

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015CC162
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<b>Name of Service:</b>	Gate Childcare Ltd
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<b>Address of Service:</b>	Eastgate Hall, Little Island, Cork, Co. Cork
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<b>Eircode:</b>	T45 XR67
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<b>Name of Registered Provider:</b>	Cyril Wall
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date of Inspection:</b>	28/05/2024
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<b>No of pre-school children:</b>	AM	82	PM	83
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate Administration Building St Mary's Health Campus Gurrabraher Cork
<b>Inspection undertaken by:</b>	D Prendergast & E Friel
<b>Title:</b>	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).

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

Gate Childcare Ltd has been in operation since 2008. The privately owned service is registered to cater for children aged 0 to 6 years and offers a choice of sessional, part time and full day care to children. A sessional service is provided from 9.00am to 12.00pm each Monday to Friday, in conjunction with the Early Childhood Care and Education (ECCE) Scheme. The service is open throughout the year, with the exception of Christmas and public holidays. Daily operational hours are from 7.45am to 6.00pm.

Located in an urban area of Little Island in Co. Cork, the childcare facility is provided from the ground floor of a two-storey premises. There are four operational care rooms, each of which has either adjoining or adjacent sanitary facilities. Two sleep rooms, staff sanitary facilities, a reception area, an office, a staff canteen and a kitchen are also included. Outdoors, the children have the use of a designated play area, at the rear of the building.

### Staffing

A total of 24 adults are employed at the early years service, including the registered provider, who is not based at the setting. In addition, a contractor is on site one day per week, during term time. Twenty-three of the adults are involved in caring for the children. Neither the registered provider nor the contractor required a child care qualification.

### 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

A referral to the Better Start Quality Development programme was made by the Early Years Inspectorate on 29 May 2024, with the permission of the person in charge.

### Acknowledgments

The inspectors wish to acknowledge the cooperation of the person in charge, deputies, 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 registered provider ensured that there was a person in charge (PIC). Two deputy persons in charge (DPIC) and room leaders were also identified as named persons.
  - (b) The staff records indicated that either the person in charge, deputy persons, or room leaders were available at all times, while the early years children were present.
  - (c) The person in charge furnished the inspectors with a management structure, which detailed staff roles and responsibilities.
- (2) Recruitment files for all 25 adults were reviewed.
- (a)(b) There were 32 validated references from past employers and 18 validated references from sources other than past employers.
  - (c) Garda vetting disclosures from the National Vetting Bureau were available for 25 adults. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years.
  - (d) International police disclosures were available for five adults, who had lived outside of Ireland for six consecutive months or longer, as adults.
- (4) There was evidence that 22 adults, who worked directly with the children, had attained major awards in Early Childhood Care and Education, ranging from level 5 to 7 on the National Framework of Qualifications,

3 of whom had qualifications deemed to be equivalent. In addition, one adult had a Letter of Qualification Recognition from the Department of Children, Equality, Disability, Integration and Youth (DCEDIY). The registered provider and the contractor did not require childcare qualifications.

### 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) It was observed that there was an adequate number of adults responsible for the direct care and supervision of the children in attendance.

(2) The correct adult to child ratio was maintained on the morning of the inspection. The rooms were in operation as follows:

Room Name and Age Range of Children	Number of Children Present	Number of Adults Present
Preschool (3 – 4 years)	23 attending ECCE	4
Montessori (3 ½ - 5 years)	19 attending ECCE	3
Toddler (1 ½ - 2 ½ years)	19 attending part time or full day care	6
Wobbler (10 months – 1 ½ years)	21 attending part time or full day care	6

In the afternoon, the overall adult to child ratio met the requirements of the regulation, as follows:

Room Name and Age Range of Children	Number of Children Present	Number of Adults Present
Preschool (3 – 4 years)	24	3
Montessori (3 ½ - 5 years)	16	2
Toddler (1 ½ - 2 ½ years)	18	4
Wobbler (10 months – 1 ½ years)	25	4 + 1 available in office

(8)

(a) There were at least two adults rostered in the service for the duration of the hours of operation.

## 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 children were accommodated to have regular mealtimes throughout the day; inspectors were informed that breakfast was usually between 7.45am and 9.00am, a snack was observed in the Preschool room at 10.30am, followed by lunch shortly after midday and afternoon tea was offered to children in the Montessori room at 3.00pm. It was also reported that children who remained until later in the evening were provided with an evening snack at 5.00pm.

- During mealtime routines, an unhurried environment was evident, as the children chatted to one another and were afforded plenty of time to enjoy their food. For example, in the Preschool room, some of the children chose to relax and finish eating, while others prepared to go outdoors.
- In the Toddler room, the children's reusable water bottles were stored at their eye-level, should they require additional fluids during the day and older children in the Preschool and Montessori rooms had access to cups, if they wished to get a drink of water.
- Developmentally appropriate assistance was offered to the younger children, as they undertook daily tasks and self-care activities, such as putting on their coats before going outdoors and washing their hands after toileting and nappy changing.
- Staff were noted to continue the practice of carrying out nappy changing at regular intervals and as the need arose. Where designated toilet facilities were located separately from the care room, the children's access was supervised by the adults, who provided reminders in relation to handwashing.
- For children who attended the Wobbler room, sleep was observed to be accommodated as needed throughout the day. Two designated sleep rooms were available to facilitate this practice.
- As the weather became warmer in the afternoon, staff in the Montessori room were observed to apply sunscreen to the children, before going to the outdoor play area.
- Outdoor activities were facilitated for the children who attended each of the care rooms, with some groups observed to visit the outdoor area multiple times.

### Non-Compliance Information

Children in the Wobbler room did not have access to drinking water throughout the day. The inspector observed that the children's sippy cups were stored in the fridge, which was secured with a child proof safety catch. It was acknowledged that when this was brought to the attention of an adult in the room, the cups were removed from the fridge and placed on top of the fridge, visible to the children.

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

#### **Corrective and Preventive Action**

The written replay stated that water beakers are now freely available for each child. Staff in the Wobbler room have been informed not to store beakers in the fridge, in order to ensure that children have access to drinking water at all times.

## Supporting documentation submitted

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

## Summary Comment

Based on the statement from the person in charge, regulatory compliance is determined to have been met.

## 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

- Meals and snacks were predominantly provided by the service, with the option for parents to supply food for their children, if preferred.
- Two daily hot meals were offered to children who attended full day care; lunch and afternoon tea, which were delivered chilled by a registered catering company and reheated in the service kitchen.
- On the day of inspection, examples of the children’s mid-morning snacks included sandwiches, crackers, yogurts and a selection of fruit. Lunch consisted of pasta, meatballs and vegetables, in a tomato sauce and later in the afternoon, fish fingers and potatoes were served. Water was available as a drink at mealtimes. While a number of children were observed to have plain rice cakes for their mid-morning snack, it was noted that these children subsequently had a nutritionally well-balanced lunch.
- The inspector was advised that some of the children had specific dietary requirements and that this was managed through incorporating a nut free policy at the childcare facility.
- During discussion with one of the deputies, it was stated that any child who expressed hunger in between regular mealtimes would be accommodated to have a snack.

## 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 risk of a child exiting a care room while unsupervised and gaining access to other rooms within the service, was reduced through the provision of high-level care room door handles.
- Blind cords were securely anchored with suitable safety clips.
- Low-level cupboards which contained potentially harmful items were fitted with restrictive opening devices, or were secured with key locks.
- Televisions were either stored on high-level shelving or were wall mounted, above the children's reach.
- There were no cables or flexes accessible to the children in the main care rooms.
- Visibility strips were in place on low-level glass panels.

##### Infection Control:

- Adequate handwashing facilities were provided; warm running water, a supply of liquid soap and paper towels were available at the wash hand basins. It was noted that the children washed their hands before eating, after having their nappies changed and after using the toilet facilities.
- Adults in the Wobbler changing area were observed to wear disposable aprons and gloves for each nappy change. Nappies were disposed of in sealed, lined, pedal operated bins and the changing mat and unit were sanitised after use.
- An adult from the Wobbler room was observed to replace the paper towel roll in the Wobbler changing area, which ensured that adults and children had paper towels available to dry their hands.
- Table surfaces were sanitised by staff before and after mealtimes and floors were swept after the children had eaten.
- The windows in each of the care rooms were opened, which provided natural ventilation.

##### Administration of Medication:

- The administration of medication was not observed on the day of inspection. However, during discussion, a staff member demonstrated familiarity with the correct procedures to be followed in the event that a child may require emergency medication.
- Most of the prescribed medication which was held for children was safely stored and was in-date.

### Safe Sleep:

- Sleep logs were maintained electronically and presented for review. Said records reflected 10-minute interval checks in relation to the colour, breathing and position of sleeping children.
- In sleep room 1 and sleep room 2, respective air temperatures of 21.5°C and 21.8°C were recorded while said rooms were occupied by sleeping children. Both of these temperatures fell within the required range of 18°C to 22°C, as per safe sleep practice for children aged over 12 months.

### Fire Safety:

- Fire exits doors were maintained free from obstruction.

### Outing:

- Not applicable, as an outing was not conducted.

### Non-Compliance Information

#### General Safety:

1. In the Toddler room, the fridge which was used to store medication was not secured. This posed a risk of a child accessing and ingesting a potentially harmful substance. It was acknowledged that once this was brought to the attention of a staff member, the medication was immediately removed to be placed in another fridge, out of the children's reach.
2. The inspector observed that three electrical flexes were accessible on the floor of sleep room 1, which posed as a trip hazard.
3. In sleep room 1, a large pool of water was observed under cot five, which posed a risk of an adult or child slipping or falling on the wet surface. It was noted that once informed of this, the room leader made the area safe by drying the floor.

#### Infection Control:

4. In the Preschool room, it was noted that the children's perishable snacks, such as yogurts and cheese sandwiches, were not refrigerated at the service prior to the mid-morning snack. This increased the risk of food spoilage.
5. The sofa in the Montessori room and five foam shapes in the soft play area of the Wobbler room, were torn, which impeded effective cleaning.
6. In the shared sanitary facility, there was evidence of rust on the radiator, which could not be adequately cleaned as a result.

7. The inspector observed that a soother had been left on a cubby shelf in the Wobbler room, which posed a risk of cross contamination. In conversation, one of the adults stated that there was no sterilising process in place for used soothers.
8. Six of the seven high chairs in use in the Wobbler room were noted to have food particles on the covers of the chairs. In addition, black mould spots were visible in the corners of three of the chair covers, which posed a risk of cross infection and possible allergic reaction to the mould. During discussion, the adult in the care room stated that the chairs were cleaned after use, however, this was not found to be the case in practice, as no cleaning record had been completed for the previous day.

### **Administration of Medication:**

9. The expiry date had passed on two separate medications that were held in respect of a child. This posed a risk that expired medication, which may be unsafe to use, could be administered to a child.

### **Safe Sleep:**

10. In sleep room 1, the inspector observed that there were two cellular blankets attached to the bars on either side of a cot, where a child was sleeping. This posed as a safety risk, should the child over heat from the lack of ventilation between the bars of the cot, or from accidentally pulling the blankets on top of themselves. In conversation, the staff member stated that the cellular blankets were being used in this way to prevent the child from being able to see other children on either side of the cot.

### **Action submitted by the Registered Provider**

#### **Corrective & Preventive Action**

##### **General Safety:**

1. In her written reply, the person in charge stated that a new childproof lock has been fitted to the Toddler room fridge. Staff have been advised to store all medication in the main kitchen, which is inaccessible to children.
2. The plug-in thermometer has been removed and the cable from the air conditioner has been secured in place. As a preventive measure, electric thermometers will be replaced by digital battery-operated thermometers. An order placed for same is due for delivery.
3. There has been no reoccurrence of water pooling since the date of the inspection. Staff will ensure that sleep room floors are completely dry after cleaning and that no spillages are left unattended.

##### **Infection Control:**

4. All perishable snacks will be stored in Preschool room fridge. Parents have been asked to send perishable snacks in a zip lock bag for storage in the fridge.

5. The sofa in the Montessori room has been replaced. New foam shapes for the Wobbler room have been ordered. As a preventive measure, staff have been asked to ensure that all soft furnishings are maintained in good condition.
6. Painting has been scheduled to commence in July, when painters are due to begin decorating work.
7. Each soother will be sterilised for a minimum of 30 minutes in a sterilising solution. A sterilising container is now in place in the Wobbler room and soothers will be sterilised after each use.
8. Staff have been instructed to ensure that highchairs are thoroughly cleaned after each mealtime and to ensure that this is also recorded. The service's digital application has been updated to include a breakdown of highchair cleaning.

### **Administration of Medication:**

9. The written response stated that the person in charge had previously advised the child's parents to update the medication, however, the parents were away. The parents have since provided in-date medication and have been advised that children will not be admitted in future, until their medication is in date.

### **Safe Sleep:**

10. Staff have been instructed to remove cellular blankets from the sides of this cot. Staff will remain in the sleep area when children are sleeping.

### **Supporting documentation submitted**

#### **General Safety:**

1. As the medication was removed from the fridge on the day of inspection, the statement from the person in charge is accepted as evidence.
2. Photographic evidence.
3. The statement from the person in charge is accepted as evidence.

#### **Infection Control:**

4. The statement from the person in charge is accepted as evidence.
5. A photograph of the new sofa in the Montessori room and a screen shot of the order confirmation for the new soft play cushions.
6. No evidence was submitted.
7. Photographic evidence.
8. A screen shot of the updated cleaning schedule in relation to the high chairs.

## Administration of Medication:

9. A photograph of the in-date medication.

## Safe Sleep:

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

## Summary Comment

Based on the statements and evidence submitted, points 1, 2, 3, 4, 5, 7, 8, 9 and 10 have been addressed. In relation to point 6, as painting work is awaited, the radiator will be reviewed 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.*

## Compliance Information

(1) Certificates were available to demonstrate that six adults had completed First Aid Responder (FAR) training. The staff roster indicated that at least one person trained in first aid was available at all times, while the early years children were present in the service.

## Part VI - Safety

### Regulation 27 – Supervision

*A registered provider shall ensure that pre-school children attending the service are supervised at all times.*

## Compliance Information

It was observed that adequate supervision of the children was ensured by the adults throughout the inspection period. This included during routines activities, such as mealtimes and toileting, as well as during indoor free play and outdoor active play.

### Part VII - Premises and Space Requirements

#### Regulation 29 - Premises

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

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

#### Compliance Information

(b) The risk of unauthorised access and that of a child exiting the service while unsupervised, were adequately controlled; a key pad mechanism was in place at the main entrance door, with a buzzer entry system in place for parents and visitors and the door release button on the interior was positioned at adult height. The outdoor play environment was fully enclosed by walls, wall panels and a secured gate.

#### Non-Compliance Information

- (c)
1. There was an odour emitting from the Wobbler room nappy changing area. On further enquiry, it was discovered that the cover for the mechanical ventilation system was missing and that the system was not operating, which prevented the removal of stale air.
- (d)
2. A broken window handle was observed on the windowsill of sleep room 1.
  3. In the Wobbler room, it was noted that water was flowing from the tap at the adult sink, when both taps were turned off. In conversation, an adult in the room stated that the tap had been assessed by maintenance and that they were awaiting a part to carry out the repair.
  4. The inspector observed six visible holes, at the children's eye level, on one of the walls in the Wobbler care room. During discussion, an adult in the room stated that an old play kitchen had been removed from this area.

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

##### Corrective and Preventive Action

- (c)
1. The response submitted stated that the mechanical vent has been replaced.
- (d)
2. The window handle has been repaired.
  3. The leak from the tap has been repaired.

4. The area damaged after the removal of play kitchen has been repaired.

As a preventive measure in relation to the above points, staff have been reminded that there is a repair log available in the office and that all breakages or damages must be logged, in order to ensure that all repairs are completed in a timely manner.

### Supporting documentation submitted

Photographic evidence was received in relation to points 1 to 4.

### Summary Comment

The corrective actions implemented by the person in charge have addressed the non-compliances identified under regulation 29.

## Part VII - Premises and Space Requirements

### Regulation 30 - Minimum space requirements

*(2) A registered provider of a full day care service or a part-time day care service shall ensure that the minimum amount of clear floor space specified in column (3) of Schedule 7 opposite a particular reference number specified in column (1) of that Schedule in respect of the age range of children specified in column (2) thereof at that reference number is available for each child in that age range attending the service.*

### Compliance Information

(2) In the following care rooms, the required clear floor space was available to cater for the age range and number of children who attended part time or full day care, on the day of inspection:

Room name and age range of children	Available clear floor space	Number of children in attendance
Preschool (3 - 4 years)	63.75m <sup>2</sup>	24
Montessori (3 ½ - 5 years)	59.24m <sup>2</sup>	16
Toddler (1 ½ - 2 ½ years)	60.25m <sup>2</sup>	19 (2 aged under 2 years and 17 aged 2 to 3 years)

### Non-Compliance Information

In the Wobbler room, there was inadequate clear floor space available to accommodate the numbers and age range of children who attended part time or full day care as follows:

Square metres available	Number and age range of children in attendance	Square meters required for the number of children in attendance
60.26m <sup>2</sup>	2 children aged under 1 year 23 children aged 1 – 2 years	71.4 <sup>2</sup>

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

#### Corrective and Preventive Action

In her written reply, the person in charge stated that four of the children, who had been settling into the Toddler room during the week commencing 27 May, have now moved to the Toddler room on a full-time basis. The service will no longer accept children under 12 months of age, to reduce the minimum space requirements.

#### Supporting documentation submitted

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

### Summary Comment

Based on the statement from the person in charge, regulatory compliance is determined to have been met.