

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CC164
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Name of Service:	Giggles Childcare Services
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Address of Service:	41 Avondale Mews, Church Hill, Passage West, Co. Cork
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Name of Registered Provider:	Marie Kerr, Bernice Lynch
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	25/09/2023
Date of Regulatory Compliance Meeting	28/11/2023

No of pre-school children:	AM	35	PM	31
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Admin Building, St Marys Health Campus, 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
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Description of service

Giggles Childcare is a purpose-built full day care facility, which opened in 2006 with 5 care rooms registered to cater for children aged 0 to 6 years of age. It offers the ECCE scheme, full day care and a registered school aged care service. The service is a play-based setting. It is registered to run from 8am to 6pm. The service operates from a single storey building in a residential area of Passage West. It comprised of a baby room, toddler rooms (A & B), Early Montessori room and Montessori room. There was an adjoining sleep room in the baby room used by the babies. Toddlers (A & B), Early Montessori, and Montessori children used their playrooms for sleep. There was a kitchen facility onsite and a large rear outdoor area which was enclosed and fully secure.

Staffing

One of the registered providers was present on the day of inspection although not service based but was working in the service on the afternoon of the inspection. There were 9 other adults working in the service, excluding the chef who was absent.

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 regulatory compliance meeting was held with the registered providers, inspection & registration manager, and early years inspector on 28 November 2023 to address issues outstanding from the CAPA process.

Acknowledgments

The inspector wishes to acknowledge the cooperation of one 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*
- (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) There were two named designated persons in charge and a named person to deputise as required.
- (b) The deputy person in charge was present when the inspector arrived on the premises on the day of the inspection. One of the designated persons in charge arrived at 12.15pm. The designated persons in charge or the deputy are on the premises at all times of the service operating.
- (c) There was a clear management structure in place.
- (2) There were 12 staff files assessed.
- (a) There were 19 references with corresponding written validation on file from past employers in respect of the 12 adults.
- (b) There was/were 5 validated references on file from a source other than a previous employer.
- (c) A completed Garda vetting disclosure was received for the 12 adults.
- (d) There were 8 police clearance records on 6 adults that had worked outside the jurisdiction for a period of longer than six consecutive months.
- (4) The adults that worked directly with the children held a major award in Early Childhood Care and Education ranging from Level 5 to Level 8 on the National Framework of 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) The registered providers ensured that there was at all times an adequate number of adults working directly with the children attending the pre-school service.

(2) The registered providers ensured that at all times the minimum ratio of adults to children was adhered to as follows:

Room	Adults	Children
Baby (Ratio 1:3)	Morning 1 Afternoon 1	Morning 2 Afternoon 3
Toddler A aged 12-18 months Ratio (1:5)	Morning 2 Afternoon 1	Morning 6 Afternoon 5
Toddler B aged 18-24months Ratio 1:5	Morning 1 Afternoon 1	Morning 4 Afternoon 4
Early Montessori aged 2- 2 years 8 months, Ratio 1:6	Morning 2 Afternoon 1	Morning 9 Afternoon 6
Montessori aged 2 years 8 months -5 years. Ratio 1:11 morning 1:8 afternoon	Morning 2 Afternoon 2	Morning 14 Afternoon 13

(8)(a) The registered providers ensured that at all times of the service being in operation that a minimum of 2 adults were on the premises.

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

- Meals and snacks were served at regular intervals during the day and water/drinks were observed to be readily available. Breakfast was served at 8am, snack at 10am, dinner at 12pm and snack at 3pm. A late evening snack was available at 5.30pm. Staff assisted the children as required. Placemats were observed to be used in the Montessori room, where there was also a helper system in place and dinner time was observed to be a social occasion where staff engaged with the children.
- Children in the Montessori room were independent using the toilet and staff supported these children appropriately, with gentle reminders for handwashing. Staff were sensitive to nappy changes for children in the baby, Toddler A and B and the early Montessori rooms.
- There was 1 designated sleep room in place with 4 cots. This was located off the baby sleep room to facilitate sleep on demand for the babies. Children in Toddler A and B rooms and the Early Montessori and Montessori rooms had a designated sleep time after dinner.
- Children in all rooms were observed to have access to the outdoor area for mobility on the day of inspection. This was except for the baby room, where there was a child settling in. The staff advised that the doors to the designated outdoor area from the baby room can be opened to allow free movement indoors/outdoors.
- There was a calm and engaging atmosphere across the service. Staff were observed to interact in a caring manner with the children building their sense of safety and security in the setting.

Programme of Activities and its implementation

- Children were noted to have playful opportunities to enhance their learning. For example, physical development was enhanced by fine motor skills such as colouring observed in the Montessori room, gross motor skills were promoted by physical activity in the outdoor area. The outdoor area also supported children’s cognitive development with opportunities for imaginative and creative play with the boat, playhouse, and other fixed equipment in the outdoors. Childrens language development was supported by storytelling which was observed in many rooms across the setting.
- A daily routine and short-term curriculum plan were available for inspection. The staff in the Montessori room informed the inspector that the children’s observations were linked to Aistear the Early Childhood Curriculum Framework and advised that a report is sent to parents each term.

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-

(b) there are adequate and suitable facilities for a pre-school child to rest during the day

Compliance Information

(1) (b)

- A designated sleep room with 4 cots was in place accessed directly from the baby room.
- Individual bed linen was provided to each child.
- The sleep room temperature was between 16 to 20 degrees Celsius, it measured 18.9 degrees.
- The cots were observed to be in good condition and the cot mattresses were easy to clean with a waterproof, wipeable surface.
- Children over 2 years in the Early Montessori and Montessori rooms were provided with floor mats or stackable beds for rest.
- A supply of foldable cots was in place in the Toddler A room to accommodate sleep for the children attending this room who could not be accommodated in the baby sleep room.

Non-Compliance Information

(1) (b) Appropriate floor beds were not in place for children under 2 years who were observed to sleep in Toddler B room, aged 18 to 24 months. These stackable beds are deemed developmentally inappropriate for use by children under 2 years. A floor level bed, with a solid base and rigid or semi rigid sides is the only permissible alternative to a standard cot for children aged under 2 years for sleep. A floor bed must be fitted with a firm, entirely flat, waterproof, and breathable mattress. Children under 2 years using floor beds must have sleep plans, with incorporated risk assessments and written parental agreement for their use.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1)(b) The registered providers stated at the regulatory compliance meeting, that children under 2 years would only sleep in a standard cot or approved floor bed.

Supporting documentation submitted

Photographic evidence of the purchase of 2 floor beds was furnished to the Early Years Inspectorate on 29 November 2023.

Summary Comment

The regulatory requirements have now been met regarding this regulation.

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:

- Internal and external doors were secured on the day of inspection.
- Emergency exit doors were unobstructed.
- Storage facilities were inaccessible to children.
- Highchairs were observed to be in good condition in the baby room.
- No cables were within reach of children on the day of inspection.

Administration of Medication:

- The administration of medication was not observed at the time of inspection. However, the medication held was noted to be stored out of the children's reach, was in date and had been appropriately labelled.
- One child in the Toddler A room was on an antibiotic and staff advised of the medicine administration procedure and record of this.
- A supply of anti-febrile medication for each child was stored appropriately and staff advised that the contact parents in advance of administering this medication unless the parents/guardians advised to give it to their child at drop off time in the morning. Parents sign the medicine administration records according to staff.

Safe Sleep:

- Ten-minute sleep checks were recorded in writing for each child by the adults.

Fire Safety:

- No fire safety issues were observed on the day of inspection.

Outing:

- No outings were conducted on the day of inspection.

Non-Compliance Information

Infection Control:

Several infection control issues were observed on the day of inspection which may lead to the spread of infection:

1. A child's potty was observed to be on the floor in a care room. The manager stated it was there for use in the room by a child who was toilet training. This practice may lead to the spread of infection.

2. Handwashing was not observed prior to dinner by children. Hand sanitiser was used. Hand washing prior to meals is a requirement for infection control purposes.
3. Staff were observed using tea towels to dry their hands and to use the same cloth to dry children's plates and cups.
4. Communal hand towels were in use in the children's toilets for children to dry their hands which may lead to the spread of infection.
5. A staff member was observed to clean a child's runny nose with a face cloth and not to dispose of the face cloth appropriately, as it was left in the sink, which may lead to cross infection.
6. The pedal mechanism on the nappy bin in the sole nappy area was broken and there was a strong malodour of nappies in this room.
7. There were no pedal bins in place in the children's toilets.

General Safety:

8. The wooden arts and craft shelving unit in the Montessori room was splintered as was a red wooden bookshelf unit in Toddler room A, which could pose injury to a child.
9. The window area in toddler B room had exposed plaster and the mesh underneath was visible and readily accessible to a child. This could potentially cause injury or damaged flakes of plaster may potentially be ingested causing harm.

Safe Sleep:

10. Two cots in the baby sleep room were positioned too close together without the 50cm between them as required for infection control.
11. The mechanical vent in the internal baby sleep room was dusty which may impede its effective use and impact the spread of infection.

Action submitted by the Registered Provider

Corrective & Preventive Action & Supporting documentation submitted

Infection Control:

1. At the Regulatory Compliance meeting of 28 November 2023, the registered providers stated that the potty has been removed from the care room and put in the toilet area, where it will be kept.
2. The registered providers responded to state that hand washing is a vital part of the hygiene programme for staff and children in the service and that further training was provided on infection control to ensure this practice is done. An in-house training record was submitted as evidence on 29 November 2023.

3. The registered providers responded to state that staff got update training on infection control, and the separate use of tea towels and hand towels. A staff memo and minutes on in house training was provided on the 29 November 2023 as evidence of completion.
4. The registered providers responded to state that the service use paper towels and that staff got update training on infection control. At the regulatory compliance meeting, the registered providers stated that paper towel dispensers were in place and used.
5. The registered providers updated staff training on infection control to ensure best practice is in place around cleaning children's noses and disposing of tissues. A memo and in house training minutes were submitted on the 29 November 2023 to this effect.
6. The new nappy disposal bin had a broken pedal and the registered providers advised they were awaiting the sales representative to examine it but was addressed. Photographic evidence was provided on 27 October 2023.
7. The registered providers advised that they put pedal bins in the children's toilets and sent in photographic evidence.

General Safety:

8. The wooden shelf has been repaired with tape and photographic evidence submitted.
9. The window area with exposed plaster and mesh has been repaired and photographic evidence submitted.

Safe Sleep:

10. At the regulatory compliance meeting, the registered providers stated they will reduce the number of cots in the sleep room from 4 to 3 to ensure that there is 50 cm between the cots.
11. The mechanical vent was cleaned in the sleep room and staff will be trained in infection control. Photographic evidence of the cleaned vent was submitted.

Summary Comment

The registered providers responses and evidence submitted was assessed, and post the regulatory compliance meeting, the service was deemed to meet the regulatory requirements of this regulation.

Part VI - Safety

Regulation 26 - Fire safety measures

- (1) A registered provider shall ensure that a record in writing is kept of-
- (a) any fire drill that takes place in the premises, and
 - (b) the number, type and maintenance record of firefighting equipment and smoke alarms in the premises.
- (4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.

Compliance Information

- (1) (a) The registered provider ensured that a record was kept of the fire drills, the most recent drill was dated 20 September 2023.
- (b) The registered provider ensured that a record was kept of the firefighting equipment. The service record indicated the fire extinguishers and fire alarm service indicated they were serviced/ maintained on the 18 September 2023.
- (4) A notice of the procedures to be followed in the event of a fire was on display at the fire exit.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

- A registered provider shall ensure that the premises of the service are-
- (e) equipped with adequate and suitable sanitary facilities.

Compliance Information

- (e) There were 3 children's sinks and 3 toilets on the premises. This can accommodate 33 toilet-trained early years children as the ratio is 1 to 11. This was sufficient for the number of children who were trained on the day of inspection.

Non-Compliance Information

- (e)
1. Insufficient nappy changing facilities were in place.
The service did not have one nappy changing unit and 1 wash hand basin for every 11 children in nappies. There was one nappy changing area in the service with two mats and one sink.
A second sink was required for the 19 children in nappies present on the day of inspection.

- The service had 1 adult toilet and sink for 10 adults present in the service on the day of inspection.
A ratio of 1 to 8 is required for adults. Therefore 2 adult toilets and sinks were required.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- The registered providers stated at the regulatory compliance meeting that a second sink will be installed and they have made arrangements with the plumber to install this in the nappy changing area and are awaiting confirmation of his available date to complete this work.
- The registered providers stated at the regulatory compliance meeting that they are changing use of one children's toilet to an adult toilet to comply with the requirement to have 1 to 8 toilets for adults in the service.

Supporting documentation submitted:

These issues were subject to a discussion at the Regulatory Compliance meeting of 28 November 2023. Registered providers stated a projected timeframe of early 2024 for the sink to be installed in the nappy changing area and to convert a child sized toilet to an adult toilet by installing a suitable sized water closet. This was clarified by an email from the registered providers to the plumber, a copy of which was submitted as evidence on 29 November 2023.

Summary Comment

The response and evidence submitted by the registered providers has been accepted as working towards regulatory compliance with this regulation. This will be reviewed at the next inspection.