

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015CE028		
<b>Name of Service:</b>	Clonlara Community Childcare		
<b>Address of Service:</b>	Clonlara, Co. Clare		
<b>Eircode:</b>	V94 VXD4		
<b>Name of Registered Provider:</b>	Michael Begley		
<b>Service type:</b>	Full Day, Part Time, Sessional		
<b>Date(s) of Inspection:</b>	11/04/2023		
<b>No of pre-school children:</b>	AM	44	PM 44
<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Quality and Regulation Directorate, Tusla, Ennis Primary Care Centre, Station Road, Ennis, Co. Clare		
<b>Inspection undertaken by:</b>	M. Ní Nialláin and Á McCarthy		
<b>Title:</b>	Early Years Inspectors		
<b>Authority to Inspect</b>			
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>	Not applicable		

### Description of service

Clonlara Community Crèche is a full day care childcare service which first opened in 2008. It is operated by a community based limited company. It is registered to cater for 100 children between birth and 6 years. The service operates from 8am-6pm Monday to Fridays.

### Staffing

The registered provider is one of the company directors and the chairperson of the management committee for the service.

A service manager operates the full day service assisted by a deputy manager, nineteen childcare staff and three support staff. The service manager, deputy manager, three support staff and thirteen childcare staff were present on the day when the unannounced inspection was carried out. Thirteen of the fifteen adults including the managers working directly with the children on the day had a childcare qualification. Two adults are undertaking a childcare course and a further six adults who were on leave on the day of inspection held a childcare qualification.

### 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 and safety. The inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11, 15, 19,22, 23, 25, 26, and 28. These findings are outlined within the relevant regulations 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, staff and children who were present on the day of the inspection.

## Additional Information

An immediate action notice was issued to the registered provider on the 12<sup>th</sup> April 2023 regarding a breach of Regulation 23, Safeguarding health, safety and welfare of the child.

Cleaning agents and chemicals used in the service were not stored in a safe manner. This posed a significant risk of harm to the children in attendance.

Unsecured, looped, cord blinds were observed in two windows of the sleep room off the Baby room, posing a risk of strangulation to children.

An appropriate response to the immediate action notice was received by the Early Years Inspectorate on the 13<sup>th</sup> April 2023.

### 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) On the day of the inspection, the service manager was the designated person in charge and there was a named person available who was able to deputise if required.

(b) During the period of the inspection, the designated person in charge was present on the premises. The staff roster indicated that the designated person or their deputy were always available on site.

(2)(a) Validated references from past employers were available for some of the adults employed in the service.

(b) Where past employer references were not available, references from a source other than a past employer were provided.

(c) Vetting disclosures received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 were available for all the adults working at the service.

(d) Police vetting was available for four adults who had lived outside the state for a period greater than six months.

(4) Nineteen adults working directly with children in the service held an appropriate qualification in Early Childhood Care and Education.

## Non-Compliance Information

(4) Two adults working directly with children in the service did not hold an appropriate qualification in Early Childhood Care and Education. This issue was non-compliant on the previous 4 inspections dated 30/03/2022, 14/09/2021, 26/09/2019 and 06/11/2018.

## Corrective & Preventive Action submitted by the Registered Provider

The service manager submitted a response on the 22<sup>nd</sup> May 2023 which stated:

### Corrective and Preventive Action

Two adults are undertaking a childcare course and are close to completion. The service will not employ childcare staff in the future without the minimum qualifications.

### Supporting documentation submitted

None

## Summary Comment

The requirement of the regulation 9(4) has not been met for two adults working in the service. While it is acknowledged that the staff are completing a childcare course, a date for completion has not been submitted.

## 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) On the day of Inspection there were thirteen adults working with forty -four pre-school children. The adult to child ratio in the service was correct.

(2) The staff roster showed that the service manager ensured that the minimum ratio of adults to children was adhered to in the service.

(8) (a) During the inspection, the staff roster indicated that more than two adults were available in the service.

### 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.*

*(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-*

- (a) a parent or guardian of a pre-school child but only in respect of the record relating to that child,*
- (b) an employee who is authorised in that behalf by the registered provider, and*
- (c) an authorised person.*

#### Compliance Information

- (1) A sample of twenty-five children's files out of a total of 79 were inspected. The service maintained an adequate record for these children attending the service, in accordance with Regulation 15(1) (a) to (i).
- (3)(a) Parents/guardians had access to all information and written records relating to their own child.
- (b) Records were available to the authorised person in the service.
- (c) Records were open and available for inspection to the Tusla Early Years Inspectors.

## 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.

#### Compliance Information

##### (1)(a) BASIC NEEDS:

- Some of the children attending were served their meals and snacks in the dining room. The younger children were served their meals in the playrooms.
- Toileting and nappy changing were carried out in four designated nappy changing areas. Each child had access to a change of clothes if needed.
- The children were encouraged and supported to manage their own personal care appropriate to their stage of development. Regular hand washing by the children was observed.
- The children enjoyed freedom of movement in the pre-school rooms and some in the outdoor areas.
- Sleep facilities with standard cots were available in a sleep room off the Baby room and in a designated corner of the nearby Wobbler room. Low level beds were used for all the other children in the service requiring sleep.
- Children were monitored while sleeping and all checks were recorded in the service electronic application.

##### PHYSICAL AND MATERIAL ENVIRONMENT:

There were seven indoor playrooms in the service, and four were in use on the day of inspection.

- The rooms were designated according to the age group of the children using them.
- The playrooms were laid out with uncluttered, clear floor spaces for the children to play safely.
- All rooms provided opportunities for different types of play and learning.
- The facility had an enclosed outdoor play area adjacent to the playrooms which was subdivided to cater for the different age groups of children. It contained an all-weather matting surface with slides, ride on vehicles and storage sheds for the toys and equipment. The local GAA facilities were also used by the children for nature walks and physical activity.
- Two new, small outdoor enclosed areas had been designated for outdoor play outside the Baby room and the Wobbler room. These areas were still undergoing a process of development.

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

#### Regulation 22 – Food and drink

*A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.*

#### Compliance Information

- The service had a healthy eating policy, and a daily/weekly menu was available.
- The food was prepared and cooked freshly on the premises on a daily by designated cooks.
- The parents provided some snacks for their child.
- Some children had their meals in the dining room and some had their meals in the playrooms.

#### Non-Compliance Information

1. Adequate suitable and nutritious food and drink was not available for each pre-school child attending the service. The dinner prepared in the service was processed and at variance with the menu plan, consisting of sausages, fish fingers, beans and mashed potatoes. The afternoon snack consisted of croquette potatoes, pancakes, strawberries, and brioche bread rolls.
2. The children having their meals in the dining room did not have access to a drink at mealtimes as each child's individual drinking bottle was stored in their playroom.

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

The service manager submitted a CAPA response on the 22nd May 2023 which stated:

##### Corrective and Preventive Action

- 1 A new balanced menu has been created and implemented and all meals will have a balance of fresh ingredients. The ordering will be overseen by management and any changes will be approved by management.
- 2 The staff will ensure that children have access to drinks at all times and management will oversee this.

##### Supporting documentation submitted

None

#### Summary Comment

Based on the written submission, the requirement of the regulation has been met.

### 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 persons in charge ensured that complete and accurate daily records of attendance were kept for all children, adults, and visitors to the service.
- Fire doors throughout the building were unobstructed.
- The external outdoor play areas were secured.

##### Infection Control:

- Playrooms, the sleep room, communal, and sanitary areas were adequately ventilated by natural and mechanical forms of ventilation.
- There was liquid soap at the wash hand basins to facilitate hygienic hand washing for children and adults. Paper towels were provided in the dispensers in all the sanitary areas used by the children and adults to facilitate hygienic hand drying.
- Four designated nappy changing areas were available in the service and nappy changing procedures were carried out in an appropriate manner.

##### Administration of Medication:

- Appropriate documentation was available in the event that medication was required by a child attending the service. Medication was administered in the service on the day of inspection and the relevant information was recorded on the service electronic application.

##### Safe Sleep:

- Standard cots were available in the sleep room off the baby room and in section of the Wobbler room. Sleep beds were available for children aged over 2 years of age should they require sleep or rest. Sleeping children were monitored and a log was maintained.

##### Fire Safety:

- Monthly fire drills were carried out in the service.

### Non-Compliance Information

#### General Safety:

1. Cleaning agents and chemicals used in the service were not stored in a safe manner. The laundry room on the ground floor was accessed by a fire door while in the closed position. A child could gain unauthorised access to this room as it was on a corridor opposite the dining room which was used frequently by the children. There was washing machine liquid pods, bleach, limescale remover and other chemicals on the top of the sink unit and in an openable press under the sink unit. Cleaning agents were also stored within reach of children at several locations throughout the service. This posed a significant risk of harm to the children in attendance. These items were removed and secured by the manager at the time of inspection.
2. Unsecured, looped, cord blinds were observed in two windows of the sleep room off the Baby room. A cot was positioned close to these windows. These posed a significant risk of strangulation to the children present.

An immediate action notice was issued to the registered provider on the 12<sup>th</sup> April 2023 regarding a breach of Regulation 23, Safeguarding health, safety and welfare of the child.

3. Four high baby chairs in the Dining room and four high baby chairs in the Baby room had no covers on the plastic seating bases, thus the children sat on the hard plastic frames of the chairs at mealtimes, presenting an uncomfortable experience for the children and a risk of uneven surfaces placing pressure on the soft tissue areas of young children.

#### Infection Control:

4. There was a portion of floor covering missing from an area in the Baby room adjacent to the exit door. Insects were crawling around under a loose mat used to cover the missing floor cover posing a risk of contamination in the Baby room.
5. Some of the bins in use in the service were not foot operated and lined, thus posing a risk of cross infection in the service.

6. Children were observed to be directed to sit on the floor in a corner of the Dining room on completion of their snack/meal. The staff from their playroom tidied up the Dining room after using it by cleaning the tables, high chairs and sweeping the floor. This practice posed a risk of cross infection in the service.
7. Plates were not used at snack times and the food was served directly into the children's hands who in turn placed the food directly on the tables. This practice posed a risk of cross infection in the service.

### Safe Sleep:

8. Standard cots were not available for all the children under two years of age requiring sleep in the Wobbler room. Sleep beds were used for sleep by some of the children under two years of age.
9. There were six cloth cot mattresses in use in the Baby sleep room which did not have recognised safety labels meeting EU safety standards. Two of the cots had shared use and were not covered with a breathable, waterproof material for ease of cleaning. The other four single use cot mattresses did not have a washable cloth mattress protector to prevent cross contamination and the spread of infection.
10. There was electrical flexes unsecured in the Baby sleep room posing a tripping hazard and a safety hazard.

### Action submitted by the Registered Provider

The service manager submitted a response to the immediate action notice on the 13<sup>th</sup> April 2023 and a response on the 22<sup>nd</sup> May 2023 which stated:

#### Corrective & Preventive Action

##### General Safety:

An appropriate response to the immediate action safety notice was received by the Early Years Inspectorate on the 13<sup>th</sup> April 2023. It stated;

The safety risks have been communicated to staff.

1. Cleaning agents were moved out of reach of children and a safety lock was placed on the cupboard door in the laundry room. Staff have been advised regarding the safe storage of cleaning agents and chemicals.

This will be checked regularly by management.

2. The cord blinds will be checked daily by management.

3. Covers have been placed on the high chairs and staff have been informed they must not be removed.

**Infection Control:**

4. It has been arranged that a portion of floor covering missing from an area in the Baby room adjacent to the exit door will be replaced by a supplier. The issue of the insects crawling around under a loose mat used to cover the missing floor cover has been resolved.
5. Foot operated and lined bins have been purchased and will be used at all times going forward.
6. Staff will ensure that children return to their playroom after mealtimes in the dining room and that a designated person will clean and tidy the dining room.
7. Children will be served all food on plates and this will be supervised by management

**Safe Sleep:**

8. Children under two years of age will sleep in standard cots .
9. The mattresses have been checked and are approved for EU safety standards. Waterproof mattress protectors have been placed on the cots.
10. All electrical flexes have been secured and will be checked daily by management.

**Supporting documentation submitted**

**General Safety:**

- 1., 2., and 3: Photos and receipts.

**Infection Control:**

4. None.
5. Photos and receipts.
6. Written submission.
7. Written submission.

**Safe Sleep:**

8. Written submission.
9. Photos.
10. Written submission.

**Summary Comment**

The requirement regarding point 1 and 2 of general safety has been addressed. Compliance with the remainder of regulation 23 will be reviewed at next inspection.

## 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) Two adults present in the service had updated First Aid Responder training and the certificates were valid to October 2024 and March 2025.

(2)(a) There were suitably equipped first aid boxes stored in designated areas in each playroom.

(b) The first aid boxes were available to the children attending the pre-school service 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 fire fighting 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) Records are available to show that fire drills were carried out on a monthly basis.

(b) A record of the number, type and maintenance of fire fighting equipment and smoke alarms were available on the premises with the most recent services having been completed on the 15th of February 2023 and 21<sup>st</sup> July 2022.

(4) The fire evacuation procedures were displayed in conspicuous positions on the premises.

## Part VI – Safety

### Regulation 28 – Insurance

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

#### Compliance Information

The insurance certificate for the service was available and in date on inspection. The required cover was available for a maximum of 100 pre-school children who could attend at any one time.