

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CC162
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Name of Service:	Gate Childcare Ltd
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Address of Service:	Eastgate Hall, Little Island, Cork, Co. Cork
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Eircode:	T45 XR67
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Name of Registered Provider:	Cyril Wall
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	09/10/2023
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No of pre-school children:	AM	91	PM	87
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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 & C Stokes
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

Gate Childcare Ltd is a privately owned full day care service that is registered to provide full day, part time and sessional care to children aged 0 to 6 years. The Early Childhood Care and Education (ECCE) Scheme is facilitated from 9.00am to 12.00pm, each Monday through to Friday, over 38 weeks annually. Daily opening hours are from 7.45am to 6.00pm and the childcare facility is open throughout the year, with the exception of Christmas and public holidays.

The early years service is situated in an urban area of Little Island in Cork and operates from the ground floor of a two-storey premises. It consists of four care rooms, with either adjoining or adjacent children's sanitary facilities, two sleep rooms, staff sanitary facilities, a reception area, an office, a staff canteen and a kitchen. An outdoor play environment is located at the rear of the building.

Staffing

The service currently employs 19 adults, excluding the registered provider. The registered provider is not involved in the direct care of the children. Fifteen of the 19 staff members were present on the day of inspection with 4 adults absent or not rostered for work. The adults working directly with the children had obtained major awards in Early Childhood Care and Education.

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 inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 10, 11, 16, 19 and 23; however, on inspection additional non-compliance which posed significant risk was identified under regulations 27 and 30.

These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under regulation 19 Health, welfare and development of child and 23 Safeguarding health, safety and welfare of child. As a result, the scope of the inspection included the Wobbler room and the Toddler room and did not include the Montessori room or the Pre-school 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.

Additional Information

This inspection was triggered by information received by the Early Years Inspectorate's Feedback and Concerns team.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the person in charge, staff and children who were present on the day of the inspection.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

- (a) the service has a designated person in charge and a named person who is able to deputise as required,
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and

(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 named person in charge (PIC) of operating the service. In addition, there was a named deputy person in charge (DPIC).
 - (b) The person in charge was present on the day of inspection and stated that the PIC or DPIC were always on the premises.

- (2) The staff recruitment files examined as part of this inspection were those of new staff, who had been employed since the previous inspection on 23 January 2023.
- (a) When the recruitment files of the three new staff members were reviewed, two written and appropriately validated references from past employers were available in respect of each of the three adults.
- (b) Not applicable, as there were no references from sources other than past employers.
- (c) A completed record of Garda vetting disclosure from the National Vetting Bureau was available for the three adults.
- (d) Police vetting was required and available for two adults, who had lived outside the jurisdiction for periods that exceeded six consecutive months.
- (4) A certificate of a major award in Early Childhood Care and Education, at a minimum of QQI level 5 on the National Framework of Qualifications, was on file for each of the three adults.

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 assessed and deemed to meet the necessary requirements:

- Policy on managing behaviour
- Safe Sleep policy
- Inclusion policy
- Settling In policy
- Staff training policy
- Staff supervision 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) Between 9.55am and 10.15am, when the adult child ratios were initially assessed, the regulatory requirements were met, as overall, there was an adequate number of adults available to the children. The following information was recorded:

Time	Room Name and Age Range of Children	Number of Children Present	Number of Adults Present
9.55am	Preschool (2 years and 10 months – 3 years and 9 months)	21	3
10.04am	Wobblers (9 months – 1 year and 11 months)	18	4
10.07am	Montessori (2 years and 10 months – 4 ½ years)	20	2
10.14am	Toddlers (1 year and 8 months – 2 years and 9 months)	29	5

The person in charge was also available during this time.

(8)

(a) On the day of inspection, the service was observed to be operated with at least two adults consistently present.

Non-Compliance Information

(2) The minimum ratio of adults to children was not met in the afternoon. It was recorded that between 12.25pm and 12.45pm, when ratios were reviewed, a total of 13 adults were working with 87 children and the person in charge was also available. However, 15 adults were required in total. The rooms, which were providing full day care, were in operation as follows:

Time	Room Name and Age Range of Children	Total Number of Children Present	Number of Adults Present
12.25pm	Pre-School 2 – 3 years: 7 children 3 – 4 years: 11 children	18	2
12.30pm	Wobblers 0 – 1 year : 4 children 1 – 2 years: 16 children	20	4
12.35pm	Montessori 2 – 3 years: 1 child 3 – 5 years: 17 children	18	2
12.45pm	Toddlers 1 – 2 years: 7 children 2 - 3 years: 24 children	31	5

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The person in charge responded to advise that on the day of inspection, two staff members were absent due to illness or injury and a third staff member had to leave work, due to feeling unwell. The service's recruitment agency was contacted for relief staff, but were unable to facilitate, due to the short notice.

One additional member of staff has since been recruited to act as floating staff, in the unlikely event that three staff members would be absent again on a given day.

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 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:

(k) details of any accident, injury or incident involving a pre-school child attending the service.

Compliance Information

(1)

(k) A sample of 10 accident and incident records were reviewed and were noted to have been adequately completed.

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,

Compliance Information

(1)(a)

Basic needs:

- A hot lunch meal was served to the children in the Toddler room shortly before midday. Developmentally appropriate crockery and cutlery were provided for the children's use and the adults in the care room readily assisted the children, as required. In the Wobbler room, staff members were also noted to appropriately assist the children during the lunchtime meal.
- Drinks of water were observed to be offered to the children in the Wobbler room between meals.
- Nappy changing procedures were carried out at various intervals during the day and as the need arose.
- Children with runny noses were promptly attended to.
- In the afternoon, a scheduled rest period was facilitated in the Toddler room and in an adjacent sleep room. The children who did not sleep engaged in quieter activities in the same care room. Children in the Wobbler room were accommodated to sleep according to their needs.
- On the day of inspection, the children's need for mobility was met in the Montessori and Preschool rooms, as the children were observed to have access to the outdoor area.

Supporting relationships around children:

- Observed mealtimes were conducted in a relaxed and unhurried environment. The children were encouraged by the adults to take their time and appeared to really enjoy the lunch provided.
- During a period of free play in the Toddler room, the adults were noted to chat to the children about the materials they were using and acknowledged their efforts and creations.
- As the children in the Toddler room transitioned into the designated rest period in the afternoon, staff members were observed to support the children to relax by speaking in low tones and through offering comfort and reassurance, as needed. Some of the care room blinds were lowered and calming music was played, which supported a restful environment.

- Methods of communicating with parents included an online application, which was used to record and share information regarding the children’s activities of daily living and the person in charge confirmed that informal face-to-face discussion with parents was also facilitated, at arrival and collection times. Phone calls were also observed to be used to contact and connect with the children’s parents.
- One of the inspectors was advised that staff meetings were held in the service, to discuss matters arising and a messaging application was also utilised. Adults stated that there was a practice of having a staff meeting every three months, to contribute to a sense of teamwork in the setting.

Non-Compliance Information

Children in the Wobbler room did not have the opportunity to engage in outdoor play. An adult in the Wobbler room explained that the children do not go outside when the ground is wet, as several of the children in the group are pre-walkers. The doors from the Wobbler room opened directly onto a designated play area with an artificial grass surface and as the weather was dry and pleasant, outdoor play could have been facilitated for this group of children who were attending the service and availing of full day care.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

In the response provided, the person in charge stated that while the morning on the day of inspection was dry, there had been torrential rain the previous night and the children did not have suitable waterproof clothing to ensure they would not get wet. Parents have been asked to supply suitable waterproof clothing for their children. A waterproof play mat has been provided for the pre-walkers.

Supporting documentation submitted

A photograph of the new play mat in the outdoor play space.

Summary Comment

The corrective action implemented by the registered provider has addressed the non-compliance identified under regulation 19.

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 main entrance door to the early years service was maintained secure when not in use. This security measure reduced the risk of unauthorised access and also reduced the risk of a child exiting, while unsupervised.
- Visibility markings were fitted to the low-level glass panels in the Toddler room.
- The high-level door handles in place on the care room doors minimised the risk of a child exiting a care room and accessing other areas of the service, while unsupervised.
- Firefighting equipment was securely tethered.

Infection Control:

- Warm running water, a supply of liquid soap and paper towels were provided at the children's wash hand basins.
- During observed nappy changing procedures, a staff member was noted to wear a disposable apron and single use gloves, which were disposed of between nappy changes. The adult also washed their hands in between nappy changes and sanitised the changing mat.
- During the designated rest period in the Toddler room, the children's sleep mats appeared well spaced, which reduced the risk of the spread of infection.
- Wall hook storage was provided for the children's coats.
- Adequate ventilation of the care rooms was ensured through open windows.

Administration of Medication:

- No medication was observed to be administered during the inspection period.

Safe Sleep:

- Adults who worked in the Wobbler room were observed to complete 10-minute interval sleep checks on the children in the sleep room. These checks were recorded digitally on an online application and could be accessed in real time by parents.

Fire Safety:

- There were no fire safety issues noted.

Outings:

- No outings were conducted at the time of inspection.

Non-Compliance Information

General Safety:

- In the Toddler room, the children's access to potentially harmful items was not prevented. One of the low-level cupboards, which contained a sanitiser spray bottle and a smart speaker with a cable, was unsecured. This increased the risk of a child ingesting a harmful substance and also increased the risk of injury to a child, should they come into contact with the cable.
- The floor of the Toddler room was slippery, which created a potential slip hazard for children and adults. A child was observed to slip, as they played near the door of the nappy changing area and prior to this, a staff member was observed to lose their footing in another area of the room.

Infection Control:

- Handwashing by children was not observed in the Toddler or Wobbler rooms before the main lunch meal and the children's hands were not washed following observed nappy changing procedures in the Toddler room. This increased the risk of cross infection. It was also noted that some of the children in the Toddler room began eating their lunch with their fingers, before receiving spoons, which further increased the risk of cross infection.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

- All doors on low-level cupboards are now fitted with locks and staff have been reminded to ensure that all doors are securely locked at all times.
- The response from the person in charge outlined that the slippery floor may have been due to high humidity levels in the care room, caused by the recent weather conditions. Staff have been instructed to place the available dehumidifier in the room, should it appear slippery. This will help to ensure safety from slipping, for both children and staff.

Infection Control:

3. Each staff member has the responsibility to ensure that every child washes their hands prior to eating and after nappy changing, to reduce the risk of cross infection. All staff have been reminded about the importance of hand hygiene to minimise cross infection and they have also been given a copy of the service's Infection Control policy as a reminder. In addition, all staff will complete the HSEland hand hygiene course. Staff have been instructed to ensure that children are provided with cutlery prior to receiving their meals.

Supporting documentation submitted

General Safety:

1. Photographic evidence.
2. A photograph of the dehumidifier.

Infection Control:

3. The statements from the person in charge are accepted as evidence.

Summary Comment

The non-compliances identified under this regulation have been addressed.

Part VI - Safety

Regulation 27 – Supervision

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

Non-Compliance Information

In the Toddler room, adequate supervision of the children was not ensured at all times. At 12.20pm, one of the children was observed sitting on the floor crying and was not responded to until a staff member re-entered the main care room from the adjoining nappy changing room. In an adjacent area, three other children could be seen having a physical disagreement over a toy and this incident was not observed by staff. At the time of the incidents, one of the staff members was washing dishes at the sink, with their back turned to the children, two additional staff members were in the adjoining nappy changing area and a fourth adult was changing a nappy in a separately located sanitary facility.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

In the response submitted, the person in charge advised that certain periods of the day are busier than others, for example, preparing for lunch, clean up, nappy changing and preparing the children for rest time. Each staff member has now been delegated a clear and defined role during these periods, to ensure that there are sufficient staff members available to supervise the children at these times.

Supporting documentation submitted

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

Summary Comment

Based on the statement submitted by the person in charge as evidence, regulatory compliance with this regulation is determined to have been met.

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.

Non-Compliance Information

(2) Adequate clear floor space was unavailable in the Toddler room for 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	Square meters required for the number of children attending
60.25m ²	7 children aged 1 – 2 years 24 children aged 2 – 3 years	76m ²

This was also found at the previous inspection on 23 January 2023. In the CAPA response at the time, the person in charge advised that on the 23 January 2023, additional children had been facilitated to attend the Toddler room due to settling in from the Wobbler room, settling back in upon return from a period of absence and as a result of accommodating parents, who had appointments. The CAPA response also outlined that going forward, the Toddler room capacity would be checked prior to accepting children for additional days. However, at the subsequent inspection, the minimum amount of clear floor space was again found to be inadequate for the children who attended the care room.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

In the response provided, the person in charge has outlined that the service is endeavouring to implement the change of entry age to two years in the Toddler room and to one year in the Wobbler room. As commitments had already been given to parents for childcare, this process can only be achieved over time. Subsequent to this, the person in charge clarified that in March of next year, there will be seven less children in the Toddler room and that no further enrolments will be taken for the Toddler room in the interim.

Supporting documentation submitted

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

Summary Comment

The response from the person in charge was accepted as a temporary measure. However, the number and age range of children attending the Toddler room will be assessed at the next inspection. The person in charge has been advised that no more than 26 children, aged 2 to 3 years, can be accommodated in the Toddler room at any one time.