

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015CC210
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<b>Name of Service:</b>	Le Cheile Family Resource Centre (Mallow) Ltd
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<b>Address of Service:</b>	Mallow Community Campus, Fair Street, Mallow, Co. Cork
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<b>Eircode:</b>	P51 F344
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<b>Name of Registered Provider:</b>	Paddy Lane
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date(s) of Inspection:</b>	04/03/2024
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<b>No of pre-school children:</b>	AM	55	PM	13
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<b>Address of the Early Years Inspectorate:</b>	13 Market Square, Mallow, Cork.
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<b>Inspection undertaken by:</b>	F. Collins
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<b>Title:</b>	Early Years Inspector
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### 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
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### Description of service

Le Cheile Family Resource Centre Ltd. is an early years service operating as a full day care service provided in Mallow town on the Mallow Community Campus.

The service is registered to provide full day care, part time and sessional services to the children aged between 0-6 years. The service is open from 8:00 am to 5:00 pm daily and facilitates the Early Childhood Care and Education (ECCE) programme for 38 weeks of the year.

The service operates from the ground floor of the Mallow Community Campus building. The premises is custom built and consists of five childcare rooms each having access to the large outdoor area. Each room has children's toilets or where required nappy changing facilities. Two of the care rooms have sleep rooms adjacent. There are staff toilets, an office and the services of a kitchen and storage facilities away from the childcare areas.

### Staffing

There were 19 staff employed by the service and two adults working in the service on community employment schemes. Sixteen of the staff work caring for the children, 14 of whom were present on the day of inspection. The person in charge, the chef and the cleaner were also present however do not work directly with the children.

### 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 Comments

An immediate action notice was issued to the registered provider on 05.03.2024 in relation to a staff member that was not Garda Vetted.

A response was received on 05.03.2024 that adequately addressed the concerns.

### 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 service had a designated person in charge and a deputy person in charge on the premises on the day of inspection. In the event the person or deputy person in charge were not on the premises a named person able to deputise was available.
- (b) The person in charge or a named deputy person in charge were on the premises at all times during the operation of the service.
- (c) There was a clear structure in the service that identified the management structure. Each care room had a room leader, childcare workers and where required had staff employed under the Access and Inclusion Model Scheme. The service was accommodating an adult on a community employment scheme.
- (2)
- Twenty-one adults work in the service, all 21 adult files were assessed for completeness.
- (a) Of the 42 references required 33 validated references were available from past employers.
- (b) Of the 42 references required seven validated references were available from a source other than a past employer.
- (c) Garda vetting disclosures were on file for 20 of the adults who work in the service.
- (d) Police vetting was available and translated for six staff who work in the service and have access to children.
- (4) Sixteen adults held relevant qualifications in Early Childhood Care and Education at level 5 or above on the national qualifications framework. The non-qualified adult who was working with the children was supervised at all times.

The remaining staff that did not hold relevant qualifications and were not providing care to the children and were employed as cooks, cleaners, service managers and office administration.

### Non-Compliance Information

- (2) (a)/(b) Two references for a staff member were not available on file for one staff member.
- (c) A Garda vetting disclosure was not available on file for one staff member.
- (d) The requirement for police vetting could not be determined for seven staff where they had an incomplete or no curriculum vitae.
- (3) One adult had commenced work in the service without having their Garda vetting disclosure in place. Not adequately vetting staff prior to commencement of work in the service may allow staff that are not suitable have access to children.

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

#### Corrective and Preventive Action

- (2) (a) Both references have been received and both references are from past employers and have been validated.
- (c) Garda Vetting has not been received as the staff member no longer works during the opening hours of the service and is only onsite when the service is closed.
- (d) The staff curriculum vitae's have been updated and indicate that the staff do not require police vetting.
- (3) The registered provider has given assurances on the corrective and preventive action form that no staff member irrespective of role within the service will commence without Garda Vetting and where applicable Police vetting will be in place before the staff member starts in the service.

#### Supporting documentation submitted

- (2) (a) Copies of both validated references have been received.
- (c) Assurances have been received on the corrective and preventive action form to state this person is not onsite during the opening hours of the service and therefore does not have access to children.
- (d) Seven curriculum vitae have been received.

### Summary Comment

An Immediate action notice was issued to the registered provider on 05.03.204 in relation to a staff member being onsite during the operation of the service and having access to children who was not Garda Vetted. The response received from the registered provider indicated that the staff member in question had their working hours updated and no longer works in the service during opening hours and works when the service is closed. A letter indicating the change in work hours has been received.

The requirements for this Regulation have been met and will be reviewed on the next inspection.

### 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 assessed:

- The complaints policy.
- The administration of medication policy.

These policies provided clear and concise guidance to the staff.

#### Non-Compliance Information

The following policies were assessed and did not contain the required information to guide the staff:

1. The healthy eating policy was not updated to indicate that the service provided the hot meal in the middle of the day and how this was provided. It did not indicate that parents' choices would be considered or how food would be stored.
2. The policy on outdoor play did not provide sufficient guidance to the staff on the requirements for supervision outside or how to manage and provide for outdoor play when the weather conditions were poor.

Not having up to date and comprehensive policies does not provide guidance to staff and parents of the practices within the service.

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

### Corrective and Preventive Action

1. The Healthy eating policy has been updated and meets the requirements to be able to inform parents and to guide the staff.
2. The outdoor play policy has been updated and provides sufficient guidance for the staff to ensure the children get access to the outdoors daily and in how they are supervised.

### Supporting documentation submitted

1. The healthy eating policy has been received.
2. The outdoor play policy has been received.

### Summary Comment

Following receipt of the corrective and preventive action form, the assurances given and the relevant policies, the requirements for this regulation have been met.

## 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) All five care rooms were in operation on the day of inspection.

The adult child ratios were correct in the care rooms as observed throughout the day.

- The Bumble Bees room (children aged 3-5 years) had three qualified staff caring for 17 children, in the morning and one staff member caring for four children late in the afternoon, between one and two years.
- Bubbles room, there were 13 children (aged between 2-4 years) attending in the morning and were cared for by three adults. There were three children being cared for by 2 adults late in the afternoon.
- Butterflies room: This room was staffed by two adults caring for 10 children during the morning session. This care room was used exclusively for sessional service provision.

- Buttercup room: There were two adults caring for nine children, all children were aged 2 years and were attending on a part-time or full day care basis.
- Baby room: There were six children in attendance being cared for by three adults in the morning, and four children being cared for by two adults in the afternoon. All children were aged between 1-2 years.

The staffing as indicated by the roster with the support of the supervising staff allowed each care room to have sufficient staff to allow the staff take their breaks as rostered ensuring that there were adequate staff remaining to care for and supervise the children.

(8) The roster provided to the inspector by the person in charge identified that a minimum of two staff were on the premises at all times during the operation of the service.

### Part IV – Information and Records

#### Regulation 15 – Record of pre-school child

*(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:*

- (a) the name and date of birth of the child;*
- (b) the date on which the child first attended the service;*
- (c) the date on which the child ceased to attend the service;*
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
- (e) authorisation for the collection of the child;*
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
- (g) the name and telephone number of the child's registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.*

*(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-*  
*(c) an authorised person.*

### Compliance Information

- (1)
- Of the 55 children present on the day of the inspection a sample of 17 children’s registration forms from across each of the care rooms were examined.
- The registration forms were complete across (a) –(i) on all of the forms assessed.
- (3) (c) The records as identified above were made available to the inspector for review in all care rooms.

### 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:
- (h) details of attendance by each pre-school child on a daily basis;
  - (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)
- (i) The staff roster was available and a copy of same was issued to the inspector. The roster reflected the staff attendance throughout the day of inspection. Staff were aware of their correct working hours and of their breaks.
- (h) The medication administration forms reviewed (Bumble Bees and Bubbles rooms) were all signed and dated correctly with staff and parent signatures.
- (k) Four accident and incident reports were reviewed and these were completed correctly and had staff and parent signatures.

### Non-Compliance Information

- (1) (h)

1. There were no records available for two occasions where two medications were recorded as administered to children without written request from parents. Not having appropriate documentation available indicating the medication to be administered, the dose, frequency and route to children and in keeping with the services policy on medication administration may allow for medication errors to occur.
2. The service had emergency medication stored for use in the event a child required same for a previously diagnosed condition, there was no care plan or request for administration of medication available for use of this medication. Not having a clear plan in place for the staff on the use of the use of medication and on the care required by this child may lead to adverse consequences for the child.

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

#### Corrective and Preventive Action

1. The relevant forms have been completed and have been signed by parents. New administration of medication forms have been developed and are being implemented in the service. The room leaders are monitoring this.
2. A care plan has been developed for the child and the registered provider has committed to ensuring the necessary care plans and administration of medication requests will be in place prior to a child starting in the service where applicable.

#### Supporting documentation submitted

1. The request for medication consent forms have been received.
2. The relevant care plan has been received.

### Summary Comment

Following receipt of the corrective and preventive actions and the evidence received the requirements for this regulation have been met.

### 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 the snacks on the day of inspection were served at appropriate times and children were provided with drinks throughout the day. Drinks bottles were accessible to the children at all times. Assistance was given to the children that required same and children were observed to be encouraged to be self-sufficient where possible. Staff were observed to be on hand to support the children to feed them as required with their meals. Appropriate crockery and cutlery were available and used.
- A child who required bottle feeding was observed to be held and comforted when being fed and staff sat comfortably not rushing them to feed.
- Staff supported the children with toileting when required and nappies were changed frequently.
- The children in the baby room had their hands washed with individual hand towels prior to them eating their main meal.
- Sleep was facilitated at a scheduled time after dinner in the Bubbles room and should a child from Bumble Bees require sleep this was facilitated in the Bubbles room.
- The children attending the Baby room and the Buttercups room were allowed to sleep when they indicated the need for same. There were adequate cots to meet the needs of each child in attendance.
- All children could move about freely and there was no restriction placed on their movement. No child was observed to be in a highchair for longer than mealtime.

##### Supporting Relationships

- Each staff member was assigned to a care room. The children were accustomed to the staff and knew their carers. The children were observed to seek their support when required. Staff were observed to spend time comforting the children as needed.
- The children were observed to play alone and play in small and large groups. The groups supported each other especially playing with the kitchen and with arts and crafts.

- Parents were spoken to at drop off and collection. Communication with parents was also via the services web-based application which had been chosen by some of the parents for ongoing communication.

### 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 19 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.*

*(3) A registered provider of a full day care service, a part-time day care service or a childminding service, other than such a service to which paragraph (2) applies, shall ensure that-*

*(a) a suitable, safe and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises,*

#### Compliance Information

(1) (a)

All five care rooms were of a suitable size to facilitate small and large group play for the numbers of children attending the service.

Each room was resourced to suit the age range of children attending.

The Baby room where children aged under 2 years were attending had furniture suitable for this age group with highchairs available to allow the staff assist the children with feeding and to have eye contact with the children during mealtime.

All care rooms had child height chairs and low tables and the staff had access to adult height chairs for their comfort.

Play resources to promote fine motor development included peg boards, jigsaws, bricks and blocks, arts and crafts materials and cut outs.

Speech and language development was promoted through story time and there was a supply of books available to the children in each care room.

Imaginary play was promoted through the use of dress up clothes and play in areas such as garages, kitchens and home corners.

(b) There were adequate facilities for the children to rest during the day.

Each of the rooms had a rest area that allowed the children to rest and opt out of activities as they wished.

The sleep facilities for the children attending in the Baby room and the Buttercups room were located in a sleep room adjacent to the care room. These included 12 standard cots in total, with safety mattresses.

The children in Bubbles room all slept on stackable beds.

There was an adequate supply of cots and beds available to the children that required sleep on the day of inspection and no child was observed to require sleep and not be afforded the opportunity for same.

The cot barrier heights were suitable. There were no foot holds in the cots noted and the space between the bars was of adequate distance. The space between the cots was greater than 50 centimetres apart.

(3) (a)

The outdoor space was suitable safe and secure. The space is used on a timetabled basis for each group of children. This area was not used on the day of inspection. The outdoor space was secured by high fencing and had a keypad entry on the access gates. The outdoor space when the gate was closed was safe and secure with high fencing and a high gate.

### Part V - Care of Child in Pre-school Service

#### Regulation 22 – Food and drink

*A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.*

#### Compliance Information

- The food and drink in the service was provided by the service for the snacks and main meal. The snack provided in the service in the morning was a platter of cheese, sliced ham, chopped vegetables and fruit and crackers. The children could self-select what they wanted to eat and were encouraged to select seconds where needed. Drinks of water was freely available and encouraged.
- The main meal (dinner) which was given to the children at 12.00 was provided by the service and on the day of inspection consisted of pasta or pasta with tomato sauce. An alternative was given to the younger children of mashed potatoes and vegetables.
- A menu was available to review and indicated a variety of main meal provision throughout the week.

## 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 internal and external doors were secured as required with keypad entry accessible to the staff. This prevented any child gaining access to the road when the side gate was secured and internally prevented access to the office.
- The emergency fire exit doors were clearly identified and were unobstructed. Two exit doors were available in the Bumble Bees room as one was partially blocked with a bookshelf which was later moved.
- The opening for the windows was secure and these openings were not accessible to the children.
- The glass doors had a panel though the centre which indicated its presence to the children attending.
- There were three highchairs in total in the service, these were in a good state of repair, each had a five-point harness system in use.
- The electrical cables observed were in good condition and out of reach of the children.
- The toys and play equipment were in good condition and free from pinch and crush points.
- Heavy equipment and furniture were secured to the walls to prevent them falling should a child climb on same.
- Cleaning agents were stored out of reach on high shelves or in secured cupboards.
- There was hot water accessible throughout the service and the range in temperature of the water was between 24.5 and 40.8°C, thus preventing a scald injury to the children.

##### Infection Control:

- The service was cleaned daily and weekly and a person whose sole responsibility for cleaning the premises was employed in the service.
- The children were observed to wash their hands before meals and snacks. The children were assisted with hand washing by the staff.
- There was hot water, liquid hand soap and paper towels available at all children and adult toilets and at the sinks in the care rooms.

- The nappy changing areas were clean and well maintained. Each of the changing mats observed were intact and no tears on the covers of the mats was observed. A supply of disposable aprons and gloves were available at all nappy changing areas. Nappies were disposed of in lidded bins and no odour was evident in the nappy changing rooms. Children had named individual shelves for the storage of their nappies and toiletries.
- There were pedal operated bins available throughout the service.
- All coats and bags were stored off the ground minimising contact and cross infection.

### Safe Sleep:

- Ten-minute sleep checks were carried out on the children who slept in both sleep rooms. The checks included position, colour, breathing and the sleep room temperature.
- The children who slept in the Bubbles room on stackable beds were provided with in room supervision throughout their sleep time. Sleep checks were also recorded every 10 minutes.

### Fire Safety:

- The fire doors were unobstructed and where a bookshelf on wheels was partially obstructing a fire door a second fire door was also accessible in the room. The bookshelf was moved to a new area during the inspection.
- Firefighting equipment was suitably fixed to the walls.

### Non-Compliance Information

#### Infection Control:

1. The nappy changing procedure in one care room did not follow the services policy. A child was observed to not have their hands washed after their nappy was changed. Not washing hands of the children following nappy changing may lead to cross infection.
2. The nappy changing unit was not observed to be cleaned between uses for two different children. This allows for a potentially contaminated surface be used with different children and may cause cross infection.
3. The black sponge padding on the nappy changing unit was torn and was not easily cleaned. This may lead to contamination and the spread of infection throughout the service.
4. There was equipment inclusive of three chairs with tables attached and a water play mat stored on the corridor to the toilets and nappy changing room. These areas pose a high risk for infection due to the proximity to sanitary areas. These items were removed immediately by the room leader following discussion.

**Administration of Medication:**

- Medication was requested to be administered by a parent/guardian and a dose was outlined in the request form, on assessment of the records an incorrect dose of the medication was recorded as administered. Giving incorrect doses of medication may lead to a medication overdose for the child.

**Action submitted by the Registered Provider**

**Corrective & Preventive Action**

**Infection Control:**

- The registered provider stated that a meeting had been held with room leaders and all staff had been given a copy of nappy changing policy and hygiene policy. The staff have signed that they have read and accepted the policies.
- As above the staff have been re issued with the hygiene and nappy changing policies and have signed that they have been read.
- The black sponge padding has been removed from changing unit.
- The items previously stored in the corridor to the nappy changing and toilet facilities have been removed.

**Administration of Medication:**

- Staff have been consulted regarding the dose of medication administered and have insured the registered provider that the correct does of medication was administered and the error was a recording error. In future dosage of medication administered and recorded will be checked by two staff ensuring what is requested by the parent on the administration of medication form is what is administered. Room leaders will ensure that all the relevant paperwork is filled and signed correctly.

**Supporting documentation submitted**

**Infection Control:**

- & 2. The corrective and preventive action form is accepted as evidence that the staff are working to the policy on nappy changing. A signed sheet where the staff have signed that they have read the nappy changing policy and hygiene policy has been received.
- A photograph of the nappy changing unit with the black foam removed has been received.
- A photograph of the corridor cleaned and free from items being stored has been received.

**Administration of Medication:**

- The assurances received on the corrective and preventive action form are accepted that the staff are implementing the administration of medication policy.

## Summary Comment

The requirements for this regulation have been met following receipt of the corrective and preventive action form and the evidence as submitted.

## Part VI - Safety

### Regulation 25 - First aid

*(1) A registered provider shall ensure that a person trained in first aid for children is, at all times, immediately available to the children attending the pre-school service.*

*(2) A registered provider shall ensure that a suitably equipped first aid box for children-*

*(a) is safely stored in an easily accessible and conspicuous position on the premises, and*

*(b) is available to the children attending the pre-school service at all times.*

## Compliance Information

(1) The registered provider insured that staff trained in first aid for children were at all times immediately available to the children. Two staff held up to date training in FAR first aid with certifications awaited for a further staff member. A further staff member held a basic first aid qualification.

(2) (a) There was a suitably equipped first aid box available to the children and supplies were available in locked presses in each room in the service.

(b) The first aid equipment was available to the children at all times.