

# 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>	Annette Dorgan, Marie Rohan
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<b>Service type:</b>	Full Day
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<b>Date of Inspection:</b>	01/07/2025
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<b>No of pre-school children:</b>	AM	57	PM	57
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Administration Building, St Mary's Health Campus, Gurrabraher, Cork T23 X440
<b>Inspection undertaken by:</b>	D Prendergast & N O' Donoghue
<b>Title:</b>	Early Years Inspectors

### Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

<b>Conditions if applicable</b>	N/A
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### Description of service

This privately owned, early years service is registered to provide full day care to children aged 0 to 6 years. Currently, children from the age of 12 months are accommodated. A daily sessional service is facilitated between 9.00am and 12.00pm, over 38 weeks annually, in conjunction with the Early Childhood Care and Education (ECCE) Scheme. Daily hours of operation are from 8.00am to 6.00pm and the setting is open 51 weeks of the year. The childcare facility is situated in an urban area of Midleton, in east Cork. It is provided from the ground floor of an apartment complex and consists of five care rooms. Children's sanitary facilities are located either adjoining or adjacent to the care rooms and there are two sleep rooms available. The premises also includes a reception area, an office, a kitchen, staff sanitary facilities, a sluice room, a larder, a staff room and a cloak room. The designated outdoor play area is directly accessible from all five of the care rooms.

### Staffing

There are 19 adults in employment at the service, including both registered providers. All 19 of these staff members work directly with the children who attend.

### Methodology

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

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

The findings on inspection are based on:

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

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

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

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

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

### Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered providers, manager, 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) Both registered providers were the named persons in charge at the service. The role of a manager and that of a deputy person in charge had also been assigned.
- (b) When the inspection commenced, the manager was available at the premises and remained to accommodate the inspection process. One of the registered providers arrived shortly afterwards. Examination of the staff roster demonstrated that one of the registered providers, or the manager was present at the setting during the hours of operation.
- (2) It was confirmed that 4 adults had commenced working at the service, since the previous inspection on 20 March 2024. Therefore, recruitment records in relation to these four adults were reviewed.
- (a) In respect of the four adults, there were eight references and validations on file from past employers.
- (b) None of the written references were from sources other than previous employers.
- (c) Garda vetting disclosures had been obtained for all four staff. In addition, Garda vetting in respect of a fifth adult, which was due to expire, had been renewed. This was in compliance with the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years.
- (d) Not applicable. Following a review of the staff files, international police vetting was not deemed to be required.
- (4) There was evidence that three of the adults had attained a major award in Early Childhood Care and Education.

### Non-Compliance Information

- (4) Written evidence was required from the Department of Children, Disability and Equality (DCDE) to confirm that the studies undertaken by one of the staff members, met the minimum requirement of a level 5 award in Early Childhood Care and Education.

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

#### Corrective and Preventive Action

The written reply outlined that the staff member in question has applied directly to the DCDE for a Letter of Qualification Recognition. All members of management are aware that if a staff member does not have a minimum level 5 certificate, a Letter of Qualification Recognition must be sought.

#### Supporting documentation submitted

A Letter of Qualification Recognition from the DCDE in respect of the adult.

#### Summary Comment

The corrective and preventive actions submitted have adequately addressed the non-compliance identified under Regulation 9.

### 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) An adequate number of adults were observed to be available to the children throughout the period of inspection.

(2) The adult child ratios during the day of inspection met the requirements of the regulations as follows:

- Between the 5 care rooms in operation during the morning, there were 57 children, aged 1 to 4 ½ years present and 10 adults were working directly with these children. The manager and one of the registered providers were also available.

- In the afternoon, 10 adults were working directly with 57 children, across 5 care rooms, who were aged 1 to 4 ½ years.

- (8)
- (a) According to the staff roster, the service was operated with at least two adults present at all times. A minimum of two adults were also on duty throughout the inspection process.

### 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.*

#### Compliance Information

- (1) Children's enrolment forms were assessed for 12 of the children registered as attending the service. The records inspected had the required details, as listed from (a) to (i).

### 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:

- During mealtimes, conversation was encouraged, which promoted a relaxed, unhurried atmosphere.
- In the Toddler room, a staff member was observed to respond appropriately when minor disagreements occurred between the children and supported the children to engage positively with one another. For example, when a dispute arose in relation to play materials, the adult calmly intervened and spoke gently to the children involved. The children were then supported to take turns and were acknowledged for their efforts. Additional materials were also made available, in order to help prevent further conflict.
- The children's artwork was displayed throughout the service, which promoted their sense of belonging.
- In the Baby room, staff had a strong relationship with the children. Staff engaged in a positive and calm manner with the children and were attentive to each individual child's needs. For example, when one child appeared tired and upset, an adult in the room noticed this quickly, soothed the child and comforted them.
- Sibling interaction was facilitated. This was observed in the Baby room, as older siblings would come to the door during outdoor play and interact with their siblings.
- Transitions were made as smoothly as possible within the service. Staff would give children time warnings prior to transitions and used reassuring words and singing to support these transitions.
- The staff members in the Baby room communicated positively with the babies using soft and gentle tones, offered reassurance by sitting near them on the floor, as they explored and comforted children when required.
- A digital application was predominantly used by the service, to provide parents with information in relation to the children's daily activities, including photographs. Service policies, newsletters, child development observations and details of care routines, such as nappy changing and sleep, were also communicated via this application. Examples of said information were demonstrated to the inspector.

- The manager advised the inspectors that monthly staff meetings were held and corresponding records were presented for review. In addition, a messaging application was utilised to share relevant information, along with a staff notice board.

### Part VI - Safety

#### Regulation 23 - Safeguarding health, safety and welfare of child

*A registered provider shall ensure that all reasonable measures are taken to safeguard the health, safety and welfare of a pre-school child attending the service and that the environment of the service is safe.*

#### Compliance Information

##### General safety:

- The main entrance door to the service was maintained secure when not in use, which minimised the likelihood of unauthorised persons gaining access and the risk of a child exiting unsupervised.
- A combination of walls and gates formed a secure enclosure of the outdoor play space.
- Low-level glass panels were fitted with visibility strips.
- The safe storage of cleaning agents was ensured.
- Tension devices were in place to anchor blind cords.
- Firefighting equipment was wall mounted.

##### Infection control:

- The handwashing facilities in place supported effective handwashing. Each wash hand basin was equipped with a supply of warm running water, liquid soap and a sensor operated paper towel dispenser. Foot pedal operated bins were available for disposing of used paper towels.
- Frequent handwashing was observed during the inspection period. This included after nappy changing, after using the toilet facilities, prior to mealtimes and after outdoor play.
- The children's toiletries were maintained on labelled shelf storage, within the nappy changing areas designated for the Baby room, the Pre Toddler room and the Toddler room.
- Adults wore single use aprons and gloves when carrying out nappy changing procedures.
- The children's perishable snacks were stored in refrigerators.
- Cots were fitted with waterproof mattress covers.
- In the Baby room, staff were observed cleaning down high chairs and tables frequently throughout the morning.
- Cleaning records were observed on the digital application and were completed daily and as required, throughout the day.

## Safe sleep:

- A digital application was used by staff members, to record physical checks of sleeping children. Said records reflected 10-minute interval checks in relation to children's colour, breathing and position.
- Appropriate air temperatures were maintained in the Pre Toddler sleep room and in the Baby sleep room, while these rooms were in use by children. Respective temperature recordings of 21.2°C and 21.1°C were noted, which both fell within the required range of 18°C to 22°C, for children aged over 12 months.
- The Toddler care room was used to accommodate a scheduled rest period in the afternoon and during this time, the air temperature of said room was recorded at 21.9°C.

## Fire safety:

- It was noted that fire exit doors were clear and unobstructed.

## Non-Compliance Information

### Infection control:

1. Some of the children's bags were not suitably stored, which increased the risk of cross infection. It was noted that several of the children's bags were stored on the corridor floor, between the Montessori room and the Toddler room. Non-compliance in relation to the storage of children's bags on the floor was also found at the previous inspection on 20 March 2024. The CAPA response at the time stated that all bags would be stored on wall hooks and that staff had been informed of this during a staff meeting. However, this was not found in practice.
2. There were two torn cushions in the Baby room. Children were observed playing with these cushions throughout the inspection. The torn parts of the cushions posed a risk of cross infection, as they could not be adequately cleaned.

## Action submitted by the Registered Provider

### Corrective & Preventive Action

### Infection control:

1. More coat hooks have been fitted to the wall for the Montessori children. Each child that is currently enrolled in this room has been allocated their own labelled hook. This will ensure that both children and staff are aware where all bags are to be placed. At a recent staff meeting, all staff were informed regarding the use of coat hooks and boxes in the rooms, in order to prevent any bags being left on the floor.

2. The cushions have been removed from the room. At a recent staff meeting, staff were made aware of the importance of informing management regarding any tears in furniture, bedding, or items that need to be replaced or repaired. Staff were also advised that management should be informed immediately and that the item should be removed from the room and either repaired or replaced.

### **Supporting documentation submitted**

1. Photographic evidence.
2. A copy of the agenda from the recent staff meeting.

### **Summary Comment**

The corrective actions implemented have addressed the non-compliances identified under Regulation 23.

## 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) Monthly fire drill records were presented for review and indicated that a fire drill had been undertaken on 20 June 2025.
  - (b) Documentation provided by fire safety companies demonstrated that the firefighting equipment had been serviced on 14 February 2025 and that the smoke alarm was last tested on 29 April 2025.
  - (4) The service's fire evacuation procedures were displayed in each of the care rooms.

## 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) The sanitary facilities provided for children and staff were adequate and met the requirements. Six children's toilets and six adjacent wash hand basins were available for toilet trained children. There were five nappy changing stations, with three adjacent wash hand basins, for children who required nappy changing. In addition, the Pre-Toddler room was equipped with two toilets and two wash hand basins, which were not in use, due to lack of requirement. Staff had access to two toilets and two wash hand basins. One of these wash hand basins had been installed since the previous inspection.