

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015CC163
--------------------------	-------------

<b>Name of Service:</b>	Giggles Childcare Service
-------------------------	---------------------------

<b>Address of Service:</b>	Curra, Crossbarry, Innishannon, Co. Cork
----------------------------	--

<b>Eircode:</b>	T12 A6DX
-----------------	----------

<b>Name of Registered Provider:</b>	Marie Kerr , Bernice Lynch
-------------------------------------	----------------------------

<b>Service type:</b>	Full Day, Part Time, Sessional
----------------------	--------------------------------

<b>Date(s) of Inspection:</b>	01/05/2024
-------------------------------	------------

<b>Date 2 of Inspection:</b>	02/05/2024
------------------------------	------------

<b>No of pre-school children:</b>	AM	99	PM	76
<b>Day 2</b>	AM	88	PM	Not assessed

<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>	C Stokes
----------------------------------	----------

<b>Title:</b>	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).

<b>Conditions if applicable</b>	N/A
---------------------------------	-----

### Description of service

Giggles Childcare service is a private full day care service operating since 2002 from 7.30 am to 6.30 pm daily. The service offers the ECCE, full day care and a service to school going children. The service runs for 50 weeks of the year. The service has 6 preschool rooms in operation, toddler A and B, early Montessori rooms downstairs and 3 Montessori rooms upstairs. The pedagogical approach of the service is that of Montessori influenced, play based ethos.

### Staffing

The service had 22 adults present on the first day of inspection, including the chef, the manager, and the Registered Provider and 20 adults present on day 2 of the inspection. Both the manager and the registered providers worked directly with the children covering staff breaks. Staff working directly with the children had a major award 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 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.

### Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered providers, 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 providers were joint persons in charge of managing the childcare facility and a deputy was also assigned to the service.
- (b) The deputy person in charge was on duty at the premises when the inspection commenced and was joined by both registered providers on day 1 and one of the registered providers on day 2 of the inspection.
- (2) Recruitment records were reviewed in relation to the 22 adults employed at the service.
- (a) There were 26 validated written references in place from past employers.
- (b) Written and validated references had been provided from 18 sources other than previous employers.
- (c) Garda vetting disclosures had been obtained for all 22 adults. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d) Police vetting was not required and available for the 7 adults who had resided outside the State for periods that exceeded six consecutive months, while over the age of 18 years.
- (4) Records demonstrated that 19 of the adults had achieved a major award in Early Childhood Care and Education, ranging from level 5 to 8, on the National Framework of Qualifications. A qualification was not required for the two adults undertaking work placement with the early years children and the chef.

### 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.*

### Compliance Information

(2) In the morning and afternoon periods there were sufficient adults working directly with the children, outside of the period from 12.30 to 2pm.

#### Day 1

Room/ age range	adults	children	ratio
*Toddler A (12-18months)	3	16 morning 16 afternoon	1:5
*Toddler B (18-24 months) (2-3 years)	3 plus student	15 morning; 6 Children under 2 years 9 Children over 2 years 12 afternoon	1:5 1:6
Early Montessori (2-3 years)	3 plus student	18 morning 16 afternoon	1:6
Montessori 1 (3-4 years)	2	20 morning 17 afternoon*	1:11 morning 1:8 afternoon
Montessori 2	2	21 morning 15 afternoon	1:11 morning 1:8 afternoon
Montessori 3	1	9 morning only	1:11
total		99 am, 76 pm	

\*As Toddler A & B share the same room, 6 adults were sufficient based on the ages of the children and the 1:5 and 1:6 ratio required.

\*Montessori 1 and 2 had 32 children in the afternoon and 4 adults, meeting the 1:8 ratio required.

#### Day 2

Room/ age range	adults	children	ratio
*Toddler A (12-18months)	3	13	1:5
*Toddler B (18-24 months) (2-3 years)	3 plus student	5 Children under 2 years 8 Children over 2 years	1:5 1:6
Early Montessori (2-3 years)	3 plus student	17 morning 17 afternoon	1:6

Montessori 1 (3-4 years)	2	19 morning 13 afternoon	1:11 morning 1:8 afternoon
Montessori 2	2	18 morning 15 afternoon	1:11 morning 1:8 afternoon
Montessori 3	1	8 morning only	1:11
total		88 am, 81 pm	

### Non-Compliance Information

(2) The minimum ratio of adults to children were not met where there were an insufficient number of adults working directly with children in toddler room A and B from 12.30 to 2pm during staff breaks. During this period, at times of staff breaks there were toddlers cared for by 4 staff, whereas 6 staff were required. The ratios of 1:5 and 1:6 were not maintained while 2 adults from toddler A and 1 adult from the toddler B room went on their lunch break and were replaced by 1 adult. For example, in Toddler A at 12.45, there were 7 children in the sleep room plus 9 in the dining/playroom being cared for by 1 adult with a second adult going between the 2 rooms of Toddler A and B. In the Early Montessori room 2 adults went on break and were replaced by 1 adult when 4 adults were required.

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

#### Corrective and Preventive Action

The registered providers responded to state that the staff lunch roster has been updated to ensure the adult/child ratio is always met during staff breaks.

#### Supporting documentation submitted

An updated staff break roster was submitted as evidence.

### Summary Comment

The response and evidence submitted by the registered providers were assessed and accepted as meeting the regulatory requirements of this regulation.

## 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

- Adults were observed to interact and encourage/assist the children to make the meal times a social occasion, while encouraging independence. Dinner time was observed in the Early Montessori room, and in the 'Toddler A' dining area. Children were noted to enjoy their main meal and were offered second helpings.
- The children were largely trained using the toilet and were supported appropriately by the adults to use the toilet in the upstairs preschool rooms. In the downstairs rooms children were observed to be changed regularly.
- There were 2 designated sleep rooms for the Toddlers, only 1 was observed to be in use on day 1 and 2 of inspection. In this room there were 7 cots. Children from the toddler room B who needed to sleep were observed to sleep on stackable beds/ floor mattresses in their playroom in an established sleep routine after dinner.
- The children in the had their need for mobility met in this setting as a period of outdoor play was observed to be facilitated in the morning and afternoons.

### 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:

- External doors and internal doors were secured.
- Storage of stackable beds was in a cupboard and inaccessible to children.
- Cleaning agents and equipment were inaccessible, and the kitchen was inaccessible.
- The outdoor area was secured and fully enclosed.
- Blind cords were observed to be secured.
- The laundry room was locked and inaccessible to children.

##### Infection Control:

- A supply of thermostatically controlled hot water was available for hand washing at the sinks. Soap, paper towels/electric dryers were in place.
- Hand washing was observed prior to mealtimes and after outdoor play as well as after children's use of the toilet or nappy changing.

##### Administration of Medication:

- Staff were competent in describing the medicine administration procedure and medication storage. One child required medications (an antibiotic) on the days of inspection.

##### Safe Sleep:

- Adults performed physical checks on sleeping children every 10 minutes and were observed to record these in writing.
- Temperatures in the designated sleep room was within the required range of 16 to 20 °C, measuring 19°C. The second sleep room was not in use.

##### Fire Safety:

- No issues with fire safety were observed. Emergency exit routes were clear.

##### Outing:

- No outings were conducted on the days of inspection.

#### Non-Compliance Information

##### Infection Control:

1. On the days of inspection, the three nappy disposal bins in the service were broken, as the pedal opening device was not functioning. This may lead to the spread of infection. It is noted that the registered providers were actioning this and had a letter from their supplier regarding replacement bins.
2. In the sleep room used by Toddler A group, there were 7 cots, 4 were not the required 50cm apart for infection control. This practice was noted in the previous inspection of 10 July 2023 as it may lead to the spread of infection.

### Safe Sleep:

3. On the days of inspection, 5 children under 2 years were observed to sleep on mats/mattresses on the ground in toddler room B area, rather than in cots or approved floor beds as required for safe sleep for children in this age group.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### Infection Control:

1. The registered providers responded to state that new nappy disposal bins are now in place.
2. The registered providers responded to state that one cot was removed from the sleep room and the second sleep room which was not in use was re-opened for use. This room has 6 cots available.

#### Safe Sleep:

3. The registered providers agreed to purchase approved floor beds for children under 2 years and noted that 2 of the 5 children have since turned 2 years and can sleep on stackable beds and that cots are available in the second sleep room for use of those children under 2 years.

#### Supporting documentation submitted

#### Infection Control:

1. Photographic evidence of new nappy disposal bins was submitted.
2. Photographic evidence of adequately spaced-out cots was submitted.

#### Safe Sleep:

3. The statement of the registered providers was accepted in lieu of evidence, as floor beds are yet to be purchased, while the registered providers committed to continue to examine the sleeping arrangements.

### Summary Comment

The response and evidence submitted by the registered providers were assessed and accepted as meeting the regulatory requirements of this regulation.

### Part VI - Safety

#### Regulation 28 - Insurance

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

#### Compliance Information

There was adequate insurance in place for 110 children on a full day care basis valid until 27 March 2025.

### Part VII - Premises and Space Requirements

#### Regulation 30 - Minimum space requirements

*(1) Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.*

*(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) There was sufficient space for the Early Montessori group spread between the several areas downstairs in the service designated for this group, based on the numbers and age range of the children attending this space. Upstairs rooms were not measured as part of this inspection.

#### Non-Compliance Information

- (1) The registered providers did not ensure that an adequate clear floor space was available for the Toddler A/ B group to facilitate their work, play and movement.
- (2) The minimum floor space was not in place given the ages and numbers of children attending Toddler A and B partitioned space, for example:
  - On day one of inspection there were 16 toddlers in group A, aged 12 to 18 months requiring 2.8m<sup>2</sup> per child. In the spaces allocated within the toddler room and dining area, there was space for 14 children of this age group for the morning period. After lunch while the entire toddler area was closed to facilitate sleep for the Toddler B group Therefore, the toddler A children who were not sleeping in their cot room, had a space in the dining/play area which could accommodate 7 children, however there were 9 children using this space.

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

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

The registered providers stated that the floor space issue will be resolved once the outdoor cabin is registered to take pre-school children. The registered providers stated that a change in circumstance (CIC) form has been submitted for this to the registration office.

#### **Supporting documentation submitted**

A copy of the CIC form was submitted.

### Summary Comment

The response and evidence submitted by the registered providers were assessed and remains outstanding currently in meeting the regulatory requirements of this regulation, until such time as adequate space is provided for children attending the Toddler Unit.

### Part VII - Premises and Space Requirements

#### Regulation 29 - Premises

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

- (a) of sound and stable structure,*
- (b) safe and secure,*
- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

#### Compliance Information

- (a) From visual inspection the premises appeared of sound and stable structure, well-finished and weather tight.
- (b) From visual inspection the premises appeared safe and secure. An appropriate security system with a secured entrance door to manage unauthorised entry and unsupervised exit of children from the service was in place.
- (c) The service was adequately heated, lit, and ventilated. The room was a comfortable temperature, 21.5 °C. The windows were opened for ventilation and natural lighting was supplemented with artificial lighting.
- (d) An adequate ratio of toilets/ nappy changing facilities were in place for children as a 1 to 11 ratio was in place, as follows:

Location	Toilets	Nappy changing
Off Toddler room	2 sinks	2 nappy changing stations in cubicles
Off Early Montessori area	1 toilet, 1 sink	3 nappy changing stations & 3 sinks
Upstairs	4 toilets, 4 sink	0

Therefore, there was sufficient sanitary accommodation for the 99 children in attendance on day 1 and 88 children on day 2 of inspection.

### Non-Compliance Information

- (e) A staff toilet was not maintained in a good state of repair, with tiling missing over the door and under the sink.
- (f) There were an inadequate number of staff toilets available for the 22 and 20 adults present on day 1 and day 2 of the inspection. The ratio of 1:8 staff toilets were not in place as there were 2 toilets/sinks for staff, when 3 were required.

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

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

- (e) The registered providers committed to keeping the staff toilets in a good state of repair and stated that the tiling was replaced.
- (f) The registered providers stated that an additional staff toilet was purchased and that the setting will ensure adequate staff toilets are in place.

#### **Supporting documentation submitted**

- (e) Photographic evidence of the replaced tiling was submitted.
- (f) Photographic evidence of a portacabin staff toilet was submitted.

### Summary Comment

The response and evidence submitted by the registered providers were assessed and accepted as meeting the regulatory requirements of this regulation.