

TUSLA REGULATORY INSPECTION REPORT



TUSLA Identifier:	TU2015KK078					
Name of Service:	The Garden Outdoor Preschool					
Address of Service:	Ruthstown, Ballyfoyle, Kilkenny. R95WD59					
Email Address:	grassrootspreschoolkilkenny@gmail.com					
Name of Registered Service Provider:	Bridget Dowling					
Type of Service Registered:	Sessional		☒			
Date of Inspection:	2	8	0	9	2	1
2						
No of Pre-School Children present during Inspection:	AM	30	PM			
Address of the Early Years Inspectorate:	Early Years Inspectorate, Tusla Child and Family Agency, Athy Road, Carlow.					
Inspection undertaken by:	N Thornton,					
Title:	Early Years Inspector.					

Areas which were the subject of this Inspection		
Governance	Health Welfare and Development of Child	Safety

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	The Garden Outdoor Preschool is a sessional outdoor early years service located in the rural area of Ballyfoyle, in north county Kilkenny. The service provides a spacious outdoor, learning environment for children aged two to six years of age. The hours of operation are from 09:30 to 12:30 hours Monday to Friday for 38 weeks of the year. The registered provider and staff in the service work with the children using a high scope early years curricular approach. The maximum number of early years children that the service can accommodate at any one time is 33.
Premises	The service is outdoor based, located in a spacious grass field with natural hedge and wooden fence boundaries. The children and staff have access to a purpose- built building which has two classrooms, a mudroom, office area and toilet facilities.
Staffing	The registered provider and staff working in the service all hold a major award in early childhood care and education ranging from level five on the national qualification framework to degree and masters levels.
Methodology	Tusla's Early Years Inspectorate (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. 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 areas of Governance, Health, Welfare and Development of Child and Safety. Inspections may also focus on other areas as required. The inspection process has been amended to minimise the amount of time that inspectors spend in the service. A sampling process was used to assess compliance under regulation 19 health welfare and development of child and regulation 23 Safeguarding health, safety and welfare of child. As a result, the scope of the inspection included the outdoor area , classrooms and toilet facilities. 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.
Acknowledgements	The inspector wishes to acknowledge the cooperation of the registered provider, staff and children who were present on the day of the inspection.

GOVERNANCE

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.
- (6) Paragraph (4) shall not apply before 1 September 2021 to a person who—
- (a) has signed a declaration on or before 30 June 2016 to the effect that he or she intends to retire from employment in a pre-school service before 1 September 2021, and is in possession of a letter from the Minister confirming that paragraph (4) shall not apply to him or her before that date
- (6A is inserted by S.I. No.632 of 2016 CHILD CARE ACT 1991 (EARLY YEARS SERVICES) (AMENDMENT) REGULATIONS 2016 which states; Regulation 9 of the Child Care Act 1991 (Early Years Services) Regulations (S.I. No. 221 of 2016) is amended - in paragraph (4), by the substitution of "paragraphs (5), (6) and (6A)" for "paragraphs (5) and (6)", and
- (b) by the insertion of the following paragraph after paragraph (6): "

(6A) Paragraph (4) shall not apply to an employee of a registered provider where - (a) the registered provider receives funding for the employment of the employee pursuant to a scheme funded by the Minister and known as the Access and Inclusion Model, and (b) the employment of the employee is for the purpose of providing support, pursuant to the scheme referred to in subparagraph (a), for a child attending the service to enable the child to participate in the programme known as the Early Childhood Care and Education (ECCE) funding Programme."

Compliance Information:	(1)(a) There was a designated person in charge and a named deputy designated person in charge who was able to deputise, as required. (b) At all times during the inspection both the designated person in charge and deputy designated person in charge were in the service.
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Part III - Management and Staff

Regulation 9 - Management and Recruitment

On review of staff files in the service the inspector observed the following:

(2)(a) Written past employer references were available in respect of staff working in the service with recorded validations of each reference.

(b) Written past references were available from reputable sources in the case of a person whom past employer references were not available.

(c) There was evidence of completed vetting disclosure certificates from An Garda Síochána which were on file in respect of all staff working in the service.

(d) Police vetting certificates was available in respect of staff working in the service who had lived outside of the jurisdiction.

(4) There was evidence that all staff employed in the service held at least at least a major award in early childhood care and education (ECCE) at Level 5 on the National Qualifications Framework.

(6)(a) Not applicable as no staff member working in the service had signed a declaration on or before 30 June 2016 to the effect that he or she intended to retire from employment in a pre-school service before 1 September 2021 and

(b) No staff member working in the service had in possession of a letter from the Minister confirming that paragraph (4) shall not apply to him or her before that date.

(6A) Not applicable as all staff working in the service held at least a major award in Early Childhood Care and Education at Level 5 on the National Qualifications Framework.

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) thereof 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) On the day of inspection, the inspector observed that there was an adequate number of staff working directly with the early years children. (3) There were 30 early years children in attendance at the service with five staff members directly supervising them. The registered provider and deputy designated person in charge were also on site. (8)(c) Not applicable as the service was not operated single-handedly.
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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*

Compliance Information:	The inspector observed the following during inspection: BASIC CARE NEEDS: • The staff members were engaged in activities with the children in the outdoor area. • Children were observed to play or explore the area freely, joining in group activities such as sand or construction play or to wander leisurely through the natural miniature forest and grasslands playing imaginatively. • The staff present were observed to be caring in their individual interactions with children, listening to and responding to each individual child's likes and dislikes, respecting their choices and understanding the needs that were being expressed by the children. • Children were observed to independently use the toilet facilities and hand washing facilities provided in the indoor building. The staff members
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Part V - Care of Child in Pre-school Service

Regulation 19 - Health, Welfare and Development of Child

supported and assisted children with toileting if required in adherence to the service's toileting policy.

- Children were observed to wash their hands post toileting, post messy play after sneezing or coughing and before snack time.
- At snack time children ate food which included fruit, meat and cheese sandwiches, yogurts, vegetable sticks, crackers and rice cakes in line with the service's policy on healthy eating.
- The children also had access to drinking water with each of them having their own water bottle.
- Appropriate eating utensils were available for the children to use.
- Parents and guardians were observed at collection time communicating with the staff in relation to how their child had participated in the session. It was evident that each child and parent or guardian knew which staff member was their child's key worker in the service.

PHYSICAL AND MATERIAL ENVIRONMENTS:**THE OUTDOOR SPACE**

- The service was primarily based in the outdoor area with staff only going into the main building to avail of the toilet facilities or to collect play materials or equipment from either of the two work rooms (previously classrooms) located inside.
- Outdoors each of three pods/groups of children and staff members which were known as "Little Crows" "Little Owls" and "Wolf Cubs", had their own large polytunnel as an outdoor sheltered classroom.
- Each outdoor classroom comprised of a reading rest area made of natural wooden seating and providing a choice of reading material which the children would have brought outside.
- In the spacious outdoor area there were areas of play interest which included a mud kitchen which had a sink for water play, a cooker and wooden furniture incorporated into the design. Children were observed to happily play at making mud pies with the pots, pans and kitchen utensils provided.
- Other areas where the children were observed engaged in play were the construction areas, sand pits, forest area, physically challenging areas such as balance beams, gardening areas and gathering areas. Once the children heard their own group calls, they came together effortlessly to sit in a circle on wooden seats, to participate in circle time activities and conversations.
- If children needed time to rest or take time out, there was a sunken trampoline secured at ground level where the inspector observed children to lie on with their keyworkers and feel the light vibrations of the rubber surface. Other children sometimes just wandered through the natural grass area and miniature forest to take time out, while still supervised by their key worker from a distance respecting their need for space.

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 inspector observed that the following measures to safeguard the health, safety and welfare of the children attending the service, had been taken by the registered provider and staff in the service:

GENERAL SAFETY:

- On arrival to the service the inspector observed that the service was safely secured by a large wooden fence and wooden entrance gate secured with a high lock system.
- A system was in operation for the safe drop-off and collection of children whereby parents or guardians entered the main entrance gate to the outdoor play area and met with staff for the safe transition of the children into and out of the service.
- There was a sanitising station provided at the entrance of the service for children, staff and essential visitors.
- There was a secure storage area for of cleaning agents, cleaning equipment, liquid hand soap and sanitiser supplies, which were all inaccessible to the children.
- The inspector observed that the children were appropriately dressed for the outdoors. All the children and staff wore long weatherproof trousers and boots which also protected them from injury from natural plants such as nettles or briars.
- The inspector was informed by the registered provider that education sessions are carried out with children and parents prior to commencement in the service, in relation to stings or injury from plants and the natural environment. Plants that sting, such as nettles are clearly identified to the children and they learn how to manoeuvre the terrain safely with assurance that they have protective clothing on to protect themselves. Children could be observed going on walks across patches of wild grass and encouraging each other to raise their hands over their heads if they were crossing through nettles. The children were also able to identify and had knowledge of natural remedies such as dock leaves for nettle stings.

INFECTION CONTROL:

- As the children spent their time in the service outdoors, a pod system only operated if they were required to use their sheltered outdoor classrooms.
- The children were allocated to one of three pods/groups, which were known as "Little Crows" "Little Owls" and "Wolf Cubs". Each pod/group was comprised of a maximum of 11 children and two staff members.
- Each pod had a designated poly tunnel which was well ventilated with an open entrance and contained natural materials apart from shelving which

Part VI - Safety

Regulation 23 - Safeguarding Health, Safety and Welfare of child

provided each of the children with an individual labelled storage space to place their bag.

- The toilet facilities located in the building, included adequate toilet facilities and hand washing facilities which had a constant supply of thermostatically controlled water which was maintained within a maximum of 43° Celsius.
- There was a total of four toilet units and four hand wash basins for the children and a designated staff toilet.
- Each hand washing station had a sufficient supply of liquid hand soap, paper towel and hand sanitiser dispensers.
- Staff were aware of whom the designated COVID-19 lead person was in the service and the location of the designated isolation area.

The staff demonstrated to the inspector through discussion, their knowledge of the steps that should be implemented in the incidence of a child or staff in the service becoming unwell or displaying symptoms of COVID-19.

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:

On the day of inspection, the inspector observed:

(1) That the registered provider ensured that staff members trained in first aid for children were at all times, immediately available to the children attending the service. Staff members present on the day of inspection held paediatric first aid response certificates which were not due to expire until January and October 2022.

(2)(a) The registered provider ensured that a fully equipped first aid box was located in an easily accessible and conspicuous place in the hallway of the building.

(b) The first aid equipment was available to the children attending the service at all times.

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:

On review of records the inspector observed that:

- (1) The service maintained a record in writing of
 - (a) Fire drills that take place in the premises. The last fire drill was recorded as having taken place on 22 June 2021, prior to closing for the summer holidays.
 - (b) The number, type and maintenance record for the fire- fighting equipment, and smoke alarms on the premises.
- The last maintenance check for the fire-fighting equipment was recorded as having taken place on 27 September 2021 and for the smoke alarms was recorded as having taken place on 30 July 2021.
- (4) A notice of the procedure to be followed in the event of a fire was displayed on the wall just inside the entrance door of the service.