

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CC255
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Name of Service:	Mallow Community Childcare
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Address of Service:	Ballyellis, Mallow, Co. Cork
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Eircode:	P51 EH90
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Name of Registered Provider:	Christina Dunstan
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Service type:	Full Day, Part Time, Sessional
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Date(s) of Inspection:	17/04/2024
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No of pre-school children:	AM	47	PM	39
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Address of the Early Years Inspectorate:	13 Market Square, Mallow, Co Cork.
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Inspection undertaken by:	F Collins
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Title:	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).

Conditions if applicable	N/A
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Description of service

Mallow Community Childcare is a purpose-built service at the edge of Mallow in Ballyellis. The premises is located at the rear of the Cork Education & Training Board, Further Education and Training Centre.

The service offers full day care, part time and sessional services and facilitates the ECCE programme.

The centre is a not-for-profit service and operates between the hours of 07.45-18.00 hours, Monday –Friday. The service caters for children aged four months to six years. The service also accommodates a registered school aged service.

The premises is single story, and consists of a large foyer, four care rooms, with adjacent toilet and nappy changing facilities. The premises also contains a staff room, service kitchen, an office, parent room and storage facilities. There are separate toilet facilities for the adults.

The service has an outdoor play area on the premises which all children have access to on a daily basis.

The premises has adequate off-road parking for the safe drop off and collection of the children.

Staffing

The service employs 20 staff, not all of whom are working at all times. Eighteen staff work directly with the children and the remaining staff work in chef and cleaning roles. On the day of inspection 14 staff were working directly with the children. The service currently supports an adult on a community employment scheme.

All of the staff working in the service providing care to pre-school children held a recognised qualification in Early Childhood Care & Education or a qualification deemed by the minister to be equivalent.

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 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 adults work in the service, all 20 adult files were assessed for completeness.
- (a) Of the 40 references required 36 validated references were available from past employers.
 - (b) Of the 40 references required four validated references were available from a source other than a past employer.
 - (c) Garda vetting disclosures were on file for all 20 adults who work in the service. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew staff Garda vetting every three years. Please refer to the information outlined under Regulation 23 of this report.
 - (d) Seven police vetting declarations were required, six declarations were available and translated where required.
- (4) Eighteen adults held relevant qualifications in Early Childhood Care and Education at level 5 or above or a qualification deemed as equivalent by the minister.
- The remaining staff that did not hold relevant qualifications and were not part of providing care to the children and were employed in chef and in cleaning roles.

Non-Compliance Information

(2) (d) One police vetting declaration was not available where an adult had indicated that they lived for a period of greater than six months in a country outside of Ireland. It could not be determined for a further two staff if they required police vetting as their curriculum vitae was incomplete and did not indicate where the adults had lived since over the age of 18 years. Not appropriately vetting staff prior to them commencing in the service may allow inappropriate adults have access to children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2) (d) The police vetting had been obtained however was not on file. This has now been placed on file.

The two incomplete CV's have been updated and the registered provider has stated that neither person has resided outside the country for greater than 6 consecutive months.

The registered provider has committed to reviewing the curriculum vitae of each staff member to ensure any gaps identified are accounted for.

Supporting documentation submitted

(2) (d) The registered provider continues to wait for the translated version of the police vetting declaration.

Summary Comment

Following receipt of the corrective and preventive action and the evidence received the requirements for one police vetting remain outstanding and will be sent by the registered provider to the inspectorate once received.

Part III – Management and Staff

Regulation 11 - Staffing levels

(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

(2) All four care rooms were in operation on the day of inspection.

The adult child ratios were as outlined below:

- The Tiny Turtles room had two qualified staff caring for six children, four under one year and two aged between one and two years. All children attending in this care room were attending on a full day care basis.
- The Little Lambs room: This room had two qualified staff and one adult working on a supernumerary basis in the room in the morning. There were 11 children in attendance aged between one and two years.
- The Cool Cats room: This room was staffed by two qualified staff. There were 14 children in attendance aged between two and three years.
- The Busy Bees room: There were two qualified adults caring for 16 pre-school children aged between three and four years in the morning and 10 pre-school children and 2 school aged children in the afternoon. A further adult assisted for a period of time in the morning to provide extra support with activities.

(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 47 children present on the day of the inspection a sample of 12 children’s registration forms, samples of children’s records from each care room, 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;*

Compliance Information

- (1)
- (h) The attendance of each child was recorded at time of arrival and at time of departure. Their records assessed were up to date and all children were accounted for. The sign in for the children was on the services care application system.
- (i) A staff roster was issued to the inspector on arrival and the roster was accurate to the staffing recorded within each of the care rooms.

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 and water dispensers 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.
- Children were reminded to wash hands and helped when needed.
- The children in the Tiny Turtles room wore bibs when feeding to protect their clothes.
- Sleep was facilitated at a scheduled time after dinner in the Little Lambs and Cool Cats rooms. The children attending the Tiny Turtles room could sleep when needed and had access to the sleep room adjacent to the care room.
- All children could move about freely and there was no restriction placed on their movement. No child was in a chair for longer than their meal/snack.

Supporting Relationships

- Each staff member was assigned to a care room. The children knew and were accustomed to the staff and were observed to seek their support when required. Staff were observed to spend time comforting the children as needed.
- When a child was observed to require comfort in Tiny Turtles, a staff member cuddled them and walked around holding them to soothe them. Once comforted they were able to return to playing.
- The children were observed to play alone and play in small and large groups. The groups supported each other and the play was child led with the adults assisting where needed but allowing each child to select their activities. When organised activities were taking place, the children were allowed to opt out and play alone or rest as observed in the Cool Cats room.
- Parents were spoken to at drop off and collection and staff were observed to spend time with the parents as needed. The parents were communicated with also on the care application that all parents/guardians could access online. Messages were sent via this and it was observed where there was two-way communication on the app.

Physical And Material Environment

- Each of the care rooms had a variety of toys and resources. The resources were specific to the ages of the children attending each room and were there to encourage the development of each child, i.e. colouring pencils for fine motor development and play dough for sensory development.
- Tabletop activities of jigsaws, bricks and shape sorters allowed for cognitive development and fine motor development.
- Circle time when stories were told and songs were sung along with clean up times when clean up songs were sung this allowed the children to talk/sing and encouraged speech development.

- Imaginary play was developed through areas of interest in home environments and garages or in the use of farm and wild animals.
- The shelving in all care rooms was accessible and the children were able to choose their activities as required.

The Outdoor Environment

The outdoor environment consisted of four different areas.

The area of the babies was adjacent their room and was accessible via the room. This area was covered in artificial grass and an area of tarmacadam. The children could play with push toys, sensory play tables and sit on rickers.

In the remaining outdoor space, there were two tarmacadam areas with climb on toys, water tables and access to music walls. The children could use ride on toys and run around these areas. The fourth area was a grass area and there was access to a digging area and a stage area.

Non-Compliance Information

Basic Needs:

1. The children in the Little Lambs room went to bed following their dinner with food residue on their clothes, the children had not worn bibs while eating spaghetti bolognese and the debris from this dirtied their clothes. Not ensuring the children were clean and comfortable may impede their ability to rest and relax.
2. There was no adult sized chairs or chairs where the adult could sit available to them in the Tiny Turtles room, they were kneeling when assisting the children with their meals and snacks. This did not ensure the staff were comfortable to meet the needs of the children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. Staff have been reminded to use bibs at mealtimes to ensure the children's clothes are clean and comfortable.
2. Adult sized chairs have been procured and are now available in the care room.

Supporting documentation submitted

1. The memo issued to the staff regarding the use of bibs has been received.
2. Photographs of the use of the adult chairs in the care rooms have been received.

Summary Comment

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

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 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.

Compliance Information

(1) (a) All four 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 Tiny Turtles room where children aged one year and under were attending had furniture suitable for this age group with low chairs with harness available to the children. For the children attending this care room and who were stable when sitting, low chairs without harness were available.

The Little Lambs room has furniture and equipment suitable to the age range of children attending with chairs and tables at a suitable height and resources accessible on low shelving.

The Busy Bees and Cool Cats rooms had suitable higher child height chairs and low tables.

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

Play resources for sensory play included play dough, sand and water. The children in the Cool Cats room were observed to paint and stick wool with glue to paper plates.

Gross motor play included climbing, running, and using tricycles and these were observed outside, where there was an adequate supply of equipment for the numbers of children using same.

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 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 use of adult sized arm chairs promoted a homely feel and the children in the rooms were observed to rest and relax in the chairs.

The sleep facilities for the children attending in the Tiny Turtles were located in a sleep room adjacent to the room. These included six standard cots, with safety mattresses.

The children in Little Lambs had access to a sleep room adjacent and there were five cots and a stackable bed in the sleep room and when the children slept after dinner three stackable beds were also set up in the care room. The children in the Cool Cats room had access to stackable beds and for those that did not want to sleep they were accommodated in the Busy Bees room and for the one child from the Busy Bees room that required sleep they were placed to sleep in the Cool Cats room. All children had access to their own linen and this was laundered weekly on Tuesdays.

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

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 the meals. Snack provided was fruit, crackers and drinks of milk and water, each child in the Busy Bees room were observed to ask for the type of and select the quantity of food for the snack. Drinks of water was freely available and encouraged. Some parents/guardians chose to send in additional food and this was provided to the children during snack time and they could choose between food provided by the service and food provided from home.
- The main meal (dinner) which was given to the children at 12md and on the day of inspection consisted of spaghetti bolognaise with vegetables in the bolognaise. An alternative was provided to the children under one year where the services policy is not to provide meat, the protein source was from beans added to the vegetable bolognaise.

- Afternoon snack was yogurt with chopped fruit and a buttered scone which all of the children seemed to enjoy.
- Drinking water was encouraged on the day of 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 internal and external doors were secured as required with touch pad exits accessible to the staff. This prevented any child gaining access to the carpark and prevented unauthorised adults from gaining access to the children.
- The emergency fire exit doors were clearly identified and were unobstructed.
- The opening for the windows was secure.
- The glass doors had a panel though the centre which indicated its presence to the children attending.
- The low chairs in use in the Tiny Turtles room had appropriate harness for use with children that required support while feeding.
- The electrical cables observed were in good condition and out of reach of the children.
- The toys and play equipment assessed 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.
- There was hot water accessible throughout the service and the range in temperature of the water was between 22.2 and 42.6°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 after nappy changing, before meal and snack time and after outdoor and messy play. The children were assisted with hand washing by the staff and reminded where necessary.
- There was hot water, liquid hand soap and paper towels available at all children and adult toilets, at all nappy changing stations 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 was observed. A supply of disposable aprons and gloves were available at all nappy changing areas. Nappies were disposed of in pedal operated bins and no odour was evident in the nappy changing rooms. Children had named individual shelves for the storage of their nappies and toiletries.
- The changing mats were cleaned after each use.
- There were pedal operated bins available throughout the service.
- All coats and bags were stored off the ground minimising contact and cross infection.
- Staff were observed to clean the tables after mealtimes with a suitable disinfectant.

Administration of Medication:

- No medication was observed to be administered on the day of inspection.

Safe Sleep:

- Ten-minute sleep checks were carried out on the children who slept in the sleep room adjacent to the Tiny Turtles room and on the sleeping children in the Little Lambs room. These checks were recorded on the services care application and historical checks could be assessed on inspection. The checks included position, colour, breathing and the sleep room temperature.
- The room temperature of the sleep room when children under that age of one year were sleeping was recorded at 20.1°C. Thus, ensuring the correct ambient temperature to promote safe sleep.
- The children who slept in Cool Cats and in Little Lambs on stackable beds were provided with in room supervision throughout the sleep time.

Fire Safety:

- The fire doors were unobstructed.
- Firefighting equipment was suitably fixed to the walls.

Non-Compliance Information

General Safety:

1. Garda vetting was available for all adults working in the service but the vetting was obtained greater than three years previously for four staff members and was not in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.
2. Electrical cables for the CD players in the Cool Cats and in the Little Lambs rooms were not secured and were accessible to the children posing a risk of strangulation for a child that might get tangled up in same.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The Garda vetting has been applied for.
2. The CD players are now removed from the care rooms and are only brought into the rooms when they are in use. All staff have been reminded in the care rooms regarding the dangers of the flex's, and were reminded that the use of the tablet to play music may be a better solution for playing music.

Supporting documentation submitted

General Safety:

The assurances received on the corrective and preventive action form are accepted as proof that the requirements for this regulation have been met.

Summary Comment

The requirements for this regulation have been met following receipt of the corrective and preventive action form and the assurances received on same.

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. Ten staff held up to date training in FAR first aid.
- (2) (a) There was a suitably equipped first aid box available to the children.
(b) The first aid equipment was available to the children at all times.

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.
- (2) The record referred to in paragraph (1) shall be open to inspection by-
 - (c) an authorised person.
- (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) The person in charge ensured a record was retained of all fire drills that took place on the premises, the last fire drill took place on 15.04.2024 and records of monthly fire drills having taken place on the previous months were also available.
 - (b) The record of maintenance for the firefighting equipment was available and was completed on February 2024. The record of the type and maintenance of the smoke alarms was available and this was last completed on 30.06.2023.
- (2) (c) The records as identified above were available to the inspector to assess.
- (4) The procedure to be followed in the event of a fire was displayed throughout the service.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The registered provider ensured that the service was adequately insured to operate as a full day care service the number of children included on the insurance was 54. The expiry date of the insurance was 27.03.2025