

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015CC316
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<b>Name of Service:</b>	Orchard Court Creche
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<b>Address of Service:</b>	Castleredmond, Midleton, Co. Cork
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<b>Eircode:</b>	P25 WV59
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<b>Name of Registered Provider:</b>	Marie Rohan , Annette Dorgan
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<b>Service type:</b>	Full Day
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<b>Date(s) of Inspection:</b>	20/03/2024
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<b>No of pre-school children:</b>	AM	70	PM	58
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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

Orchard Court Creche is a privately owned childcare facility, that is registered to cater for children aged 0 to 6 years. However, it currently accommodates children from the age of 11 months. This includes children attending the Early Childhood Care and Education (ECCE) Scheme, which is facilitated from 9.00am to 12.00pm, each Monday to Friday, over 38 weeks of the year. Daily opening hours are from 8.00am to 6.00pm.

Located in an urban area of Midleton, in Co. Cork, the service operates from the purpose-built ground floor of an apartment complex. The setting consists of five care rooms, each of which has either adjoining or adjacent sanitary facilities. In addition, there are two designated seep rooms, a reception area, an office, a kitchen, staff sanitary facilities, a sluice room, a larder, a staff room and a cloak room. All five of the care rooms have direct access to an enclosed outdoor play space.

### Staffing

The service employs 15 adults, all of whom are involved in the direct care of the children. This includes both registered providers. Each of the 15 adults holds a recognised award in Early Childhood Care and Education. A student was also undertaking work experience at the time of inspection.

### 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, deputy 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*

*(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 jointly responsible for overseeing the operation of the service. A deputy person in charge had also been appointed to deputise in their absence.
- (b) One of the registered providers and the deputy were working at the setting when the inspector arrived and the deputy was available to facilitate the duration of the inspection process. The staff roster indicated that either the registered providers or the deputy were consistently available throughout the hours of operation.
- (2) Recruitment records in respect of all 15 of the adults employed at the service were assessed, along with those of a second level student, who was undertaking work experience.
- (a) Of the 32 required written and validated references, 23 were on file from past employers.
- (b) Nine of the written and validated references had been obtained from sources other than previous employers.
- (c) Garda vetting was in place for all 15 adults and had also been obtained for the student. In addition, the service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d) Police vetting was available for the two staff members who had lived outside the State as adults.
- (4) Written evidence regarding the attainment of a major award in Early Childhood Care and Education, was on file for 13 staff members and copies of the relevant certificates were maintained. Two of the adults each held a Letter of Eligibility to Practice from the Department of Children, Equality, Disability, Integration and Youth (DCEDIY).

### 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) It was observed that there was an adequate number of adults responsible for the direct care and supervision of the children in attendance.

(2) Adequate adult to child ratios were noted during the morning. The rooms were in operation as follows:

Room Name and Age Range of Children	Number of Children Present	Number of Adults Present
Baby (11 - 15 months)	6	2
Pre-Toddler (1 - 2 years)	10	2
Toddler (2 - 3 years)	12	2
Pre-School (2 years and 11 months – 3 ½ years)	21	2
Montessori (4 - 5 years)	21	2

In the afternoon, the overall adult to child ratios met the requirements of the regulation, as follows:

Room Name and Age Range of Children	Number of Children Present	Number of Adults Present
Baby (11 - 15 months)	6	2
Pre-Toddler (1 - 2 years)	10	2
Toddler (2 - 3 years)	12	2
Pre-School (2 years and 11 months – 3 ½ years)	17	2
Montessori (4 - 5 years)	13	2

The student was not included in the adult child ratios.

- (8)
- (a) There were at least two adults available on the premises throughout the duration of the inspection, and at all times, in accordance with 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:
- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;
- (i) details of staff rosters on a daily basis;

#### Compliance Information

- (1)
- (a) Information was provided regarding each adult's role and qualifications. Curricula vitae were also on file in respect of the 15 adults attached to the service and in respect of the student.
- (i) Daily staff rosters were in place and presented for review.

### 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:

- The service facilitated up to five daily meal breaks for the children; breakfast was reported to be accommodated from 8.00am to 9.00am, the mid-morning snack was observed at 10.25am in the Baby room, lunch was served at 11.45am in the Toddler room, an afternoon snack was offered shortly before 2.00pm in the Pre-Toddler room and the inspector was advised that tea was usually provided from 3.30pm.
- During mealtime routines, it was noted that children were assisted with feeding, according to their developmental needs. Suitable crockery and cutlery were provided, along with appropriate seating in the form of highchairs, or waist-height tables and low-level chairs.
- In the older care rooms, the children's reusable water bottles and cups were available to them throughout the day, including during outdoor play time. Staff in the Baby room advised that the children were offered water outside of mealtimes.
- During discussion with staff, the inspector was informed that nappy changing was carried out at designated daily intervals and as needed. Older children were observed to access adjacent sanitary facilities independently and adults were available nearby to offer reminders in relation to handwashing.
- Two designated sleep rooms were accessible; one adjoining the Baby room and a second adjoining the Pre-Toddler room. Scheduled rest periods were observed in the younger care rooms and this practice was used in combination with needs led sleep, as required.
- Cosy areas were incorporated into each of the playrooms, to accommodate children's need for rest and relaxation.
- The availability of an adult sized chair in the Baby room enabled staff members to comfortably care for and soothe the children.

- The care rooms afforded children adequate space to move freely and to engage in a range of activities. More active play and movement was facilitated in the outdoor environment, which was directly accessible from all of the care rooms. While outdoors, the children were noted to be dressed appropriately in coats and hats, with puddle suits provided for the younger children.

### 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 provided breakfast, a hot lunch meal and tea for the children, who attended full day care. Morning and afternoon snacks were supplied by the children’s parents or guardians, who could also provide additional meals if preferred, or in the case of dietary requirements.
- A menu was available in relation to the meals prepared at the service and was noted to include details in relation to food allergens.
- On the day of inspection, examples of the children’s morning and afternoon snacks included crackers, rice cakes, cheese and fruit such as blueberries, strawberries and oranges, with water to drink.
- A hot meal of shepherd’s pie was prepared at the service and served at lunchtime.
- The inspector was informed that some of the children had food intolerances. The person in charge advised that the parents and guardians of these children were provided with copies of the weekly menu for their review and subsequently provided alternative meals, where necessary. It was also stated that the service could offer alternative meals if required. In addition, staff monitored ingredients to reduce the risk of children ingesting allergens.
- It was reported that if a child expressed that they were hungry outside of routine mealtimes, a snack would be offered.

### 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 external doors were appropriately secured to prevent children from exiting unsupervised and to restrict unauthorised persons from gaining access to the childcare facility.
- The outdoor play environment was enclosed by walls and gates.
- Safety clips were in place to safely tether blind cords.
- In the Baby room, the entrance to the kitchen area was fitted with a safety gate, which prevented the children from gaining access to potentially hazardous items.
- Visibility markings were provided on all low-level glass panels.
- Cables and flexes from electrical equipment were maintained out of the children's reach.
- Fire extinguishers were securely wall mounted.

##### Infection Control:

- Wash hand basins across the service were equipped with warm running water. Liquid soap, single use paper towels and foot pedal operated bins were available to support hygienic handwashing and drying. Handwashing by the children was noted to take place before eating and after using the toilet. A staff member was also noted to wash their hands after changing a child's nappy.
- The care rooms appeared clean, well maintained and were adequately ventilated through open doors.
- Suitable crockery was provided for the children's meals and snacks.
- Within the nappy changing areas, the children's toiletries were stored on shelves, which were labelled accordingly.
- Disposable aprons and gloves were worn during nappy changing procedures.

##### Administration of Medication:

- Medication was not observed to be administered during the inspection period. Staff in the care rooms confirmed that none of the children were currently in receipt of medication.

##### Safe Sleep:

- Air temperatures within the two designated sleep rooms fell within the required range of 16°C to 20°C for children aged under 12 months and between 18°C and 22°C for children aged over 12 months.

An air temperature of 19.9°C was recorded in the Baby room sleep room, while occupied by sleeping children and the Pre-Toddler sleep room had an air temperature of 19°C, while in use.

- The ten-minute interval checks of sleeping children, that were carried out by staff members, had been recorded on an online application and were available for review. These included monitoring of each child's breathing, colour and position, as well as the room temperature.

### Fire Safety:

- Fire exits were noted to be free from obstruction.

### Outings:

- Not applicable, as an outing did not take place.

## Non-Compliance Information

### General Safety:

1. One of the children in the Baby room was observed to wear an amber bead teething necklace, which posed as a choking hazard. It was acknowledged that the staff member immediately removed the necklace from the child, once this was brought to her attention.

### Infection Control:

The following observed practices increased the risk of cross infection:

2. During two observed nappy changing procedures, it was noted that children's hands were not washed after having their nappies changed.
3. The 16 cot mattresses, located between the Baby room sleep room and the Pre-Toddler sleep room were not waterproof or fitted with waterproof mattress protectors, as required to reduce the risk of cross infection. It was noted that this was at variance with the service's Safe Sleep policy, which stated: *We use well-fitting firm mattresses which are covered with waterproof material.*
4. Children's bags were observed to be stored on the corridor floor outside the Pre-school room and on the floor in the Montessori room. The inspector was advised that suitable wall hooks had been purchased and that fitting of the wall hooks was awaited.
5. Sofas within the Toddler, Montessori and Pre-school rooms were observed to be torn, which impeded effective cleaning.

### Safe Sleep:

- In the Baby room, one of the children was observed to sleep in a buggy, which is deemed unsafe, due to the risk of suffocation. A staff member advised that the sleep routine for this child involved placing them into the buggy, in order to assist them to fall asleep and then subsequently moving the child to a cot, after they had fallen asleep. The inspector was informed that this practice had been requested by the child's parent. However, it was at variance with the service's Safe Sleep policy, which listed buggies in the category of equipment prohibited for sleeping children.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

##### General Safety:

- In their written response, the registered providers stated that parents have been sent a message, outlining that amber beads or any type of necklace or bracelet, are not permitted to be worn by the children, due to the risk of choking. Staff have also been directed to reiterate this message to parents in-person. Going forward, management will carry out regular checks to ensure that no child is wearing such beads or jewellery. This information will also be included in the monthly newsletter to parents.

##### Infection Control:

- The response outlined that, during a recent staff meeting, staff were retrained regarding the importance of handwashing for children as well as staff. Updated signage has been displayed in the care rooms, above sinks and in the nappy changing areas. As a preventive measure, management will carry out checks to ensure that staff are keeping up with infection control procedures.
- The written reply stated that 16 new mattress covers have been purchased and that these are wipeable, waterproof and machine washable. The mattress covers will be checked by management on a monthly basis and will be replaced as needed.
- The new wall hooks have since been fitted to the walls and all bags will be stored on these wall hooks. Staff were informed of this at a recent staff meeting. A designated person in each room has been given the responsibility to ensure that the hooks are checked weekly and if damaged, management will be informed and new hooks will be purchased.
- Eight new couches have been purchased. Staff have been directed to inform management of any damage to the couches. Management will also check the couches monthly, to ensure that they are fit for purpose and can be effectively cleaned.

### Safe Sleep:

- All buggies have been removed from the rooms and a general message was sent to parents in relation to safe sleep practice. A discussion took place between the parents of the child and management and a plan was implemented. Children have since transitioned to using cots. Staff have been informed that going forward, any child beginning at the service is to be settled to sleep in a cot and to liaise with parents in relation to this. Parents will also be informed of this practice when registering their child at the service.

### Supporting documentation submitted

#### General Safety:

- A screen shot of the message sent to parents.

#### Infection Control:

- A copy of the agenda for the recent staff meeting and copies of the updated handwashing signage.
- A copy of the order confirmation in relation to the mattress protectors and a photograph of the subsequent delivery.
- A photograph of the installed wall hooks.
- An invoice for the sofas and photographs of the new sofas in the care rooms.

### Safe Sleep:

- A screen shot of the message sent to parents.

### Summary Comment

The corrective actions implemented by the registered providers have addressed the non-compliances identified under regulation 23.

## 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) Evidence was available to demonstrate that seven of the adults held up to date First Aid Response (FAR) certification.

## 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) Adequate children's sanitary facilities were in place at the service. A total of six children's toilets were available and in use, along with six adjacent wash hand basins. Five nappy changing stations were provided, with three adjacent wash hand basins. Two additional toilets and wash hand basins were located adjoining the Pre-Toddler room, however, these sanitary facilities were not in use, due to lack of requirement. There were two staff toilets accessible, with one adjacent wash hand basin.

#### Non-Compliance Information

(e) One wash hand basin was provided in the staff sanitary facility, where two were required for the number of staff working at the service. Fifteen adults were employed at the childcare setting and one toilet and one wash hand basin are required for every eight adults.

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

##### Corrective and Preventive Action

The wash hand basin in the staff sanitary facility was removed and two new sinks were fitted. Management will ensure that one wash hand basin and one toilet will be available for every eight staff.

##### Supporting documentation submitted

A photograph of the two new wash hand basins was forwarded.

#### Summary Comment

The registered providers have demonstrated that the non-compliance identified under regulation 29 has been resolved.