

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015CC229
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<b>Name of Service:</b>	Little Learner's Childcare
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<b>Address of Service:</b>	College Manor, Cobh, Co. Cork
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<b>Eircode:</b>	P24 FH56
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<b>Name of Registered Provider:</b>	Catriona Leahy, Brenda Barrett
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date of Inspection:</b>	04/06/2024
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<b>No of pre-school children:</b>	AM	69	PM	41
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate Administration Building St Mary's Health Campus Gurrabraher Cork
<b>Inspection undertaken by:</b>	D Prendergast
<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 Learners Childcare is a privately owned service, that has been in operation since 2012. It offers sessional, part-time and full day care to pre-school children, aged one to six years. This includes children attending the Early Childhood Care and Education (ECCE) Scheme, which is provided from 9.00am to 12.00pm, each Monday to Friday, over a 38-week annual period. Daily opening hours are from 7.30am to 6.00pm and the facility is open 50 weeks of the year. A registered school age service is also available.

Located in a residential area of Cobh in Co. Cork, the service operates from the ground floor of an apartment complex. There are four operational care rooms, each with either adjoining or adjacent sanitary facilities and a sleep room is accessible beside Room 4. An office, a staff room/kitchen and staff sanitary facilities are also included, along with a designated outdoor play space.

### Staffing

There are 23 adults currently employed at the childcare facility, of whom 19 are involved in the day-to-day direct care of the early years children. One staff member works only with school age children. The two registered providers and one of the deputies are office based, but can provide cover in the care rooms, if necessary. Each of the 19 adults employed to care for the early years children holds a major award in Early Childhood Care and Education, along with the registered providers and the aforementioned deputy.

### Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Child Care Act 1991 (Early Years Services) Regulations 2016 define the duty of a registered provider to ensure the safety and well-being of children and to comply with these regulations. This Act also gives Tusla the authority to assess compliance with the regulations. The purpose of regulation in relation to early years services is to ensure that the care, safety, and well-being of children attending such services is upheld. Inspections of early years services are planned based on the following:

- Previous inspection history
- Any information received in relation to the service

The findings on inspection are based on:

- Information obtained through examination of documentation
- Direct observation
- Discussion with relevant staff

This inspection was unannounced and focused on the area of governance/ health, welfare and development of child/ safety/ premises and facilities. The inspection may also focus on other areas as required.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

### Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered providers, deputy persons 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*

*(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 two registered providers were the named persons in charge at the setting. In addition, two deputies had been appointed, in the event that the registered providers were absent.
  - (b) Both registered providers were working at the service when the inspector arrived and remained for the duration of the inspection process.
- (2) Recruitment records in relation to the 23 adults employed at the childcare facility were the focus of the inspection and the following information was obtained:
- (a) There were 27 written and validated past employer references on file.
  - (b) Nineteen of the written and validated references had been provided by sources other than past employers.
  - (c) Garda vetting disclosures had been obtained for all 23 staff. However, the service did not adhere to the re-vetting timeframes outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.
  - (d) Police vetting was held for one of the adults, who had resided in another jurisdiction for a period of six consecutive months or longer, while over the age of 18.
- (4) Documentation on file confirmed that each of the 19 adults, who were involved in the daily care and education of the children, held a major award in Early Childhood Care and Education, as listed on the National Framework of Qualifications. Childcare qualifications had also been attained by both registered providers and the deputy manager, who were available to work directly with the children, should the need arise.

## 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) During the period of inspection, it was noted that a sufficient number of adults were working with the children who attended the service.

(2) Adequate adult to child ratios were observed in all care rooms, which were in operation as follows:

Morning:

Room Name and Age Range of Children	Number of Children Present	Number of Adults Present
Room 1 (4 - 5 years )	12	3
Room 2 (3 – 5 years)	21	3
Room 3 (3 – 4 years )	18	4
Room 4 (1 year and 11 months – 3 years)	18	4

Afternoon:

Room Name and Age Range of Children	Number of Children Present	Number of Adults Present
Room 1 (4 - 5 years )	11	2
Room 3 (3 – 4 years )	17	3
Room 4 (1 year and 11 months – 3 years)	13	4

Room 2 was occupied by school age children in the afternoon.

- (8)
- (a) The service was operated with at least two adults present at all times, as was evidenced through examination of the staff 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:
- (k) details of any accident, injury or incident involving a pre-school child attending the service.

### Compliance Information

- (1)
- (k) A sample of 12 accident and incident records were assessed and all were noted to have been completed in full.

### 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:

- Meal and snack breaks were facilitated for the children at regular intervals throughout the day; the mid-morning snack was observed shortly after 10.00am in Room 4 and at 10.50am in Room 2. Lunch was served in Room 4 at midday and an afternoon snack was accommodated in Room 1 shortly after 3.00pm.
- Drinking water was accessible to the children throughout the day. For example, in Room 4, the children's reusable water bottles were accessible on a low-level shelf, while jugs of water and cups were available in some of the older care rooms.
- Staff confirmed that they were continuing with the established practice of attending to nappy changing at frequent daily intervals and as the need arose. Supervision was provided for the older children, as they accessed the adjacent sanitary facilities, which were located separately from their care rooms.
- Cosy areas with soft furnishings, were provided in each of the care rooms, for any child who required quiet time or space to relax. A scheduled rest period was observed in Room 4 in the afternoon, which all of the children availed of. Reduced lighting and calming music were used to create a restful environment during this part of the daily routine and the children appeared content in their surroundings.
- It was noted that the children had freedom of movement within their respective indoor environments, which enabled them to explore items of interest and initiate their chosen activities with ease. Active play was also accommodated on the day of inspection, as the children had opportunities to visit the outdoor play area.

### Supporting relationships around children:

- A notably playful and engaging environment was evident in Room 4, where the youngest children attended. For example, the adults were observed to sing with the children and chatted in a warm and caring manner, as they supported the children to wash their hands. Transitions were also well managed, as was observed when children finished eating at different times and were subsequently accommodated to participate in various activities.
- A social environment was promoted during mealtimes, as the adults encouraged conversation and offered appropriate assistance to the children, such as helping to open lunch boxes and ensuring that children had suitable cutlery.

### 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 inner door to the service remained secure when not in use, including when the inspector arrived to undertake the unannounced inspection. This safety measure reduced the risk of unauthorised access and the risk of a child exiting the service, while unsupervised.
- Outdoors, the designated play space was enclosed by fencing and a gate, which was fitted with a high-level latch.
- Cleaning agents were safely stored, above children's reach.
- Suitable safety clips were in use to secure blind cords.
- Visibility markings were fitted to the low-level glass panel doors in the care rooms.
- In Room 2, first aid supplies and temperature reducing medication were inaccessible to children.
- Fire extinguishers were securely tethered.

##### Infection Control:

- Suitable hand washing facilities were available in the sanitary areas; warm running water, liquid soap, disposable paper towels and foot pedal operated bins were in place. Handwashing by children was observed to be carried out at appropriate times during the day, such as after outdoor play, before eating and after using the toilet facilities.
- In the sanitary facility adjoining Room 4, individually labelled storage was provided for the children's toiletries and spare clothing. The nappy changing mat in the same sanitary facility was observed to be maintained in a clean condition.
- Wall hooks were available in the care rooms for the children's coats and bags, with separate storage provided for their wellies.
- The children's perishable snacks were refrigerated prior to the mid-morning snack, which reduced the risk of food spoilage.
- It was noted that tables were sanitised after the mid-morning meal break.
- A record of linen changes was presented for review and was observed to be completed to date.
- During a scheduled rest period in Room 4, the stackable beds in use appeared well-spaced, which minimised the risk of cross infection. Cots within the adjoining sleep room were also appropriately positioned.
- The outdoor sand pit was protected with a suitable cover, when not in use. This reduced the risk of contamination by rodents or animals.
- A cleaning checklist for the outdoor play area was displayed and maintained up to date.

### Administration of Medication:

- The administration of medication to a child was not observed on the day of inspection.

### Safe Sleep:

- The air temperatures in the designated sleep room and in Room 4, which was used to accommodate sleep, were maintained within the required range of 18°C to 22°C, for children aged over 12 months. Respective temperature readings of 20.1°C and 20.9°C were noted, as children were sleeping.
- Staff members maintained sleep records for children in relation to their breathing, colour and position. These physical checks were undertaken at ten-minute intervals and also included the room temperature, as was indicated through review of previously documented sleep logs.

### Fire Safety:

- There were no fire safety concerns noted.

### Outing:

- An outing was not undertaken during the inspection period.

### Non-Compliance Information

#### General Safety:

1. The Garda vetting disclosure available for one of the adults was not dated within the previous three years, in adherence to the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'. It was acknowledged that said updated vetting had been applied for and was awaited.
2. Safe storage of a child's medication was not ensured, which increased the risk of a child accessing and ingesting a potentially harmful substance. The prescribed medication was maintained in the child's bag, which was initially observed to be stored on a low-level wall hook in the care room and later, on the back of the child's chair, during snack time.

#### Administration of Medication:

3. On the day of inspection, medication was unavailable for one of the children, should it be required. The inspector was advised that the service was reliant on the child's parents to bring the medication each day, as spare medication was not maintained in the care room. This posed a risk that staff may not be able to respond appropriately to the child's care needs, should the medication be required.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### General Safety:

1. The written reply stated that the awaited vetting, which had been delayed due to a system error, has now arrived. All staff will be re vetted prior to the three year deadline, so as to be dated within the previous three years, as per the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.
2. The response outlined that the child's medication has been removed from their bag and stored out of reach of children. As a preventive measure, required medication for any child will be obtained from the parent and stored appropriately out of the reach of children, thus eliminating the risk of a child accessing a potentially harmful substance.

#### Administration of Medication:

3. The registered provider's reply stated that this long-term medication will be specifically for use on the premises and will remain on the premises continuously, ensuring that staff can respond appropriately to the child's needs, in the event that the medication is required.

#### Supporting documentation submitted

## General Safety:

1. A copy of the updated Garda vetting.
2. The statement from the registered provider is accepted as evidence.

## Administration of Medication:

3. The statement from the registered provider is accepted as evidence.

## Summary Comment

Based on the evidence and statements submitted from the registered provider, regulatory compliance is determined to have been met.

## 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.*

## Compliance Information

(1) The certification presented for examination demonstrated that two of the adults held current First Aid Responder (FAR) training and review of the staff roster indicated that one of these adults was consistently present in the service, during the hours of operation.

## Part VII - Premises and Space Requirements

### Regulation 29 - Premises

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

- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*

## Compliance Information

- (c)
- Within the care rooms, natural lighting was provided through windows and glass panel doors and this was supplemented with artificial lighting. Adequate lighting was also ensured in the sanitary facilities; either through the use of artificial lighting or a combination of natural and artificial lighting.
  - Gas heating was in place at the premises.

- Each of the four care rooms were supplied with natural ventilation, through open windows. The sanitary facilities were either fitted with openable windows or had a mechanical ventilation system. An air vent had been installed in the sleep room since the previous inspection. Two air conditioning units were also in place; one in the sleep room and one in Room 4.

### Non-Compliance Information

- (d)
- One of the toilets in the shared sanitary facility was observed to be leaking and a folding safety sign was in place to this effect. During subsequent discussion, the registered providers advised that they were waiting for the necessary repair work to be undertaken.
  - A ceiling tile in the same sanitary facility had been removed and there was a visible hole in the ceiling. It was also noted that one of the ceiling tiles in Room 4 had been removed, however, it was acknowledged that photo evidence was submitted following inspection, to demonstrate that this tile had been replaced.

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

#### Corrective and Preventive Action

- (d)
- The written reply stated that the toilet has been fixed by a registered plumber. As a preventive measure, all repairs and maintenance of sanitary facilities will continue to be carried out in a timely manner, by an appropriately qualified professional.
  - The registered provider's response stated that the ceiling tiles have been replaced and that all repairs will be carried out in a timely manner, by an appropriate professional.

#### Supporting documentation submitted

- A photograph of the toilet.
- Photographic evidence of the replaced tiles.

### Summary Comment

The corrective action implemented by the registered provider has addressed the non-compliance identified under regulation 29.