

TUSLA REGULATORY INSPECTION REPORT



TUSLA Identifier:	TU2015MO124								
Name of Service:	Tir Na NÓg Preschool								
Address of Service:	5 The Grove, Mill Street, Westport, Co Mayo, F28 EK63								
Email Address:	mageen@eircom.net								
Name of Registered Service Provider:	Margaret O'Malley								
Type of Service Registered:	Sessional			☒					
Date of Inspection:	3	0	0	5	2	0	2	2	
No of Pre-School Children present during Inspection:	AM		17		PM		-		
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:	S. Gallagher								
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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TUSLA REGULATORY INSPECTION REPORT

Description of Service	This childcare service is registered to provide a sessional service to pre-school children aged 3 years to 6 years operating from 9.00am-12.30pm Monday to Friday throughout the academic school year. The service caters for a maximum of 16 children per session.
Premises	The service is operated from a converted section of a private residence. The service is located in a residential area in the town of Westport. There is one pre-school room in operation. The service has an outdoor area located to the side and front of the premises.
Staffing	The service employs three adults including the registered provider who works directly with the children. Two adults including the registered provider were working in the service on the day of inspection. A fourth adult is available to provide relief cover if required.
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	Non-compliances were identified under the following Regulations on inspection on 30th May 2022 were also deemed non-compliant on the previous inspection on 11th April 2019; • Regulation 23 • Regulation 8 • Regulation 16
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.

Compliance Information:

- (2)
- The inspection focused on the management and recruitment of adults who had commenced working in the service since the previous focused inspection on 11th of April 2019. It was confirmed by the person in charge that no adults had commenced in the service since this inspection.

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) Records showed that there were two adults working directly with the children at all times in the service.

Part III - Management and Staff

Regulation 11 - Staffing Levels

(3) On the day of the inspection there were 17 children in attendance with two adults in the service.

(8) (c) Not applicable.

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:

(1)(a)

BASIC NEEDS:

The following provisions were made to ensure children's basic care needs were met:

- Snacks provided by parents comprised of a selection of fresh fruit, sandwiches with various fillings, cheese, crackers and yogurts etc. Drinks consisted of juice and water. The children were observed to enjoy the food experience whilst interacting with their peers and adults in the service.
- The children were supported and encouraged to become independent and self-caring, suitable to their age and stage of development which included: self-feeding, toileting, putting on coats and tidying away after snacks. Children's hygiene needs were promptly and sensitively addressed.
- Aprons were available to protect clothes when painting.
- Children had sufficient space to move freely indoors and outdoors. The children were observed to move between the playroom and the outdoor area throughout the session.
- Children's behaviour was managed in a sensitive and positive way. Good behaviour and achievements were positively reinforced with praise and encouragement. Children were encouraged and supported by the adults in the service to take turns and to be kind to each other.

SUPPORTING RELATIONSHIPS AROUND CHILDREN:

- The adults were observed on the day to engage with the children during play activities including helping with various activities, singing songs and rhymes, conversations and getting down to the children's levels when speaking with them.
- The adult's were observed to appropriately support and encourage interactions between the children on the day.
- The atmosphere between the adult's and children was calm and unhurried.

Part V - Care of Child in Pre-school Service

Regulation 19 - Health, Welfare and Development of Child

PHYSICAL AND MATERIAL ENVIRONMENT:

- The children had access to a range of toys and equipment including art and crafts materials, small world (animals, cars), books, jigsaws and puzzles, manipulative toys, a construction area with blocks of various materials, a home area, Montessori equipment, a nature/science table, a library area with a variety of books and soft seating for children to browse through a book and relax
- The outdoor area provided space and opportunities to sit, run, jump, be creative and engage in imaginative play. The ground surface comprised of an artificial grass with a paved footpath surrounding the building. Two sheltered areas allowed for outdoor play throughout the seasons. Play resources included ride on toys, an easel, a blackboard wall, a sand pit, and a climbing frame.

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 service had taken the following measures to safeguard the health, safety and welfare of children attending;

GENERAL SAFETY:

- Cleaning products and waste disposal facilities were inaccessible to the pre-school children.
- The entrance door to the service was secured on arrival of the inspector and throughout the inspection thus preventing the risk of unauthorised exiting by a child and unauthorised access by an adult.
- Toys and play equipment were non-toxic to reduce the risk of injury to a child.

INFECTION CONTROL:

- The service had reviewed their cleaning schedules in view of the COVID-19 pandemic and records of all cleaning and disinfecting undertaken in the service were maintained and available for inspection.
- Appropriate hand-washing facilities including warm water, liquid soap and paper towels were provided at all sanitary units. Hand sanitiser was available throughout in the service.
- Foot pedal operated lidded bins were provided in the service for the disposal of waste.

ADMINISTRATION OF MEDICATION:

- There were no medications administered to children on the day of the inspection. The adult's demonstrated knowledge of safe practices with regards to the administration of medications.

FIRE SAFETY:

- Both exit routes in the playroom were free from obstruction.

Part VI - Safety

Regulation 23 - Safeguarding Health, Safety and Welfare of child

Non-Compliance
Information:

GENERAL SAFETY:

1. The following play equipment in the outdoor play area was damaged;
 - The edge of the kitchen top was worn with damp moss coated damp chipboard exposed.
 - The planting box had jagged edges exposed.
 - The windows of the yellow playhouse had chew marks.
 - The rims of two measuring cups in the sandpit area and one cup in the home area were chipped.
 - Rust was evident on the black shelving unit in the outdoor play area.
2. One child was observed to be wearing an amber beads necklace which posed a risk of choking and strangulation to the child.
3. A potted plant positioned partially on the edge of a step in the outdoor play area posed a risk of falling and injuring a child.
4. The keys to secure both external doors in the service remained in the lock while children moved freely between the playroom and the outdoor area. This posed a risk of a child getting locked inside the service without adult supervision.
5. Dance ribbons placed on the handle of the cupboard door above the sofa posed a risk of strangulation. It is acknowledged that the adult in the service removed the dance ribbons once informed by the inspector.
6. The joints and the edging of the artificial grass was not secured thus posing a risk of a fall to the children.
7. The climbing frame in the outdoor play area was not positioned evenly on the impact matting to ensure it was anchored.

INFECTION CONTROL:

8. Buckets of stagnant water located behind a gate in the outdoor play area posed a risk of infection.
9. It was observed that a mop was stored behind the gate at the steps in the outdoor area thus posing a risk of infection.
10. One drain in the outdoor area was accessible to the children as it was partially covered with a piece of artificial grass.

Corrective & Preventive
Action submitted by the
Registered Provider

CORRECTIVE ACTION

GENERAL SAFETY:

1.
 - The moss from the outdoor play kitchen has been removed and appropriate covering has been put on the edge.
 - The planting box is replaced.
 - The window has been removed.
 - The two measuring cups in the sandpit area and one cup in the home area have been removed.
 - Black shelving unit in the outdoor play area has been removed.

Part VI - Safety

Regulation 23 - Safeguarding Health, Safety and Welfare of child

2. The child will no longer wear amber beads in the service.
3. A potted plant positioned partially on the edge of a step has been removed and put behind the gate which is not accessible to the children.
4. As per the standard practice of the service, Staff will be reminded each week of the importance of taking the keys out of the locks and hanging them on the provided hook. A notice to remind staff to hang the keys up at all times will be placed beside the door.
5. Dance ribbons placed on the handle of the cupboard door above the sofa have been removed.
6. The edges of the grass have been adjusted and secured.
7. The climbing frame in the outdoor play area has been re-positioned onto a covered, level, and safe surface.

INFECTION CONTROL:

- 8&9. The mop and buckets have been removed.
10. There are two covers in place on the outdoors drain. One cover is within the drain which prevents access. Another cover has been put in place on the top for additional safety.

PREVENTIVE ACTION

GENERAL SAFETY:

1. The service will ensure any damaged items are replaced or removed immediately from the outdoor area.
2. Parents of enrolled children will be advised that amber beads are not permitted while attending the service.
3. The service will ensure that no items are placed in a similar position again.
4. New signage will be in place to remind staff to hang up the door keys when not in use and to be more stringent when completing the risk assessment of the outdoor area.
5. The dance ribbons will be stored up high out of reach of children.
6. The joints and the edging of the artificial grass have now been secured. Staff will check regularly to make sure it remains secured.
7. The climbing frame has been repositioned and will remain in this position throughout the school year.

INFECTION CONTROL:

- 8.&9. The buckets and mop will not be stored in the outdoor area of the school.
10. The additional drain covers will remain in place and will be checked regularly.

EVIDENCE SUBMITTED

Photographic evidence was submitted to the Office of the Early Years Inspectorate for review.

Part VI - Safety

Regulation 23 - Safeguarding Health, Safety and Welfare of child

Summary Comment:	The actions together with the evidence submitted by the registered provider has been reviewed by the Early Years Inspectorate and deemed to address the non-compliances found on the day of inspection.
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Part VI - Safety

Regulation 25 - First Aid

(2) A registered provider shall ensure that a suitably equipped first aid box for children—
(b) is available to the children attending the pre-school service at all times.

Non-Compliance Information:	(2)(b) The eye pads in the first aid box for the service were passed the expiry date.
Corrective & Preventive Action submitted by the Registered Provider	<u>CORRECTIVE ACTION</u> The eye pad has been replaced. <u>PREVENTIVE ACTION</u> The first aid kit will be checked regularly for out-of-date items. <u>EVIDENCE SUBMITTED</u> Photographic evidence of eye pads with an expiry date of December 2025 was submitted to the Office of the Early Years Inspectorate.
Summary Comment:	The actions taken together with the evidence submitted by the registered provider have been reviewed by the Early Years Inspectorate and deemed to have addressed the non-compliance found on inspection.

Part VI - Safety

Regulation 26 - Fire Safety Measures

(1) A registered provider shall ensure that a record in writing is kept of—
(a) the number, type and maintenance record of fire fighting equipment and smoke alarms in the premises

Compliance Information:	(1) (b) There was a record of the number, type and maintenance of the fire fighting equipment in the service and the smoke alarm system for the service available dated 15 th October 2021.
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Additional Significant Risk(s) to Children

Additional Significant Risk Identified

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are—
(d) cleaned, maintained and repaired, as required, and
(e) equipped with adequate and suitable sanitary facilities.

Non-Compliance Information:	A significant risk in relation to the safety of the children has been identified in relation to: (d) It was observed that water was leaking from a drain located off the roof directly onto the artificial grass surface in the outdoor play area.
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Additional Significant Risk(s) to Children Additional Significant Risk Identified	
Regulation 29 - Premises	
	(e) The required number of wash hand basins of 1 wash hand basin for every 11 children in the sanitary area was not provided. There was 1 wash hand basin available in the sanitary area for 17 children present on the day.
Corrective & Preventive Action submitted by the Registered Provider	<u>CORRECTIVE ACTION</u> (d) The issue with the roof has been fixed. (e) An additional hand basin has been put in place awaiting plumbing which will be done by re-opening of Preschool in September. <u>PREVENTIVE ACTION</u> The service will continue to monitor any issues with the roof and inform landlord immediately. <u>EVIDENCE SUBMITTED</u> Documentary and photographic evidence was submitted to the Office of the Early Years Inspectorate.
Summary Comment	The actions taken together with the evidence submitted by the registered provider have been reviewed by the Early Years Inspectorate and deemed to have addressed the non-compliance found on inspection.

Additional Significant Risk(s) to Children Additional Significant Risk Identified	
Regulation 8 - Notification of change in circumstances	
<i>(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.</i>	
Non-Compliance Information:	<i>A significant risk in relation to the safety of the children has been identified in relation to:</i> 1. The number of children attending the service had been increased without the registered provider notifying TUSLA and receiving approval to proceed with the proposed change. The service was registered for a maximum of 16 children, however there were 17 children in attendance for the duration of the session on the day of inspection. The names of 17 children were observed to be documented in the roll book with one child in attendance on the day was not recorded on it.
Corrective & Preventive Action submitted by the Registered Provider	<u>CORRECTIVE ACTION</u> There are never more than 16 children on the premises.

Additional Significant Risk(s) to Children Additional Significant Risk Identified	
Regulation 8 - Notification of change in circumstances	
	<u>PREVENTIVE ACTION</u> Going forward a separate introductory morning for children enrolled for the coming term will be undertaken to avoid the possibility of numbers exceeding the maximum of 16. <u>EVIDENCE</u> Documentary evidence was submitted to the Office of the Early Years Inspectorate.
Summary Comment	The actions taken together with the evidence submitted by the registered provider have been reviewed by the Early Years Inspectorate and deemed to have addressed the non-compliance found on inspection.

Additional Significant Risk(s) to Children Additional Significant Risk Identified	
Regulation 16 - Record in relation to pre-school service	
(1) A registered provider shall ensure that a record in writing is kept of the following information in relation to the service: (h) details of attendance by each pre-school child on a daily basis;	
Non-Compliance Information:	A significant risk in relation to the safety of the children has been identified in relation to: (1)(h) There were 17 children present on the day of inspection, however on inspection of the daily records of attendance for children were observed to be incomplete. On review of the roll book at 11:27 hours, 10 children were recorded to be in attendance in the service on the day. The name of one child in attendance in the service on the day was not in the roll book. A second document which was used for signing in at the entrance to the service was incomplete as only 15 children's names were recorded for attendance on the day.
Corrective & Preventive Action submitted by the Registered Provider	<u>CORRECTIVE ACTION</u> The service will ensure that both the sign in book and roll book are completed. <u>PREVENTIVE ACTION</u> Staff members will be reminded at the start of each week of the importance of signing in children as soon as they arrive. A sign will be placed as a reminder beside the door.
Summary Comment	The actions taken submitted by the registered provider have been reviewed by the Early Years Inspectorate and deemed to have addressed the non-compliance found on inspection.