

Early Years Inspectorate Regulatory Report Pre School

TUSLA Identifier:	TU2015MO025
--------------------------	-------------

Name of Service:	Breaffy Crèche & Pre-school
-------------------------	-----------------------------

Address of Service:	Clogher, Breaffy, Castlebar, Co. Mayo
----------------------------	---------------------------------------

Eircode:	F23 AK46
-----------------	----------

Name of Registered Provider:	Margaret Cresham
-------------------------------------	------------------

Service type:	Full Day, Part Time, Sessional
----------------------	--------------------------------

Date of Inspection:	17/10/2023
----------------------------	------------

No of pre-school children:	AM	23	PM	20
-----------------------------------	----	----	----	----

Address of the Early Years Inspectorate:	Early Year's Inspectorate, TUSLA, Child and Family Agency, 2nd Floor, St. Mary's HQ., Castlebar, Co. Mayo.
Inspection undertaken by:	M Farrell
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
---------------------------------	----------------

Early Years Inspectorate Regulatory Report

Pre School

Description of service

Breaffy Crèche & Pre-school is located in a rural area in Breaffy near Castlebar in Co Mayo. The service is registered to provide full day care, part-time and sessional services to children aged between one and six years from 08:00-18:00hours. The premises was purpose built for the provision of childcare with three playrooms, a sleep room, sanitary facilities, dining room and kitchen provided. The children have access to play areas to the rear of the premises directly accessible from two of the playrooms.

Staffing

There are eight staff working in the service including childcare staff and a cook/cleaner. The registered provider works directly with the children in the service.

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 / safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11, 15, 16, 23 and 25; however, on inspection additional non-compliance which posed a risk was identified under Regulation 10, 21 and 29. These findings are outlined within the relevant regulations within this report.

Early Years Inspectorate Regulatory Report

Pre School

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.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, staff and children who were present on the day of the inspection.

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.*

Early Years Inspectorate Regulatory Report

Pre School

(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 registered provider was the designated person in charge in the service and there was a named adult to deputise in her absence.
 - (b) The designated person in charge or deputy were available on the premise throughout the period of inspection.
- (2)
- The inspector was informed by the registered provider that two new staff had started working in the service since the last focused inspection of the 28 July 2021. The vetting information for the other six staff had been reviewed on previous inspections. The following vetting documentation and qualifications were available on file for the two new staff members:
- (a) There were two written validated references from past employers in particular their most recent employer for one staff member. A second staff member had a written validated reference from a past employer.
 - (c) Vetting disclosures from the National Vetting Bureau of the Garda Síochána for the two staff.
- (4)
- Evidence of the required qualification in Early Childhood Care and Education or equivalent was available on file for the one of the staff new to the service since the last inspection who worked directly with the children.

Non-Compliance Information

- (2)
- (a) A written reference from their most recent past employer was required for one staff member. There was no photographic identification available for one staff member.
- (4)
- The documentation relating to qualification available on file for one staff member did not show that their qualification met the regulatory requirements.

Early Years Inspectorate Regulatory Report

Pre School

Corrective & Preventive Action submitted by the Registered Provider

The registered provider advised in writing that:

Corrective and Preventive Action

(2)

- (a) A written reference from most recent employer is now on file. Photographic identification is also on file for this member of staff. All staff will be required to provide all the necessary documents before commencing employment in the service.

(4)

Evidence of all staff qualifications are on file in the service.

Supporting documentation submitted

The registered provider submitted copies of the written reference, photographic identification and qualification to the Early Years Inspectorate.

Summary Comment

The actions taken and evidence submitted has been reviewed by the Early Years Inspectorate and been found to have addressed the regulatory non-compliance found on inspection.

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.

Non-Compliance Information

A policy folder with written policies was presented to the inspector for inspection. The written policies were based on templates that related to school aged children and did not reflect the practices in the service in relation to care of preschool children. The last dates of review of the policies by the service were recorded as September 2020. The following policies required under Schedule 5 of the regulations were unavailable for inspection:

- (b) complaints policy;
- (h) inclusion policy;
- (i) policy on accidents and incidents;
- (l) policy on healthy eating;

Early Years Inspectorate Regulatory Report

Pre School

- (m) policy on outdoor play where such play is provided to children attending the service;
- (o) policy on staff absences;
- (p) policy on the use of the internet and photographic and recording devices;
- (q) recruitment policy;
- (r) risk management policy;
- (s) settling-in policy;
- (t) staff training policy;
- (u) supervision policy.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider advised in writing that:

Corrective and Preventive Action

(b),(h),(i),(l),(m),(o),(p),(q),(r),(s),(t) and (u)

Assistance has been sought from a company to review the service's policies that are in draft form and undergoing review by the registered provider for approval. Once the draft policies have been approved, a hard copy will be kept on file in the service and parents will be issued copies by email.

Supporting documentation submitted

Copies of the draft policies were submitted by the registered provider to the Early Years Inspectorate.

Summary Comment

The actions and evidence submitted by the registered provider have been reviewed by the Early Years Inspectorate and found to have addressed the regulatory non-compliance found on inspection.

Early Years Inspectorate Regulatory Report

Pre School

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) There was an adequate number of adults working directly with the children on the inspector's unannounced arrival to the service with 5 staff working directly with the 22 preschool children present at that time. The registered provider arrived in the service shortly after the inspector's arrival and worked directly with the children during the inspection.
- (2) On the day of the inspection the registered provider ensured that the relevant minimum adult to children ratios were adhered to in the service. Attendance records showing that these ratios were adhered to during the times sampled for review.
- (8) Review of the staff roster and discussion with staff found that there were at least two adults present on the premises when children were present.

Early Years Inspectorate Regulatory Report

Pre School

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;*
- (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.*

(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.*

Compliance Information

(1)

A sample of 10 children's records from several children in each playroom were randomly selected by the inspector for review. The following details were recorded on the sampled children's enrolment forms:

- (a) The names and date of birth of the children.
- (d) The name, address and contact details for parents/guardians when the child was present in the service.
- (e) Details regarding authorisation for collection of the child.
- (f) Information regarding any illness, disability, allergy or special need of the child.
- (g) The name of the child's registered medical practitioner with their telephone numbers.
- (h) Information regarding the children's immunisation status.

(3)

Early Years Inspectorate Regulatory Report Pre School

(c) The written records were made available for inspection to the inspector on request.

Non-Compliance Information

- (1)
- (b) There were no dates provided for when two of the children had first attended the service.
 - (c) There was no written parental consent for appropriate medical treatment in the event of an emergency for four of the children sampled.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider advised in writing that:

Corrective and Preventive Action

- (b) The children's enrolment information has been updated and first attendance dates have been included.
- (c) The written parental consents for appropriate treatment for their child in the event of an accident or emergency have been updated and are on file in the service.

Supporting documentation submitted

Copies of updated enrolment information and consent forms were submitted by the registered provider to the Early Years Inspectorate.

Summary Comment

The actions taken and evidence submitted by the registered provider have been found by the Early Years inspectorate to have addressed the regulatory non-compliance under this regulation.

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:

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;*
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;*
- (c) details of the adult:child ratios in the service;*
- (d) the type of care or programme provided in the service;*

Early Years Inspectorate Regulatory Report

Pre School

- (e) the facilities available;*
- (f) the opening hours and fees;*
- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters 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.*

(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.

Compliance Information

The registered provider kept a record in writing of the following information:

- (b) details of the class of service and age range of children that the service is registered to provide services to;
- (c) details of the adult:child ratios provided in the service;
- (d) information on the care type and programme the service provides;
- (e) the facilities provided by the service;
- (f) the service's opening hours and information on fees;
- (h) the daily attendance of each child recorded in attendance record books;
- (i) details of a staff roster displayed in the entrance hall including adult child ratios;
- (j) medication administration record forms recording details of medicines administered to children in the service.

Non-Compliance Information

- (1)
 - (a) There was no employment history available for inspection for one staff member.
 - (k) Three of the accident and incident forms sampled had not been signed by parents in the section provided for parent signature with no record to demonstrate that the parents had been informed of the accident or incident relating to their child in the service.

Corrective & Preventive Action submitted by the Registered Provider

Early Years Inspectorate Regulatory Report

Pre School

The registered provider advised in writing that:

Corrective and Preventive Action

- (1)
- (a) A curriculum vitae is now on file for the member of staff. All staff must supply up to date CV before commencing employment in the service.
 - (k) The accident and incident forms have now been signed. All accident and incident forms will be checked on the day of the accident and incident report.

Supporting documentation submitted

The registered provider submitted a copy of a curriculum vitae to the Early Years Inspectorate.

Summary Comment

The Early Years Inspectorate has reviewed the action taken and evidence submitted by the service and deemed that the non-compliance found on inspection under this regulation has been satisfactorily addressed.

Part V - Care of Child in Pre-school Service

Regulation 21 – Equipment and materials

A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.

Non-Compliance Information

There was no seating suitable for adult use in the Baby playroom to facilitate an adult to sit on for example while comforting a child.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider advised in writing that:

Corrective and Preventive Action

A chair has been put in the Baby playroom for adult use. Staff have been instructed not to remove the chair from the Baby playroom.

Supporting documentation submitted

Photographic evidence of the chair for adult use was submitted by the registered provider.

Summary Comment

Early Years Inspectorate Regulatory Report

Pre School

The Early Years Inspectorate has deemed that the regulatory non-compliance found on inspection has been addressed by the action taken and evidence submitted by the registered provider.

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:

The main entrance door was secured with a buzzer system in place on the inspector's unannounced arrival to the service. The inspector was admitted by staff following production of identification. The side entrance door with direct access to the Preschool playroom was found to be secured during the inspection. Internal doors and half doors were secured to allow staff control access of children to the dining room/kitchen. The blind cord in the Baby sleep room was secured with an appropriate securing device. Cleaning products were stored out of reach of the children on high shelving in the staff sanitary area and in cupboards in the kitchen. The toys and play equipment in the playrooms in use on the day were in satisfactory condition and suitable for the children using them.

Infection Control:

The staff were observed to supervise and prompt the children to wash their hands at key times including before eating and after using the toilet. Liquid soap and paper towel was used for hand washing and drying with foot pedal operated bins provided in all areas for disposal of waste. The nappy change area had a foot pedal operated waste bin to dispose of nappies with aprons and gloves provided to facilitate children's nappy changes. The children's snacks that included perishable items such as yoghurts and ham were stored in a refrigerator under the required 5°C. Windows were opened by staff in playrooms and sanitary areas to ventilate spaces. Tissues were available to children to clean their noses with when needed. The staff were observed to clean areas after use and record cleaning and disinfecting processes in writing on checklists.

Administration of Medication:

There was no medication administered to children during the inspection. Medication administration record forms were available for staff to record administration of any medication to a child when in the service.

Safe Sleep:

Early Years Inspectorate Regulatory Report

Pre School

The staff observed the children sleeping in cots in the sleep room at ten-minute intervals. The staff recorded their findings including the children's colour, breathing patterns and position in sleep logs in addition to keeping records of the sleep room air temperature. The air temperature of the sleep room was recorded at 18.9°C. at 14:35hours.

Fire Safety:

The emergency exits were observed to be free from obstruction during the inspection.

Non-Compliance Information

General Safety:

1. The stone boundary wall of the outdoor area used by the Baby playroom measured 70cm in one area and had footholds. An outer perimeter metal fence had fallen down behind the wall and did provide adequate enclosure of the area.
2. Two wall fixtures in the outdoor area were damaged with potential pinch points that posed a risk of injury to children.

Infection Control:

3. Three of the cot mattresses in the Baby sleep room were stained and required replacement.
4. At 12:30hours two of the children's soothers were observed to be stored teat down on a windowsill in the Baby playroom beside children's shoes posing a risk of cross contamination.
5. A feeding bottle of oat milk belonging to one of the children was stored in a storage basket in a cubby hole in the Baby playroom with an air temperature of 19.1°C. The milk should be stored in a refrigerator once opened.
6. One of the staff was observed to change a nappy without wearing the required apron.
7. There was stagnant water in a water table that required cleaning in the outdoor area posing an infection control risk to children. It is acknowledged that the outdoor area was not used by children on the day of the inspection.
8. The lower straps on two of the highchairs in the dining room were soiled and required cleaning.
9. There was a hamster kept as a pet in a cage in the Preschool playroom. However, there was no policy on pets or associated risk assessment in the service to guide staff on the management of the pet.
10. The temperatures of the water emitted from the hot taps in both children's sanitary units and at the nappy changing sinks ranged from 12.1°C-12.9°C. This was not adequately warm enough to facilitate children washing the hands effectively.

Action submitted by the Registered Provider

Early Years Inspectorate Regulatory Report

Pre School

The registered provider advised in writing that:

Corrective & Preventive Action

General Safety:

1. Mesh has been erected in this area at the boundary wall. The mesh will be checked on a regular basis when in use.
2. The wall fixtures have been removed. The wall fixtures will be replaced.

Infection Control:

3. The cot mattresses have been replaced. The cot mattresses will be checked on a regular basis for staining.
4. The soothers are kept in plastic boxes with the children's names on them when not in use. Staff have been instructed to make sure the storage boxes are used, and soothers are not left on a windowsill.
5. Feeding bottles will be stored in the fridge. Staff have been instructed that feeding bottles should be kept in the fridge when not in use.
6. Aprons are always available for nappy changing. Staff have been instructed to use aprons when changing nappies.
7. The water has been removed from the table and the lid replaced. Staff have been advised to make sure the table is emptied when finished using it and the lid replaced.
8. The lower steps were removed and laundered. The straps are laundered over the weekend.
9. The hamster is no longer in the service. The service now has a policy in relation to pets/animals.
10. The temperature of the water in the bathroom sink fluctuates. A plumber was sourced, and a replacement water heater has been ordered to be installed and is expected to be delivered by the 12th of December 2023. Once the replacement water heater is installed the water temperature will be checked on regular basis.

Supporting documentation submitted

The registered provider submitted photographs of actions taken, an invoice in relation to the installation of the water heater and a copy of the service policy on pets/animals.

Summary Comment

The Early Years Inspectorate has reviewed the actions and evidence submitted by the registered provider and the regulatory non-compliances found on inspection have been addressed.

Part VI – Safety

Early Years Inspectorate Regulatory Report

Pre School

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)

(a) A large first aid box was stored in conspicuous position on a high shelf in the Full Day playroom.

(b) Adequate supplies of first aid equipment were available should they be needed for the children at all times.

Non-Compliance Information

(1)

(a) There was only one member of staff with certification of the required First Aid Responder (FAR) training and this was not adequate to provide cover at all times when children were in the service.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider advised in writing that:

Corrective and Preventive Action

(1)

(a) There are now two members of staff with FAR training completed. A further member of staff will complete this training next year.

Supporting documentation submitted

A copy of the FAR certification for the additional staff member was submitted to the Early Years Inspectorate by the registered provider.

Summary Comment

The non-compliance found on inspection under this regulation has been addressed by the action taken and evidence submitted by the registered provider.

Early Years Inspectorate Regulatory Report

Pre School

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-
(c) kept adequately lit, heated and ventilated

Non-Compliance Information

(c) Heated:

At 12:40hours, the air temperature of one of the children's sanitary areas was recorded at 13.9°C, with the air temperature of the nappy change area recorded at 14.3°C. This was below the required range of 18-22°C for these areas. The registered provider was informed, and the heating was turned on in the areas. At 12:55hours the air temperature in the second sanitary area was recorded at 16°C. The inspector rechecked the air temperatures at 14:30hours and found that the air temperatures in the children's sanitary areas had risen to 17.3°C and 17.7°C respectively with the air temperature of the nappy change area recorded at 17.6°C.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider advised in writing that:

Corrective and Preventive Action

(c) Heated:

The windows are now closed at this time of year to keep in the heat apart from the middle window that is left open to ventilate the space as it is a nappy changing area. Both radiators have been turned up to heat the areas.

Supporting documentation submitted

The registered provider submitted a photograph of the sanitary area with a thermometer recording an air temperature of 20°C.

Summary Comment

The actions taken and evidence submitted by the registered provider has been reviewed by the Early Years Inspectorate and been found to have addressed the non-compliance found under this regulation on inspection.