

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015CC224			
<b>Name of Service:</b>	Little Einsteins Childcare Centre			
<b>Address of Service:</b>	The Avenue, Water Park, Carrigaline, Co. Cork			
<b>Eircode:</b>	P43 P231			
<b>Name of Registered Provider:</b>	Janice Edwards			
<b>Service type:</b>	Full Day, Part Time, Sessional			
<b>Date of Inspection:</b>	31/10/2023			
<b>No of pre-school children:</b>	AM	39	PM	28
<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate Administration Building St Mary's Health Campus Gurrabraher Cork T23X440			
<b>Inspection undertaken by:</b>	V. McCarthy and D. Prendergast			
<b>Title:</b>	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).

<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 birth 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 Portacabin/Montessori (2) room. The Playgroup and Portacabin/Montessori (2) rooms were not in operation during the inspection and the Montessori (1) room was only used by school going children on the day and therefore these rooms were 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 30 adults attached to the service including the registered provider, 2 chefs, 1 adult whose duty is to carry out cleaning duties, 2 adults that work solely with school going children and 3 adults that work under the Access and Inclusion Model (AIMs). There are also 4 unpaid workers assigned to the service that are currently attached to training colleges. On the day of the inspection there were 17 adults on the premises including the deputy, the cook, 2 adults that work only with school going children and 2 unpaid workers. The remainder 11 adults worked directly with the early years 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.

## Acknowledgments

The inspectors wish to acknowledge the cooperation of the deputy, adults 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 and a deputy that could deputise as required.
  - (b) The deputy was on duty when the inspectors arrived at the premises and remained on duty for the duration of the inspection.
- (2) It was established that 30 adults were employed at the childcare facility. Recruitment records in respect of 29 of the adults were assessed, along with those of 4 students, who were on work placement at the setting. The cleaner's file was not reviewed, as this staff member worked outside of the service's operational hours.
- (a) Of the 66 required written and validated references, 53 were from past employers.
  - (b) There were 13 written and validated references on file from sources other than previous employers.
  - (c) Garda vetting from the National Vetting Bureau was in place for the 33 adults.

- (d) Police vetting documentation was maintained for 5 adults who had resided outside the State for 6 consecutive months, or longer, as adults.
- (4) Evidence of attainment of major awards in Early Childhood Care and Education, as listed on the National Framework of Qualifications, or as recognised by the Department of Children, Education, Disability, Integration and Youth (DCEDIY) were provided for 19 of the adults who were involved in the direct care of the children. A Letter of Qualification Recognition or a Letter of Eligibility to Practice from the DCEDIY were available in respect of a further 3 adults. Qualifications were not required for the registered provider, the 2 staff who worked only with school age children, the 2-kitchen staff or for the 4 students.

### Non-Compliance Information

- (2)
- (d) It was not possible to determine the requirement or otherwise for police vetting in respect of 1 of the adults, as their curriculum vitae did not contain sufficient detail.
- (4) Evidence to demonstrate the successful completion of a minimum level 5 award in Early Childhood Care and Education was unavailable for 1 of the adults, who worked directly with the children. Evidence was required to demonstrate that the qualification held by a second staff member met the minimum requirement of a level 5 award in Early Childhood Care and Education.

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

#### Corrective and Preventive Action

- (2)
- (d) A required police vetting document, in respect of the adult whose curriculum vitae did not contain sufficient detail, was obtained and is now available on file. The Corrective Action and Preventive Action (CAPA) form dated 23 November 2023 stated that management will ensure that all vetting will be checked more thoroughly in future to ensure it is complete.
- (4) The registered provider informed the inspectorate that the 2 adults referred to in the non-compliance only work with school aged children. The inspectorate was informed that these adults will have completed a minimum major award in Early Childhood Care and Education by end of 2024.

## Supporting documentation submitted

- (2)
- (d) A copy of the outstanding police vetting was submitted to the inspectorate on 23 November 2023.
- (4) The registered provider submitted written correspondence on 29 November 2023 informing the inspectorate that the 2 adults referred to in the non-compliance only work with school aged children and are not part of the adult child ratio with early years children.

## Summary Comment

The documentation submitted by the manager relating to the non-compliances was reviewed and deemed to meet the regulatory requirements.

## 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 available on file and were reviewed by the inspector.

1. The Recruitment policy.
2. The Staff Training policy.
3. The Staff Supervision policy.
4. The Management Behaviour policy.

### Non-Compliance Information

It was noted that 3 of the 4 policies assessed during the inspection required further development:

1. The Recruitment policy did not include details of the process in place to confirm a person's identity and details regarding how records relating to recruitment in respect of the staff will be stored.
2. The Staff Training policy did not detail the staff training records kept in the service.
3. The Staff Supervision policy did not refer to what records will be kept for supervision, where the records will be stored and how long they will be kept.

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

#### Corrective and Preventive Action

2. 3. The Recruitment, the Staff Training and the Staff Supervision policies were all further developed and amended to include the above details.

#### Supporting documentation submitted

2. 3. Copies of the amended policies were submitted to the inspectorate on the 23 November 2023.

### Summary Comment

The documentation submitted by the registered provider relating to the non-compliance was reviewed and deemed to meet the regulatory requirements.

### 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

- The deputy ensured that there were an adequate number of adults always working directly with the children.
- On the morning of the inspection there were 11 adults working directly with 39 early years children. During the afternoon there were 8 adults working directly with 28 children. The roster demonstrated that there were adequate 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 4 adults on the premises at 8am and that there would be 3 adults on the premises at closing time.

## 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:*

*(k) details of any accident, injury or incident involving a pre-school child attending the service.*

#### Compliance Information

(1)(k)

The service used designated forms for the recording of any accidents, injuries, or incidents at the premises. During the inspection, the inspector assessed that there was a total of 74 records regarding incidents and injuries available on file for the year 2023 so far. The inspector reviewed 8 of the records and each one was found to have been completed in full. The records detailed accounts of the events, the management of the incidents/injuries, were dated correctly and were signed by the adults that maintained the records and each of the records was co-signed by the respective child’s parent/guardian.

## 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

(1)(a) **Basic Needs:**

- Any child that was thirsty throughout the day or required additional fluids could easily access a drink as they chose. The children’s individual water bottles and beakers were always available to the children. They were stored on a low shelf or in the fridge in each of the care rooms. A jug of water and a supply of cups were also available in the Toddler, Preschool (1) and Preschool (2) rooms.
- The children’s need for rest, relaxation and comfort was met as each of the care rooms was provided with a rest area consisting of either soft matting, cushions, child sized couches or bean bags. The children were able to access the rest area as they chose for play or quiet time. There was a large soft floor matting area provided in the Baby room that facilitated the babies to rest, roll and crawl safely.

- The children's need for sleep was met as there were 7 cots in each of the 2 sleep rooms which were situated beside the Baby room and Wobbler room respectively. The older children were provided with opportunities to sleep on stackable beds in a quiet area of their respective care room should they require a sleep.
- The children attending the Baby, Wobbler and Toddler rooms that required nappy changes were promptly and sensitively attended to by the adults working in each of these 3 care rooms.
- The independent use of the toilet by the older early years children was positively encouraged and supported as appropriate by the adults. It was noted that 1 of the toilet cubicles between the Wobbler and Toddler rooms was used to facilitate children that were being toilet trained.
- Hand hygiene by the children was supported and encouraged by the adults who supervised them when they washed and dried their hands before eating, after outdoor play and after using the toilet or having their nappy changed.
- The children were encouraged to move about freely in their respective care room and were encouraged to participate in activities of their choice such as creating Halloween crafts, colouring hedgehogs, storytelling, and free play activities.
- The children in each care room were provided with opportunities to play outside and were dressed appropriately in coats and hats over their Halloween dress up outfits.

### 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 service adhered to the requirement of providing 2 meals and 2 snacks of which 1 was a hot meal to any child that was on the premises for more than 5 hours. There were 28 children attending full day care service on the day of inspection.
- The Healthy Eating policy was adhered to, and the service ensured that each child was offered an adequate portion size of food and provided them with crockery as they sat together in groups around child sized tables in their respective care room.
- The food eaten by the children aged over 1 year of age was prepared in the service’s kitchen and was then served to the early years children in their respective care room.
- The parents and guardians of the children aged less than 1 year of age provided the food for their respective child. This food was kept stored in a fridge in the Baby room and was then reheated in a microwave prior to it being served to the children for their dinner meal.
- Breast feeding was supported, and it was noted that the adults patiently and tenderly fed 1 child breast milk from a cup.
- The adults in the Baby room supported 4 of the other children that sat in highchairs to self-feed by using their fingers or providing them with spoons as they ate their snacks and meals. The parents provided the formula milk for any child that required it, and the adults stored these bottles in the fridge in the Baby room.
- On the day of inspection, the children’s mid-morning snacks consisted of a selection of sliced fruit, toast, yogurt, and water to drink. The food which was prepared in the services’ kitchen for the children’s hot meal was chicken goujons, beans and mashed potatoes. Pasta was provided to the children for their mid-afternoon break.
- The children’s individual water bottles or beakers were stored on a low table or fridge in each care room and were always available to the children.
- A 3 weekly menu plan was available on the premises, and it demonstrated that the children were provided with a varied selection of nutritious food.

### 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 building was secured by a magnetic coded lock and intercom system that prevented unauthorised access by an adult or the leaving of an unsupervised child.
- The release buttons that one pressed to exit the building were all fitted high on walls out of children's reach.
- Visibility strips were provided on all low levelled glass panelled doors.
- The cords attached to the window blinds in each care room were all secured by wall brackets.
- The cleaning agents in each care room were stored in locked presses out of children's reach.
- All leads and flexes attached to stereos were kept out of children's reach.
- The outdoor play area was secured by high walls and fencing.
- The radiators throughout the premises were each provided with a protective cover.
- The adults' personal coats and bags were kept stored in the staff room or in secured storage areas.

##### Infection Control:

- Each child's bed linen was stored in individually labelled storage bags and was laundered on the premises weekly.
- The children's barrier creams were individually labelled and were not shared communally.

#### Non-Compliance Information

##### General Safety:

1. It was noted that 2 packages, each containing 24 water bottles, that were delivered to the service during the day were left on the floor of the main hallway thus posing as a potential trip hazard.
2. There were 2 bucket size containers of wipes stacked on top of each other stored on the floor outside a children's toilet cubicle located between the Wobbler and Toddler rooms which posed as a potential trip or injury hazard to a child.
3. There were 2 bucket size containers of wipes and 4 chairs stacked on top of each other positioned directly outside 1 of the toilet cubicles situated along the first-floor corridor that posed as a potential trip or injury hazard to a child.

4. The storeroom situated off the main hallway was not kept secured even though it was fitted with a lock and signage reminding the staff to keep it secured. There were hazardous items such as cans of paint stacked 6 cans high, electrical appliances and equipment that was not fit for purpose stored in a disorganised way that posed as a potential tip over or injury hazard to any unsupervised child that could access the room as they arrived to or left the premises.
5. The main gate leading into the outdoor play area was not hanging steadily as the hinges had become unsecured and when the gate was being opened and closed it posed as a potential injury risk to the adults and children.
6. The child safety gates that were fitted in the doorways to Preschool (1) and Preschool (2) were not functioning correctly and posed as an injury hazard to the adults as they had to stoop low to open them.

### **Infection Control:**

7. It was noted at 11.15am that an adult that was carrying out a nappy change at on a child attending the Baby room did not wash her own hands after carrying out the nappy change which posed as a potential cross infection risk. It was acknowledged that the adult did wash the child's hands.
8. Thermostatically controlled warm water to facilitate hygienic hand washing was not available at either of the 2 wash hand basins in the toilet area attached to Preschool (2) or at the wash hand basin in this care room thus posing as a potential risk of cross infection. The water temperature recorded at these wash hand basins was 11.2°C at 2.45pm which was the same temperature as the water from the cold taps.
9. The liquid soap dispenser beside the wash hand basin in 1 of the toilet cubicles attached to the Preschool (2) room was empty thus posing as a potential risk of cross infection as hygienic hand washing was not properly facilitated.

### **Action submitted by the Registered Provider**

#### **Corrective & Preventive Action**

#### **General Safety:**

1. The deputy immediately moved the packages of water bottle at the time of inspection from the main hallway to a safe area in the office once she was informed by the inspector that they were a trip/injury hazard.
2. The manager stated in the CAPA response returned on 23 November 2023 that the containers of wipes have since been removed to a safe place out of children's reach.

3. The manager stated in the CAPA response returned on 23 November 2023 that the 4 chairs stacked on top of each other positioned outside the children's toilet cubicles have been removed.
4. The deputy immediately secured the storeroom door during the inspection once she was informed by the inspector that it had been left unsecured.
5. The gate leading into the outdoor play area was repaired and has been provided with new hinges.
6. The maintenance person replaced one of the child safety gates and repaired the second child safety gate.

### **Infection Control:**

7. The manager stated in her CAPA response returned on 23 November 2023 that good handwashing practices have been discussed with all adults working at the premises and is being implemented.
8. The inspectorate was informed by the CAPA returned on 23 November 2023 that the water setting for thermostatically controlled warm water was turned off but has since been reset to on and is now functioning correctly.
9. The inspectorate was informed by the CAPA response returned on 23 November 2023 that the liquid soap dispenser beside the wash hand basin attached to the Preschool (2) room has been refilled.

### **Supporting documentation submitted**

#### **General Safety:**

1. The packages of water bottles were moved the main hallway to a safe area out of children's reach during the latter part of the inspection.
2. Photographs were submitted to the inspectorate to demonstrate that the containers of wipes had been removed from the floor areas outside the toilet cubicles.
3. A photograph was submitted demonstrating that that the 4 chairs stacked on top of each other had been removed.
4. The storeroom door was maintained secured during the latter part of the inspection.
5. A photograph of the repaired outdoor gate was submitted to the inspectorate.
6. Photographs of the repaired child safety gate and replaced child safety gate were submitted.

#### **Infection Control:**

8. A photograph of the water setting for thermostatically controlled warm water turned on was submitted.
9. A photograph of the refilled soap dispenser was submitted.

### **Summary Comment**

The documentation and photographs submitted by the manager relating to the non-compliances were reviewed and deemed to meet the regulatory requirements.

### 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 service provided evidence that 7 adults had training in first aid response (FAR) and that 1 of these adults was always on the premises.
- (2)  
(a) There were 3 fully equipped first aid boxes available on the premises. Each was wall mounted high out of children's reach. There was also a supply of extra first aid materials to replenish the first aid boxes available in the main office.  
(b) The first aid boxes were always available on the premises.

### Part VI - Safety

#### Regulation 26 - Fire safety measures

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

#### Compliance Information

- (1)  
(a) There were records of monthly fire drills carried out at the service available on file. A fire drill was last carried out by the service on 03 October 2023.

(b) A record of the number, type and maintenance record of firefighting equipment was maintained. It was recorded that the fire equipment was last serviced on the 25 January 2023.

(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 on the main notice board.

### Non-Compliance Information

(1)  
(b) The service did not have an up-to-date record for review regarding a maintenance service of the wired smoke alarm. The records demonstrated that the last service was carried out on 17 April 2019.

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

#### Corrective and Preventive Action

(1)  
(b) The manager stated in her CAPA response received on 23 November 2023 that a maintenance company had been contacted to carry out a maintenance service of the wired smoke alarm and that in future the maintenance service will be carried out annually.  
The manager contacted the inspectorate on 15 January 2024 to inform them that the maintenance service of the wired smoke alarm was carried out.

#### Supporting documentation submitted

(1)  
(b) The registered provider stated in her correspondence to the inspectorate on 29 November 2023 and again on 07 December 2023 that she will submit the maintenance record once the work has been carried out.  
A copy of the maintenance service record regarding the wired smoke alarm was furnished to the inspectorate on 15 January 2024.

### Summary Comment

The documentation submitted by the registered provider relating to the non-compliances was reviewed and deemed to meet the regulatory requirements.

However, it was noted that there was an extensive delay in getting the wired smoke alarm serviced which also delayed the completion of this inspection report.

## Part VI - Safety

### Regulation 28 - Insurance

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

#### Compliance Information

The insurance certificate was displayed on the notice board and demonstrated that the service was adequately insured. The information provided on the insurance certificate included details of the number of children covered at any one time, the start date, which was 28 March 2023, the end date, which was 27 March 2024, the category of service covered which was full day care service and the name and address of the premises. The insurance cover also referred to details regarding, contents, public liability and fire and theft cover. The deputy informed the inspector that the service did not provide motor transport to the early years children.