

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CC204
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Name of Service:	Kindercare Childcare
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Address of Service:	Unit 4,5,8,9,10, Classes Lake Retail Centre, Classes Lake, Ovens, Co Cork
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Eircode:	P31 CY98
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Name of Registered Provider:	Frances Cunningham
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	18/03/2025
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No of pre-school children:	AM	134	PM	114
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Address of the Early Years Inspectorate:	13 Market Square Mallow Co Cork P51DD5Y
Inspection undertaken by:	B Fraher & S O Brien
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

Kindercare Childcare is a privately owned full day care service. It offers full day care and sessional care to children aged 0 to to 6 years and offers a school going service with breakfast club and afterschool activities. Kindercare Childcare is a registered to operate from 7:30 to 18:00, Monday to Friday. The service is in a suburban setting within a retail and housing development near Ballincollig. Kindercare operates from a purpose built two storey premises with 10 rooms. Downstairs comprises of 7 rooms with the remaining 3 upstairs. There are two sleep rooms adjacent to the Baby and Wobbler rooms. The service had a full kitchen and four outdoor areas, which comprised of one large area divided into three to the rear of the building and one balcony area upstairs.

Kindercare uses a play-based approach to learning.

Staffing

On the day of inspection, there was 23 staff working directly with the children. The registered provider, person in charge, administrator and cook were also present.

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 and safety. The inspection may also focus on other areas as required.

A sampling process was used to assess compliance under Regulation 16 – record in relation to a pre-school service, Regulation 19- health, welfare and development of child and Regulation 23- safeguarding health, safety and welfare of child. As a result, the scope of the inspection included rooms Pre-Toddler room, Toddler room, Baby room, Wobbler room, Pre-School Downstairs room (Senior Toddler room) and Junior 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.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the children, registered provider, person in charge and staff 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 had a designated person in charge and a named person who is able to deputise in the service.
 - (b) The designated person in charge and the named deputy were on the premises for the duration of the inspection and were on the premises at all times while the service was in operation. This was outlined clearly on a staff roster that was available and reviewed.
 - (c) There was a clear management structure in the service and all staff were aware of their roles and responsibilities.
- (2) Of the 23 staff members present on the day of inspection, 19 staff files were subject to review as the other employment records were reviewed at the previous inspection which took place on 08 May 2024.
- (a) Twenty nine of the 38 references were from a past employer and were validated.
 - (b) Nine of the 38 references were from a reputable source and were validated.
 - (c) Garda vetting disclosures had been obtained for all 19 staff. 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 required for 13 of the 19 staff as they had lived outside of a state for longer than six consecutive months.

(4) Eighteen of the 19 staff worked directly with the children held a relevant qualification in Early Childhood Care and Education from level 5 to level 8 on the national qualifications framework or a qualification deemed equivalent by the minister. The cook did not work directly with the children, therefore did not require a qualification in Early Childhood Care and Education.

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 reviewed on inspection:

- Administration of medication policy.
- Infection control policy.
- Safe sleep policy.
- Accidents and Incident policy.
- Authorisation to collect children policy.
- Staff training policy.

The policies contained the information required to guide staff in their care practices for children.

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) At the time of inspection, there were adequate adults available for the direct care and supervision of the children.

(2) Minimum adult child ratios were observed in all care rooms, over the duration of the inspection as follows:

Morning:

Room name and age ranger of the children	Number of children present	Number of adult present
Pre-Toddler room (1 year 8 months to 2 years)	10	3
Toddler room (1 year 11 months to 2 years 6 months)	13	3
Baby room (1 year to 1 year 4 months)	9	2
Wobbler room (1 year 4 months to 1 year 11 months)	9	2

Pre-School Downstairs room (Senior Toddler room) (2 year 7 months to 2 years 11 months)	12	2
ECCE 2 room (4 years to 4 years 9 months)	14	2
ECCE 1 room (2 years 11 months to 3 years 10 months)	10	2
Junior Pre-school (2 years 9 months to 3 years 6 months)	20	3
Pre-Pre School room (3 years 6 months to 4 years 1 month)	15	2
Pre-School Up room (4 years old)	22	2

Afternoon:

Room name and age ranger of the children	Number of children present	Number of adult present
Pre-Toddler room (1 year 8 months to 2 years)	10	3
Toddler room (1 year 11 months to 2 years 6 months)	13	3
Baby room (1 year to 1 year 4 months)	9	2
Wobbler room (1 year 4 months to 1 year 11 months)	9	2
Pre-School Downstairs room (Senior Toddler room) (2 year 7 months to 2 years 11 months)	12	2
ECCE 2 room (4 years to 4 years 9 months)	5	1
ECCE 1 room (used for afterschool)	Used for afterschool	Used for afterschool

Junior Pre-school (2 years 9 months to 3 years 6 months)	20	3
Pre-Pre School room (3 years 6 months to 4 years 1 month)	15	2
Pre-School Up room (4 years old)	21	3

- (8)
- (a) The service operated with at least two adults present at all times. This was observed on the day of inspection and was evident through examination of the roster.

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:

- (i) details of staff rosters on a daily basis;
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;
- (k) details of any accident, injury or incident involving a pre-school child attending the service.

Compliance Information

- (1) The following records in writing were reviewed on inspection:
- (i) The staff roster was available and outlined the hours of work for each staff member.
 - (j) A sample of 42 medication administration records were reviewed, of these all were fully completed with staff members, witness and parent/guardian signatures.
 - (k) A sample of 50 accident and incident records were reviewed and contained all relevant information that was required.

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

On the day of inspection, the following information was obtained through direct observation and discussion with the staff and examination of relevant documents.

Basic needs:

- The layout of the care rooms supported the children to move freely within their environments and to engage in their chosen tasks. Children in the baby room were observed to move freely in a safe place.
- Meals and snacks were prepared on the premises by the cook and were observed to be healthy and nutritious. Examples of food served for dinner were chicken, peas, rice, tuna and potatoes and snack were brown bread, oranges, bananas, crackers, cheese and raisins. Vegetarian options were also available. The inspector was informed that some children throughout the service had specific dietary requirements. These requirements were communicated to the cook and staff on duty in the care room and alternative options were available.
- Spare clothing was available for children and a staff member in the wobbler room was observed helping a child who needed to change in a sensitive and caring manner.
- Suitable cutlery was provided in each care room along with appropriate seating in the form of low-level tables and chairs.
- Children had unrestricted access to the toilet and were seen accessing the sanitary facilities independently with the supervision of the staff.
- The individual sleep needs of the younger children were met, and this was observed on the day by children sleeping at various intervals in the baby room. Older children had planned sleep times but were facilitated outside of the times if needed and this was seen in the wobbler room. Sleep times were facilitated in the two designated sleep rooms or in the care rooms themselves with the use of cots or stackable beds.

- Outdoor play was promoted and observed at the time of inspection with staff observing and assisting children during play. Children dressed appropriately to go outdoors, wearing coats and hats. Independence was encouraged with children putting on and taking off their coats and staff were available to assist if needed.
- Regular nappy changing was observed in both the baby and toddler changing area, adults were noted to interact sensitively with the children at this time.
- Babies and toddlers were seen to wear bibs on the day of inspection.

Supporting relationships:

- During mealtimes, the staff sat with the children in a relaxed environment, affording sufficient time for children to enjoy their food. Staff discussed topics of interest with the children during mealtimes.
- Staff in the baby room informed the inspector that they work in partnership with the parents in relation to sleep plans and alter these if needed in conjunction with the child's needs.
- Photos were displayed on the walls in the care rooms which promoted a sense of family for the children.
- The adults were seen to promote positive behaviour in the Senior Toddler room when observed to advise a child about the importance of not kicking toys.
- Staff in the Toddler room were seen to sit at floor level with the children and read or look at words in groups which supported positive relationships with the children and language development
- The children were encouraged to tidy up after play and meals, which promoted a sense of responsibility.
- Staff were observed to acknowledge and encouraged the children's efforts.
- A staff member in the Junior Toddler room was observed during circle time to communicate to the children using a puppet, which the children enjoyed.
- Scrapbooks were maintained with each child's artwork which aided the link between the service and parents/ guardians.

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 entrance door was secured appropriately. This restricted unauthorised access to the building and prevented the risk of children exiting unsupervised.
- The windows in the care rooms were adequately secured to ensure the safety of the children.
- Cleaning agents were stored out of reach of the children.
- The toys and play equipment assessed were in good condition.
- The outdoor areas were a safe and secure space for children with walls and railings. This prevented children gaining unsupervised access to unsafe areas.
- The equipment used in the outdoor area was in good condition and was stored in storage units when not in use.
- The temperature of the hot water was within the appropriate range throughout the sanitary accommodations. It was recorded between 23.6°C and 39.3°C.
- Blind cords in the rooms inspected were secured by a tension device and not accessible to the children.

Infection Control:

- Handwashing facilities were accessible to the children with warm running water, liquid soap, paper towel and air dryers. Children were observed to wash their hands after using the toilet and before meals.
- Children's coats were stored off the ground on wall hooks.
- Lidded pedal bins were in use for the disposal of waste in the care rooms inspected.
- Staff were seen to wear aprons and gloves during nappy changes and to dispose of the nappies in a sealed bin.
- Soothers were cleaned appropriately in a sterilising solution.
- Staff were observed assisting a child to clean his nose and both the staff member and child washed their hands after.

Administration of Medication:

- The inspector observed that consent for medication administration had been signed at enrolment and two staff members signatures were obtained for the medication administration records. Temperature reducing medicine was stored out of reach of the children and in the original box. All medication bottles checked were in date.

Safe Sleep:

- The air temperatures of the two designated sleep rooms were recorded between 18.2°C and 18.5°C while the children were sleeping. The rooms were maintained at the required temperatures of between of 18°C and 22°C for children above 12 months.
- Staff remained with the children who were sleeping on stackable beds.
- Staff were noted to maintain sleep records in relation to children's colour, breathing and position at 10-minute intervals during the sleep periods.

Fire Safety:

- Fire exits were noted to be free from obstruction.
- Fire extinguishers were secured to the walls.

Non-Compliance Information

Infection Control:

1. During observing nappy changing in the Baby room, the inspector observed a staff member open a lidded bin with gloved hands and continue to use these gloves during the nappy change. The inspector also noted that two children's hands were not washed after nappy changing from the Baby room and Wobbler room, or the unit was not cleaned between use in the Baby room. This was at variance with the nappy changing policy. This posed an infection risk to the children.

Action submitted by the Registered Provider

The following statement was made by the registered provider:

Corrective & Preventive Action

Infection Control:

1. A staff meeting was held where the nappy changing policy and hand hygiene policy were discussed. Room leaders have been appointed to ensure protocols are followed.

Supporting documentation submitted

Infection Control:

1. The statement from the registered provider was accepted.

Summary Comment

The actions taken by the registered provider have addressed the non-compliance identified under Regulation 23.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The registered provider ensured the service was adequately insured. The insurance policy commenced on 28 March 2024 and expired on 27 March 2025.