

Early Years Inspectorate Regulatory Report

Pre School

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|---|--|----|----|----|----|
| TUSLA Identifier: | TU2015CC324 | | | | |
| Name of Service: | Classes Childcare | | | | |
| Address of Service: | Hillside, Boreenmanna Road, Cork, Co. Cork | | | | |
| Eircode: | T12 N563 | | | | |
| Name of Registered Provider: | Frances Cunningham | | | | |
| Service type: | Full Day, Part Time, Sessional | | | | |
| Date of Inspection: | 24/09/2024 | | | | |
| No of pre-school children: | <table border="1"> <tr> <td>AM</td> <td>35</td> <td>PM</td> <td>31</td> </tr> </table> | AM | 35 | PM | 31 |
| AM | 35 | PM | 31 | | |
| Address of the Early Years Inspectorate: | 13 Market Place, Mallow, Cork. P51 DD5Y. | | | | |
| Inspection undertaken by: | E. Friel & B. Fraher | | | | |
| Title: | 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).

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| Conditions if applicable | N/A |
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Description of service

Classes Childcare is a private early years care and education service offering a choice of full day, part-time and sessional services. It is registered for children aged from 0 to 6 years of age and currently children attending are aged from 1 to 6 years old. Operating hours are from 8:00 am until 6:00 pm, Monday to Friday, 51 weeks of the year.

The facility is located in the urban area of Cork City. It comprises three care rooms – two of which were in operation on the day of inspection namely Toddlers and Pre-school. There is a small kitchen, three children’s toilets, one adult toilet and a separate nappy changing room. An outdoor play area is located at the rear of the service.

Staffing

There are nine staff employed in the service including one adult employed under the Access and Inclusion Model (AIM), a cook, and the deputy who arrived at 11 o’clock from a sister service. The registered provider was not service 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 and 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 designated person in charge, 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*
- (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)
- (b) The staff roster indicated that the designated person in charge was available at all times while the early years children were present in the service; this was observed in practice throughout the day.
- (c) Photographs of staff, with detailed roles and responsibilities, were visible on the walls of the service at the staff entrance to the service.
- (2) Recruitment files for the nine staff working in the service were reviewed;
- (a) (b) There were twelve validated references from past employers and six validated references from sources other than past employers.
- (c) Garda vetting disclosures had been obtained for all nine adults working directly with the children. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d) Overseas police vetting was available for six of the seven adults for whom it was required who had lived outside of Ireland for a period of six consecutive months or longer as an adult.
- (4) There was evidence that eight adults working directly with the children had attained at least a major award in Early Childhood Care and Education at Level 5 on the National Framework for Qualifications or a qualification deemed to be equivalent. The cook did not require a childcare qualification.

Non-Compliance Information

- (1)
- (a) On the day of inspection, the designated person in charge was present when the inspectors arrived on the premises and remained for the duration of the inspection. In discussion, the designated person stated that there was no named person available to deputise, should they not be present, as the majority of the staff were new and the deputy was currently working in a sister service. The deputy subsequently arrived at 11:00 am

and was on the premises for the remainder of the day.

- (2)
- (d) An overseas police vetting disclosure was not on file for one adult, for whom it was required, who had lived outside of Ireland for a period of six consecutive months or longer as an adult.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The following statements were received from the manager;

- (1)
- (a) A new supervisor has been assigned the role as the named person in the event the manager or deputy are not available. There is now a management structure available in the service which includes the new details and staff have been informed of the change.
- (2)
- (d) An application has been submitted for a staff member for whom international vetting was required.

Supporting documentation submitted

- (1)
- (a) The manager's statement has been accepted. A copy of the new management structure detailing the named person, in addition to the existing management structure, was received in the office of the inspectorate.
- (2)
- (d) The statement from the manager that an application has been submitted for international vetting has been accepted. Proof of application was received in the office of the inspectorate.

Summary Comment

The actions taken by the manager have addressed the non-compliances found under Regulation 9 (1) (a) and (2) (d).

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 provider ensured that there were an adequate number of adults working directly with the children at all times.

(2) On the day of inspection there were two of the three care rooms in operation with the minimum adult/child ratios:

| Room/Age | Adults | AM | PM |
|---|---------------------|----|----|
| Toddlers – 14 months – 2 years 6 months | 4 Adults, AM | 16 | 14 |
| | 4 Adults, PM | | |
| Pre-school – 2 years 6 months – 5 years | 2 Adults, 1 AIM, AM | 19 | 17 |
| | 3 Adults, PM | | |
| Total | | 35 | 31 |

(8)

(a) The registered provider ensured that there were two adults on the premises at all times as demonstrated on 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) The staff recruitment files contained the details of the names, qualifications and experience of the designated person in charge, deputy, and of all other employees working in the service, on the day of inspection.

Non-Compliance Information

(1)
(i) Details of one staff member, who was on duty, was not recorded on the staff roster. In addition, the break times of each staff member were not recorded, and the roster had been pre-populated for the week. In conversation, the manager explained that the deputy was currently in a sister service and a new member of staff had commenced employment on the day of inspection.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The following statements were received from the manager;

(i) The staff roster was amended to reflect the staff in the service on the day of inspection. A new staff break roster is now in place detailing staff breaks, timing of breaks and cover, this will be reviewed daily and amended if necessary.

Supporting documentation submitted

(i) The statement from the manager that the staff roster was amended to reflect the staffing on the day has been accepted. A copy of the new break roster was received in the office of the inspectorate.

Summary Comment

The actions taken by the manager have addressed the non-compliance identified under Regulation 16 (i) on inspection.

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:

- The service promoted healthy eating. Food and snacks, provided by the service, were observed being presented at regular intervals. Children in the Pre-school care room were observed eating a hot lunch of pasta, fish fingers, vegetables and gravy which was prepared by the onsite chef and served at 11.50 pm. In conversation, the manager stated that morning breakfast of wheat and oat-based cereals was available from 9:00 am until 9:30 pm.
- The afternoon snack of ham sandwiches, bananas and mixed fruits, was observed being served between 3:00 pm and 3.30 pm. An evening snack was available for children availing of full day care, and alternative foods were located in the kitchen should a child dislike what was on the menu or was hungry.
- Children in the Toddler care room had the opportunity to feed themselves and younger children were observed being assisted in spoon feeding by two staff members sitting with the children at the tables.
- Bibs were available for Toddlers who required them at meal times.
- Age and stage appropriate cutlery and crockery were provided for children in both the Toddler and Pre-school care rooms.
- Children in the Pre-school care room were observed to have access to individually labelled water bottles throughout the day.
- Children were seated at tables during snack and mealtimes. They sat at a comfortable height in relation to the tabletops and their feet were placed on the floor. The tables and chairs were suitable for the age and stage of development of the children in each care room.
- Nappy changing in the Toddler care room was observed to be carried out regularly and on an individual needs basis. In discussion, staff stated that nappies are changed at 11.00 am, 2.30 pm, 4.00 pm and checked before children go home.
- In each of the playrooms, the children had the opportunity to rest or relax with soft seating in the form of child sized couches and vinyl shapes.

- All children had the opportunity to play in the outdoor play area at the rear of the service. A covered area was available facilitating the children to be able to go out to play in all weathers. The weather was changeable, and the children were observed to be appropriately dressed with their jackets on.

SUPPORTING CHILDREN'S RELATIONSHIPS:

- Staff members in the Toddler care room were observed sitting at the children's eye level when feeding children or assisting the children to feed themselves.
- Children settling in the Toddler room who were crying, and needed additional support, were comforted by staff members. Staff were observed sitting on the floor with the children beside them and on their knees while offering reassuring words. In conversation, staff stated that children had recently started for short periods of attendance, of up to two hours, and this would increase to longer periods when the children were ready.
- A key person approach was stated as being in use by the service with staff saying they are responsible for completing scrapbooks and communicating with parents.
- Children were encouraged and supported to engage positively with each other with a staff member in the Toddler care room heard reminding a child not to bite.
- Various methods of communicating with parent/guardians was stated as being in use including daily reports completed by staff in the Toddler care room; these were available and included such details as each child's eating, sleeping, toileting, activities and messages for parents/guardians. Staff were observed speaking to parent's/guardians at pick up time with one staff member heard arranging a shorter settling in period for the child, for the following morning, who had been observed crying while settling earlier that morning.

Non-Compliance Information

BASIC NEEDS:

- (1) At variance to the service's sleep policy which stated "that the service does not place any time restrictions on children's sleep" a staff member was observed at 2.00 pm switching on the lights in the pre-school care room, and pulling up the blinds, while the other two staff members walked around waking the sleeping children.
- (2) In contrast to the service's sleep policy which stated that "waking children resting on mats, awake after 30 minutes, would be welcomed to the table for quiet table top time", this was not observed in practice. The inspector reviewed the sleep records for the resting/sleeping children which indicated that two children were

recorded as being awake from 12.30 pm until 1.40 pm. In discussion, a staff member stated that the children were not offered the opportunity to be accommodated appropriately in another area of the service but lay on their mats on the floor for the duration.

- (3) The inspectors observed that the dignity and privacy of a child in the Pre-school care room was not respected. As children were awoken from their sleep one staff member was observed putting on a pair of gloves and removing a nappy from a child in the care room, in view of children and staff. The staff member did not collect the child's personal belongings enroute to the bathroom, and the child was observed walking, and waiting, with a group of children, in the hallway to go to the bathroom with no undergarments on.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The following statements were received from the manager;

- (1) A staff meeting was held on 23 October 2024; management explained the new procedures on how to ensure that each child's individual sleep needs are being met and that no time restrictions will be placed on children's sleep in line with the service's safe sleep policy. A follow up meeting will be held in two weeks to assess progress.
- (2) At the staff meeting with management on 23 October 2024 staff were given details of how children still awake after 30 minutes will be offered the opportunity of taking part in quiet table top activities, in line with the service's safe sleep policy. Staff have been asked to inform management on the day of the children who are awake after thirty minutes.
- (3) Staff were reminded at a staff meeting on the 9 October 2024 of the need to be vigilant regarding respecting the dignity and privacy of the children at all times. Management revised the procedure and practice to be followed should a child wake from sleep and require changing. The following measures have been put in place to ensure best practice in the future; management will monitor staff practice in regard to same in the future, new staff will be trained with regards to respecting children's dignity and privacy which has been added to the staff induction checklist.

Supporting documentation submitted

The following documentation was received in the office of the inspectorate;

- (1) A copy of the minutes of the staff meeting with management held on 23 October detailing the new procedures on meeting children's individual sleep needs and ensuring that there are no time restrictions on children's sleep.
- (2) Details of the quiet programme of activities on offer for children who are awake after 30 minutes or who are not tired and do not wish to rest.

(3) A copy of the signed staff meeting minutes detailing the need to respect the children's dignity and privacy.

Summary Comment

The actions taken by the manager have addressed the non-compliances identified under Regulation 19.

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:

- Window handles were out of reach of the children.
- Blind cords were secured in the care rooms with hooks, ensuring children could not gain access to them.
- A handrail was fitted to the stairs in the outdoor play area ensuring that the children could walk up and down safely.
- Cleaning agents were stored in high cupboards in both the care rooms and in the sanitary areas.
- Toys and play equipment in both the indoor and outdoor play areas looked to be in good condition and well maintained.
- Flexes and cables were inaccessible to the children.
- The outdoor play area was secured with high wooden fencing and tall wooden gates with sliding bolts, ensuring no child could leave the area unsupervised or no unauthorised adult could enter the outdoor play area.

Infection Control:

- Staff were observed wearing single use aprons and gloves for each nappy changing. The mats were disinfected after each nappy change and nappies were disposed of in sealed, lidded, lined and pedal operated nappy bins.
- Children from the Pre-school care room coming in from outdoor play were observed hanging their coats up on hooks, away from the floor area.
- Sinks were supplied with thermostatically controlled hot water, dispensing soap, blue paper roll, hand dryers, and pedal operated bins for the disposal of paper waste.
- A container of sterilising fluid was available for children's soothers in the Toddler care room, ensuring the soothers were stored hygienically while not in use.

- Windows in the care rooms were open, and mechanical ventilation was available in the sanitary areas, ensuring the circulation of fresh air and removal of odours.
- Cleaning records had been completed and were up to date in the children’s sanitary area.

Administration of Medication:

- Anti-febrile medication, in its original packaging, was available for each child. It was stored in a high cupboard.

Safe Sleep:

- Sleep room temperatures in both care rooms were recorded within the recommended limits for children over 12 months old, 18-22 °C. The temperature of Pre-school room during sleep was recorded at 19.9°C and the Toddler room sleep temperature was recorded at 20.1°C.
- The nine cots and five sleep mats in use in the Toddler sleep area were observed to be placed 50 centimetres apart.
- Sleep records were furnished to the inspectors for both sleep areas which indicated that physical sleep checks were being carried out every ten minutes with staff recording the colour, position, and breathing of each child. Staff in both care rooms were observed physically checking each child while they slept/rested.
- Staff were present in both sleep rooms while the children were sleeping/resting.

Fire Safety:

- Emergency fire exit doors were unobstructed.
- Fire extinguishers were secured with brackets to the walls throughout the service.
- Fire signage was lit above the emergency fire exit doors.

Non-Compliance Information

General Safety:

- (1) Appropriate security systems were not in place at the staff entrance to the service. The inspectors were able to gain access to the service from the staff entrance at the front of the service, posing a safety risk should an unauthorised adult gain access or a child leave the service unsupervised. In conversation, the manager stated that the staff member who entered the service last should have secured the door behind them.
- (2) A piece of exposed metal, which had become detached from a book rack in the Toddler care room, was accessible to the children, posing a safety risk should a child come into contact with the sharp edge.

- (3) Splintered wood with rough edges was visible on a wooden storage unit in the Toddler care room, posing a safety risk should a child accidentally come into contact with the broken edges of the wood.
- (4) Two sharp nails protruding from a splintered piece of wood, at the top of the steps to the outdoor play area, posed a safety risk should a child come into contact with the sharp points of the nails.
- (5) There were five loose wooden panels and a cracked concrete pillar in the outdoor play area. The loose panels posed a safety risk as children's fingers could potentially be caught between the panel and the concrete posts supporting them.
- (6) Two steel poles, at the entry and exits points of the outdoor children's play tunnel, were accessible to children, posing a safety risk should a child bang into them.

Infection Control

- (7) On two occasions, at 12.30 pm and 14:10 pm, the inspectors observed inadequate emptying of the potty in use in the children's sanitary area, located outside the Pre-school care room. The contents of the potty were visible to other children in the small group, who were using the toilet, and were only disposed of after all children had finished toileting in the area. This posed a risk of contamination should children accidentally come into contact with the contents of the potty which had not been disposed of nor sanitised immediately after each use.

Safe Sleep:

- (8) Children's sleep mats in the Pre-school care room were positioned under fire extinguishers, beside heat sources, opening doors, and a long handled sweeping brush posing a safety risk to the children. It was acknowledged that when staff were informed, they moved the sleep mats to safer areas in the room.

Action submitted by the Registered Provider

Corrective & Preventive Action

The following statements were received from the manager;

General Safety:

- (1) A staff meeting was held on 9 October 2024, and staff were reminded of the importance of making sure the door is secured upon entering the building. The door has been added to the daily checklist and management will review each morning.
- (2), (3) and (4) The damaged metal book rack, splintered wooden storage box and the nails have all been removed. A visual checklist will be carried out daily by all staff.
- (5) and (6) The fencing panels have been secured and the steel poles have been covered to ensure the safety of

the children.

Infection Control:

(7) Training was given to all staff on sanitary hygiene and potty sanitisation at the staff meeting held on 9 October 2024. Management stressed the importance of the cleaning and sanitising of the potties after each individual use and will carry out routines checks to ensure that this practice is being carried out.

Safe Sleep:

(8) Training was given to all staff on the positioning of the cots for safe sleep. Ensuring mats are placed away from any potential hazards. Management will carry out a hazard check before sleep to ensure that the area is safe for the children to sleep.

Supporting documentation submitted

The following documents, statements, photographs and receipts were received in the office of the inspectorate.

General Safety:

- (1) A copy of the minutes from the staff meeting that were signed by each staff member.
- (2), (3) and (4) The statements from the manager have been accepted. Photographs of the wood and nails removed from the step in the outdoor play area and the book rack removed from the Toddler care room.
- (5) and (6) Photographs of the secured fencing panels and the covered steel poles.

Infection Control:

(7) A copy of the signed staff meeting minutes detailing the cleaning and sanitising of the potties.

Safe Sleep:

(8) The statement from the manager that staff have been trained to ensure that the mats are placed away from potential hazards has been accepted.

Summary Comment

The actions taken by the manager have addressed the non-compliances identified on inspection 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.

(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) Certificates were available to evidence that three adults in the service had First Aid Responder (FAR) training completed. The staff roster indicated that a person trained in first aid was available at all times.

(2) (a) (b) The suitably equipped first aid box, which was easily accessible by the adults, was available at all times, from the office.

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.

(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) Written records were available of the monthly fire drills which took place in the service. The date of the most recent fire drill was recorded as 10 September 2024. Previous dates included 19 August and the 12 July 2024.
- (b) Written records were available detailing number, type and maintenance of firefighting equipment and smoke

alarms in the service. The firefighting equipment record was dated 31 July 2024 and the smoke alarm record was dated 23 April 2023.

- (2)
- (c) Both the firefighting equipment and the smoke alarm certificates were open to review on the day of inspection.
- (4) The notice of the procedures to be followed in the event of a fire were located on the notice area of the staff entrance.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

A certificate was available to evidence that the service was insured for 40 full day care children. The expiry date was noted as 27 March 2025. Details included cover for public liability and fire and theft.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

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

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

Compliance Information

(c) The care rooms and sanitary areas were adequately lit, heated and ventilated.

Non-Compliance Information

- (d)
- (1) A plug plate in the Toddler room, accessible by the children, was damaged and required replacing. The inspector observed that the plate was broken, and the plastic corner piece was missing.
- (2) The skirting board and the wall behind the children's tables, in the Toddler care room, were in a poor state of repair. The inspector observed that flakes of paint were missing from the wall and there were patches of missing paint on the skirting board.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The following statements were received from the manager;

(d)

(1) The plug plate was replaced in the Toddler care room.

(2) The skirting boards and walls have been painted.

Supporting documentation submitted

The following photographs were received in the office of the inspectorate;

(d)

(1) A photograph of the replaced plug plate in the Toddler care room.

(2) Photographs of the newly painted walls and skirting boards.

Summary Comment

The actions taken by the manager have addressed the non-compliances identified under Regulation 29 (d) (1) (2).