

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015CN013		
<b>Name of Service:</b>	Busy Bees Toddlers LTD		
<b>Address of Service:</b>	Leiter, Bailieborough, Cavan, Co. Cavan		
<b>Eircode:</b>	A82 N882		
<b>Name of Registered Provider:</b>	Margo Campbell		
<b>Service type:</b>	Full Day		
<b>Date(s) of Inspection:</b>	17/06/2024		
<b>No of pre-school children:</b>	AM	24	PM 18
<b>Address of the Early Years Inspectorate:</b>	Tusla Early Years Inspectorate Family Resource Centre, Commons Road, Navan, Co Meath.		
<b>Inspection undertaken by:</b>	AM Cunningham & D Duffy		
<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

Busy Bees Toddlers LTD was established in 2003. It is a privately run full day care, part time and sessional pre-school service for children aged 0- 6 years. It is in a rural area and operates from 08.00am to 18.00hrs each weekday. The service participates in the Early Childhood Care and Education (ECCE) scheme and operates an ECCE programme from 09.00am to 12.00 midday and an afternoon session from 12.10pm to 15.10pm within the pre-school room. The service currently is registered to care for a maximum of 22 pre-school children. The service is a single storey childcare facility consisting of 2 care rooms namely, the Baby/Toddler room, Pre-School room, cot room, nappy changing area, and sanitary facilities. There is an additional room available that the registered provider stated is used for sleep, on the day of inspection this room was used for storage. An outdoor play area is available to the rear of the premises.

### Staffing

The registered provider is in charge of operating the service on a day-to-day basis. The registered provider employs 11 staff members this includes the deputy person in charge and 6 staff members who provide direct care to preschool children, and an additional 2 staff members who provide care to school aged children only and one staff member who is on statutory leave.

### Methodology

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

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

The findings on inspection are based on:

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

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

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

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

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

## Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, staff and children who were present on the day of the inspection.

## Part II - Registration and Register

### Regulation 8 - Notification of change in circumstances

*(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.*

### Non-Compliance Information

1. The registered provider was found to be operating outside the service registration status. A new room has been built to the back of the service accommodating 15 preschool children which had not been notified to the Early Years Inspectorate registration office or approved.
2. There were 24 pre-school children present on the day of inspection; the service is registered to accommodate 22 pre-school children at any one time. On review of the daily attendance book, it was observed that on the following days the maximum capacity of the service was not adhered too. Examples taken from the children's register of the number of children attending on the following dates; 24/05/2024 - 28 children; 6/06/24 - 28 children; 7/6/24 - 25 children; 10/6/24 - 25 children; 11/6/24 - 25 children; 12/6/24 - 24 children; 13/6/24 - 25 children; 14/6/24 - 25 children; and on the day of inspection 17/6/24 - 24 children were present.

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

#### Corrective and Preventive Action

1. The new room has been notified to Tusla.
2. The registered provider acknowledges that the number of children in attendance exceeded 22 on a few occasions. On the Friday following inspection 10 children finished up. The registered provider has liaised with National Office via email and phone call and also the planning authorities

The registered provider stated that she will ensure that the number of children attending at anyone time does not exceed maximum capacity.

### Summary Comment

A change in circumstances application was submitted by the registered provider regarding the new room, this has been approved for use. The registered provider has given assurances that numbers of children will not exceed the numbers that the service is registered for and this has been accepted. The registered provider must obtain approval for any changes to the services registration status prior to implementation.

### 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.*

*(6A) Paragraph (4) shall not apply to an employee of a registered provider where - (a) the registered provider receives funding for the employment of the employee pursuant to a scheme funded by the Minister and known as the Access and Inclusion Model, and (b) the employment of the employee is for the purpose of providing support, pursuant to the scheme referred to in subparagraph (a), for a child attending the service to enable the child to participate in the programme known as the Early Childhood Care and Education (ECCE) funding Programme.”*

### Compliance Information

- (1) (a) The service had a designated person in charge and a named person to deputise as required.
- (b) A designated person in charge was on the premises when the inspectors arrived unannounced to carry out the inspection.
- (2) (a)&(b) Fifteen validated written references were available either from a past employer or from a reputable source.
- (c) Garda vetting disclosure was available for all staff members. 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) Police vetting was available for 2 staff members who had resided outside the jurisdiction for a period of more than 6 consecutive months as an adult.
- (4) Nine childcare staff members had a major award in Early Childhood Care and Education at Level 5 and above on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent.

### Non-Compliance Information

- (2)(a) Staff references were not maintained as follows
- Two references were not available for one staff member,
  - A second reference was not available for one staff member,
  - Five references that were available were not validated.
- (d) A curriculum vitae was not available for five staff members to determine if police vetting was required.

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

#### Corrective and Preventive Action

The registered provider stated the following

References are being sought for both members of staff.

References available were validated.

C.Vs are now located for staff inspection, on review, no police vetting was required.

The registered provider stated that she will check all staff files regularly and ensure everything is up to date.

#### Summary Comment

Two references have been received for the staff member and evidence that references were validated. The curriculum vitae was obtained. Based on the response from the registered provider and evidence submitted, the non-compliances in this regulation have now been addressed.

### 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) 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, the registered provider, deputy person in charge and 6 childcare staff including the registered provider were working directly with the 24 children attending the service. An additional staff member arrived at the service at 12 mid-day.

(2) The following adult to child ratios were observed:

The Baby/Toddler Room had 9 children ranging in age from 1 year 8 months to 3 years being cared for by 2 adults. A third staff member was available to the room. Nine children were attending for full day care.

The Preschool Room had 15 children ranging in age from 3 years to 4 years being cared for by 2 adults. Nine children attended for full day care. A third staff member arrived to the room at 12midday.

The registered provider was also available to assist in the care rooms.

(8) (a) According to the staff roster the registered provider ensured that 2 adults were present on the premises at all times.

### 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:*

*(i) details of staff rosters on a daily basis;*

### Compliance Information

(1)(i) A staff roster was available for inspection.

### Non-Compliance Information

(1)(i) The staff roster presented for inspection was not reflective of the staff who were working in the service during the week that the inspection took place. One staff member was on annual leave but was rostered to work. The daily record of attendance was not being accurately completed by staff as it was recorded that only two staff members had signed in. A record of attendance of the remaining staff was not being maintained.

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

## Corrective and Preventive Action

Staff all now sign in and out on a daily basis.

The registered provider stated that weekly checks are carried out by the registered provider.

## Supporting documentation submitted

A current roster has been submitted to the Inspectorate and daily staff sign in records.

## Summary Comment

Based on the information submitted, the registered provider has addressed the noncompliances in Regulation 16.

## 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 Care Needs:

- Nappy changing occurred regularly and in a timely manner and staff members were observed engaging in warm one to one interaction with the children when they were changing their nappies. The staff members were observed to be responsive to the children's cues that they needed to use the toilet providing assistance when necessary.
- The children were encouraged and supported to manage their own personal care appropriate to their own level of independence. Regular hand washing was observed by the children. There were child friendly visual aids to support the children with effective hand washing in the service.

## Supporting Relationships Around the Children

- Children’s behaviour was managed in an age-appropriate and positive manner with distraction, re-direction and problem-solving techniques used to good effect to prevent any minor problems from escalating.
- Children spend most of the inspection in the outdoor area, staff moved around the outdoor area available to children if required, for example on the swings and the slide. Staff were chatting and playing with them also.
- At 12md when the ECCE morning group was finished the children moved indoors for a story while waiting to be collected. This provided a smooth transition for all children.

### 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-

- (a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child to play indoors and, where required by these Regulations, outdoors, during the day, and
- (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) There were six stackable beds available for children who require sleep.

There were two cots available in the cot room and a cot in the care room that was not in use on the day of inspection.

(3)(a) There was a large outdoor space with a soft surface area and a grass surface area which was divided by fencing into different areas to accommodate the age range of children in the care rooms. On the day of inspection all children played in the larger outdoor area. The outdoor area included sit on toys, swings, large wooden tractor and trailer, train, mud kitchen, water tray, planting area, goal posts and push along toys. Partially sheltered areas permitted outdoor play in all types of weather.

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

### Regulation 21 – Equipment and materials

*A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.*

#### Compliance Information

In the Baby/Toddler room some equipment was available on low level shelving for example car mat and some cars, musical instruments, blocks, trucks, small world people and dolls. In the Preschool room some equipment was available on low level shelving which included magnetic toys, mr. potato head, dinosaur's, art supplies, cubes, connectors, a book corner, and a train track.

In the larger outdoor area, equipment such as ride on toys, mud kitchen, large wooden tractor and trailer train, swings, covered area with mud kitchen, slide, water tray, overhead covered area's one with a bench and another with a mud kitchen, areas to dig and explore.

#### Non-Compliance Information

**In the Baby/Toddler room** the kitchen area was not adequately resourced.

- The rest/relaxation area was not suitably developed for example when two children rested on the couch and chair there was not enough space for the remaining children.
- There were no clothes readily available for the dolls.
- The kitchen unit was poorly resourced and too high for some of the children in the room.

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

##### Corrective and Preventive Action

The registered provider stated that

- A larger rest and relaxation area was made to accommodate all the children to relax.
- New mattresses were purchased.
- Dolls and dolls clothes were washed and in easy access for children.

As a preventive action the registered provider stated that she would ensure the relaxation area is readily available and dolls are clean and clothes accessible.

##### Supporting documentation submitted

Photographic evidence of the rest/relaxation area developed and dolls clothes available submitted to the inspectorate.

#### Summary Comment

The registered provider has addressed the non compliances in Regulation 21.

## 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

Drinks were available to the children throughout the day in their own individual bottles. The service provided all the food for the children attending the service.

On arrival of the children to the service breakfast was served between 08:30 and 09:00am which consisted of cereals and toast. A morning snack was served at 10:30am which consisted of toast, banana and apple. The dinner was served at 13:30pm which was pasta Bolognese for the older children and Bolognese served with potato for the younger children. An evening snack of crackers, fruit and yogurts served at 4pm before leaving for home.

## 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 following safety measures were in place on the day of inspection:

- All cleaning agents were stored out of reach of the children.
- The main door to the service was secured; to gain access a staff member answers the doorbell. The outdoor spaces were enclosed with fencing and a gate. These security measures ensured that a child did not exit unsupervised and restricted unauthorised persons from gaining access to the service and outdoor spaces.
- The emergency exit internal doors were unobstructed.

##### Infection Control:

- Children were assisted to wash their hands following outdoor play.
- A cleaning schedule was in place with up-to-date records.

### Non-Compliance Information

#### General Safety:

1. Garda vetting was available for four staff members. However, this vetting disclosure was not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'
2. The large slide in the outdoor area was not anchored to prevent it from toppling over while a child was on it.

#### Infection Control:

3. One child's bottle of milk was stored in the child's bag and not refrigerated to prevent the growth of food poisoning bacteria.
4. Cleaning schedules available did not include the cleaning of soft toys.
5. Cloth dolls in the Baby/Toddler room were visibly dirty.
6. The mattress in the three cots were visibly stained and not a wipeable surface. One mattress was ill fitting and as a result had potential footholds.
7. The radiator cover and shelving units in the preschool room consisted of untreated wood and was not painted. A wipeable surface for effective cleaning was not provided.

#### Safe Sleep:

8. Ten-minute observations on sleeping children were not carried out at all times. One sleeping child was not checked by a staff from 11.55am until 12.38pm. Best safe sleep practices were not being adhered to.

#### Fire Safety:

9. On the 13/05/2024 a competent person reviewed the fire alarm system a note was on the maintenance file stating they were 'unable to service due to faulty PSU'. This fault has not been repaired and the maintenance certificate is not available for the fire alarm system.

### Action submitted by the Registered Provider

### Corrective & Preventive Action

#### General Safety:

The registered provider stated the following actions were taken

1. Updated Garda vetting applied for last week.
2. The slide is now anchored to the ground.

#### Infection Control:

3. Staff are putting childrens bottles in the fridge labelled.
4. Cleaning schedule was submitted.
5. Cloth dolls hot washed.
6. Three cot mattresses replaced with waterproof wipeable mattresses.
7. Radiator will be painted during holidays due to toxic fumes before 14<sup>th</sup> August. Photo to follow.

#### Safe Sleep:

8. Staff were informed of dangers of not checking the sleeping child. Better communication required and going forward will not happen again.

#### Fire Safety:

9. The Wednesday after the inspection as pre booked Fire protection resolved this and I sent this to the inspector on that Wednesday as requested.

### Supporting documentation submitted

The registered provider submitted evidence of the slide anchored, children's milk bottles placed in the fridge, cleaning schedule to include soft toys, new mattresses, certificate of maintenance of the smoke alarm and new floor covering in the sanitary accommodation area.

### Summary Comment

The registered provider has provided evidence to the inspectorate of addressing non compliances found on inspection and has submitted the updated garda vetting for the four staff members. Documentation of the fire alarm maintenance certificate has been received by the inspectorate. The non compliances in this regulation have now been addressed.

## 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) The service provided evidence that a person had up to date First Aid Responders course and was available at all times to the children attending the pre-school service.

(2)(a) and (b) A suitably equipped first aid box was available and safely stored in the premises.

## Part VI - Safety

### Regulation 28 - Insurance

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

### Compliance Information

The registered provider ensured that the service was adequately insured for 30 children at any one time attending for full day care. The policy showed that the service was insured from 05/09/2023 to the 27/03/2025.