

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015LH098
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Name of Service:	The Wendy House
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Address of Service:	Mountbagnal, Riverstown, Dundalk, Co. Louth
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Eircode:	A91 KD62
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Name of Registered Provider:	Wendy Gilsenan
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Service type:	Sessional
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Date(s) of Inspection:	29/01/2024
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No of pre-school children:	AM	16	PM	No.
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Address of the Early Years Inspectorate:	Early Years Inspectorate Child Wellbeing Centre Castleblayney Co. Monaghan
Inspection undertaken by:	M. Flood
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

The Wendy House is a privately owned service that has been in operation since 2004. The service provides sessional care and education to pre-school children aged from 2 to 6 years of age and participates in the Early Childhood Care and Education (ECCE) scheme. The service caters for a maximum of 22 children and operates from 9:00am to 12:00pm each weekday.

This service operates from the Registered Providers own home. It is located in a rural area of Co. Louth and has parking onsite for drop off and collection. The premises consist of a purposely developed playroom with adjoining sanitary accommodation and an outdoor play area to the front and rear of the building.

Staffing

The registered provider and 3 staff are employed in the service and work directly with the pre-school 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 and safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11, 19, 25, and 26 however, on inspection additional non-compliances which posed a risk were identified under Regulation 23.

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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

On 21/02/2024, the draft inspection report was issued to the Registered Provider.

On 11/03/2024 as no response was received from the registered provider, a reminder email was issued requesting that a corrective and preventative action plan (CAPA) to be submitted.

The 1st CAPA was received by email on 28/03/2024 and was found to be unsatisfactory as it did not provide a satisfactory corrective and preventative action for each of the non-compliances identified on the day of inspection and no supporting evidence was submitted.

On 8/4/24, the inspector returned the CAPA response detailing the actions which were accepted and not accepted and a further request for additional information was issued to the registered provider.

On 09/04/2023 a second CAPA was received together with supporting photographic and documentary evidence. This information was reviewed by the inspectorate.

Additional information was also received by email as requested on 09/04/2024.

Acknowledgments

The inspector would like 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 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) & (b) The service had a designated person in charge who is also the registered provider and a named deputy person to deputise as required. Both were on the premises when the inspector arrived unannounced to the service and were present throughout the inspection.

(2) Four staff files were presented for inspection which included the registered providers' and subsequently these files were reviewed:

(a) & (b) There were 2 written and validated references from a past employer or an alternative source available for the 4 members of staff.

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(c) Documentary evidence of a processed Garda vetting disclosure was available for each member of staff in the service including the registered provider. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.

(d) Documentary evidence of a processed international police vetting was available for 1 staff member who had lived outside the Irish jurisdiction for a period of greater than 6 months.

(4) Documentary evidence was available to demonstrate that all members of staff, who worked directly with the pre-school children held at least the minimum required level 5 on the National Framework of Childcare 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.

Compliance Information

(1) During the inspection there were an adequate number of adults working directly with the children attending the service.

(3) On the day of inspection when the inspector arrived unannounced to the service at 10.35am there were 3 adults (including the registered provider) working directly with the 16 preschool children present in the service.

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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, and
- (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) The following examples demonstrate how the registered provider ensured that children's learning, development, and well-being was facilitated in the service:

Basic Needs

- The children's care needs were attended to on a regular basis; for example, hands were washed before snack times, after outdoor play and noses were cleaned.
- The children were observed to move freely in the care room and had a change of environment into the outdoor areas. They were divided into 2 groups and rotated between the 2 areas. All children were dressed appropriately to go outside.
- The children were encouraged to be independent with toileting and discreet supervision was also provided by staff as required. Gentle handwashing reminders were also given to the children after toileting.
- All children attending the service brought their own lunches from home. The staff encouraged the children to tidy up when lunch time was finished. Children who required additional time to eat their lunch were afforded the opportunity and were also provided with assistance as required.

Supporting Relationships

- The adults in the service were observed to interact with the children in a warm and supportive manner. Soft tones, positive and respectful language were observed in interactions with the children.
- The language used by the staff in the service was positive, encouraging and kind e.g., "...can you please help and put back the books...good job....", "...go wash hands....I didn't see any soap, maybe you forgot.... well done...".
- A key worker system was in place in the service with named staff members assigned responsibility for developing a close relationship with a designated group of children and their parents.

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This was on display in the service and helps to promote and sustain relationships between the children , their parents and the staff in the service.

- The staff reported that most communication with parents was verbally at collection and drop off. Additionally, a messaging service is also used to provide parents with photographs and messages about their children's individual and group activities in the service.
- Structured team meetings were reported to take place on a monthly basis. Documentary evidence of the minutes of these meetings were provided and detailed the discussions and information shared at the meetings e.g. curriculum planning, fire documents, welcome new staff, key worker groups.

Physical and Material Environment

- Child sized furniture and equipment was in use throughout the service.
- A variety of age-appropriate materials and equipment were available in the playroom that support many areas of development such as fine and gross motor skills, role play, speech and language and sensory development.
- Toys and equipment were positioned on open low-level shelving which promoted independence and also facilitated choice for the children.

Programme of Activities:

- Although the "Me books" had not yet been commenced, there was evidence of some of the children's observations and emerging interests on display in the playroom. The staff were able to communicate how this information is also used to plan the curriculum.
- Artwork was visible such as "clouds" and "same and different humans".
- Many of the activities observed during the inspection were child led and the children were facilitated to make their own choices regarding the toys they played with and the choice to play outside.

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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.

Non-Compliance Information

The Inspectorate is not assured that adequate steps have been taken to ensure the health, safety and welfare of the pre-school children attending the service based on the following observations made during the inspection:

General Safety:

1. Garda vetting was available for all 4 staff members including the registered provider. However, 2 of these vetting disclosures were not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.
2. Fire drills were not being carried out on a monthly basis as per best practice guidelines to familiarise staff and children with the procedure in the event of an emergency. The last recorded fire drill was carried out on 30/11/2023.

Action submitted by the Registered Provider

Corrective & Preventive Actions

1. This has been rectified. The registered provider will ensure that Garda vetting disclosures are renewed as per regulations – see photo evidence.
2. Monthly fire drills are carried out – see photo provided.

Supporting documentation submitted

- Email detailing an application for Garda vetting for the 2 staff members.
- Photographic evidence of documented monthly fire drills.

Summary Comment

The registered provider submitted details of the corrective and preventative actions taken in the service to address the non-compliances together with some photographic evidence.

Based on the information submitted the non-compliance 2. has adequately addressed.

However, the non-compliance 1. remains outstanding as two staff members have garda vetting disclosures which were not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'. It is acknowledged that documentary evidence of a renewal of garda vetting application has been received by Inspectorate.

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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 registered provider ensured that a person trained in first aid for children was at all times available to the children attending the service. Documentary evidence was available of a First Aid Responder (FAR) qualification for one adult in the service and detailed 02/2025 as the due expiry date. The registered provider informed the inspector that a 2nd member of staff with an up to date FAR qualification was also available to provide relief if required.

(2)(a) and (b) The first aid box was available in the service and was stored in conspicuous location where it is easily accessible in the event of an emergency

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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.
- (2) The record referred to in paragraph (1) shall be open to inspection by-
- (a) a parent or guardian of a pre-school child attending or proposing to attend the pre-school service,
 - (b) an employee, and
 - (c) an authorised person.
- (3) A registered provider shall ensure that a record referred to in paragraph (2) is retained for a period of 5 years after its creation
- (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 record was maintained of all fire drills which had been completed in the service, the last recorded being on the 30th November 2023.
- (b) A record was kept of the number, type and maintenance of the fire-fighting equipment and smoke alarms in the premises dated the 27/10/23.
- (4) Notices of the procedures to be followed in the event of a fire were conspicuously displayed in the premises.