

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CC091
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Name of Service:	Oakview Village Cork City
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Address of Service:	Cork City Hall, City Hall, Eglinton St, Cork, Co. Cork
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Eircode:	T12 T997
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Name of Registered Provider:	Clódagh Moynihan
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	14/08/2023
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No of pre-school children:	AM	33	PM	31
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Address of the Early Years Inspectorate:	Early Years Inspectorate Administration Building St Mary's Health Campus Gurranabraher Cork
Inspection undertaken by:	D Prendergast
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
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Description of service

Oakview Village Cork City is a full day care service, which is registered to cater for children aged 0 to 6 years. The privately operated childcare facility also offers sessional and part time care, with the Early Childhood Care and Education (ECCE) Scheme accommodated between 9.00am and 12.00pm, each Monday to Friday, for 38 weeks of the year. Daily opening hours are from 8.00am to 6.00pmm, over 51 weeks annually.

The service is situated in Cork city and is provided from within the Cork City Council workplace. It consists of three operational care rooms in two separate buildings; the Baby room and Pre-school room are located in the main, two storey building, along with a sleep room, sanitary facilities, a kitchen, an office and a storage/spare room, while the Toddler room operates from an adjacent building. There is an outdoor play space directly accessible from the Baby room and a second outdoor play area in front of the Toddler room building.

Staffing

The service employs 16 adults, 14 of whom are involved in the direct care of the children. The registered provider and the operations manager are not service based and do not work directly with the children who attend the setting. A recognised award in Early Childhood Care and Education is held by each of the adults who work at the service.

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 the child/ safety/ premises and facilities. The inspections 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

A referral was made to the Fire Safety Officer on 15 August 2023, in relation to the internal sleep room on the ground floor of the main building.

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 and the registered provider, who attended the closing meeting remotely.

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) The registered provider had ensured that both a designated person in charge and two deputy persons in charge were assigned to the setting.
 - (b) When the unannounced inspection commenced, the person in charge was on duty at the service and remained present to assist with the inspection process.
- (2) It was established that five adults had commenced working at the service since the previous inspection was undertaken on 5 July 2022. Therefore, recruitment records in relation to these five adults were reviewed.
- (a) Eight references were from previous employers, with suitable records of validation for each.

- (b) Two of the written and validated references were from sources other than a previous employer.
 - (c) Records on file demonstrated that each of the five adults had been Garda vetted.
 - (d) Police vetting was available in respect of two of the adults, who had lived outside the State.
- (4) Four of the staff members had achieved major awards in Early Childhood Care and Education, as listed on the National Framework of Qualifications (NFQ) and the fifth adult held a relevant award in Early Childhood Care and Education, as recognised by the Department of Children, Equality, Disability, Integration and Youth.

Non-Compliance Information

- (3) A previous Garda vetting disclosure, which had been obtained through another organisation, was held on file in respect of one of the adults. However, this was not accepted under part (3) of the regulation, as Garda vetting cannot be transferred from a previous role and registered providers are required to process their own staff with regard to Garda vetting, before staff are allowed access to or contact with children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The staff member was advised to complete the vetting application prior to starting in the service. Updated Garda vetting was applied for immediately when the error was noticed by the inspector. This has since been returned. Garda vetting will be applied for before both staff and students begin working at the service.

Supporting documentation submitted

A copy of the updated Garda vetting was forwarded.

Summary Comment

The corrective action implemented has addressed the non-compliance identified under regulation 9.

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) During the period of inspection, it was observed that there was an adequate number of adults working directly with the children.

(2) The requirements of the regulation in relation to the minimum ratio of adults to children within the rooms, were adhered to as follows:

Morning:

Time:	Room name and age range of children	Number of children present	Number of adults present
10.02am	Baby (1 year – 2 years and 3 months)	8	2
10.05am	Pre-school (3 – 5 years)	12	3
10.20am	Toddler (2 years - 3 years and 3 months)	13	4

Afternoon:

Time:	Room name and age range of children	Number of children present	Number of adults present
2.20pm	Baby (1 year – 2 years and 3 months)	8	2
2.23pm	Pre-school (3 – 5 years)	11	2
2.26pm	Toddler (2 years - 3 years and 3 months)	12	3

(8)

(a) Review of the staff roster and observation on the day of inspection demonstrated that the service was consistently operated with at least two adults present.

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.

Compliance Information

(1)) A total of 47 children were enrolled at the service. A sample of 12 children’s registration forms were assessed and found to include the requirements listed from (a) through to (i).

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;

(j) details of any medication administered to a pre-school child attending the service with signed parental consent;

Compliance Information

(1)
(i) Weekly staff rosters were maintained and presented for review.
(j) Staff advised that details of the medication administered to children were recorded on a digital application. A tablet device was used for this purpose and presented for review. Written parental consent was in place for staff to administer the medication which had been prescribed for two of the children.

Non-Compliance Information

(j) Recently completed administration of medication records, which were stored on the digital application, did not include confirmation that a second adult had witnessed the medication administered to the children, as required.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

This error has been brought to the attention of the software developer and suggested changes will be implemented as soon as possible. In the meantime, the service has reverted to using a paper ‘Administration of Medication’ form. The service will work closely with the software developer to avoid errors in legislative practices going for forward.

Supporting documentation submitted

A copy of the Administration of Medication form was submitted and was noted to include provision to record the signature of a second staff member, as a witness.

Summary Comment

The person in charge has demonstrated that the non-compliance identified under regulation 16 has been resolved.

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:

- The timing of meal and snack breaks for children ensured that there were no periods longer than three hours in between meals. The person in charge advised that breakfast was served from 8.30am to 9.00am, the mid-morning snack was observed shortly after 10.00am in the Pre-school room and at 11.00am in the Toddler room, followed by a hot lunch meal at 12.15pm in the Baby room and the inspector was informed that an evening snack was usually facilitated between 3.00pm and 3.30pm.
- Age and stage appropriate crockery and cutlery were provided for the children's use during mealtimes and bibs were worn by the younger children. In the Baby room, the adults sat with and chatted to the children, as they enjoyed their lunch. Assistance with feeding was provided as required and opportunities for self-feeding were also supported.
- In each of the three care rooms, drinking water was accessible to the children, should they require additional fluids outside of mealtimes. It was also noted that a jug and cups were brought outside for children from the Toddler room to avail of, as they played in the outdoor area.

- Nappy changing was observed to occur regularly in the younger care rooms. This care routine was managed in a sensitive manner, as staff members chatted warmly to the children. In the Pre-school room, the children were noted to freely access the adjoining sanitary area, as needed.
- Children who attended the Baby room were facilitated to sleep in the adjoining sleep room, at various intervals throughout the day, according to their individual requirements. In the Toddler room, there was a scheduled rest period in the afternoon for children who wished to sleep and those who did not wish to rest at that time were observed to play in another area of the room. In addition, a rest area was accessible in each care room, for any child who may want to take some time to relax.
- The adults demonstrated sensitivity and positive regard towards the children in their care, as was evidenced in the Baby room, when one of the staff members sat with the children during a free play period and spoke in soft tones, while acknowledging their chosen activities.
- Within the care rooms, adequate space was available to accommodate the children's play and exploration. Opportunities for outdoor activities were also provided for all of the children on the day of inspection.

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 had a Healthy Eating policy in place, which related to the type of service offered and the age range of the children accommodated.
- The majority of the children's meals and snacks were provided by the service. Milk feeds for the younger children were supplied by their parents or guardians.
- Menus available for the meals offered to children, were noted to be suitably varied and nutritious. For example, breakfast menus included porridge and wheat breakfast cereals and examples of the afternoon snacks included avocado and toast, bagels with cream cheese and chicken and cheese sandwiches. The main lunch meals were supplied by a registered catering company, delivered frozen and stored and reheated in the service. A four-week rolling menu was available for said meals and featured options such as beef pasta bolognese, broccoli casserole with mashed potatoes and meatballs with tomato pasta.

- On the day of inspection, the children had a selection of fruit with natural yogurt for the mid-morning break and a hot meal of chicken casserole, with vegetables and mashed potatoes, was served for lunch. Water was available as a drink.
- The inspector was informed that some of the children who attended had food allergies and intolerances. The person in charge advised that the relevant allergens were omitted from the service menus and from any ingredients used for baking activities. In addition, the catering company was alerted to the children's food allergens.

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 external doors were appropriately secured to prevent children from exiting unsupervised and to restrict unauthorised persons from gaining access to the service; a swipe card system was in place to access both the main building and the adjacent Toddler room building and the interior door release mechanisms were located out of the children's reach.
- The Baby room outdoor play area was enclosed by walls and the outdoor play space in front of the Toddler room consisted of a timber panelled structure, which was secured by a high-level gate, with locking mechanisms on the exterior and interior fixed at adult height.
- Within the care rooms, the new air conditioning units and attached cables were enclosed by safety guards or shelving.
- The kitchen adjoining the Pre-school room was secured when not in use, which minimised the risk of children gaining access to potentially harmful items.
- Glass panel doors were fitted with visibility markings, which reduced the risk of a collision injury.
- In the Baby room, low-level cupboards, which contained hazardous items, were secured.
- Firefighting equipment was safely wall mounted.

Infection Control:

- Suitable hand washing facilities were available in each of the sanitary areas, including warm running water, liquid hand soap and paper towelling.
- Handwashing by the children was observed after using the toilet, following nappy changing procedures and after outdoor play. The adults were noted to wash their hands before the mid-morning snack and after nappy changing procedures.
- Single use aprons and gloves were observed to be used appropriately; following a nappy changing procedure, the adult removed and disposed of both gloves and the apron.
- Within the nappy changing areas, the children's toiletries were appropriately stored and labelled.
- Individually labelled wall hook storage was in place for the children's personal belongings, such as their coats and bags.

Administration of Medication:

- No medication was observed to be administered on the day of inspection.
- The medication maintained for the children who may require same, was found to be stored in a high-level, clearly labelled cupboard, which was inaccessible to children. Lidded containers were provided for individual medication and were labelled with the child's name and photograph. All examined medication was noted to be in-date.
- Clear guidance in relation to specific medical conditions was also stored with the relevant medication.
- Staff members had received training in the administration of emergency medication and a written record to this effect was available on file. During subsequent discussion, a staff member demonstrated familiarity with the correct procedure for administering said medication.

Safe Sleep:

- The children who attended the Baby room were facilitated to sleep in a designated adjoining sleep room, with six standard cots and safety mattresses. All of the children who attended the Toddler room on the day of inspection were aged over two years and slept on stackable beds in the care room. Three cots were also available for use, as needed.
- Staff members in the Baby room were observed to conduct 10-minute interval checks of sleeping children and recorded the relevant details on a digital application, which was available for review.

Outings:

- The inspector was informed that outings from the service were not currently undertaken.

Non-Compliance Information

General Safety:

1. In the Toddler room, the clip used to anchor one of the blind cords had broken and the loose blind cord posed a risk of injury to a child, should they climb on top of the radiator cover, located below the window blind. It was acknowledged that the blind cord was not within easy reach of a child and that the clip was replaced during the inspection.
2. A swing in the Baby room outdoor play area had not been appropriately anchored; the legs of the swing set were easily moveable, which increased the risk of injury to a child. The inspector was advised that the manufacturers' instructions for the swing were unavailable.

Infection Control:

3. The children who attended the Toddler room did not wash their hands immediately before the mid-morning snack, which increased the risk of cross infection. While the children had washed their hands on return from outdoor play, a 15 to 20-minute period of free play was subsequently facilitated, during which the children played with various materials and crawled on the floor.
4. The cots in the Toddler room were used to store various items, which posed a risk of cross infection. Two doll's buggies, a ball and a number of plastic hangers were stored in one of the cots and dress up clothes were draped over the cot bars of two cots.

Safe Sleep:

5. While in use to accommodate sleeping children, the air temperatures of both the Baby room sleep room and the Toddler care room were outside of the recommended range of 16°C to 20°, for safe sleep practice. The air temperature of the Baby sleep room was recorded at 21°C and a temperature of 21.1°C was taken in the Toddler room. It was acknowledged that once staff were alerted to the elevated temperatures, the air conditioning units in both rooms were adjusted and the air temperature in the Baby sleep room fell to 20.3°C, while the Toddler room temperature reduced to 20°C.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The blind clip was fixed immediately during inspection. Blind clips will be continuously monitored and the service will ensure that they are in working order. Staff have been reminded to carry out the daily risk assessments and to pay close attention to all areas of safety.

- The swing was removed from the Baby room garden area and was disposed of. The swing was a donation from a parent and had not been in use by the service, prior to the inspection. Items such as swings will not be introduced unless they are correctly anchored down, with manufactures instructions available and followed.

Infection Control:

- A memo was sent out to all staff reminding them that children's hands must be washed directly before they sit at the tables to eat. Signage was introduced to all rooms, as a visual reminder to staff to wash children's hands before eating.
- A staff memo was sent to remind staff that nothing should be stored in the cots. Staff were reminded that cots should not be used to dry laundry. Signage has been displayed in the Toddler Room, as a visual reminder that cots must not be used for storage.

Safe Sleep:

- The air conditioning units were adjusted during the inspection, to ensure that the rooms were as cool as possible. Following this adjustment, temperatures fell within the recommended range of 16°C to 20°C. Staff were advised that the air conditioning units need to be adjusted in the mornings, to ensure that rooms remain cool for the day. Temperatures will be monitored more closely and adjusted as necessary.

Supporting documentation submitted

General Safety:

- A photograph of the blind cord clip in place.
- A photograph to evidence the removal of the swing from the outdoor play area.

Infection Control:

- A copy of the staff memo and a copy of the signage.
- A copy of the staff memo and a copy of the relevant signage.

Safe Sleep:

- The statement from the person in charge is accepted as evidence.

Summary Comment

The written response and evidence submitted by the person in charge were assessed and accepted in meeting the regulatory requirements.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-

- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*

Compliance Information

- (c)
- Through a combination of natural and artificial sources, sufficient lighting was ensured in the care rooms, sanitary facilities and communal areas across the service.
 - The air temperatures of all three care rooms fell within the required range of 18°C to 22°C, as the children worked and played within their respective environments.
 - Open windows and doors in the care rooms provided a regular supply of fresh air and the sanitary facilities were mechanically ventilated.

Non-Compliance Information

- (d) One of the wash hand basins in the sanitary area adjoining the Pre-school room was not maintained in a proper state of repair. The area where the wash hand basin was attached to the wall was cracked and damaged and the wash hand basin had become loose.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Staff had already brought this to the attention of management and this issue had been reported to the facilities manager. On the day of the inspection, the centre was awaiting a plumber to attend. The sink was replaced on 25 August 2023. The service will continue with daily bathroom audits, to ensure that issues are taken care of as fast as possible. Facilities have been made aware that issues will need to be addressed in a timelier manner.

Supporting documentation submitted

A photograph of the new wash hand basin.

Summary Comment

The corrective action implemented has addressed the non-compliance identified under regulation 29.