

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CC089
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Name of Service:	Cheeky Cherubs
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Address of Service:	Highfield Park, Carriganarra, Ballincollig, Co. Cork
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Eircode:	P31 CY95
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Name of Registered Provider:	Michelle Akerlind, Sarah O'Leary
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Service type:	Full Day, Part Time, Sessional
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Date(s) of Inspection:	24/10/2024
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No of pre-school children:	AM	87	PM	67
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Address of the Early Years Inspectorate:	Early Years Inspectorate Administration Building St Mary's Health Campus Gurrabraher Cork
Inspection undertaken by:	D Prendergast & B Fraher
Title:	Early Years Inspectors

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

Cheeky Cherubs is a privately owned full day care service, that also offers part time and sessional care. It is registered to cater for children aged 0 to 6 years, however, it currently accommodates children from the age of 1 year. This includes children attending the Early Childhood Care and Education (ECCE) Scheme, which operates over 38 weeks annually. Daily opening hours are from 8.00am to 6.00pm and the service is open 51 weeks of the year.

The premises is located in a residential area of Ballincollig in Co. Cork and consists of a single storey, detached, purpose built setting. There are five care rooms within the building, namely the Moonwalkers room, the Explorers room, the Atelier room, the Workshop room and the Sunrisers room. The service also has a registered outdoor sessional service. Three designated sleep rooms are available, along with child and adult sanitary facilities, an office and a kitchen.

Staffing

A total of 27 adults are attached to the service, 24 of whom work directly with the children who attend. This includes one of the two registered providers, who is available to provider cover if required. There is one adult employed under the Access and Inclusion Model (AIM) support scheme. All 24 of the adults who are involved in the direct care of the children have either achieved a recognised award in Early Childhood Care and Education, or hold a Letter of Eligibility to Practice/ Letter of Qualification Recognition. The second registered provider, an administrator and a cook do not work directly with the children. Two students were also in the process of completing work placements at the time of inspection.

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.

A sampling process was used to assess compliance under regulation 19 - Health, welfare and development of child, regulation 22 - Food and drink and regulation 23 - Safeguarding health, safety and welfare of child. As a result, the scope of the inspection included the following rooms: Sunrisers, Moonwalkers, Atelier and the Sessional Outdoor Pre-school and did not include the Explorers room or the Workshop room.

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

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

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

Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, manager, administrator, staff and children who were present on the day of the inspection.

Part III – Management and Staff

Regulation 9 – Management and recruitment

- (1) A registered provider shall ensure that-
- (a) the service has a designated person in charge and a named person who is able to deputise as required,
 - (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and
- (2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-
- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,
 - (b) consideration of references from reputable sources in the case of a person who has no past employers,
 - (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and
 - (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.
- (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.

Compliance Information

- (1)
- (a) A manager had been appointed to the service and a deputy had been assigned to deputise in her absence. This information was available in writing.
 - (b) The manager was working at the setting when the inspectors arrived and remained for its duration. One of the registered providers arrived later in the morning.
- (2) Recruitment records in respect of the 27 adults and 2 students attached to the childcare facility were assessed.
- (a) There were 44 written and validated references on file from past employers.
 - (b) Fourteen of the references were from sources other than previous employers.
 - (c) Garda vetting disclosures had been obtained for all 29 adults. However, the service did not adhere to the re-

vetting timeframes outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.

(d) The required police vetting was available for 8 adults, who had lived in other jurisdictions for 6 consecutive months or longer while over the age of 18 years.

(4) Documentary evidence was available to demonstrate that 21 of the adults had attained a major award in Early Childhood Care and Education, as listed on the National Framework of Qualifications, or an equivalent qualification. A letter of Eligibility to Practice was on file in respect of one of the adults and letters of Qualification Recognition had been obtained for two adults. Childcare qualifications were not required in respect of the second registered provider, the administrator, the cook or the two students.

Non-Compliance Information

(3) A Garda vetting disclosure which had been obtained through another organisation was held on file in respect of one of the adults who worked at the service. However, this was not accepted under part (3) of the regulation, as Garda vetting cannot be transferred from a previous role and a registered provider is required to process their own staff with regard to Garda vetting, before staff commence employment at the service. It was acknowledged that the Garda vetting had been applied for and was awaited.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The written reply outlined that the service's practice has always been to ensure that new employees are not permitted in the care rooms until their Garda vetting is received and that the adult had been on site to complete their induction. Following the inspection, the staff member was not permitted on site to complete their induction until their updated Garda vetting was obtained. As a preventive measure, the service will ensure that Garda vetting is received for all staff members prior to them completing their induction at the setting.

Supporting documentation submitted

A copy of the updated Garda vetting was submitted.

Summary Comment

The corrective action implemented by the registered provider has addressed the non-compliance identified under Regulation 9.

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 policies were reviewed and were found to meet the necessary requirements:

- Policy on Accidents and Incidents
- Nutrition and Healthy Eating policy

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..

(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

(2) Overall, the adult to child ratio met the requirements of the regulation, as follows:

Morning:

Room name and age range of children	Number of children present	Number of adults present
Moonwalkers (1 year – 2 years and 3 months)	9	2
Explorers (2 – 4 ½ years)	21	3
Sessional Outdoor Pre-school	19	2

(2 years and 11 months – 4 years)		
Atelier (2 – 4 ½ years)	16	2
Workshop (2 – 4 years)	12	2
Sunrisers (1 – 2 years)	10	2

The manager was also available to provide cover and the registered provider arrived later in the morning. Two students were not included in the adult child ratios.

Afternoon:

Room name and age range of children	Number of children present	Number of adults present
Moonwalkers (1 year – 2 years and 3 months)	8	2
Explorers (2 – 4 ½ years)	20	2
Sessional Outdoor Pre- school	N/A	N/A
Atelier (2 – 4 ½ years)	14	2
Workshop (2 – 4 years)	15	2
Sunrisers (1 – 2 years)	10	2

The manager and the registered provider were also available to provide cover in the care rooms during the afternoon.

(8)

(a) According to the staff roster, the service was operated with a minimum of two adults present at all times.

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

(1)(a)

Basic needs:

- During mealtimes, a relaxed social environment was evident and it was noted that children were assisted with feeding in the Sunrisers room, according to their developmental needs. In all of the rooms reviewed, suitable crockery was provided for the children's use, along with appropriate seating in the form of waist high tables and low-level chairs.
- On discussion with staff, the inspector was informed that nappy changing was carried out at set intervals and as needed, outside of these times. This was observed by the inspector in the Sunrisers and Moonwalkers rooms. Children were able to independently access the sanitary facilities, with staff available to help if required. It was observed that all children were assisted in a private and dignified manner.
- Cosy areas were evident in all care rooms and in the outdoor preschool. This allowed children to have quiet time and space to relax.
- Calming music was played during playtime in the Atelier room.
- Emphasis was placed on outdoor activities, with each room facilitated to play outside two to three times daily and the outdoor preschool utilised all outdoor areas, for the duration of the session.
- While outdoors, the children were noted to be dressed appropriately in outdoor clothing and footwear.
- It was noted that children had freedom to move and to explore items of interest to them, within their indoor environments.
- Scheduled sleep times were observed and staff also informed the inspector that sleep was facilitated for children who showed signs of tiredness, outside of these times.
- Water or milk was offered with food and water was available to the children outside of mealtimes.

- The staff were observed to be kind, caring and attentive towards the needs of the children in their care. For example, staff sat with and read to the children, played musical instruments and assisted children, according to their needs.

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 service provided breakfast, a hot lunch and an afternoon meal for the children attending full day care. Morning and afternoon snacks were also provided. Children attending the sessional service had snacks supplied by their parents or guardians.
- On the day of inspection, examples of the children’s snacks included a selection of chopped fruit, crackers, cheese and rice cakes, with water or milk to drink.
- A hot meal of creamy paprika chicken, with vegetables and rice, was prepared at the service and served at lunchtime. It was noted that children were offered second helpings and older children had the opportunity to self-serve.
- The service had a nut free policy in place and a list of allergens was displayed on the corridor wall, along with the Nutrition and Healthy Eating policy.

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 entrance door was secured and a buzzer entry system was in place. This restricted unauthorised access into the building and helped to prevent the risk of children exiting while unsupervised.
- The outdoor play area was observed to be secured with walls and gates.
- The windows in the care rooms opened downwards and were secure.
- Low-lying glass panels were fitted with visibility stickers.
- The toys and play equipment assessed were in good condition and were free from pinch and crush points.
- No cleaning agents were stored within reach of the children.
- The temperatures at the hot water taps accessible throughout the rooms were taken and were noted to range from 22°C to 30.2°C. These temperatures were at a level which prevented the risk of scalding to a child.
- All blind cords were secured by tension devices.
- First aid boxes were wall mounted, out of children's reach.
- Electrical sockets were observed to be at a high level and were out of reach of the children.
- Fruit served was observed to be chopped, which reduced the risk of a child choking.

Infection Control:

- Handwashing facilities were accessible to the children, with warm running water, liquid soap and wall mounted paper towel dispensers available. Handwashing was observed to be performed after toileting or nappy changes and staff prompted children with reminders.
- Lidded pedal bins were in use for the disposal of waste.
- The care rooms were well ventilated, with windows open to allow air exchange.
- The care rooms appeared visibly clean.
- Children's coats and outdoor clothing were stored off the ground, on wall hooks.

Administration of Medication:

- Medication was not observed to be administered to the children at the time of the inspection.
- Staff informed the inspector that no children were currently on medication.

- Temperature reducing medicine was stored out of reach of children and was in date.

Safe Sleep:

- The air temperatures in the 3 designated sleep rooms and in the care rooms that were used for sleeping, were maintained within the required temperature range of 18°C to 22°C, for children aged over 12 months. Staff remained in the room with children who were sleeping on floor mats and stackable beds. The room temperatures ranged from 20.2°C to 22.2°C.
- Staff were noted to maintain sleep records in relation to the children's colour, breathing and position, at 10 minute intervals.

Fire Safety:

- Fire exits were noted to be free from obstruction.
- Fire extinguishers were secured to the wall.

Non-Compliance Information

General Safety:

1. The Garda vetting disclosures available for one of the adults was not dated within the previous three years, in adherence to the Early Years Inspectorate Regulatory Notice, 'EYI-RN12.3 Renewal of Garda Vetting'.

Infection Control:

2. While the service had a sufficient number of children's toilets and wash hand basins overall, one of the toilet facilities was over utilised, which increased the risk of cross infection. On the day of inspection, 19 children attended the outdoor preschool service. The inspectors were advised that all of these 19 children used the adjacent outdoor toilet facility, which consisted of 1 toilet and 1 wash hand basin. When asked by the inspectors if another toilet facility was available to these children, the staff member outlined that they could use one of the indoor toilet facilities, only if needed. However, 1 children's toilet and 1 wash hand basin are required to be assigned to every 11 children.
3. Two children in the Sunrisers room were observed to sleep in cots which were positioned side by side, with no space in between. The required 50cm distance apart was therefore not maintained, which increased the risk of cross infection.

Safe Sleep:

4. Six children under the age of two, were observed to sleep on either stackable beds or floor mats, in the Sunrisers and Moonwalkers rooms. Tusla's *Guidance for the Early Learning and Care sector on sleep provision for children under 24 months* states that floor mats and stackable beds are not suitable for use

by children aged under 24 months, as they are not sufficiently conducive to sleep for children in this age range.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The written reply from the registered provider outlined that the Garda vetting application was followed up and has been received for the adult in question. A follow up procedure for applications has been put in place.

Infection Control:

2. The response stated that this group of children will continue to be encouraged to use the additional available toilet facilities. As a preventive measure, all educators have been informed in relation to this requirement and children have been reminded of the locations of the additional toilets.
3. The cots have been moved and are now the required 50cm apart, in order to avoid the risk of cross infection.

Safe Sleep:

4. Suitable floor beds have been ordered and delivery is expected by the 18th of November. Sleep plans and risk assessments have been completed for all children between the ages of 15 months and 2 years, who will be sleeping on the floor beds and these have been signed by the children's parents. These documents will be obtained for all children who require a floor bed currently and going forward.

Supporting documentation submitted

General Safety:

1. A copy of the required Gard vetting.

Infection Control:

2. The statement from the registered provider is accepted as evidence.
3. Photographic evidence was submitted.

Safe Sleep:

4. A copy of the sleep plan template and risk assessment, a copy of the invoice for the floor beds and a screen shot of the type of floor beds purchased.

Summary Comment

Based on the statements and evidence submitted by the registered provider, regulatory compliance is determined to have been met.

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.

Compliance Information

(1) Evidence was available to demonstrate that six of the adults held current First Aid Responder (FAR) certification and that at least one of these adults was rostered to work at the service during the hours of operation.