

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CC062		
Name of Service:	Bluebell Childcare		
Address of Service:	Cluain an Óir, Belgooly, Kinsale, Co. Cork		
Eircode:	P17 D654		
Name of Registered Provider:	Tom Stapleton		
Service type:	Full Day		
Date of Inspection:	31/01/2024		
No of pre-school children:	AM	78	PM 48
Address of the Early Years Inspectorate:	Early Years Inspectorate Administration Building St Mary's Health Campus Gurrabraher Cork T23X440		
Inspection undertaken by:	V. McCarthy		
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	N/A
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Description of service

Bluebell Childcare is a full day care service located in a residential area in the village of Belgooly. The service is registered to care for children aged from 0 to 6 years. Bluebell Childcare operates from a purpose built 2 storey detached building that has 5 care rooms available for use by children, namely the Buttercup, Marigold, Primrose, Snowdrop and Sunflower rooms. There are 3 sleep rooms of which two are situated off the Primrose room and 1 off the Snowdrop room. Each room has toilet or nappy changing facilities adjacent to them for children's use. There is also a staff room, storage rooms, an office and a kitchen on the premises. There is a large outdoor play area situated to the rear and side of the premises that has undergone further refurbishment and development since the last inspection. The service operates from Monday to Friday between the hours of 7.30am and 6.00pm.

Staffing

On the morning of the inspection, there were 11 adults working directly with the children. There was also the person in charge who was office based and an adult that was solely assigned to kitchen duties. The registered provider was not service based.

Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Child Care Act 1991 (Early Years Services) Regulations 2016 define the duty of a registered provider to ensure the safety and well-being of children and to comply with these regulations. This Act also gives Tusla the authority to assess compliance with the regulations. The purpose of regulation in relation to early years services is to ensure that the care, safety, and well-being of children attending such services is upheld. Inspections of early years services are planned based on the following:

- Previous inspection history
- Any information received in relation to the service

The findings on inspection are based on:

- Information obtained through examination of documentation
- Direct observation
- Discussion with relevant staff

This inspection was unannounced and focused on the area of governance/ health, welfare and development of child/ safety/ premises and facilities. The inspection may also focus on other areas as required.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

Additional Information

This inspection was triggered by information received by the National Early Years Feedback and Concerns Department.

During the inspection, it was noted that there was no Garda vetting record in respect of 1 adult available on file for review. Therefore, an Immediate Action Notice was issued during the inspection by the inspector.

The person in charge submitted an adequate corrective response to the Immediate Action Notice on the same date, that is 31 January 2024 . The processed Garda vetting record in respect of this adult was submitted to the inspectorate on 07 February 2024.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the person in charge, 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, 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.

(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.

(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 named person in charge and a named deputy that could deputise as required.
- (b) The person in charge was on duty when the inspector arrived at the premises and remained on duty for the duration of the inspection.
- (c) The management structure was documented on file and the lines of accountability were clearly displayed on a notice board in the main foyer for the parents and guardians of children to view. The specific roles and responsibilities of each adult were documented on file and available outside each care room for review by the inspector.
- (2)
- (a) There were 22 references and required validations available on file from past employers in respect of the 14 adults attached to the service.
- (b) There were 6 references and required validations from sources other than past employers.
- (c) A Garda vetting disclosure was available on file for review in respect of 13 of the 14 adults. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years in respect of these 13 adults.
- (d) Police vetting was available in respect of 2 adults that had lived outside the jurisdiction for a period of more than 6 consecutive months.
- (3)
- The person in charge informed the inspector that all vetting was completed before each adult was allowed access to the children attending the service. During the inspection, the inspector assessed the vetting date and commencement date in respect of the most recent adult employed at the service. The documentation on file showed that this adult was employed by the service from 08 January 2024 and carried out induction training and was involved in supervised cleaning duties for 2 weeks. The documentation in respect of this adult demonstrated that Garda Vetting was processed on 17 January 2024 and that the adult commenced working with the children from 23 January 2024. The Garda vetting in respect of 12 other adults had been updated in recent months and the most recent records were complete and available for inspection.
- (4)
- A copy of a childcare qualification as listed on the National Qualifications Framework was available on file in respect of each of the 14 adults that worked directly with the children.

The registered provider was not service based, and the service employed an adult that did not work with the children and whose duties were solely kitchen based.

(7)

The staff training policy that was on file was being implemented and practised at this service. The records demonstrated that an induction and supervision period were provided to each adult commencing at the service and a detailed handbook that contained all the policies and procedures that the service adhered to was given to each adult during this induction period. During the inspection, the inspector observed that the adults attached to the Snowdrop room adhered to the steps as set out in the Sleep policy and the adults attached to the Primrose room adhered to the Nappy Changing policy. The person in charge informed the inspector that the service had arranged for training in paediatric first aid and manual handling for all the services' staff during February and documentation was available on file to demonstrate this.

Non-Compliance Information

(2)

(c) A Garda vetting disclosure was not available on file for review in respect of 1 of the 14 adults attached to the service. The person in charge informed the inspector that this Garda vetting had been processed but must have been misfiled. The person in charge was unable to locate this Garda vetting record by the time the inspection ended.

(3)

The inspector was unable to assess if the absent Garda vetting record was completed before the adult was assigned or allowed access to the children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)

(c) The person in charge stated in the corrective and preventive response submitted on 07 February 2024 that she applied for a new Garda vetting record in respect of the adult whose file was misplaced. She also stated that going forward, she will carry out monthly checks on the staff files to ensure that all records are available and in date.

(3)

The person in charge stated in the corrective and preventive response submitted on 07 February 2024 that whilst awaiting the processing of the Garda vetting, the adult was not allowed unsupervised access with the children until the new Garda vetting record was received.

Supporting documentation submitted

(2)(3)

A copy of the awaited processed Garda vetting was submitted to the inspectorate for review on 07 February 2024.

Summary Comment

The documentation submitted by the person in charge relating to the non-compliances was reviewed and deemed to meet the regulatory requirements.

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

The following 2 policies were well developed and were available on file for review by the inspector.

1. The Recruitment policy.
2. The Staff Training policy.

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) The person in charge ensured that there were an adequate number of adults always working directly with the children.

(2) On the day of the inspection there were 11 adults working directly with 78 early years children. The person in charge was office based and was available to work with the children as required when some adults took their breaks.

(8)(a) There were always at least 2 adults on the premises during the hours of operation. The roster demonstrated that there were 2 qualified adults on the premises at 7.30am and that there would be 2 adults on the premises at 6pm when the service closed.

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:

(i) details of staff rosters on a daily basis;

Compliance Information

(1)(i)

The person in charge maintained a detailed weekly staff roster record that documented who was on duty and what time each adult started, finished and had their breaks. The roster record also detailed who was office based or on training. The inspector reviewed the staff rosters for the month of January 2024, and it was detailed on these records that a newly appointed staff member had commenced working at the premises on 08 January 2024. It was documented on the roster record that this adult was on training for 2 weeks and commenced working with the children from 23 January 2024.