

# Early Years Inspectorate Regulatory Report

## Pre School

<b>Name of Service:</b>	Little Einsteins Childcare Centre
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<b>Address of Service:</b>	The Avenue, Water Park, Carrigaline, Co. Cork
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<b>Eircode:</b>	P43 P231
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<b>Name of Registered Provider:</b>	Janice Edwards
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Dates of Inspection:</b>	19/06/2024
	20/06/2024

<b>No of pre-school children:</b>	<b>AM</b>	90	<b>PM</b>	37
		89		n/a

<b>Address of the Early Years Inspectorate:</b>	Administration Building St Mary's Health Campus Gurrabraher Cork T23X440
<b>Inspection undertaken by:</b>	V. McCarthy
<b>Title:</b>	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).

<b>Conditions if applicable</b>	N/A
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### Description of service

Little Einsteins Childcare Centre is a privately operated full day care service that is situated in a residential area in the town of Carrigaline. The service provides care to children aged between 0 and 6 years of age each Monday to Friday from 8am to 6pm.

Little Einsteins Childcare Centre is carried out in a 2-storey purpose-built detached building. There are 8 care rooms in total, namely: the Baby room, the Wobbler room, the Toddler room, the Playgroup room, the Pre-School (1) room, the Montessori (1) room, the Pre-School (2) room and the Montessori (2)/ Portacabin room. The Playgroup room was not in operation during the inspection and therefore this room was not assessed during the inspection. There are 2 designated sleep rooms for use by the children aged less than 2 years, 1 is adjacent to the Baby room and the second is adjacent to the Wobbler room. There is an outdoor play area provided to the rear and side of the premises.

### Staffing

There are 28 adults attached to the service including the registered provider, 2 chefs and 2 adults that work solely with school going children. On day 1 of the inspection there were 20 adults on the premises including the registered provider and 2 chefs. On day 2 of the inspection there were 19 adults on the premises including the registered provider and 2 chefs. The inspector was informed that the adult that carries out cleaning duties only visits the premises after 6pm when the service is not in operation.

### 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.

The inspection focused on an examination of compliance under regulations 9, 10, 11, 23, 26 and 28; however, on inspection additional non-compliances which posed a risk were identified under Regulation 29. These findings are outlined within the relevant regulations within this report.

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

The non-compliance detailed under Regulation 9(4), that is outlined in the body of the report, had already been identified in respect of 2 of the adults during the 2 previous inspections that were carried out on 11 October 2022 and 31 October 2023.

### Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, deputies, 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

(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 named person in charge who was the registered provider and 3 named deputies that could deputise as required.
  - (b) Two of the deputies were on the premises when the inspector arrived to the premises on day 1 and the registered provider arrived to the premises at 11am and remained on site for the remainder of the day. On day 2, the registered provider and 2 of the deputies were on duty when the inspector arrived at the premises and remained on duty throughout the inspection.
- (2)
- (a) There were 49 references and required validations available on file from past employers in respect of the 28 adults attached to the service.
  - (b) There were 7 references and required validations from sources other than past employers.
  - (c) A Garda vetting disclosure was available on file for review in respect of each of the 28 adults. The service also

demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every 3 years in respect of 27 of the 28 adults.

(d) Police vetting was available for 6 adults, in respect of 7 locations, that had lived outside the jurisdiction for a period of more than 6 consecutive months.

(4)  
A copy of a childcare qualification as listed on the National Qualifications Framework or letter from the Minister was available on file in respect of 20 of the 28 adults. The registered provider was office based and the 2 chefs of which 1 also cared for school aged children as required, were kitchen based. There were 2 other adults that were solely assigned to caring for school aged children. The 3 remainder adults are referred to in the non-compliance information section.

### Non-Compliance Information

(4)  
A copy of a childcare qualification as listed on the National Qualifications Framework or a letter from the Minister or appropriate college was not available on file in respect of 3 adults that were working directly with the early years children. One of these 3 adults was part of the adult child ratio working directly with the early years children in the Toddler room on day 1 of the inspection. The second adult was part of the adult child ratio in the Wobbler room on both days. It was acknowledged that the third adult was not on duty during day 1 and was supernumerary in the Preschool (1) room during day 2 of the inspection. This non-compliance had previously been identified in respect of 2 of the adults during the 2 previous inspections that were carried out on 11 October 2022 and 31 October 2023.  
The registered provider submitted correspondence to the inspectorate on 29 November 2023, informing the inspectorate that the 2 adults without recognized early years qualifications would only work with school aged children and not be part of the adult child ratio with early years children. However, it was found that unqualified adults continued to work directly with the children.

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

#### **Corrective and Preventive Action**

The registered provider replied to state that an appropriate letter from a third level college was now on file for the first adult who had been counted in the childcare ratios. The second adult, who is undertaking a QQI Level 5 course in college will not be counted in the childcare ratios going forward. The third adult is working in the school age service and will not be allowed to work with the early years children going forward. The registered provider stated they would continue to recruit suitable, qualified staff going forward.

### **Supporting documentation submitted**

The supporting letter from a third level college in relation to the first adult was submitted.

### **Summary Comment**

The requirement for Regulation 9 has been met. This will be reviewed at 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 found to be satisfactory by the inspector and had been updated and reviewed on 20 November 2023 since the previous inspection.

1. The Recruitment policy.
2. The Staff Training policy. It was noted that the service’s Staff Training policy detailed “It is the service’s intention to ensure all staff are fully qualified. Service expects staff to have a minimum qualification such as staff working with children a level 5”.
3. The Staff Supervision policy.

## 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 provider ensured that there were an adequate number of adults always working directly with the children.

(2) On the first morning of the inspection there were 17 adults working directly with 90 early years children and on day 2 there were 16 adults working directly with 89 early years children. The roster demonstrated that there were staff on duty to cover staff breaks.

(8)(a) There were more than 2 adults on the premises during the hours of operation. The roster demonstrated that there were 3 adults on the premises at 8am on day 1 and 4 adults were on the premises at 8am on day 2 of the inspection. There were 4 adults on the premises at 5.30pm on day 1 when the service closed, and 3 adults would be on the premises at closing time on day 2 of the inspection.

## 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 main entrance door leading into the premises was kept secured by a magnetic lock to prevent the unauthorised access by an adult or the leaving of an unsupervised child.
- The door that led from the upstairs foyer to the corridor with the care rooms was fitted with a magnetic lock to prevent unauthorised access by a person or the leaving of an unsupervised child from upstairs.
- The glass panelled fire door off the Baby room that led to the car park was fitted with an alarm that alerted the adults if the door was opened.
- The outdoor play area was secured by high walls, fencing and 2 secured gates.
- The doors leading into the laundry room, staff room and storerooms were kept inaccessible to the children.
- The adult's personal belongings were stored on high wall hooks along the secured corridor beside the laundry room.
- The cleaning agents in each care room were stored on high shelves or secured presses out of children's reach.
- All leads and flexes were kept out of children's reach.
- The low-level glass panels on the patio doors in the Wobbler room were fitted with visibility strips.
- Safety locks were fitted to low presses in each of the 7 care rooms that were in use.
- All windows throughout the premises were fitted with window restrictors.
- The blind cords attached to the windows in each care room and sleep room were safely secured by wall brackets.
- The 6 highchairs in the Baby room were each provided with a safety harness.
- The water at the wash hand basins was thermostatically controlled to a temperature less than 43°C. During the inspection the water temperature throughout the premises was recorded between 22.9°C and 27.3°C.
- A handrail was provided on either side of the staircase to assist the children that used the upstairs care rooms.

## Infection Control:

- The children's bed linen was stored in individually labelled storage bags and was laundered on the premises weekly.
- The children's spare clothing was stored in individually labelled storage bags or pockets on storage racks.
- The children's barrier creams were individually labelled and were not shared communally.

## Non-Compliance Information

### General Safety:

1. Garda vetting was available for each of the adults. However, a disclosure in respect of 1 of the 28 adults was not dated within the 3 years in adherence with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

### Infection Control:

2. The practice of communal sharing of rolls of paper for hand drying after using the toilet was evident in the toilet areas off the Montessori room, the Preschool (2) room and the toilets between the Wobbler and Toddler rooms. Additionally, the rolls of paper were stored on top of either the paper dispenser holders, the toilet cistern or bin lid. These practices posed as cross infection risks.
3. A plastic bag of wooden toys was stored on top of the bin lid in the toilet lobby off the Preschool (1) room which posed as a cross-infection risk.
4. Bins that were not pedal operated but instead required the adults to handle the bins multiple times during the disposal of used children's nappies were provided in the nappy changing area off the Baby room and the changing area between the Wobble and Toddler rooms which posed as a cross-contamination risk.

## Action submitted by the Registered Provider

### Corrective & Preventive Action

#### General Safety:

1. The registered provider stated that garda vetting for 1 staff was renewed, and they would continue to renew all as required going forward.

#### Infection Control:

2. The registered provider stated that all paper towel dispensers had been filled and staff were reminded to do so going forward.

3. The registered provider stated that the wooden toys were removed immediately from the bin lid, and staff were reminded not to store things there.
4. The registered provider stated new nappy bins were being purchased and would be in use in the service.

### Supporting documentation submitted

#### General Safety:

1. The required Garda Vetting document was submitted.

#### Infection Control:

2. Photographs of filled paper towel dispensers were submitted.
3. The registered providers statement is accepted as evidence
4. The registered providers statement is accepted as evidence

### Summary Comment

The requirement for Regulation 23 has been met.

## 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 fire fighting 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) Records of monthly fire drills carried out at the service were available on file. The records demonstrated that the last fire drill was carried out on 20 May 2024.
  - (b) Records regarding the number, service and type of fire equipment were maintained on file. The fire equipment was serviced on 23 February 2024. The wired smoke alarm was serviced on 15 January 2024.
- (4)
- The fire evacuation procedure for the service which contained details in relation to the procedure to be followed in the event of a fire was displayed in each care room.

### Part VI - Safety

#### Regulation 28 - Insurance

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

#### Compliance Information

The services' insurance certificate was available on the premises and demonstrated that the service was insured. The information provided on the insurance certificate included details of the number of children covered, the start date, which was 28 March 2024, the end date, which was 27 March 2025, the category of service covered which was full day care and the name and address of the premises. The insurance cover also referred to details regarding, contents, public liability and fire and theft cover. Separate insurances were available on file in respect of motor and building insurance.

### Part VII - Premises and Space Requirements

#### Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-*

- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

#### Non-Compliance Information

- (d)
1. The outdoor play area boundary fence was missing 1 full panel of wood near the gate area. The boundary fence was not maintained in good condition for use as a childcare facility.
  2. The lower-level glass panels on the doors in the Wobbler room and in the main foyer were sticky and grubby from the touching of children's fingers and hands. Whilst the inspector was informed that the cleaning of the glass doors was included weekly on the cleaning schedule this was not regular enough to ensure that these areas were clean for the purpose of caring safely for early years children.
- (e)
3. A rusty and bent in pedal operated bin in 1 of the toilet cubicles located between the Wobbler and Toddler rooms was not suitable for use by children.
  4. The liquid soap dispensers were empty in the toilet cubicle located between the Wobbler and Toddler rooms and in the toilets beside the Preschool (1) room and therefore adequate and safe handwashing after using the toilet by the children was not adequately facilitated.

5. The paper holder dispensers were empty of paper in the toilet cubicle located between the Wobbler and Toddler rooms, in the toilets beside Preschool (1) room, in the toilet lobby used by the Montessi room and in the toilet lobby off the Preschool (2) room which did not facilitate adequate and safe hand drying by the children after using the toilet.
6. The paper holder dispenser in the second toilet cubicle located between the Wobbler and Toddler rooms was malfunctioning and was not releasing the paper towels which did not facilitate adequate and safe hand drying after using the toilet.

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

#### Corrective and Preventive Action

(d)

1. The registered provider stated the fences have been fixed and would be maintained in future.
2. The registered provider stated the windows have been cleaned and will be cleaned daily going forward.

(e)

3. The registered provider stated the rusty bin was thrown out.
4. & 5 & 6. The registered provider informed the inspector during the closing meeting at 3pm on the second day of inspection that a delivery of paper towels and liquid soap had been delivered to the premises mid-morning during the first day of inspection. The registered provider stated via the CAPA document that all dispensers were subsequently filled up, and able to function, with both paper towels and liquid soap, and the children were then able to wash their hands in their care rooms.

#### Supporting documentation submitted

(d)

1. A photograph of a section of repaired fence was submitted.
2. A photograph of a cleaned window was submitted.

(e)

3. A photograph of a useable pedal bin was submitted.
4. Several photographs of filled liquid soap dispensers were submitted.
5. & 6. Several photographs of filled paper towel dispensers were submitted.

### Summary Comment

The requirement for this Regulation 29 has been met.