

# TUSLA REGULATORY INSPECTION REPORT

**TUSLA Identifier:** TU2015LS043

**Name of service:** Kilminchy School House

**Address of service:** Dublin Rd.  
Portlaoise  
Co. Laois  
R32 TX33

**Name Of registered provider:** Sonya Duggan

<b>Type of service registered:</b>	Sessional	<input type="checkbox"/>	Part-Time	<input type="checkbox"/>	Drop-In	<input type="checkbox"/>
	Full Day Care	<input checked="" type="checkbox"/>	Childminding	<input type="checkbox"/>	Temporary	<input type="checkbox"/>

**Date(s) of Inspection:** 15/09/2022

<b>Number of pre-school children present:</b>	<b>AM</b>	42	<b>PM</b>	32
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**Address of the Early Years Inspectorate:** Early Years Inspectorate,  
Tusla, Child and Family Agency,  
Primary Care Centre,  
Church Avenue,  
Tullamore,  
Co. Offaly.

**Inspection undertaken by:** D. Molloy  
**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

<b>Description of Service</b>	<p>This full day care service is located in a converted two-story domestic dwelling in an urban area in Portlaoise. The whole premises is used for the sole purpose of operating an early years' service. The service has been operating since 1999. Children aged between 1 and 6 years attend the service.</p> <p>Two sessional services are operated each day. The sessions operate between 08.45am to 11.45am, and from 01.15pm to 04.15pm daily, Monday to Friday.</p> <p>The service is privately owned and operated by the registered provider. Car parking and set down is possible outside the premises. Enclosed outdoor play areas are located at the front, to the side and at the back to the back of the premises. Play facilities are accessed directly from the service. The service consists of</p> <p><b>Ground Floor</b></p> <p>On this floor there was the main hallway and entrance lobby, hallway opening onto front play area, the wobbler room, two play rooms, kitchen, three toilets and wash hand basins and a nappy changing facility.</p> <p><b>Upstairs</b></p> <p>There was a playroom, an office, a toilet, wash hand basin and nappy changing facility a resource room, and two sleeping rooms.</p> <p>play room, a hallway, lobby, cloakroom area, storeroom, two toilets and wash hand basins.</p>
<b>Staffing</b>	<p>There were eight staff working in the service on the day in addition to the registered provider who facilitated the inspection. Staff employed in the service held qualifications ranging from level 6 -9 on the National Framework of Qualifications (NFQ). One staff member was employed on the Access and Inclusion Model Scheme.</p>
<b>Methodology</b>	<p>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.</p> <p>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.</p> <p>Inspections of early years services are planned based on the following:</p> <ul style="list-style-type: none"> <li>• Previous inspection history</li> <li>• Any information received in relation to the service</li> </ul> <p>Findings on inspection are based on:</p> <ul style="list-style-type: none"> <li>• Information obtained through examination of documentation</li> <li>• Direct observation</li> <li>• Discussion with relevant staff</li> </ul> <p>This inspection was unannounced and focused on the area of Governance/ Health, Welfare and Development of Child/ Safety/ Premises and Facilities.</p> <p>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</p>

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
  - (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, as far 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.
- (3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned, or allowed access to or contact with a child attending the pre-school service.
- (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 provide 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.”

(7) A registered provider shall ensure that all employees, unpaid workers, and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:

- (a) the policies, procedures and statements of the service specified in Schedule 5.
- (b) Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013) of the Act, and
- (c) these Regulations.

**Compliance information**

- (1)
  - (a) The service had a designated person in charge and a named person to deputise as required.
  - (b) The designated person in charge was present during the inspection.
- (2)
 

The registered provider stated that four new staff members had commenced employment in the service since the last inspection.

  - (a) In relation to new staff the registered provider had taken consideration of references from past employers, and in particular the most recent employer.
  - (b) In relation to new staff the registered provider had taken consideration of references from previous employers.
  - (c) A copy of Garda Vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of each person, was available for inspection.
  - (d) The registered provider had ensured that police vetting from other police authorities was held on persons who had lived in another state for a period longer than 6 consecutive months.
- (3) The procedures specified above had been carried out prior to any person being appointed, assigned, or allowed access to or contact with a child attending the pre-school service.
- (4)
 

All employees held at least a major award in Early Childhood Care and Education at Level 6-9 on the National Framework of Qualifications.

	<p>(6)(a)(b) Not applicable as no employee had signed a declaration on or before the 30<sup>June</sup> 2016 to the effect that they intended to retire from employment in a pre-school service.</p> <p>(6A) One employee was working directly with children under the Access and Inclusion Model (AIM) on the day of inspection.</p> <p>(7) (a) (b) (c) The registered provider ensured that all employees, were appropriately supervised and provided with appropriate information, and training, in relation to site-specific policies, procedures and statements of the service specified in Schedule 5, and in the regulatory requirements in relation to early years settings.</p>
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### Part III – Management and Staff

#### Regulation 10 - Policies, procedures 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	<p>The registered provider ensured that required written policies as outlined in Schedule 5 were in place. In addition to a statement outlining the statement of purpose and function of the service, the following policies were reviewed on site.</p> <ul style="list-style-type: none"> <li>• a policy on healthy eating.</li> <li>• an infection control policy.</li> <li>• a site-specific risk assessment and management policy.</li> <li>• a policy on the administration of medication.</li> <li>• a site-specific policy on managing behaviour.</li> </ul>
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### 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

(4) Subject to paragraph (5), where a registered provider contemporaneously provides— (a) a sessional pre-school service, and (b) a full day care service or a part-time day care service, or both, the minimum ratio of adults to children applicable for the duration of the sessional pre-school service in respect of the children attending that service shall be the ratio specified in paragraph (3)

(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	<p>(1) The registered provider ensured that there was an adequate number of adults working directly with the children. Records showed that the adult child ratio was upheld in the service.</p> <p>(2) The registered provider of this full day care service had ensured that at all times the minimum ratio of adults to children was in place.</p> <p>(4) The required ratio of adults to children was observed during the inspection and records showed that the sufficient adults were rostered to work with the children each day.</p> <p>(8) (a) The registered provider had ensured that there are at least 2 adults on the premises at all times</p>
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## Part IV – Information and Records

### Regulation 17 – Information for parents

A registered provider shall ensure that a parent or guardian of a child proposing to attend the service is provided with the information referred to in subparagraphs (a) to (g) of Regulation 16(1).

Compliance information	The registered provider had devised a parent’s hand booklet and was in a position to provide all information to parents or guardians proposing to enrol their children in the service referred to in subparagraphs (a) to (g) of Regulation 16(1).
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## Part IV – Information and Records

### Regulation 18 – Copy of Act

A registered provider shall ensure that a copy is kept on the premises and the said copies shall be open to inspection on the premises by-

- (a) a parent or guardian of a child attending or proposing to attend the service,
- (b) an employee, unpaid worker, or contractor, and
- (c) an authorised person

Compliance information	The registered provider had ensured that a copy of Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act and of these Regulations was available on the premises and could be viewed by <ul style="list-style-type: none"> <li>(a) a parent or guardian of a child attending or proposing to attend the service,</li> <li>(b) an employee, unpaid worker, or contractor, and</li> <li>(c) an authorised person.</li> </ul>
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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.
- (2) A registered provider shall ensure that no corporal punishment is inflicted on a pre-school child whilst attending the service.
- (3) 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.
- (4) A registered provider shall ensure that a pre-school child shall not be-
- (a) permitted access to the internet,
  - (b) photographed, or
  - (c) recorded

while attending the pre-school service other than in accordance with the terms of the consent of a parent or guardian given in the form specified in the service's policy on the use of the internet and photographic and recording devices.

#### Compliance information

(19) (1) The registered provider ensured that each child's learning, development, and well-being was facilitated in the service.

#### **BASIC NEEDS:**

- The children's basic needs were well cared for, in the wobbler room it was observed that children's nappies were changed as needed and the nappy changing experience was interactive and child focused. As well as meeting the child's physical needs staff were building trusting relationship with the children by take their time so the child could feel relaxed. Staff made the nappy change time a positive experience for the child by taking into account their comfort and feelings while doing the change.
- In the toddler room early speech development was supported. It was noted that children were encouraged to answers simple questions nonverbally and were also encouraged when they tried to imitate simple words.
- Self-feeding was supported. In the toddler room staff sat with children as they were feeding themselves and were there to offered assistance. Children were not rushed at meals and staff took time with the children as for some of them this was a slow process and staff understood the importance of the children learning the sequence and movements required for self-feeding.



- Individualised plans were in place for children with additional needs that had been devised in consultation with parents and other professionals involved.
- The service welcomed additional support from the AIMS (Access and Inclusion Model Scheme), and it was noted that, and an appointed person was working directly with children availing of this scheme.

#### **SUPPORTING RELATIONSHIPS:**

- The relationships around the children were supported and were recognised by the management and staff as important for learning and development. The positive relaxed atmosphere in the wobbler room supported early attachment and interaction and could help children learn to feel secure, to communicate and to enjoy being with people when not at home.
- It was noted that siblings in the service, although cared for in different rooms were enabled to spend time together throughout the day.
- Staff were kind and caring towards the children and it was observed that new children were given additional support to settle in. It was observed that the children appeared comfortable in the staff company and were settling well in this the first term.

#### **PHYSICAL AND MATERIAL ENVIRONMENT:**

- The old rabbit which had been a presence in the service for years was housed in a roomy secure cage in the side play area and children could see and admire him daily.
- The play facility to the front had all weather surfacing for the smooth use of the buggies, trikes, bikes and pull along push along toys and offered a soft landing for slides and balance play.
- The service well light with a combination of natural and artificial light which contributed to the atmosphere in rooms and shed light where needed for close work

(2)

The registered provider ensured that no corporal punishment was inflicted on a pre-school child whilst attending the service, this was reflected in the behaviour management policy. Adults spoke positively to the children, listening to children's requests, and encouraging children to be caring towards each other.

(3)

A positive behaviour management policy was in place and staff were informed as to its contents.

(4)

(a)(b)(c)

The registered provider had a policy on children's safety and ensured that the children were not permitted access to the internet, photographed, or recorded while attending the pre-school service other than in accordance with the terms of the consent of a parent or guardian as specified in the service's policy on the use of the internet and photographic and recording devices.



## Part V - Care of Child in Pre-school Service

## Regulation 20 – Facilities for rest and play

(1) Subject to this regulation, a registered provider shall ensure that-

- (a) having regard to the number of pre-school children attending the service, their respective ages, and the amount of time they spend on the premises, there are adequate and suitable facilities for each child to play indoors and, where required by these Regulations, outdoors, during the day, and
- (b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

## Compliance information

(1)

(a) The service provided facility for the children to play indoors in the large, long play room and outdoors in the securely enclosed outdoor play facility. The play area was accessed directly from the back door of the setting.

The setting was well maintained, and walls inside and outside were clean and regularly painted.

(b)

A cosy rest area was available for children's use in each of the playrooms. Washable cushions and large floor mats were provided in the toddler room.

Two sleeping rooms were provided with cots and low beds available for children's use. The sleeping rooms were noted to be in use during the inspection.

## 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.

## Compliance information

- The outdoor areas were securely fenced and could be accessed directly from the setting. The outdoor facility was stocked with toys and equipment that were well maintained including slide, buggies, balance equipment, bikes trikes, push along pull alongs and sand play.
- The indoor setting was bright and cheerful decorated, and the rooms had been stocked in a child centred manner, with stages of development of children in mind making use of the space available.
- Low level shelving was in place in the play rooms allowing children to access toys of their own choice. Furniture was child sized including waist high tables with low chairs suitable to the size of the children in the service.
- All equipment was well maintained, and toys were washable and in a good state of repair.

## 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 service was secured by means of a controlled entry system which was operated from within the service. The external door was operated on a buzzer system in order to prevent unauthorized access to the setting.
- The outdoor facility was securely fenced and secured with gates that were locked from within.
- All cleaning products were stored out of reach of children.
- A pest control system was in place to safe guard against pests.
- Access to the attic conversion used as storage room was restricted and the children could not gain access as a stairgate was in place.

**Infection control:**

- Children were observed washing their hands regularly and were assisted if required. Children were reminded about hand washing in the event that they forgot.
- Adults were familiar with the Infection Control Policy which had been updated in line with most recent infection control guidelines.
- The service was well ventilated with openable windows which allowed air flow.

**Administration of medication:**

- A site-specific medication policy was available in the service and had been reviewed annually.
- Staff were familiar with policy and practice in relation to safe administration of medication.
- No medication was administered on the day of inspection.

**Fire safety:**

- All fire exits were unobstructed.
- Fire exits were fitted with exit display signage.
- A notice of the fire assembly point was on display to show fir assembly point in the garden.

## 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) Staff had up to date First Aid Responder (FAR) certification and were available to the children attending the pre-school service.
- (2)
- (a) The first aid box was safely stored in an easily accessible location on the premises.
  - (b) The first aid box was readily available in the service at all times.

## Part VI - Safety

### Regulation 26 - Fire safety measures

- (1) A registered provider shall ensure that a record in writing is kept of-
- (a) any fire drill that takes place in the premises, and
  - (b) the number, type and maintenance record of firefighting 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 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 written record was available of the fire drills carried out in the service. The last fire drill was recorded as being carried out in June 2022 as the service had only recently reopened following summer holidays and a fire drill was planned for the month of September when children had settled in.
- (b)  
The number, type and maintenance record of firefighting equipment and smoke alarms on the premises was available. The fire alarms were serviced 23 November 2021 and fire equipment was checked on 29 July 2022.

	<p>(2) The record was available open to parents, guardians, employees, and the authorised person.</p> <p>(3) The registered provider stated that records were retained for a period of 5 years after creation.</p> <p>(4) A notice of the procedure to be followed in the event of a fire was displayed on the premises.</p>
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#### Part VI - Safety

##### Regulation 28 - Insurance

A registered provider shall ensure that the pre-school service is insured.

Compliance information	The registered provider held a copy of up-to-date insurance cover for the number of children attending the service. The insurance certificate was valid until March 2023.
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#### Part IX - Inspection and Enforcement

##### Regulation 33 – Furnishing of information to agency

A registered provider shall furnish the Agency with such information as the Agency may require for the purpose of enforcing and executing these Regulations and the information shall be in such form, if any, as may be specified by the Agency.

Compliance information	The registered provider facilitated the inspection and provided access to all information as was required for completion of the inspection.
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