

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CC163		
Name of Service:	Giggles Childcare Service		
Address of Service:	Curra, Crossbarry, Inishannon, Co. Cork		
Eircode:	T12 A6DX		
Name of Registered Provider:	Marie Kerr, Bernice Lynch		
Service type:	Full Day, Part Time, Sessional		
Date(s) of Inspection:	10/07/2023		
No of pre-school children:	AM	61	PM 61
Address of the Early Years Inspectorate:	Early Years Inspectorate Administration Building, St Mary's Health Campus Gurrabraher, Cork T23X440		
Inspection undertaken by:	C Stokes		
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	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, closing at 6pm on Fridays. 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, baby, toddler A and B, early Montessori rooms downstairs and 2 Montessori rooms upstairs.

Staffing

The service had 15 adults present on the day of inspection, including the chef, the manager, and the Registered Provider. Both the manager and the registered provider 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 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

An Immediate Action Notice was issued on the day of inspection with regard to 1 adult working with children without the necessary vetting disclosure from the National Vetting Bureau. The registered provider responded the following day with the required vetting disclosure dated 10 July 2023 in respect of 1 new staff member.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, 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
- (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 providers were the named person in charge (PIC) of operating the service. One of the registered providers was present on the day of inspection.

(b) In addition to the PIC there was a deputy person in charge in the service (manager) who was present the day of inspection.

(c) There was a clear management structure in place with an additional adult as a second deputy person in charge.

(2) There were 2 adults recruited since the previous inspection in September 2022, and these files were reviewed on inspection and the following was in place,

(a) There were 4 validated references from previous employers on file.

(b) Not applicable. There were no validated references from sources other than a past employer.

(c) A vetting disclosure from the National Vetting Bureau of the Garda Síochána was available for 1 adult on the day of inspection.

(4) A copy of Child Care Qualification for Level 6 and Level 8 respectively on the National Qualifications Framework was available on file in respect of the new staff members who were working in the service.

Non-Compliance Information

(2) (c) A vetting disclosure from the National Vetting Bureau of the Garda Síochána was not available for 1 staff and an Immediate Action notice was issued in respect of this staff member. This was provided on the 11 July, dated 10 July 2023 in respect of this new staff member.

(2)(d) Police vetting was required but not available for 1 staff member who had lived outside the jurisdiction for six months or more while over the age of 18 years.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2) (c)

The registered provider advised that the vetting from the National Vetting Bureau of the Garda Síochána had been applied for 2 weeks prior to the adult commencing work in the service and was received dated 10 July 2023, which was the adults commencement date. It was not furnished to the Inspectorate until 11 July as it had been in spam mail and according to the registered providers. The registered providers stated that the adult had not been working single-handedly with children. The registered providers stated that they will ensure the appropriate vetting is in place before an adult has access to their service.

(2) (d) The out of jurisdiction vetting was applied for in person and received dated 24 July 2023. The registered providers stated they will ensure that all relevant vetting/clearance is in place as required.

Supporting documentation submitted

(2) (c) The vetting disclosure from the National Vetting Bureau of the Garda Síochána was submitted on 11 July 2023.

(2) (d) The out of jurisdiction vetting was submitted on 8 August 2023 by the registered providers.

Summary Comment

The response and supporting evidence submitted by the registered providers were assessed and deemed to meet the regulatory requirements of this regulation.

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)

(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) At all times during the period of the inspection the registered providers ensured that there were an adequate number of adults working directly with the children.

(2) The ratio of adults to children was adequate in all playrooms. On the day of inspection, 6 care rooms were in operation as follows:

Room	adults	children	Age range
babies	1 morning 1 afternoon	1 morning 1 afternoon	0-12 months
Toddler A	2 morning 2 afternoon	10 morning 10 afternoon	12-24 months
Toddler B	2 morning 2 afternoon	10 morning 10 afternoon	18-24 months
Early Montessori	2 morning 2 afternoon	9 morning 8 afternoon	2-3 years
Montessori 1	2 morning 2 afternoon	11 preschool, 5 school age morning 12 preschool, 5 school age afternoon	4 plus years
Montessori 2	2 morning 2 afternoon	20 morning 20 afternoon	2.5 to 4 years

(8) (a) There were at least 2 adults available on the premises throughout the duration of the inspection, and at all times in accordance with the staff roster.

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

Basic Needs

- Mealtime and snack time was observed to be a pleasant and social experience, where adults talked to and assisted the children as required. The atmosphere was relaxed and not hurried.
- Nappy changing was observed to occur regularly and sensitively.
- The children's need for mobility was met with the outdoor area being used 2 to 3 times daily as observed on inspection.
- The children's need for sleep was met as children had access to two designated sleep rooms with 11 cots for the children under 2 years to sleep on demand. In addition, toddler room B and the early Montessori rooms closed for activities after lunch to facilitate sleep time on stackable beds and sleep mats for all children in these rooms. The children in the upstairs Montessori rooms had access to relaxation area in their rooms as required.

Non-Compliance Information

Basic Needs

- Some adults attending to children during their lunch time were not sufficiently attentive to the children's personal cleanliness. Children in two rooms were observed to have runny noses while eating their hot lunch which were not attended to by the various staff in these rooms.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action and Supporting documentation submitted:

The registered providers stated that staff will be attentive to the personal cleanliness of children. This statement was accepted as supporting evidence.

Summary Comment

The response from the registered providers meets the regulatory requirements and the attentiveness of staff to the personal care needs of children will be assessed at the next inspection.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

(1) Subject to this regulation, a registered provider shall ensure that-

(a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child to play indoors and, where required by these Regulations, outdoors, during the day, and

(b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

Compliance Information

(1) (a) There were adequate and suitable facilities for each child to play indoors and outdoors. The indoor environment of each room was laid out in defined interest areas. The outdoor area was also laid out with a range of developmentally appropriate toys and materials to offer stimulating and challenging opportunities for play and learning.

(b) There were 22 stackable beds available for the children in the Toddler room b and Early Montessori rooms. Set sleep times, after lunch were well established in these rooms where all children were observed to sleep. In addition, there were 2 designated sleep rooms, a baby sleep room with 6 cots and a toddler sleep room with 7 cots.

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 preschool. Access to the service was gained by keypad access on the entry doors preventing unauthorised adults from entering the building.
- The windows examined were secured with restrictive opening devices.
- Cables were secured on the day of inspection.
- The staircase leading from the ground floor upstairs had a handrail and was brightly lit.

- Cleaning agents were noted to be stored out of the reach of children on the day of inspection.
- The outdoor area was secured and fully enclosed.

Infection Control:

- The playrooms were kept adequately ventilated, with openable windows for the circulation of fresh air.
- The service had warm running water, liquid soap, and paper towels/ electric dryers.
- Hand washing was observed to take place appropriately. Children were observed washing their hands before and after their midday meal and after outdoor play.

Administration of Medication:

- No medications were observed to be administered on the day of inspection. Staff were aware of the storage and medical consent and appropriate practices around medicine administration as outlined in conversation with the inspector.

Fire Safety:

- No fire safety issues were observed.

Outing:

- No outings were observed on the day of inspection.

Non-Compliance Information

General Safety:

1. The laundry room was observed to be unlocked on the day of inspection, and this room is accessible from the toddler room. This presents a risk of children accessing this area unsupervised and the potential risk of injury/accident. This issue was noted in the previous inspection of September 2022 and the measures taken following this inspection as outlined by the registered providers that the laundry room would be always locked, was not found on inspection.

Infection Control:

2. There were no foot operated pedal bins for the safe and appropriate disposal of soiled nappies on the premises. All bins in the baby and toddler changing rooms were unsuitable for the disposal of nappies.
3. An insufficient space was noted between two cots in the toddler sleep room. A space of 50cm is required between cots for infection control purposes.
4. The countertop in the toddler nappy changing area under the mat was not cleaned adequately which may lead to the spread of infection.
5. Seven bags were stored on top of a stack of stackable beds which were dressed with fitted bed linen which may lead to the spread of infection.

6. There were several torn blue-shaped triangular cushions observed in the Toddler room whose plastic covering was damaged and could not be adequately cleaned which may lead to the spread of infection.
7. An expired topical skin cream was observed in the Early Montessori room, use of this may lead to cross infection.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The registered providers responded to state that the laundry room, has a yale lock and it is locked nearly all the time, as the children in this area (12 months to 16 Months) are not capable of opening this door, and are constantly supervised. The registered provider put signage on the door to remind staff to keep it locked.

Infection Control:

2. The nappy disposal bins were replaced according to the reply from the registered providers.
3. The registered providers stated that the service will endeavour to follow the space required between cots.
4. The registered providers stated that the service is aware of infection control and the importance of cleaning and cleaning training will be updated.
5. The registered providers stated that the service will ensure that bags are never stored on stackable beds.
6. The registered providers stated that the torn cushions were removed, and staff will endeavour to continue to check the equipment and furniture.
7. The registered providers advised the expired cream was returned to the parent and care will be taken to ensure the safe storage of creams with attention to their expiry dates.

Supporting documentation submitted

General Safety:

1. Photographic evidence was submitted for the laundry room reminding staff to keep it locked.

Infection Control:

2, 5. Photographic evidence was submitted in respect of points 2 and 5 and the statements given by the registered providers were noted as evidence for the points 3, 4, 6 and 7.

Summary Comment

The response from the registered providers was assessed and accepted as meeting the regulatory requirements of Regulation 23.

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. Appropriate security systems with a keypad entry system at the front door managed unauthorised entry and unsupervised exit of children from the service.
- (c) The service was adequately lit, heated, and ventilated on the day of inspection.
- (e) An adequate ratio of toilets and nappy changing was in place for children as a 1 to 11 ratio was in place. For adults there were 2 adult toilets, and a 1 to 8 ratio was in place.

Room	Toilets/ Nappy changing Units	Location
Baby	2 nappy changing units & sinks	Main nappy changing area
Early Montessori	1 toilet/sink and shared nappy changing with babies	Main nappy changing area
Toddler A & B	1 toilet and 1 nappy changing & sink	Off Toddler room Toddlers have access to main nappy changing area
Upstairs Montessori Rooms	4 toilets & 4 sinks	upstairs
Staff	2 toilets and 2 sinks	1 downstairs, 1 upstairs

Non-Compliance Information

(d) The service was not adequately maintained, in a proper state of repair and clean on the day of inspection, as several maintenance issues were noted.

1. The floor in the toddler room was damaged at the exit door to the outside and was not found to be in a suitable state of repair
2. The baby sleep room was observed to be dusty around the exit door and not in a well maintained and clean condition.
3. A broken pedal bin was observed in the Early Montessori room for general waste.
4. Chipped skirting and damaged paintwork and peeling laminate bookshelves were observed in the early Montessori room which was in a poor state of repair. Peeling laminate furniture was also noted in the Montessori room upstairs.
5. In the outdoor area, wooden play equipment and planters were damaged with obvious rough surfaces and splinters and were not in a suitable state of repair.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action & Evidence Submitted

1. The registered providers stated that there was an issue with underfloor heating, and they were awaiting its resolution before attending to the floor. A photograph of a mat at the door was submitted as evidence.
2. The registered providers stated that the baby room was dusted, and that cleaning would be continued.
3. The registered providers stated that the pedal bin was replaced, and that furniture and equipment would be checked.
4. The registered providers stated that paintwork was due for completion in the summer.
5. The registered providers stated that the planters were repaired, the wooden play equipment was not listed by the registered providers in their response.

Summary Comment

The response from the registered providers was assessed and the regulatory requirements have been met, based on the statements given by the registered providers and noting the issues of premises listed in this inspection report will be reviewed again at the next inspection.