

TUSLA REGULATORY INSPECTION REPORT



TUSLA Identifier: TU2015LK064

Name of Service: Early Start Education Preschool

Address of Service: 73 Dromroe, Rhebogue, Limerick

Email Address: earlystartededucation@eircom.net

Name of Registered Service Provider: Ms Tina Quinn

Type of Service Registered: **Part-Time** ☒

Date(s) of Inspection: 1 6 0 3 2 0 2 1

No of Pre-School Children present during Inspection:

AM	PM
8	4

Address of the Early Years Inspectorate: Early Years Inspectorate Office,
South East Wing,
Saint Joseph's Health Campus,
Mulgrave Street, Limerick.

Inspection undertaken by: E Browne and J Ryan
Title: Early Years Inspector

Areas which were the subject of this Inspection		
Governance	Health, Welfare and Development	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	This privately owned service was established in 2015 to provide care and education to children aged 3 – 5 years. The service operates from 08:30 – 17:30 hours Monday – Friday, with children attending part time for the morning or evening sessions for up to 4 hrs, for 38 weeks of the year. The Early Years' service caters for young children with autism spectrum disorder.
Premises	The service operates from a modified dwelling house located in a residential area of Limerick city. The premises consists of 2 playrooms downstairs, 1 playroom upstairs, bathroom facilities for children and adults, a sensory room, office and kitchen facilities. The children have access to an enclosed outdoor play area at the back of the facility.
Staffing	The Registered Providers are the service managers. There are 6 adults (including the Registered Providers) working directly with the children each day. 3 of the adults working directly with the children hold a major award in Early Childhood Care and Education at Level 7 or 8 on the National Qualifications Framework or a qualification deemed equivalent.
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. 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 into the Early Years Inspectorate.
Acknowledgements	The Inspectors wish 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
 - (b) 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) The registered provider was the designated persons in charge. There was a named person who was able to deputise as required.
- (b) The designated person in charge was present in the service throughout the period of the inspection.
- (2)(a) There were past employer references available in respect of the adults working in the service, with recorded validations where required.
- (b) Not applicable as all of the references were from past employers.

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Regulation 9 - Management and Recruitment

	(c) Completed vetting disclosures were available in respect of all adults working in the service. (d) Police vetting was provided for the adults who had lived outside the Jurisdiction for a period longer than six consecutive months. (4) There were 3 adults who worked directly with the children that held major award in Early Childhood Care and Education at Level 6, 8 or 9 on the National Qualifications Framework or a qualification deemed equivalent. (6)(a) Not applicable to this service as none of the adults working with the children had applied for an exemption to the qualification requirements under the grandfathering clause. (b) Not applicable to this service as none of the adults working with the children had applied to the minister for an exemption to the qualification requirements. (6A) Not applicable to this service as none of the adults working with the children were funded under the Access and Inclusion Model.
Non-Compliance Information:	(4) Evidence of a qualification deemed by the Minister to be equivalent to a major award at Level 5 on the National Qualification Framework (equivalency Letter from the Department of Children and Youth Affairs) was not on file for 3 adults working in the service.
Corrective & Preventive Action submitted by the Registered Provider	<u>CORRECTIVE ACTION</u> (3) One of the 3 members of staff is currently completing a level 6 childcare course. The other 2 staff have a level 8 qualification in social care, this is necessary for the department of education regulations, and have years of experience working in this specific environment. There is also in both classrooms a qualified early year's staff member. <u>PREVENTIVE ACTION</u> The service always tries to source new staff with a childcare qualification, but this is not always possible as the service needs staff with a teaching council number as required by the dept. of education.
Summary Comment:	This regulation remains non-complaint as evidence of qualifications has not been submitted. 1 staff is currently completing as qualification and while it is acknowledged that 2 staff have a qualification in social care evidence in the form of a letter of equivalency from the Department of children and Youth Affairs has not been received.

Part III - Management and Staff

Regulation 10 - Policies, Procedures etc. of Pre-school service

A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.

Compliance Information:

- A risk management policy was in place which identified any potential risks and the controls required to reduce or eliminate the risk. The policy had been reviewed in light of the COVID-19 pandemic.
- The policy on infection control had been updated to include infection control measures for COVID-19.

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.*
- (2) *Subject to paragraphs (4) and (5), a registered provider of a full day care service or a part-time day care service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 1 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)—
- (a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times

Compliance Information:

- (1) At all times during the period of the inspection the registered provider ensured that an adequate number of staff were working directly with the children.
- (2) On the day of the inspection there were 6 staff working across the 2 care rooms with 8 preschool children present.
- During the period of inspection, the minimum ratio of staff to children was maintained and an adequate number of staff were working directly with the children in each care room.
1. Downstairs playroom – there were 4 children and 2 staff
2. Upstairs playroom – there were 4 children and 1 staff
- The registered provider and one additional member of staff were available to cover for staff breaks, office management and to assist with the personal care needs as required.

Part IV – Information and Records

Regulation 15 – Record of Pre-school Child

- (1) *A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:*
 - (a) *the name and date of birth of the child;*
 - (b) *the date on which the child first attended the service;*
 - (c) *the date on which the child ceased to attend the service;*
 - (d) *the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
 - (e) *authorisation for the collection of the child;*
 - (f) *details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
 - (g) *the name and telephone number of the child's registered medical practitioner;*
 - (h) *record of immunisations, if any, received by the child;*
 - (i) *written parental consent for appropriate medical treatment of the child in the event of an emergency.*
- (2) *A registered provider of a pre-school service in a drop-in centre or of a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the particulars specified in subparagraphs (a), (d), (e) and (f) of paragraph (1).*
- (3) *A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by—*
 - (a) *a parent or guardian of a pre-school child but only in respect of the record relating to that child,*
 - (b) *an employee who is authorised in that behalf by the registered provider, and*
 - (c) *an authorised person.*
- (4) *A registered provider shall ensure that a record in writing referred to in paragraph (1) is retained for a period of 2 years from the date on which the child to whom it relates ceases to attend the service.*
- (5) *A registered provider shall ensure that a record in writing referred to in paragraph (2) is retained for a period of 2 years from the date on which the child attends the service.*

Compliance Information

- (1) The registered provider ensured that the following documentation was on file for each child attending the service:
 - (a) the name and date of birth of the child;
 - (b) the date on which the child first attended the service;
 - (c) the date on which the child ceased to attend the service;
 - (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;
 - (e) authorisation for the collection of the child;
 - (g) the name and telephone number of the child's registered medical practitioner;
 - (h) record of immunisations, if any, received by the child;
 - (i) Written parental consent for appropriate medical treatment of the child in the event of an emergency.
- (2) Not applicable as this service was registered as a part time service.
- (5) Not applicable to this part time service.

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Non-Compliance Information:	(1)(f) A written record of information relevant to the care needs of a child was not maintained on file in the service. (3)(c) A record in writing of a specific nature in relation to a child was not available for inspection. (4) The registered provider has not kept a record in writing detailing information in relation to the care needs of a child.
Corrective & Preventive Action submitted by the Registered Provider	<u>CORRECTIVE ACTION</u> (1),(3),(4), The service will be keeping all data sheets relevant to any behaviour, meeting with parents and these will be stored in the child's file. <u>PREVENTIVE ACTION</u> All meetings with parents will be documented from this date and stored in the child's file. <u>EVIDENCE SUBMITTED</u> None submitted
Summary Comment	The actions as outlined by the registered provider will be reviewed at the next inspection.

HEALTH WELFARE & DEVELOPMENT OF CHILD

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:	BASIC NEEDS: - A Healthy Eating policy was promoted within the service. Snack and drinks were provided by the parents. Drinking water was available to the children when needed. - The adults sat with the children during mealtimes and supported the children to feed themselves independently, according to their stage of development. The atmosphere during mealtimes was relaxed with pleasant social interaction among the children and adults. - The privacy and dignity of the children was respected at all times during nappy changing and toileting. - Children were encouraged and supported to manage their personal care appropriated to their own level of independence. Pictures and word reminders and instructions were displayed and used with the children to support personal care. SUPPORTING RELATIONSHIPS AROUND CHILDREN: - The children were observed to interact positively and comfortably with the staff members present and sought out staff when necessary.
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Part V - Care of Child in Pre-school Service

Regulation 19 - Health, Welfare and Development of Child

- The adults demonstrated sensitivity, warmth and positive regard for the children as evidenced in the positive use of language and soft tones. Staff were observed offering choices to children, using the child's name, making eye contact, speaking in warm tones.
- The children had individual Assessment of Basic Language and Learning Plan in place and this was completed by the staff on a daily basis.
- Parents were consulted regularly on the assessment plan. Textbooks and IT software were used by the children, adults and parents to communicate. A picture exchange communication system (PECS) was also used by some children attending the service.
- Parents were welcomed at drop off times in the morning and allowed come to the entrance door of the service. At collection times the key person brought each child from their play pod to the exit door of the service to reduce traffic flow in the service.

PHYSICAL ENVIRONMENT:

- There were 2 main playrooms available to the children and each room was designated according to each child's stage of development. The children had access to a sensory room each day to relax and chill out with music, coloured lights and sensory balls.
- There was access to varied play materials and equipment which were rotated to suit the interest and skill levels of the children. The children were observed playing with the different sensory materials such as play dough, kinetic sand and rice.
- Materials and equipment were arranged so they were visible and easily accessible to the children
- The children had daily access to an enclosed outdoor play area, equipped with slides, tricycles, hoops, climbing frame and soft matting areas.

Part V - Care of Child in Pre-school Service

Regulation 19 - Health, Welfare and Development of Child

(3) A registered provider shall ensure that no corporal punishment is inflicted on a pre-school child whilst attending the service.

(4) A registered provider shall ensure that no practices that are disrespectful, degrading, exploitive, intimidating, emotionally or physically harmful or neglectful are carried out in respect of a pre-school child whilst attending the service.

Compliance Information:	(3) The staff were observed to engage in a positive and meaningful way with the children. The staff used soft tones of voice, the child's individual name and got down to their level and made eye contact. No practices that were disrespectful were observed on the day.
Non-Compliance Information:	(4) The services documented policy on managing positive behaviour was insufficient in detailing the different approaches for managing behaviour and the strategies used by the service to help a child manage their own behaviour in a way that is appropriate to their age and stage of development.
Corrective & Preventive Action submitted by the Registered Provider	<u>CORRECTIVE ACTION:</u> A new managing behaviour policy has been written up and is attached. <u>PREVENTIVE ACTION:</u> None stated <u>EVIDENCE SUBMITTED:</u> The updated behaviour policy was submitted.
Summary Comment:	The evidence submitted was reviewed and deemed to meet the regulatory requirement of Regulation 19.

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:	GENERAL SAFETY: - On arrival to the service, the entrance door leading into the pre-school facility was secured and a hand sanitising station had been set up. - Safe storage was available for cleaning agents and equipment. - Alcohol-based hand sanitizer was kept out of reach of young children and children were supervised while using it. INFECTION CONTROL: - A system was in place for staff to confirm to the person in charge that they were well and did not have any COVID-19 related sicknesses at the start of each shift - Staff have been advised in relation to the requirement to self-isolate where appropriate.
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Part VI - Safety

Regulation 23 - Safeguarding Health, Safety and Welfare of child

- Staff were aware of what to do if a child or adult becomes symptomatic while in the service by contacting the infection control officer for the service and moving the child or adult to the isolation area whilst maintaining social distancing of 2 meters.
- The isolation area was located in the main office in the building.
- A supply of personal protective equipment was available and used when required by staff in the service which included hand sanitizers, disposable single-use plastic aprons, non-powdered, non-permeable gloves, shoe coverings and face masks. Staff were observed to wear face masks whilst caring for the children and stated that children have become accustomed to this now.
- A written cleaning record was available where high contact areas were regularly cleaned throughout the day.
- A supply of cleaning agents and equipment was available in each room of the service.
- Mouthing toys were individual to each child and not transferred between children, they were removed immediately after use and sterilised.
- All toys/materials/equipment available to the children were cleaned each evening. Play dough was replaced daily.
- Children had a pair of indoor shoes as well as a pair of outdoor shoes and parents were advised that children should wear a clean set of clothes every day.
- Play rooms, communal areas and sanitary areas were adequately ventilated by both natural and mechanical forms of ventilation.
- Personal waste including used tissues and all cleaning waste was appropriately disposed of in foot operated pedal bins in each room of the service.
- A supply of warm water, liquid soap, paper towels, hand sanitizer and bins for disposal of paper towels available throughout the service.
- Hand washing occurred regularly and at required times by both the staff and children in the service.

Part VI - Safety

Regulation 23 - Safeguarding Health, Safety and Welfare of child

	- Adults were aware of the correct measures for coughing and sneezing and therefore could help children follow this process if required. Disposable tissues were available in each room. - There was evidence that the service had implemented measures to maintain physical distancing with signage at arrival and staggered collection times to avoid congregations. - Visitors or external persons had been restricted in the service or can call when children and staff have left the service. - The registered provider ensured that complete and accurate daily records of attendance were kept for all children, adults and visitors to the service. - There was an accurate record available of the children and adults grouped together within the service to support contact tracing if required.
Non-Compliance Information:	GENERAL SAFETY: - The trampoline in the outdoor area was not safe as the safety padding was missing on some of the metal poles. - Staff stated that on occasions more than one child would be playing in the trampoline at the same time. - Some play equipment such as ride on toys was noted to be broken and unsafe for use by the children. INFECTION CONTROL - There was no sealed lidded bin for the safe disposal of nappies in the upstairs sanitary area. - The nappy changing policy did not document the requirement by staff to wear protective clothing (aprons) and that a child's hands are washed and dried after nappy changing.
Corrective & Preventive Action submitted by the Registered Provider	<u>CORRECTIVE ACTION:</u> <u>GENERAL SAFETY:</u> - The padding has been replaced on the metal poles. (copy of receipt attached) - New guidelines have been implemented where only one child is on the trampoline at any one time, also one staff member and one child are allowed. - The broken toys have been discarded. <u>INFECTION CONTROL:</u> - New sealed bin has been supplied for the changing area.(copy of receipt attached) - Policy amended and plastic aprons are now in the changing area. (Attached copy of Policy) <u>PREVENTIVE ACTION</u> None stated

Part VI - Safety

Regulation 23 - Safeguarding Health, Safety and Welfare of child

	EVIDENCE SUBMITTED Policies and receipts of purchases
Summary Comment:	The evidence submitted was assessed and deemed to meet the regulatory requirement of Regulation 23.

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.
- (3) A record in writing referred to in paragraph (2)(a) shall—
- (a) include the nature of the complaint and the manner in which the complaint was dealt with, and
 - (b) be open to inspection on the premises by an authorised person.

Compliance Information:	(1) There was evidence of a complaints policy for the service and the policy being implemented which specified: (a) The procedures to be followed by a person in relation to the service. (b) The manner in which such a complaint will be dealt with, (c) The procedures for keeping a person who makes such a complaint informed. (2)(a) A documented record in writing of the complaint was available. (b) Evidence was available to ensure a complaint was duly dealt with in accordance with the Registered Providers complaints policy. (3)(a) Records were available to demonstrate compliance with the service policy. (b) Records were available for inspection.
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Part VI - Safety Additional Significant Risk Identified	
Regulation 29 - Premises	
<i>A registered provider shall ensure that the premises of the service are (d)cleaned, maintained and repaired, as required, and</i>	
Non-Compliance Information:	(d)The premise was in need of repair and regular maintenance. 1. The tarmac at entrance to the service had areas of moss and was unclean. The front window sills had green moss 2. The paint work on the front door was chipped and in a poor state of repair. 3. Paintwork was chipped on the skirting boards and walls in many of the rooms. 4. The floors and skirting boards were noted to be dusty. Cobwebs were noted on ceilings. 5. Dust was noted on vents in the sanitary areas. 6. Tiles were missing off the wall near the wash hand basin in an upstairs room.
Corrective & Preventive Action submitted by the Registered Provider	<u>CORRECTIVE ACTION</u> 1. The tarmac driveway will be cleaned and hosed in the coming weeks, as is always done. The window sills were cleaned as was the play area out the back. 2 & 3. All paint works will be carried out in the month of August when the preschool is closed. 4 & 5. The dust and cobwebs have been removed. 6. The tiles have been replaced. <u>PREVENTIVE ACTION</u> A cleaning service will be employed for the new school year September 2021. Regular checks of all rooms to ensure all areas are maintained and repairs carried out as necessary <u>EVIDENCE SUBMITTED:</u> No evidence of works completed submitted
Summary Comment:	Evidence that the works outlined above has not been submitted to the office of the early years inspectorate and remains outstanding.