

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CC348
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Name of Service:	Rising Stars Childcare
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Address of Service:	Old Cork Road, Mallow, Co. Cork
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Name of Registered Provider:	Dusanka Valentic, Niamh O'Leary
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	22/04/2024
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No of pre-school children:	AM	41	PM	33
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Address of the Early Years Inspectorate:	13 Market Square, Mallow, Cork. P51 5DDY.
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Inspection undertaken by:	E. Friel
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Title:	Early Years Inspector
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Authority to Inspect

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

Conditions if applicable	N/A
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Description of service

Rising Stars Childcare is a private early years care and education service in operation since 2009. It offers full day, part-time and sessional services between the hours of 7.30 am and 6.00 pm, Monday to Friday, 51 weeks of the year. The Early Childhood care and Education (ECCE) service is facilitated between the hours of 9.00 am to 12 noon. The service is registered to accommodate children aged from zero to six years of age and children currently attending are aged from twelve months to six years old.

The service is located on the outskirts of the urban town of Mallow in North Cork, in Carhookeal. Upon entry to the service there is a reception area from which five care rooms are accessible namely; Babies, Playschool, Room One, Room Two and Pre-school, two kitchens, adult and child sanitary areas incorporating two children's changing areas. A dedicated sleep room is available for the babies and the Playschool room was in use as a sleep room after lunch. There are four outdoor areas available at the rear and side of the service and a car parking area is located to the front of the service.

Staffing

There are fourteen staff employed in direct care of the children in the service, this includes the two registered providers.

Methodology

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

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

The findings on inspection are based on:

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

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

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

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

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

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, person in charge, staff and children who were present on the day of the inspection.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

- (a) the service has a designated person in charge and a named person who is able to deputise as required,*
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and*
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.*

(2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,*
- (b) consideration of references from reputable sources in the case of a person who has no past employers,*
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and*
- (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.*

(4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

(7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:

- (a) the policies, procedures and statements of the service specified in Schedule 5.*

Compliance Information

- (1)
- (a) The registered provider was the designated person in charge and named persons were available to deputise.
 - (b) The staff roster evidenced that one of the two registered providers and named persons were available, on the premises, at all times.
 - (c) There was a clear management structure available on the notice board in the reception area of the service. In conversation staff with staff they were aware of their roles and responsibilities.
- (2) Recruitment files for all fourteen adults, were reviewed;
- (a) (b) There were fourteen validated references from previous employers and fourteen validated references from sources other than previous employers.
 - (c) Garda vetting disclosures had been obtained for all fourteen adults. However, the Service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.

- (d) Two adults, for whom international police vetting disclosures were required, as they had lived outside of the State for a period of six consecutive months or more, had international police disclosures available on file.
- (4) Thirteen staff members working directly with the children held at least a major award in Early Childhood Care and Education at level 5 or above on the National Framework of Qualifications. One additional staff member had a Letter of Eligibility to Practice from the Department of Children, Equality, Disability, Integration and Youth.
- (7)
- (a) In line with the service's supervision policy staff stated supervision was carried out on a monthly basis, before staff meetings. The manager furnished the inspector with previous minutes of staff supervision.

Part III – Management and Staff

Regulation 10 - Policies, procedures etc. of pre-school service

A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.

Compliance Information

The registered provider furnished the inspector with the following policies;

- Supervision
- Settling in policies

Both of which contained the relevant particulars.

Part III – Management and Staff

Regulation 11 - Staffing levels

(2) Subject to paragraphs (4) and (5), a registered provider of a full day care service or a part-time day care service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 1 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) thereof at that reference number is satisfied.

(8) Without prejudice to paragraphs (2) to (7)-

(a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times.

Compliance Information

(2) The adult/child ratios in the following rooms were compliant.

Baby Room (12 months – 18 months)

There were six full day care babies in attendance with two adults in the morning.

Playschool (18 months – 2 years 2 months)

There were four full day care and one part-time child in attendance with one adult in the morning and four children asleep in the room in the afternoon when it was in use as a sleep room at lunch time.

Room One (2 years 2 months – 3 years 6 months)

There were six full day care children in attendance with one adult in the morning and five children in attendance with one adult in the afternoon.

Room Two (2 years 6 months – 3 years 6 months)

There were four full day care and one part-time child in attendance with one adult in the morning. In the afternoon three children joined the Pre-school room and one child was asleep in the Playschool room.

Pre-school (2 years 8 months to 5 years)

There were thirteen full day care, two part-time and four sessional children in attendance with two staff members in the morning.

(8)

(a) The staff roster indicated that there were at least two adults on the premises, at all times, on the day of inspection.

Non-Compliance Information

(2) The roster indicated that there were an inadequate number of staff rostered in the afternoon in both the Baby and Pre-school care rooms. The inspector observed at 14:17 pm that the staff member in the Baby care room was working on their own where two adults were required as the adult/child ratio was 1:5. The staff member was present in the room with six children aged between 12 months to 18 months old and three additional children, from the Baby care room, were in a separate sleep room along the corridor, one of whom was crying. In conversation, the staff member stated they could not leave the room to care for the crying baby as they were on their own.

It was acknowledged that a second staff member, entered the room at 14:20 pm. In conversation the staff member stated they were not rostered on for that day but had received a call to come in and cover. The inspector observed that the ratio in the Pre-school room was two adults working with fifteen children. However, there were periods between 13:32 pm and 14:20 pm where one adult was observed leaving the room to conduct sleep checks for two separate sleep rooms compromising the care and safety of the children in the Pre-school care room.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2) A new manager has started in the service and second adult is due to start in two weeks ensuring that the adult/child ratios are maintained in the service at all times.

Supporting documentation submitted

(2) A copy of the staff roster with the attendance of the new manager recorded was received in the office of the inspectorate. The statement from the registered provider, with reference to the second adult, has been accepted.

Summary Comment

The corrective actions implemented by the registered provider have addressed the non-compliances identified under Regulation 11 (2).

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;*
- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

(3) A record referred to in paragraph (1) shall be open to inspection on the premises, by an authorised person.

Compliance Information

- (1)
- (a) The registered provider ensured that a record in writing was kept of the name, position, qualifications and experience of the persons in charge and of every other employee.
- (i) The staff sign in/out book, and the staff roster were available at the reception desk.
- (k) A sample of eleven accident/incident forms were reviewed and these were found to contain the necessary particulars.
- (3) The records referred to in paragraph (1) were open to review, on the premises, by the inspector.

Non-Compliance Information

- (h) A number of children did not have their names recorded in the attendance record of the care room they were attending. Staff stated that as the children moved rooms, they did not update the room records, and the names were still recorded under the previous attendance records. This posed a risk that in the event of an emergency, the safe evacuation of children could be hampered.
- (j) Not all administration of medication records were fully completed. Out of a sample of ten administration of medication records, dates of births were missing for all ten records. In addition, one record was missing the parent's signature and the witness signature for the adult who checked the medication being administered, posing a risk that the parents/guardians were not informed that medication had been administered by an adult in the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (h) The attendance records of all children have been updated. Staff will ensure, in future, that each child's name is recorded in the care room they are attending.
- (j) All missing details have been completed for each child's administration of medication form. Staff have been reminded to ensure that all details are completed for each child. Weekly checks will be carried by management out to ensure that all details for each child are being input on their form.

Supporting documentation submitted

- (h) Photographs indicating that the children's names have been removed from their previous rooms and added to their current rooms was received in the office of the inspectorate.
- (j) The statement from the registered provider has been accepted.

Summary Comment

The corrective actions implemented by the registered provider have addressed the non-compliances identified under Regulation 16 (h) and (J).

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*
- (b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.*

Compliance Information

BASIC NEEDS:

- The service promoted healthy. Meals and snacks, provided by the parents/guardians, were served at regular intervals throughout the day. Staff in the Baby care room stated that breakfast of oat and wheat cereals are served from 7.30 am until 9.00 am. Children in the Pre-school room were observed eating morning snack at 9.20 am which consisted of filled sandwiches, bite sized pieces of fruit and vegetables. Lunch in the Baby room was served at 11.45 am and children were observed eating a variety of hot meals including pasta, chicken and cottage pie. Afternoon snack was available from 2.45 pm.
- Alternative food was available for children who did not want to eat what was in their lunch boxes
- Water was available at all times in all care rooms and in the outside play areas from individually labelled water bottles. Appropriate cutlery and crockery were available in each care room for each child's age and stage of development.
- Children in the Baby room were observed wearing bibs and children in the outdoor play area were observed wearing aprons in the water trough to protect their clothing.
- The day of the inspection was hot. In conversation staff stated sun cream had been applied on each child and the children were observed playing under covered areas, while outdoors, in line with the service's all-weather policy.
- Children from the Pre-school room were observed accessing the sanitary facilities independently and staff were nearby to remind children to wash their hands after toileting.

- Nappy changing was carried out regularly and as required. Staff in the Baby care room stated that they have designated times for changing nappies including 10.00 am, after lunch at 12.30 pm and after sleep in the afternoon at 2.00 pm. In addition, the inspector observed that nappies were changed as and when required with staff handling each child in a positive and sensitive manner.
- Children in all care rooms were observed to have room to move freely and explore both the indoor and outdoor environments.
- Staff were observed completing, “My record of the day”, a communication book in which the staff communicate with the parents regarding their child’s food intake, toileting, sleep and activities on a daily basis.

SUPPORTING CHILDREN’S RELATIONSHIPS:

- During meals and table top activities staff were observed sitting with the children engaging in conversation, these exchanges were noted to be relaxed and positive. An example included a staff member sitting on an adult chair opposite a child in a high chair, at lunch time in the Baby room, which enabled them to have direct eye contact with the child while feeding them.
- Staff in the Baby room were observed giving additional support and comfort to two children, both indoors and outdoors, transitioning during the settling in period. In conversation, staff stated that two new children had started three weeks earlier settling in, initially for 30 – 40 minutes at a time, with their parents over a period of time, increasing the timing of the periods according to each child’s individual needs in line with the service’s settling in policy.
- In the outdoor play area staff supported children to engage positively with one another and the children were encouraged to take part in activities that required turn taking and sharing.
- Learning journals, for each child, were available in the Pre-school care room for the inspector to view and were accessible to the children. These contained observations of the children that were linked to Aistear, the curriculum framework and, art work and photographs of the children carrying out activities. Staff stated that the learning journals are shared with parent’s/guardians at the end of the year.
- In conversation, staff stated that meetings take place monthly with management. The inspector was furnished with minutes of previous meetings which included topics such as curriculum planning, drop off and collection of children, cleaning and training.
- Various methods of communication were stated as being in use for exchanging information with parents/guardians including an instant messaging service and verbally at drop off and collection.

PHYSICAL AND MATERIAL ENVIRONMENT:

- All care rooms, including the two new room in operation Rooms 1 and 2, were observed to be laid out in clearly defined areas with toys and resources suitable for the various ages and stages of development of children attending the service.
- The toys and play materials were accessible from baskets on low-level shelving which enabled easy access and encouraged independence and choice.
- Walls in Room One were decorated with seasonal children’s artwork including paintings of bees and chicks while the Pre-school room was decorated with butterflies and trees painted by the children. Family photographs and children’s birthdays were displayed in each care room.
- A range of age and stage appropriate books were available in the libraries of each care room which supported the children’s language and development.
- The outdoor play areas, of which there were four, each had a covered area enabling the children to shelter from the sun and play outdoors in all weathers. All of the children were observed playing outdoors on the day of inspection. Children had access to equipment which promoted gross motor skills including ride-ons for the younger children and slides for the older children. Sand and water troughs, with appropriate resources, provided sensory experiences and a large mud kitchen area, play house and circus tent enabled the children to engage in imaginary play.

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 door was secured upon arrival. A buzzer system was observed to be in operation with staff observed answering the door throughout the day, preventing unauthorised adults from entering the service.
- Cameras were observed in operation and the adults on the desk were able to view adults waiting at the main door.
- All windows were secure, preventing children from exiting from them.

- The highchair in use in the Baby care room was fitted with a five-point safety harness, ensuring the child could not fall out of the chair.
- All toys in the indoor and outdoor play areas appeared in good condition and were well maintained.
- The television cord, in the spare sleep room, was placed out of reach of the children.
- The outdoor play areas were secured with high concrete walls and gates with sliding bolts ensuring that the children could not leave the area unsupervised, and that no unauthorised adult could gain access.

Infection Control:

- All perishable food was observed to be stored in the fridges in the service.
- The adults and children had access to thermostatically controlled hot water for hygienic handwashing which was recorded between 34.7°C to 38.6°C, dispensing soap and dispensing paper roll for hand drying.
- A sterilising unit was available for mouthed toys in kitchen two.
- Staff in the Baby care room were observed wearing disposable aprons and gloves for each nappy change, nappies were disposed of in a lidded, sealed and pedal operated nappy bin. The adult sanitised the area after use and both the adult, and the child washed their hands. The children's personal belongings were labelled and stored under the changing unit.

Administration of Medication:

- Anti-febrile medication, stored in its original container, was available in the event of an emergency.

Safe Sleep:

- There were five cots available in the dedicated Baby sleep area, the inspector observed at 12.45 pm that there were three children awake and two children asleep. Each cot was placed 50 cm apart and each child had a cellular blanket. The inspector observed that a camera was in operation in the sleep room. In conversation the registered provider stated that this was used for auditory purposes to enable staff at reception to monitor the children in the room, along with the ten-minute physical sleep checks which were observed being carried out. The temperature of the sleep room was recorded as 19°C, within the recommended limit for children under 2 years.
- The Playschool care room was observed in use as a sleep room after lunch. The inspector observed four children, over two years of age, resting/sleeping on stackable beds. Each bed had a fitted sheet, and each child had a blanket. Staff were observed carrying out ten-minute physical sleep checks and recording these on a tablet. The temperature of the room was recorded as 20°C.
- Each care room was fitted with a rest/quiet areas where the children could sit away from noisy activities.

Fire Safety:

- Emergency fire doors were observed to be unobstructed.
- The fire assembly point was located in the carpark, a safe distance from the service.
- Fire extinguishers were observed to be anchored with brackets on the walls.

Non-Compliance Information

General Safety:

- (1) Garda vetting was available for all fourteen adults. However, one vetting disclosure was not dated within the previous three years in adherence with the Early Years Inspectorate Regulatory Notice 'EYI- RN12.3 Renewal of Garda Vetting'.
- (2) Both kitchen doors were wedged open providing access to unsafe areas. In kitchen one, along from Room Two, there was no childproof locks on the cupboards under the sink where children could potentially have access to a container of soap scum and grime remover posing a safety risk from exposing the children to toxic materials. In kitchen two, next to the Playschool care room, there were no childproof locks on the fridge in which medication was stored posing a safety risk should children gain access to the chemicals in the medication.
- (3) A storage unit with five trays, located in the spare sleep area, was mobile and made of light plastic material posing a tipping risk should a child lean or pull on it.
- (4) A camera cable was hanging off a drawer on a sink unit in the spare sleep area, posing a safety risk from a child entangling themselves on it.

Infection Control:

- (5) A rubber mat in use on the Room One and Room Two nappy changing unit was observed to have exposed corners with foam sticking out, making it difficult to clean effectively.
- (6) The nappy changing bin in operation in the Room One and Room Two changing area was not pedal operated, posing a risk of cross contamination from the number of adults opening and closing the lid after nappy changing.
- (7) The orange sofa and red chair in the Baby care room were noted to have exposed corners, making them difficult to clean effectively.
- (8) There were four beds with fitted sheets and one mattress stored upright on the floor area of kitchen two, posing a risk of cross contamination. In conversation, the registered provider stated that these were put there temporarily in order to make the Playschool care room available for the children. In future they will be stored under the stairs which are inaccessible to the children.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

- (1) Renewed Garda vetting was applied for and received for one adult. Management will ensure that up to date vetting is on file for each adult in the service in future.
- (2) Both kitchen doors and the fridge have been fitted with safety devices to ensure the children cannot access these areas. Regular checks will be carried out, by management, to ensure the kitchen doors are secured and the kitchen areas are inaccessible to the children.
- (3) The storage unit was removed from the sleeping area.
- (4) The camera cable has been removed from the drawer.

Infection Control:

- (5) The rubber mat in use on the Room One and Room Two nappy changing unit has been removed.
- (6) The nappy changing bin in operation in the Room One and Room Two changing area was replaced.
- (7) The orange sofa and red chair in the Baby care room were removed and a new ones have been ordered.
- (8) The beds and mattresses have been removed from the kitchen and are now stored under the stairs.

Supporting documentation submitted

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

General Safety:

- (1) A copy of the adult's new Garda vetting disclosure.
- (2) Photographs of the new safety devices attached to the kitchen doors and the fridge.
- (3) The statement from the registered provider has been accepted.
- (4) A photograph of the drawer with the camera cable removed.

Infection Control:

- (5) A photograph of the changing unit with the mat removed.
- (6) A photograph of the new pedal operated nappy bin in the changing area of Room One and Room Two.
- (7) and (8) The statements from the registered provider have been accepted.

Summary Comment

The corrective actions implemented by the registered provider 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.

(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 nine adults had completed First Aid Responder (FAR) training and three adults had paediatric first aid. The staff roster confirmed that a person trained in first aid was available at all times.

(2) (a) (b) The first aid box in the kitchen was well stocked and easily accessible to the adults. It was available at all times.

Part VI - Safety

Regulation 26 - Fire safety measures

- (1) A registered provider shall ensure that a record in writing is kept of-
- (a) any fire drill that takes place in the premises, and
 - (b) the number, type and maintenance record of 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 of monthly fire drills were available in the service. The last fire drill recorded was dated 5 March 2024, with previous dates including 20 February 2024 and 16 January 2024.
 - (b) Written records were available recording the number, type and maintenance records of the firefighting equipment and the smoke alarms. The firefighting equipment certificate was dated 14 March 2024 and the smoke alarm certificate was dated 06 June 2023.
- (2)
- (c) All records referred to in paragraph (1) were open to review by the inspector.
- (4) The fire drill routines were located on the walls of the Baby and Pre-school care rooms and in the reception area.