

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015CC063
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<b>Name of Service:</b>	Boherbue Educare Centre CLG
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<b>Address of Service:</b>	The Village, Boherbue, Mallow, Co. Cork.
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<b>Eircode:</b>	P51 FA34
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<b>Name of Registered Provider:</b>	Caitriona Hallisey
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date(s) of Inspection:</b>	03/04/2024
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<b>No of pre-school children:</b>	AM	15	PM	5
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<b>Address of the Early Years Inspectorate:</b>	13 Market Square, Mallow, Cork
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<b>Inspection undertaken by:</b>	F Collins
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<b>Title:</b>	Early Years Inspector
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### 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).

<b>Conditions if applicable</b>	N/A
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### Description of service

Boherbue Educare Centre CLG is a full day care service located in the rural setting of Boherbue village. The service is a community run service. The pre-school is registered to cater for children aged 0-6 years and the service also operates a registered school aged childcare service. The service is open daily from Monday to Friday from 7.30 am to 6pm. The service offers full day care, part-time and sessional care, and facilitates the Early Childhood Care and Education programme for 38 weeks of the year.

### Staffing

There were 24 adults identified as working in the service on the staff roster, eight of whom were present on the day of the inspection and of these six were working directly with the pre-school children. The remaining staff members were working in the kitchen in the provision of meals and working in the office and not working in the provision of childcare.

### 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 Comments

An Immediate Action Notice was issued to the registered provider on 03.04.2024 in relation to a safety concern where for periods of time throughout the operation of the service where no staff member was available to the children with first aid training.

A response was received on 04.04.2024 that adequately addressed the concerns and indicated that a staff member would be available onsite at all times with appropriate first aid training.

### Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, 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.*
- (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 service had a designated person in charge and a deputy person in charge on the premises on the day of inspection. The staff were aware of who was in charge at all times.
- (b) The person in charge or the named deputy person in charge were on the premises at all times during the operation of the service.
- (c) There was a clear structure in the service that identified the management structure. Each care room had a room leader and childcare workers.
- (2)
- Twenty-four adults work in the service, all 24 adult files were assessed for completeness.
- (a) Of the 48 references required 34 validated references were available from past employers.
- (b) Of the 48 references required 11 validated references were available from a source other than a past employer.
- (c) Garda vetting disclosures were on file for all 24 adults who work in the service. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew staff Garda vetting every three years. Please refer to the information outlined under Regulation 23 of this report.
- (d) Police vetting was required and available and translated where required for six staff who work in the service and have access to children.

(4) Twenty-one adults required a qualification as they worked directly with children. Of the 21 staff a record of 16 relevant qualifications in Early Childhood Care and Education at level 5 or above were held on file.

### Non-Compliance Information

(2) (a)/(b) Three validated references were not available on file for staff who work in the service and have access to children. Not vetting staff prior to them having access to the children may allow staff who are not appropriate have access to children.

(d)

1. The requirement for Police vetting could not be ascertained for five staff as a complete curriculum vitae was not available on file for assessment.

2. A police vetting declaration for one staff member that was on file was not translated and could not be reviewed.

Not appropriately vetting staff prior to them having access to the children may allow staff who are not appropriate have access to children.

(4)

Four qualification certificates were not on file for staff that worked directly with the children and where a staff member held a qualification from a jurisdiction outside of Ireland the equivalence for this qualification as deemed by the minister was not on file for assessment. Not ensuring staff are adequately qualified to work with children may allow for staff who do not hold the requisite skills, work directly with children.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

(a)/(b) The three relevant references as identified have been placed on file for the staff.

(d)

1. The CV's have been obtained and assessed and the staff where a CV was not available do not require police vetting.

2. The police vetting that was not translated has now been translated and has been placed on the staff members file.

All staff files will be audited before June 30<sup>th</sup>, 2024, and a system of identifying any outstanding requirements and expiry dates will be developed.

(4) The certificates for the three relevant qualifications have been obtained and are now on file for the staff who work directly with the pre-school children. The remaining staff member does not require a qualification as the registered provider has stated they work with the school aged children only.

### **Supporting documentation submitted**

(a)/(b) Three references have been received.

(d)

1. The five relevant CVs have been received.
2. The translation of the police vetting has been received.

(4) A copy of the three qualification certificates have been received.

### **Summary Comment**

Following receipt of the corrective and preventive actions and the evidence received the requirements for this Regulation are met.

## **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 infection control policy was reviewed and subsequently the nappy changing policy was received to the inspectorate which indicated the practices to be followed to mitigate against infection.

### Part III – Management and Staff

#### Regulation 11 - Staffing levels

*(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.*

#### Compliance Information

(2) There were four children attending the baby room, all four were aged between 1-2 years and were being cared for by two staff. The staff provided cover for each other's breaks.

There were five children were attending Busy Bees room and these were cared for by one staff member.

There were six children were being cared for by one staff member in the Caterpillar room, these children were aged from 2-3 years.

The staff member working with the three school aged care children worked with the staff in the Busy Bees room both in the outdoor space and in the Busy Bees care room. This allowed the staff to take breaks.

### Part IV – Information and Records

#### Regulation 15 – Record of pre-school child

*(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:*

- (a) the name and date of birth of the child;*
- (b) the date on which the child first attended the service;*
- (c) the date on which the child ceased to attend the service;*
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
- (e) authorisation for the collection of the child;*
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
- (g) the name and telephone number of the child's registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*

*(i) written parental consent for appropriate medical treatment of the child in the event of an emergency.*

*(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-*  
*(c) an authorised person.*

### Compliance Information

- (1)  
Of the 15 children present on the day of the inspection a sample of 15 children's registration forms from across each of the care rooms were examined.  
The registration forms were complete across (a) –(i) on all of the forms assessed.
- (3) (c) The records as identified above were made available to the inspector for review in all care rooms.

## 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:*

- (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.*

### Compliance Information

- (1)
- (h) The records of the children's attendance were available in each care room and the children and staff signed in daily in this record/book.
- (i) The staff roster for the week of the inspection was available for assessment and previous rosters were also available on request. A copy of the roster was received, the roster was in keeping with the staff working in the service on the day of the inspection.

- (j) There were 10 records of medication administration reviewed, of the 10, eight were completed with staff signatures, requests for administration completed by parents/guardians and the correct paperwork for administration completed.
- (k) The accident and incident record books were reviewed and seven records were assessed. All seven records were completed and signed and dated by both staff and parents/guardians.

### Non-Compliance Information

- (1) (j) Of the 10 medication administration records reviewed two did not have a second staff signature on the administration form. Not having accurate records indicating the safe administration of medication may lead to an error in the administration of medication and potential harm to a child.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

- (1) (j) Staff have been reminded by management of the correct procedures for administering medication and accuracy in filling out and signing all documentation required. The management propose to review all requests for medication administration before medication is administered on site to ensure accuracy of information.

#### Supporting documentation submitted

- (1) (j) The assurances received on the corrective and preventive action form are accepted as proof that this action is being implemented.

### Summary Comment

Following receipt of the corrective and preventive actions and the evidence received the requirements for this Regulation are met.

## 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

### Compliance Information

#### BASIC NEEDS:

- Meals the snacks on the day of inspection were served at appropriate times and children were able to access their drinks throughout the day. Assistance was given to the children in the Baby and Caterpillar rooms as required with the babies' spoon fed and the younger toddlers assisted with eating as needed. A staff member sat with the children during meal and snack times. Appropriate crockery and cutlery were used.
- The temperatures of the care rooms were suitable for the care and comfort of the children with the care room temperatures recorded between 20.1 and 20.8°C.
- Staff supported the children with toileting. Nappies were changed as required and on routine. Children were spoken to and interacted with during nappy changing.
- Children were reminded to wash hands and helped when needed, especially with the younger age group.
- Sleep was facilitated throughout the day in the Baby room with each child's sleep needs met when they indicated the need for same.
- Childrens noses were cleaned as required and staff were observed to wash hands following this.
- All children could move about freely and there was no restriction placed on their movement.
- When going outside the children were appropriately dressed in their coats.

#### SUPPORTING RELATIONSHIPS

- Each staff member was assigned to a care room and the children knew their carers and were observed to seek their support when required.
- The children in the Busy Bees room were observed to play alone and play in small groups. The groups supported each other especially when outside.
- Due to the small numbers attending during the Easter holidays the staff took advantage of this and the children from the different care rooms played outside together in self-directed or adult directed play activities which the children appeared to enjoy.
- The staff spoke with parents to at drop off and collection, with some parents introduced to the new care room being used during the Easter holidays for their child. The staff from the junior rooms completed a daily communication book for the parents which was sent home, and the parents had the opportunity to communicate with the service using this book. This record had account of nappy changes, food eaten and sleeps taken during the day.

### PHYSICAL AND MATERIAL ENVIRONMENT

- Each of the care rooms had a variety of toys and resources suitable for the ages of the children attending the room. The resources were specific to encourage the development of each child, i.e. jigsaws and blocks and bricks for fine motor development, dried pasta for sensory play, home corners for imaginary play and storytelling for cognitive and speech development. Resources were not observed to be removed for circle time in the care rooms.
- Arts and crafts equipment to allow for creative play was available in each room.
- There were floor mats in each of the rooms that allowed the children to use this surface for play and using push toys etc.
- All shelving was accessible to the children and they were able to choose their activities as required.
- There were suitable adult chairs available to the adults to be comfortable while caring for the children.

### THE OUTDOOR ENVIRONMENT

- The outdoor environment consisted of three spaces, one for the babies with soft matting surface and a full cover with suitable type of play equipment for this age group. The Busy Bees room had access to a grass area for digging and play and when accessing the third space this was for riding bikes and for running and playing games.

## 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 19 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) There were adequate facilities for the children to play both indoors and outside.
- (b) Each care room/space had adequately developed an area where the children could rest and opt out of activities. There were soft play areas and mats accessible to the children. For the children that required sleep there were ten standard cots available between the two sleep rooms. The older children had access to a stackable bed after their main meal.

The linen was changed daily if a cot was used for more than one child.

The sleep areas were away from the general play areas with the stackable beds set up in a playroom when the children had finished their sessional service.

The lighting was suitable to ensure the children could be monitored during sleep and also create a restful environment.

The noise levels in the sleep rooms was minimal.

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

### Regulation 22 – Food and drink

*A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.*

## Compliance Information

The parents/guardians of the children attending the service provide the snacks. The snacks observed appeared to be appropriately nutritious.

Dinner on the day of inspection was mash potatoes, vegetables and chopped breaded chicken with gravy. The children were observed to be offered additional portions when required and all children sat and ate together.

### 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:

- There were no highchairs in use and the younger children who required support when seated sat in low chairs with harness where required and sat together at a low table.
- The toys were suitable and those assessed had no evidence of pinch or crush points that may cause injury to a child.
- The doors to the front and to the sides of the service were secured with electromagnetic locks and this ensured no child could leave the service unattended and no unauthorised adult could gain access to the premises.
- The kitchen was inaccessible to the children.
- The adult toilets were not within access of the children.
- Storage was inaccessible and out of reach of the children throughout the building.
- The surface of the baby's outdoor play space was intact and covered with artificial grass.
- No hot drinks were observed to be consumed by the staff near the children.
- The television in the Busy Bees room was fixed high on the wall with the electric cables secured and inaccessible to the children.

##### Infection Control:

- At each sink used by the children there was hot water, liquid hand soap and paper towels. The hot water temperatures ranged for 27.6 - 37.9°C.
- The adult toilet facilities had appropriate hot water, soap and hand towels.
- Lidded pedal operated bins were used throughout the service.
- Nappies were bagged and binned in lidded bins after each nappy change. No odour was evident in the nappy changing areas.
- The nappy changing mats were intact and suitable disinfectant was accessible at each changing unit.
- Staff were observed to use plastic aprons, vinyl gloves and wash their and the children's hands after each nappy change to prevent cross contamination.

- Tables were cleaned before and after mealtimes with suitable disinfectant to prevent contamination and cross infection.
- Bags were stored off the ground on hooks or in appropriate shelving.
- Snacks were stored in the fridge to ensure the perishable items contained within were suitably stored to prevent contamination.

### Administration of Medication:

- No medication was administered on the day of inspection however the policy to be followed indicated an appropriate procedure to follow when administering medication.

### Safe Sleep:

- The children who slept in the sleep room adjacent to the baby room were physical checked every 10 minutes with these checks recorded. The children were all put to sleep in cots.
- The sleep facilities were safe with cots away from radiators and blinds and standard cots in use with safety mattresses.

### Fire Safety:

- The firefighting equipment was safely tethered to the walls.
- The fire exits were not blocked on the day of inspection.

## Non-Compliance Information

### General Safety

1. Garda vetting was available for all adults working in the service but the vetting was obtained greater than three years previously for seven staff members and was not in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

### Infection Control:

2. The sink in the nappy changing station of the Caterpillar room was not working, this remained outstanding since the last inspection. The staff and children did have access to the sinks in the toilets beside the nappy changing station. Not having adequate hand washing facilities may allow for cross infection following nappy changing.
3. The red and two blue mats in the atrium were torn and not easily cleaned and therefore poses a risk of contamination and cross infection.
4. The cover on the large sunflower cushion in the atrium was dirty and poses a risk of cross infection.

## Action submitted by the Registered Provider

### Corrective & Preventive Action

#### General Safety:

1. Updated Garda Vetting has been received for 4 of the 7 staff. The remaining three applications remain outstanding, two of which are awaited from the Garda Vetting Bureau with the third being applied for by a staff member on long term leave.

#### Infection Control:

2. A new sink is being fitted on May 3<sup>rd</sup> while the centre is closed. While awaiting the new sink the staff and children have access to alternative sinks.
3. The red and blue mats have been removed.
4. The sunflowers have been removed and are to be replaced with a soft play area and wipe clean mats.

### Supporting documentation submitted

#### General Safety:

1. Three of the required Garda Vetting renewal declarations have been received.

#### Infection Control:

2. The corrective and preventive action form is accepted as proof of this requirement being met.
3. The corrective and preventive action form is accepted as proof of this requirement being met.
4. The corrective and preventive action form is accepted as proof of this requirement being met.

## Summary Comment

The requirements for this Regulation have been partially met as the updated Garda Vetting disclosures are not available for two staff who are currently working. This will be assessed at the next inspection.

### 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) Two of the staff in the service had up to date first aid responder (FAR) training.

(2) (a) There were first aid boxes available in the care rooms.

(b) The first aid equipment was accessible to the staff at all times in the event it would be required.

#### Non-Compliance Information

(1) The service did not have a staff member on duty at all times with First Aid Responder training. On the day of inspection, the roster indicated a staff member trained in first aid was available to the children between 07.30 and 13.30. There was no first aid qualified person on duty after that time. An immediate action notice was issued to the person in charge onsite at the closing meeting to immediately rectify the requirement for a staff member with first aid to be available to the children at all times during the operation of the service. A suitable response was received the following day (04.04.2024) indicating how the service would ensure a staff member was on duty at all times with first aid training. A further cohort of staff will be trained within the month as training had already commenced for nine staff.

#### Corrective & Preventive Action submitted by the Registered Provider

##### Corrective and Preventive Action

(1) The service has ensured that a staff member with a valid FAR training is on site and available to the children at all times. An additional 9 staff have completed FAR training. A member of staff with a valid FAR training will remain on site and available to the children at all times while the centre is open and in operation.

##### Supporting documentation submitted

(1) The assurances received are accepted as proof that the requirements for this Regulation are met.

### Summary Comment

Following receipt of the corrective and preventive actions and the evidence received the requirements for this Regulation are met.

### 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 fire fighting equipment and smoke alarms in the premises.*
- (2) The record referred to in paragraph (1) shall be open to inspection by-*
- (c) an authorised person.*
- (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) There was a record of the fire drills completed by the service available for inspection. The date of the last fire drill completed was recorded as being completed on 06.03.2024.
- (b) There was a record of the number type and maintenance of the firefighting equipment, the fire extinguishers were last serviced on 13.01.2024 and the fire alarms were last serviced on 08.01.2024 and a certificate for same was available for inspection.
- (2) (c) The fire drills records, fire alarm and fire extinguisher certificates were available for inspection by an authorised person.
- (4) The fire evacuation procedure notice was displayed throughout the service.

### Part VI - Safety

#### Regulation 28 - Insurance

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

#### Compliance Information

The service had an in-date insurance certificate. The certificate indicated that 100 children attending on a full day care basis were insured. The commencement of the insurance was the 28/03/2024 with an expiry date of 27/03/2025.

### Part VII - Premises and Space Requirements

#### Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-*  
*(d) cleaned, maintained and repaired, as required, and*

#### Non-Compliance Information

(d) The lino in the Baby room and Dolphin room remains torn and continues to be a source of contamination. It was indicated following the last two inspections (22.02.2023 & 28.03.2022) that this would be fixed and a copy of the quote to replace same had been received to the inspectorate however the torn lino remains and is a source of contamination and cross infection.

#### Corrective & Preventive Action submitted by the Registered Provider

##### Corrective and Preventive Action

(d) The Board of Management have engaged an engineer to carry out a comprehensive analysis of the building to identify any repair works necessary at the centre. More works, are required that will require work under the floor covering to be done and therefore it is planned that the complete works will be commenced if funding is secured. The registered provider has committed to the full building analysis to be completed by the end of the summer 2024 and necessary works will commence as soon as possible.

##### Supporting documentation submitted

The assurances have been received on the corrective and preventive action form.

#### Summary Comment

The requirements for this regulation have not been met and due to the timeframe for the complete works to be assessed and completed these will be reviewed on the next inspection.