staff member.

(d) International Police vetting was not required as documentary evidence available indicated that no staff member had lived outside the state as an adult for more than six consecutive months.

(4) The registered provider and the staff member had evidence to confirm that they held a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications.

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.

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Compliance Information

- (1) The registered provider ensured that there was an adequate number of adults working directly with the children attending the service.
- (3) The correct adult/child ratio was maintained in the service throughout the inspection. There were two adults caring for 13 children throughout the inspection.
- (8)(c) Not applicable as this was not a single-handed sessional service.

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;
 - (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.

Non-Compliance Information

- (1)(h) The daily attendance of the children to the service was not recorded on arrival at 9:15am but at the later time of 10:20am.
- (j) The parental signature following the daily administration of a medication to a child was not obtained to ensure that parents were aware of the administration.
- (k) A parental signature was not obtained following two incidents that occurred to a child within the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (1)(h) Roll call is changed to 9:15am daily. Roll book is moved nearer to preschool door for sign in. All paperwork is up to date and checked daily.
- (j) Daily administration of medication has been discontinued. Going forward parents will sign for medication.
- (k) Going forward parental signatures will be obtained following incidents.

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Supporting documentation submitted

- (h) Picture of roll book at main entrance.
- (j) Photographic evidence of medication discontinued.
- (k) No evidence submitted.

Summary Comment

The corrective and preventive action taken by the registered provider have addressed the non-compliances identified on inspection.

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*
- (1) A registered provider shall, in providing a pre-school service, ensure that-*
- (b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.*

Compliance Information

(1)(a)

Basic Needs

- Parents provided the food eaten by the children at snack time and it was observed to be in keeping with the service healthy eating policy and consisted of crackers, sandwiches, yogurts, fruit, vegetables, and water to drink. The children were encouraged to eat at their own pace and independently tidied away their belongings when they had finished.
- Staff promoted independence but were on hand to assist and comfort children when required. The children had the space to move throughout the care room while expanding and creating their games and interests.
- A suitable rest area was available in the care room to enable children to rest and take a break from activities if required. The rest area consisted of a large soft padded mat with books and cushions.

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Supporting Relationships around Children:

- The service had a well-established relationship within the local community with many of the current parents having attended themselves as children.
- Daily informal contact was maintained between the service and parents at drop off and collection. The service maintained a weekly review of the children which documented their settling into the service, any issues that arose, their progress and their individual preferences, likes and dislikes. These observations enabled staff to plan for the week ahead and focus on various strategies to assist children within the service, for example, small group work, music that the children liked and opportunities to develop friendships among the children.
- The children were observed engaging and participating in the activities available during the session and appeared confident and happy in their surroundings. The staff used supportive language when speaking with the children with clear instructions given when it was time to tidy their play materials away before snack.

Physical and Material Environment

- The outdoor play area consisted of a concrete paved surface and offered the children the opportunity to play with climbing frames, slides, play houses, cars, trucks and large bouncing balls. Adequate space was provided to enable the children to run, play and explore.
- Clearly defined interest areas were available in the care room to include a tabletop area with jigsaws, puzzles and games, a home area with kitchen, play food, pots, pans and dolls, a construction area with cars, blocks, cubes and stacking games.
- All the play materials were accessible to the children and were displayed on low level shelving and open boxes.

(1)(b)

- Throughout the inspection the staff attended to the needs of the children and offered comfort and reassurance when required.
- Staff discreetly reminded some children about using the toilet and ensured that they were supervised and assisted when required.
- Staff were on hand to comfort children and reassure them if they showed signs of being upset. Individual care and attention was given to a child who became upset on the day of inspection until they appeared content and were happy to continue playing with their peers and engaging with the activities.

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- Staff and children were observed engaging in conversation at circle time and discussing their news, events, and family days out. Music, dance, and rhymes with actions were used throughout the session to engage the children and reflect the current theme of Christmas.

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:

- Thermostatically controlled warm water was available at the sinks used by the children. Liquid soap and paper towels were provided, and the children were assisted to wash their hands before snack.
- The service was observed to be clean, and the tables were cleaned before the children sat down for snack.
- The service had one set of spare clothes for each child should they require to be changed.

Non-Compliance Information

General Safety:

- The external gate and door of the service and care room were not secured to reduce the risk of a child exiting the service unsupervised and the unauthorised entry of an adult.
- The children had access to a cleaning product in an unlocked cupboard.
- The surface temperature of an accessible radiator was recorded as 52.8°C at 10.13am which exceeded the recommended maximum temperature of 50°C and increased the potential risk of burning a child.

Infection Control:

- The children's perishable food items from home such as cheese and yogurts were not refrigerated on arrival to the service. All the children's food was stored in their bags within the care room.

Fire Safety:

- The last recorded fire drill in the service was the 23 October 2022, no fire drills took place in November 2022.

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6. Yearly maintenance certificates were not available for the smoke alarms and fire extinguishers in the service. The smoke alarms were last serviced on the 8 July 2021 and the fire extinguishers on the 30 November 2021.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. A new sign has been erected to ensure gate is always closed by staff and parents.
2. Cleaning products removed and put on high shelf with other cleaning products and sign erected to ensure children's safety. Cleaning products on high shelf away from children for safety.
3. Heating in radiator now been adjusted to temp of 50 degrees. Will continue to monitor.

Infection Control:

4. Memo to staff reminding them to put children's lunches in fridge on arrival to service.

Fire Safety:

5. Date of planned fire drill put on calendar and reminder put on centre phone. Recent fire drill 6th January 2023.
6. Message sent regarding servicing of fire equipment.

Supporting documentation submitted

General Safety:

1. Photographic evidence of a sign on the external gate.
2. Photographic evidence of a sign erected to remind staff.
3. No evidence submitted.

Infection Control:

4. Photographic of children's lunches in fridge and staff meeting held on the 5th January 2023.

Fire Safety:

5. Photographic evidence of fire drill that took place in service and staff meeting held on the 5th January 2023.
6. Copy of message sent to fire company.

08/02/2023

A copy of the maintenance certificate for the firefighting equipment was submitted on the 08/02/2023. The fire extinguishers were serviced on the 09/01/2023. The installation certificate for the smoke detection system that was viewed on inspection was submitted.

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13/02/2023

Annual maintenance report submitted of the maintenance check that was carried out on the smoke detection system on the 10/02/2023.

Summary Comment

The registered provider has addressed the non-compliances identified in the corrective and preventive actions taken and through additional information received to the inspectorate on the 8th and 13th of February 2023.

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

(2) The first aid box within the service was suitably equipped.

(a)(b) The first aid box was available, stored in an easily accessible and conspicuous position on the premises.

Non-Compliance Information

(1) The registered provider did not ensure that a staff member with the First Aid Responder (FAR) training was available to the children during the session. However, it is acknowledged that both staff had a valid certificate for basic first aid.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1) We have contacted a provider of FAR training and are currently awaiting a response regarding upcoming dates.

Supporting documentation submitted

Confirmation of FAR course booking for March 6th 2023.

Summary Comment

Regulatory compliance remains outstanding until the First aid responder training has been completed.

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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) A written record was available of fire drills completed in the service. The last documented fire drill was the 23 October 2022.
- (b) The number, type and maintenance of the firefighting equipment and smoke alarms was present in the service. Fire extinguishers were serviced on the 30 November 2021, smoke alarms were last serviced on the 8 July 2021.
- (4) A notice of the procedures to be followed in the event of a fire was displayed in a conspicuous position in the service.

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Part VIII - Notifications and Complaints

Regulation 32 – Complaints

- (1) A registered provider shall ensure that the complaints policy of the service specifies-
- (a) the procedure to be followed by a person for the purposes of making a complaint in relation to the service,
 - (b) the manner in which such a complaint shall be dealt with, and
 - (c) the procedures for keeping a person who makes such a complaint informed of the manner in which it is being dealt with.
- (2) A registered provider shall ensure that-
- (a) a record in writing is kept of a complaint made to the provider in respect of the pre-school service, and
 - (b) the complaint is duly dealt with in accordance with the provider's complaints policy.

Compliance Information

(1)(a)(b)(c)

The service had a complaints policy available, and it had the required statements and procedures documented.

(2)(a) The service maintained a record of complaints made in respect of the service.

Non-Compliance Information

(2)(b) The service did not have documentary evidence to demonstrate that a complaint received was dealt with according to the service complaints policy. For example:

- The service did not acknowledge or engage with the complainant to inform them of how the complaint would be dealt with and the expected time frame.
- The service did not inform all parties of the investigations undertaken and the outcome of the complaint.
- The service did not document the outcome of the complaint and any details of recommendations, changes to practice, policy, or statement.
- The service did not give the complainant a full explanation in writing of the outcome of the investigation.

Corrective & Preventive Action submitted by the Registered Provider

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Corrective and Preventive Action

(2)(b) We have attempted to follow our complaints policy regarding a recent complaint made against the service.

Supporting documentation submitted

(2)(b) Photographic evidence of contact made with a service user.

Documented minutes of a staff meeting that was held on the 5th January 2023.

Summary Comment

The service has addressed the non-compliances as identified.