

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CC315				
Name of Service:	Orchard Childcare				
Address of Service:	6 The Mews, Riverway, South Douglas Road, Douglas, Co. Cork				
Eircode:	T12 KF95				
Name of Registered Provider:	Sinead O'Leary, Rachel Cunningham				
Service type:	Full Day				
Date of Inspection:	17/07/2023				
No of pre-school children:	<table border="1"> <tr> <td>AM</td> <td>21</td> <td>PM</td> <td>21</td> </tr> </table>	AM	21	PM	21
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Address of the Early Years Inspectorate:	Early Years Inspectorate Administration Building St Mary's Health Campus Gurranabraher Cork T23X440
Inspection undertaken by:	V. McCarthy
Title:	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).

Conditions if applicable

Not Applicable

Description of service

Orchard Childcare is a privately operated service that provides full day care service and also caters for children attending the Early Childhood Care and Education Scheme (ECCE). It provides care to children aged 1 year upwards and its opening times are between 8am and 6pm. The service operates out of rooms situated on the ground floor of a 2-storey dwelling house that is located in a residential area off the South Douglas Road in Cork city. The service has 2 care rooms namely the Toddler room and the Pre-Montessori/Main room. The children have access to an outdoor play area located to the rear of the premises.

Staffing

On the day of inspection, there were 4 adults working directly with the children and 2 unpaid workers that were attached to training colleges. One of the registered providers was also on the premises and remained office based.

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 inspections may also focus on other areas as required.

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

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

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

Additional Information

During the unannounced inspection to the premises on 17 July 2023 a non-compliance identified under Regulation 23 had previously been identified during the inspection dated 06 July 2021. The non-compliance which is outlined in the body of the inspection report was again found to be non-compliant during this inspection.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, deputy, 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 2 named persons in charge who were the registered providers and 2 named deputies that could deputise as required.

(b) One of the registered providers and the 2 named deputies were on duty when the inspector arrived at the premises and remained on the premises for the duration of the inspection.

(2)

The registered provider and 1 of the deputies confirmed that 4 adults had begun working at the service since the previous inspection undertaken on 06 July 2021, therefore recruitment records in relation to these adults were reviewed.

(a) There were 2 references and required validations available on file from past employers in respect of 1 of the 4 adults.

(b) There were 2 references and required validations on file from sources other than past employers in respect of a second adult and 1 reference and required validation on file in respect of a third adult.

(c) A Garda vetting disclosure was available on file in respect of each of the 4 adults.

(d) Police vetting was available on file in respect of 3 of these adults 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 was available on file in respect of 2 of the 4 adults. The remainder 2 adults were undergoing training and were attached to international training colleges.

Non-Compliance Information

(2)

(a)(b) No references and required validations were available on file in respect of the fourth adult. A second reference and required validation were not available on file in respect of the third adult.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a)(b)

The registered provider stated in her CAPA response dated 04 August 2023 that the outstanding references and validations have been obtained in respect of the 2 adults and that they are now available on file. In future, all vetting will be completed prior to an adult commencing at the service.

Supporting documentation submitted

Photocopies of the 3 outstanding references and required reference validations were submitted to the inspector for review on 09 August 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

- (1) The registered providers ensured that there were an adequate number of adults always working directly with the children.
- (2) On the day of the inspection there were 4 adults working directly with 21 early years children. Additionally, 1 of the registered providers was on the premises and was primarily office based. Also, there were 2 unpaid adults that assisted the adults under supervision.
 - There were 5 children in the Toddler room of which 1 was aged less than 2 years and 4 were aged between 2 and 3 years attending full day care with 1 adult in attendance.
 - There were 16 children in the Pre-Montessori/Main room of which 6 children were aged between 2 and 3 years and 10 children were aged over 3 years attending full day care with 3 adults in attendance.

(8)(a) There were always at least two 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 6pm.

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)

SUPPORTING RELATIONSHIPS AROUND CHILDREN

- There were key adults assigned to the children in each care room and throughout the inspection, the adults were observed speaking positively to the early years children in their care as the children participated in colouring, sand play or outdoor activities.

- General Information regarding the services' activities was provided to parents and guardians by means of an electronic application, emails and by verbal communication.
- Parents and guardians were informally spoken to daily at drop off and collection times and formal meetings were arranged as requested by parents/guardians regarding their respective child.
- The service maintained strong links with support groups such as Early Childhood Ireland, Better Start and the Cork City Childcare Committee.
- Full-service meetings were carried out at the premises monthly and records of agendas regarding same were available on file. The adults in each room at the service carried out a daily meeting to plan the activities and care that was proposed to be provided to the early years children.

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

Infection Control:

- Regular handwashing by the children was carried out before snack and mealtimes and after toileting, messy play and outdoor play.
- The children's bags and belongings were stored off the floor on wall hooks or in shelving units.
- Wipes, nappies and barrier creams were individually labelled and not for communal use. They were stored on shelves that were out of children's reach.
- A box of paper tissues was available in each care room for any child who required a tissue for their nasal hygiene.
- Pedal operated bins were available throughout the premises for the safe hygienic disposal of used paper towels.
- The children's bed and cot linen were labelled and stored individually.
- Detailed daily and weekly cleaning templates were maintained by the adults and were available for review by the inspector.
- All wash hand basins were provided with liquid soap, and paper towels.
- Crockery was used by the children during their snack and dinner meal breaks.

- There were 2 fridges available on the premises to store the children’s perishable food for their snacks and meals.

Non-Compliance Information

Infection Control:

1. The wash hand basins used by the children for hygienic handwashing were not provided with thermostatically controlled warm water up to 12 noon on the day of inspection. The water temperature was the same temperature as the cold tap water and was recorded between 18.1°C and 19°C. This non-compliance had previously been identified during the inspection carried out on 06 July 2021. The registered provider had stated in her corrective action and preventive action (CAPA) response at that time that the setting for the water boiler was readjusted and that the boiler would be serviced quarterly going forward to ensure that there would always be thermostatically hot water available to the children. It was acknowledged that once the issue was brought to the attention of the registered provider during this recent inspection, it was corrected, and the water temperature was rechecked at the wash hand basins and was recorded at 33.3°C.
2. An adult that was attending to nappy changes on the younger children did not wear disposable aprons even though they were available in the nappy changing room. This posed as a potential cross infection risk.
3. An adult that was carrying out nappy changes on the younger children did not adhere to the nappy changing policy as she did not wash her hands after each nappy change which posed a risk of cross contamination.

Action submitted by the Registered Provider

Corrective & Preventive Action

Infection Control:

1. The registered provider stated in her CAPA response dated 04 August 2023 that a plumber has reviewed the water thermostat and adjusted the timer so that it is set to maintain the water temperature at 33.5°C. The service will monitor it more closely in future.
2. &3 All adults have been retrained regarding best practices when attending to children’s nappy changes. The wearing of disposable aprons and the importance of handwashing at each nappy change has been highlighted by the registered provider.

Supporting documentation submitted :

Infection Control:

1. A photocopy of the correspondence from the competent person that assessed the water thermostat and timer was submitted to the inspector on 09 August 2023.
2. &3. A copy of the nappy changing policy that is displayed in the nappy changing room for the adults to refer to was submitted.

Summary Comment

The documentation submitted by the registered provider relating to the non-compliances was 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

- (2)
- (a) There was a fully equipped first aid box available on the premises. The first aid box was stored on top of a high press in the Pre-Montessori/Main room out of children's reach.
- (b) The first aid box was always available on the premises.

Non-Compliance Information

- (1)
- There was no up-to-date training in first aid response (FAR) record available on file for review by the inspector. It was acknowledged that the registered provider provided evidence that demonstrated that an adult had been booked into a FAR training course earlier in the year but due to unplanned emergency leave was unable to attend.

It was acknowledged that 2 adults had up to date training in paediatric first aid and that 1 of these adults was always on the premises.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1)
The registered provider has booked 2 adults to attend training in first aid response (FAR) during September 2023. The registered provider will ensure in future that the FAR training is updated as required.

Supporting documentation submitted

(1) A copy of the correspondence from the competent trainer demonstrating that FAR training has been booked for 14 August 2023 was submitted to the inspector on 09 August 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 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 during July 2023.
 - (b) A record of the number, type and maintenance record of firefighting equipment and smoke alarms was available on file. It was recorded that the fire equipment was serviced on 18 October 2022 and the wired smoke alarm was last serviced on 21 June 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 notice board at the premises.

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 adequately insured. The insurance cover referred to cover for 22 early years children even though the service is only registered to cater for up to 21 early years children at any one time. The information provided on the insurance certificate included details of the number of early years children covered, 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 and the name and address of the premises. The insurance cover also referred to details regarding, contents, public liability and fire and theft cover.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-
(e) equipped with adequate and suitable sanitary facilities.

Compliance Information

(e) There were 2 toilet cubicles and 1 nappy changing room on the premises available for use by the early years children. The 2 toilet cubicles were situated off the Pre-Montessori/Main room and the nappy changing room was situated off a separate lobby positioned off the Pre-Montessori/Main room There were wash hand basins available in each of the toilets and nappy changing area. The nappy changing mat was smooth and easy to clean and was maintained in good condition. There was one toilet and one wash hand basin for adult's use positioned off the main foyer.