

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015CC362
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<b>Name of Service:</b>	Shanakiel Childcare
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<b>Address of Service:</b>	Mile Stream, Shanakiel, Co. Cork
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<b>Eircode:</b>	T23 D766
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<b>Name of Registered Provider:</b>	Elaine Bermingham
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<b>Service type:</b>	Full Day, Sessional
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<b>Date(s) of Inspection:</b>	08/04/2024
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<b>No of pre-school children:</b>	AM	99	PM	84
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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 & N Reidy
<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

Shanakiel Childcare provides full day and sessional care and education to early years children. While it is registered to cater for children aged 0 to 6 years, it currently accommodates children from the age of 12 months. The Early Childhood Care and Education (ECCE) Scheme is facilitated from 9.00am to 12.00pm, each Monday to Friday, over a 38-week annual period and the service is open throughout the year, with the exception of public holidays. Daily opening hours are from 7.30am to 6.00pm.

Located in a residential area of Shanakiel, on the outskirts of Cork city, the service consists of two adjoining premises; the original two storey, split level, building and an adjoining single storey building. The larger of the two premises accommodates children up to the age of three and a half and comprises five care rooms, with adjoining child sanitary facilities and three designated sleep rooms. Since the previous inspection, a former sleep room has been converted into a staff room. Also included in this building are staff sanitary facilities, a kitchen, an office, a sluice room and an entrance area. Children aged three to six years attend the adjoining premises, which consists of three care rooms, with adjacent sanitary facilities and a kitchen. A large outdoor play area is available at the rear of the setting.

### Staffing

At present, there are 31 adults employed by the service, 29 of whom work with the children who attend. The registered provider is not service based and an administration officer is not involved in the direct care of the children. Each of the 29 adults who are employed to work directly with the children have attained a relevant award in Early Childhood Care and Education. Seven students were also undertaking work placements at the setting.

### 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.

The inspection focused on an examination of compliance under regulations 9, 11, 16, 19, 20 and 23; however, on inspection additional non-compliance which posed a risk, was identified under regulation 29 premises. This finding is outlined within the relevant regulation within this report.

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 person in charge, deputies, 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 registered provider had ensured that a designated person in charge and named deputies, who could deputise as required, were allocated to the service.
  - (b) At all times, either the designated person in charge or a named deputy were on the premises. When the unannounced inspection commenced, the person in charge was on duty and remained on duty for the duration of the inspection process.
- (2) The person in charge confirmed that 31 adults were employed at the service and that seven students were undertaking work placements. The recruitment records in respect of these 38 adults were the subject of the inspection.
- (a) There were 54 written references and validations on file from past employers.
  - (b) There were 22 written references and validations on file from sources other than previous employers.

- (c) The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years, in respect of each of the adults.
- (d) Police vetting was on file for 10 adults, who had resided outside the jurisdiction for a period of longer than six consecutive months.
- (4) The 29 adults who worked directly with the children had attained a Quality Qualifications Ireland (QQI) award in childcare, as listed on the National Framework of Qualifications (NFQ).

### 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 noted that an adequate number of adults were responsible for the direct care and supervision of the children in attendance.

(2) The required adult to child ratios were observed in all of the care rooms, which were in operation as follows:

Morning:

Room Name and Age Range of Children	Number of Children Present	Number of Adults Present
Wobbler 1 (12 months)	2	1
Wobbler 2 (12 to 16 months)	8	3

Playschool (2 – 2 ½ years)	12	2
Toddler (1 – 2 years)	11	4
Pre-Preschool (2 ½ - 3 ½ years)	14	3
Pre-school 1 (3 – 4 years)	18 attending ECCE	3
Pre-school 2 (4 – 5 years)	19 attending ECCE	2
Montessori (4 ½ - 5 ½ years)	15 attending ECCE	3

Two students were not included in the adult child ratios.

Afternoon:

Room Name and Age Range of Children	Number of Children Present	Number of Adults Present
Wobbler 2 (1 – 1 ½ years)	9	2
Playschool (2 – 2 ½ years)	12	2
Toddler (1 – 2 years)	10	2
Pre-Preschool (2 ½ - 3 ½ years)	14	3
Pre-school 1 (3 – 4 years)	14	2
Pre-school 2 (4 – 5 years)	15	2
Montessori (4 ½ - 5 ½ years)	10	2

The Wobbler 1 room was unoccupied in the afternoon.

(8)

(a) At least two adults were present at all times throughout the inspection period. This practice was also evidenced through 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:

(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.

### Compliance Information

(1)

(j) Ten sampled records in relation to the administration of medication were found to have been completed in full. Written parental consent for staff to administer said medication was also in place.

(k) A sample of 10 accident and incident records was assessed and deemed satisfactory.

## 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:**

- On the day of the inspection, the children were accommodated to eat and drink at frequent intervals; a mid-morning snack was observed at approximately 10.00am, lunch was served shortly before 12.00pm and an afternoon snack was facilitated at 2.40pm.
- Mealtime atmospheres were observed to be relaxed and sociable; plenty of time was afforded for children to enjoy their meals and the assistance offered by adults was appropriate to the children’s developmental stage. Feeding bibs were available for the younger children, along with suitable, easily handled cutlery. In the Pre pre-school room, children were offered second helpings at lunch time.
- Drinking water was available to the children, should they become thirsty outside of routine meal breaks.
- Nappy changing was carried out at designated intervals and staff confirmed that it was also ensured according to the children’s needs. The older children were noted to utilise the sanitary facilities in an independent manner, with supervision provided by a staff member.
- On the morning of inspection, the children who attended Wobbler 1 were observed to sleep as needed in the adjoining sleep room. During discussion with staff in Wobbler 2, it was confirmed that in addition to facilitating scheduled rest periods, staff also accommodated children to sleep according to their requirements, for example, if a child were to display signs of tiredness.
- The adults were observed to be responsive to the children’s needs for praise, encouragement and reassurance. For example, children were acknowledged in their efforts and were readily comforted, when upset.
- Individual care plans were in place for the children who had specific allergies or medical conditions. These care plans were easily accessible and detailed the appropriate actions to take in the event of an emergency. Clearly signposted displays within the various care rooms, highlighted the names and photographs of the children who had dietary requirements and allergies.
- The layout of the care rooms afforded children sufficient space to move freely and engage in a range of play activities. Outdoor play was not observed, due to wet weather conditions.

### Part V - Care of Child in Pre-school Service

#### Regulation 20 – Facilities for rest and play

(1) Subject to this regulation, a registered provider shall ensure that-

(b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

#### Compliance Information

(1)

(b) Rest areas were available in each of the care rooms, for children to use as needed. These included vinyl sofas, floor mats, cushions, pillows, soft toys and books.

Children under the age of two years were accommodated to sleep in standard cots, across three designated sleep rooms. There were 30 cots in total, each fitted with a waterproof safety mattress. A supply of 31 stackable beds and bed linen, were provided to meet the sleep requirements of children aged over two years. Sleep rooms and the care rooms used to facilitate sleep, were fitted with window blinds, which could be lowered to create a restful environment for the children.

### Part VI - Safety

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

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

#### Compliance Information

##### General Safety:

- Entry and exit via the two main entrance doors were through the use of a fob key. A buzzer entry system was in place for parents, guardians and visitors. The risk of unauthorised access and that of a child exiting the premises while unsupervised, were therefore minimised.
- A fob key was also required to access the outdoor play environment, at the rear of the premises.
- There were no cables or trailing flexes accessible to children.
- Restrictive opening devices were in place on low-lying cupboards, which contained potentially hazardous items.
- Child access to the kitchenette area in the Wobbler 2 room, was appropriately managed; a safety gate was in place to prevent the children from coming into contact with potentially hazardous items or equipment.

- Safe storage of cleaning agents was ensured, for example, high-level shelves were used for this purpose.
- High chairs in the Wobbler 1 room were fitted with five-point harnesses.
- The staff sanitary facility located in the in the Wobbler 1/Wobbler 2 changing area, was secured from the outside, which prevented children from gaining access.

### Infection Control:

- Warm running water, liquid soap, disposable paper towels and lidded, pedal-operated bins were in place for handwashing and drying.
- It was noted that the children's hands were washed following nappy changing procedures and children were supported to wash their hands before mealtimes. Older children were reminded to wash their hands after using the sanitary facilities.
- Labelling of the children's toiletries was ensured within the nappy changing areas.
- The inspector was informed that the laundering of bed linen was outsourced to an external company on a weekly basis. A written record was in place to this effect and was noted to be up to date.
- It was observed that adequate space was ensured between the children's stackable beds, during a scheduled rest period and cots within the sleep rooms were also positioned to allow sufficient space in between. This practice helped to minimise the risk of cross infection.
- A sample of the cleaning records displayed were reviewed and found to be completed to date. Staff were also observed to sweep the floor after the children had finished eating lunch.
- Open windows in the care rooms allowed for natural ventilation.

### Administration of Medication:

- The administration of medication was not observed on the day of the inspection.
- Prescribed medication for children was noted to be appropriately stored out of the children's reach, in-date and clearly labelled.

### Safe Sleep:

- Frequent checks of children's position, breathing and colour were carried out by the adults, while the children slept. The corresponding details were logged on a digital application and were visible to parents.
- The recorded air temperatures in each of the three designated sleep rooms fell within the recommended range of 18°C to 22°C, for children aged over 12 months; while occupied by sleeping children, air temperatures of 19.7°C, 19.8°C and 20.6°C were respectively taken in the Wobbler 1 sleep room, the Wobbler 2 sleep room and the Toddler sleep room.

### Fire Safety:

- Fire exit doors were noted to be free from obstruction.

### Outing:

- An outing was not observed to take place.

### Non-Compliance Information

#### General Safety:

1. Slip hazards were not appropriately managed in the Toddler room. A staff member was observed to mop the floor, while the children were present. It was acknowledged that the children were seated at the tables awaiting their lunch, however, should a child have left one of the tables, the wet floor posed a risk of injury.

#### Infection Control:

2. In the Toddler room, the children were noted to eat their afternoon snacks, which included raspberries, cheese and bread, directly from the table, as crockery was not provided. This increased the risk of cross infection. This was also found in the same room, at a previous inspection on 11 April 2022. The CAPA response submitted at the time outlined that the service had encouraged the use of crockery and placemats for snacks. However, this was not found in practice.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### General Safety:

1. The written response outlined that, following the inspection, management explained to staff in the Toddler room that this was not safe practice and highlighted that a wet floor could lead to slips or falls. Management instructed the staff to refrain from mopping floors when children can access the wet floors. An email was sent to all staff, to remind them of appropriate times to mop floors. Oversight of this issue will be maintained by management, via weekly checks of all rooms, to ensure that mopping is being undertaken when children are resting or playing outside.

#### Infection Control:

2. Following the inspection, management checked that there was enough crockery for each child and instructed staff to use the crockery at all mealtimes, with an emphasis on the importance of this practice in preventing cross infection. As an alternative to crockery for snack times, individual placemats were made for each child's use.

An email was sent to all staff in relation to the use of individual crockery, or placemats, at all mealtimes. Oversight of this issue will be maintained by management, via weekly checks of all rooms, to ensure the use of crockery or placemats at each mealtime.

### **Supporting documentation submitted**

#### **General Safety:**

1. A screen shot of the email sent to staff members and a copy of the record used to document the checks undertaken by management.

#### **Infection Control:**

2. A screen shot of the email sent to staff members, along with a copy of the record used for the checks carried out by management and a photograph of the recently made placemats.

### **Summary Comment**

The registered provider has demonstrated that the non-compliances identified under regulation 23 have been resolved.

### 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.*

#### Non-Compliance Information

(e) There was inadequate drainage at the wash hand basins in the Playschool and Toddler care rooms. As the children washed their hands at these wash hand basins, water from the taps quickly accumulated in the basins, causing them to fill up. High water pressure was also noted at the wash hand basin in the Playschool room, when the handle of the mixer tap was turned to allow the flow of warm water.

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

##### Corrective and Preventive Action

The written reply outlined that management contacted a plumber, who has since attended the service and has resolved the issues of inadequate drainage and high water pressure. Management has instructed the staff in the Toddler & Playschool rooms to actively monitor the drainage of the sinks and to inform a member of management, if any blockages are observed.

##### Supporting documentation submitted

A photograph of the drain unblocker used by the plumber and a photograph of the new tap, which was installed in the Playschool room, to reduce the water pressure.

#### Summary Comment

The corrective action implemented by the registered provider has addressed the non-compliance identified under regulation 29.