

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015CC182		
<b>Name of Service:</b>	Positive Ideas T/A Highcare Childcare		
<b>Address of Service:</b>	Caisleán Drive, Ballincollig, Co. Cork		
<b>Eircode:</b>	P31 X304		
<b>Name of Registered Provider:</b>	Emma Canning		
<b>Service type:</b>	Full Day		
<b>Date(s) of Inspection:</b>	12/12/2023		
<b>No of pre-school children:</b>	AM	154	PM 101
<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Admin Building, St Marys Health Campus, Cork, T23x440		
<b>Inspection undertaken by:</b>	C Stokes		
<b>Title:</b>	Early Years Inspector		
<b>Authority to Inspect</b>			
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

Positive Ideas T/A Highcare Childcare is a privately owned service which is registered for children aged 0 to 6 years to provide full day-care, part-time care, sessional care and the Early Childhood Care and Education (ECCE) Scheme. Daily opening hours are from 7.30am to 6pm. The service also provides care for school age children within the service. Positive Ideas T/A Highcare Childcare is in a residential setting in Ballincollig, Cork. It operates out of a building complex that was adapted for the purpose of a childcare facility. There are 8 playrooms in the building; Building 1 consists of the Baby room, the Wobbler room, the Toddler room (Ladybirds, Bumblebees and Butterflies). Building 2 consists of the Red room and the Green room for ECCE aged children. Building 3 consists of the Purple room, the Blue room and the Yellow room for ECCE aged children. There is a designated outdoor play area divided into 3 areas provided to the rear of the building. There are 2 dedicated Sleep rooms adjacent to the Baby room and Wobbler room. There is a kitchen, staff room and sanitary accommodation in the premises.

### Staffing

The registered provider was not service based. There were 28 adults present on the premises during the day of inspection including the person in charge. All adults working directly with 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 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 service has a designated person in charge and a named person who can deputise

(b) At all times during the period when the pre-school service is being carried on, the designated person in charge or the deputy person in charge are on the premises.

(c) There is a clear management structure in the setting, and this is displayed on the noticeboard and on an online application for parents.

(2) The staff recruitment files were examined as part of this inspection.

(a) When the recruitment files of all 29 adults was reviewed two written and appropriately validated references were available in respect of 41 past employers

(b) Two written and appropriately validated references were available in respect of 17 sources other than past employers.

(c) A completed record of Garda vetting disclosure from the National Vetting Bureau was available for the 29 adults.

(d) Police vetting was required and available for 11 adults who had lived outside the jurisdiction for a period exceeding 6 months.

(4) A certificate of a major award in Early Childhood care and education at a minimum of QQI level 5, on the National Qualification framework was on file for 29 adults.

## Non-Compliance Information

(2)(d) Police vetting was not on file for 2 adults in relation to periods of time exceeding 6 months that they had spent out of jurisdiction. Subsequent to the inspection on 14 December, the person in charge advised that the two staff had applied and were in the process of applying for the relevant police vetting.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

(2)(d) Police vetting has been applied for in respect of the 2 adults. All staff files have been checked and updated to ensure all vetting and clearance is up to date and filed, further checks will take place quarterly to update this, according to the response from the registered provider on 26 January 2024.

### Supporting documentation submitted

Evidence that police vetting was applied for was submitted with the CAPA response from the registered provider.

## Summary Comment

The response from the registered provider meets the regulatory requirements of this regulation. The police vetting will be assessed at the next inspection.

### 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

(1) The registered providers ensured that an adequate number of adults were working directly with the children.

(2) The adult-child ratio was met as follows:

Room	Age range	children	adults
Ladybird	Aged 1-2 years.	10 (am & pm)	2 adults
Bumblebees	Aged 2-3 years.	17(am & pm)	4 adults
Butterflies	Aged 2-3 Years	17am & 16pm	3 adults
Blue room	ECCE age range	13 am & 14 pm	2 adults
Purple room	ECCE age range	15 am & 14 pm	4 adults
Yellow room	ECCE age range	21 am & 14 pm	2 adults
Green room	ECCE age range	17 am & 16pm	3 adults (am) 2 adults (pm)
Red room	ECCE age range	30 mornings only	3 adults

## 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:

- Adults were observed to sit with the children and chat to make the snack time a social occasion.
- Nutritious meals and snacks were served at regular times, no longer than 3 hours apart.
- The crockery, cutlery and drinking utensils used were suitable for the children's age and stage of development.
- The service provided all meals and snacks, including breakfast, morning snack, lunch, afternoon snack and evening snack, except to those children attending on a sessional basis (ECCE).
- The children were supported appropriately by the adults to use the toilet. Nappy changing took place at regularly and as necessary for younger children.
- There was a cosy area to provide for the children's need for rest and relaxation during the day. In addition, there were 2 designated sleep rooms for the children in the ladybirds and bumblebees rooms, with 13 cots. Stackable beds facilitated sleep after lunch for a total of 17 children in the butterflies room who had a sleep routine.
- Children's need for mobility was met with both the indoor and outdoor play area being used frequently on the day of inspection.
- The adults were observed to support the children to interact positively with each other, for example, with turn taking and waiting, particularly during supported hand washing prior to meals/snacks for the younger children.
- There was a calm and positive approach to managing behaviour. The adults modelled speaking in low tones and supportive interactions.

## SUPPORTING RELATIONSHIPS AROUND CHILDREN:

- The person in charge advised the inspector that the service operated in partnership with parents, with a parental communication online application in use to provide parents and guardians with daily information, including significant events and activities involving their child.
- The online application records meals and snacks, sleep, nappy changes, activities, and shares photographs with parents. Parents received emails from the service and there was a parents evening, termly meetings with parents by phone or in person, end of year visits by parents, Christmas evening visits to the service by parents and daily updates to parents to foster good communication.
- The setting had many forms of documentation of the children’s care and learning for parents, including children’s milestones and children’s observations.
- The adults were observed to show positive regard for the children on the day of inspection, with encouragement and praise for specific tasks in a warm and caring manner for example for waiting prior to mealtimes etc.
- The setting had a Santa visit area set up to the front of the service for photographs, together with several other outdoor spaces which facilitated small and large group work and sibling interaction.
- There was a largely consistent staff team in the setting which contributed to the sense of teamwork and cohesion in the service.

## 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.
- No cables were within reach of children on the day of inspection.
- The outdoor area was suitably enclosed and secured without any observed hazards

##### Infection Control:

- Adults cleaned down the tables prior to and after snack and mealtimes.
- Children were observed to wash their hands before eating.
- There was a supply of thermostatically controlled hot water, liquid soap, and paper towels available in the children's sanitary area.
- Nappies were disposed of in a lidded, pedal bin as appropriate.

### Administration of Medication:

- The administration of medication was not observed at the time of inspection, however the person in charge advised that they have children in the setting with inhalers and auto injector pens. Staff are trained in the safe storage and administration of these medications. The person in charge also advised that children have individualised care plans regarding such medication.

### Safe Sleep:

- Sleeping children were monitored every 10 minutes and a sample of sleep record checks were observed by the inspector on the online application.
- The temperature of the sleep rooms was within the acceptable range of 16 to 20 degrees, measuring 16.5 and 18.9 degrees Celsius respectively.

### Fire Safety:

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

### Outing:

- No outings were conducted on the day of inspection.

## Non-Compliance Information

### Infection Control:

1. In the bumblebee sleep room, the cots were positioned close together, not allowing for 50cm of space between 5 of 7 cots may contribute to the spread of infection.
2. There was a nappy changing unit in the adult toilet off the sensory room. The unit was not in a clean and hygienic state of repair, the nappy changing mat was observed on the floor and the lid of the nappy disposal bin was observed to be opened. These issues with nappy changing may lead to the spread of infection. According to the person in charge, this nappy changing unit will be removed later in the week of inspection and this sanitary area will be for the sole use of staff.
3. The nappy changing mat off the butterfly room was observed to be torn and not in a clean and hygienic state of repair, which may lead to the spread of infection.

4. The nappy changing mat in the changing area for the bumblebee room was torn and the pull-down wall mounted unit was observed to be in a poor state of cleanliness.
5. Disinfectant spray was within reach of children stored on a windowsill beside the nappy changing of the bumblebee room.
6. There was 1 children's toilet and sink off the bumble bee room, and there was no toilet seat on the toilet. This may lead to the spread of infection.
7. Storage of sweeping brushes was observed in the upstairs children's/ adults toilets and in the Bumblebee toilet this room was used for the storage of a mop, bucket and sweeping brushes, in addition to nappy changing. This practice of storage in sanitary areas may lead to the spread of infection.
8. The stackable beds were stored openly in the sensory room, where children from the butterfly room had dinner and played. Children should not have access to stackable beds when stored for safety and infection control purposes.

### Safe Sleep:

9. One of the cots in the bumblebees sleep room had a sharp catch which may have the potential to cause an injury to a child. It is acknowledged that this was removed on subsequent to the inspection according to the person in charge.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### Infection Control:

1. The registered provider responded to state that 1 cot has been removed from the sleep room, allowing ample space between cots. The age group has been changed in the room there is no need for more cots in the sleep room going forward. The statement of the registered provider was submitted as evidence.
2. The nappy changing unit will be removed and replaced, with permanent flat countertops. The countertop will be easy to clean. There will be no joints or hinges to wear over time or be corroded by cleaning products. A quote for works to the nappy changing stations dated 11 January 2024 was submitted as evidence.
3. The torn nappy mats have been replaced and the pull-down units cleaned. Replacement changing mats are kept onsite and replaced when needed. A quote for works to the nappy changing stations dated 11 January 2024 was submitted as evidence.
4. The pull-down units have been steam cleaned; and will be replaced by flat built in structure. A quote for works to the nappy changing stations dated 11 January 2024 was submitted as evidence.

5. The changing areas were checked to ensure that no cleaning products are accessible. This statement from the registered provider was submitted as evidence.
6. The toilet seat will be replaced. This statement from the registered provider was submitted as evidence.
7. All sweeping brushes are now stored in cupboards. This statement from the registered provider was submitted as evidence.
8. Cupboards will be built in room to store stackable beds. This statement from the registered provider was submitted as evidence.

### Safe Sleep:

9. The registered provider advised that the damaged cot was removed and due to a change in age profile, this cot does not need to be replaced. A receipt for 2 stackable beds was submitted as evidence of the cot being replaced by these.

### Summary Comment

The response from the registered provider was reviewed and accepted. Regulatory compliance will be assessed at the next inspection.

## 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, windows were opened for ventilation and natural lighting was supplemented with artificial lighting.
- (d) The premises was suitably cleaned and maintained in a good state of repair.
- (e) An adequate ratio of toilets and nappy changing was in place for children with a 1 to 11 ratio was in place, as follows:

Location	Toilets	Nappy changing
Off Ladybird room	1 toilet, (not in use)	1 unit 1 sink
Off bumblebee room	2 toilets (not in use)	2 unit, 2 sinks
Off Butterfly room	1 toilet	1 unit, 2 sinks
Downstairs Red/Green Room	3 toilets & 3 sinks	3 units (not in use)
Off hall for red/green room	2 toilets & 2 sinks	
Upstairs	3 toilets & 4 sinks	
Landing upstairs	1 toilet	1 unit 1 sink

### Non-Compliance Information

- (e) An inadequate number of adult toilets were on the premises. The 1 to 8 ratio was not in place, there were 3 staff toilets and 28 staff, when 4 toilets and 4 sinks for staff were required.

Staff upstairs	1 toilet & 1 sink	
Staff ECCE red/green room	1 toilet & 1 sink	
Staff downstairs (Off sensory room)	1 toilet & 1 sink	(shared nappy unit to be removed as per PIC)

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

#### Corrective and Preventive Action

An additional toilet will need to be added and a quote has been received for this works to be completed in 12 to 16 weeks.

#### Supporting documentation submitted

A quote for the addition of an additional adult toilet dated 11 January 2024 was submitted and a projected timeframe of 12 to 16 weeks was outlined by the registered provider.

## Summary Comment

The response from the registered provider was reviewed and accepted. Regulatory compliance will be assessed at the next inspection.