

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CN013
--------------------------	-------------

Name of Service:	Busy Bees Toddlers LTD
-------------------------	------------------------

Address of Service:	Leiter, Baileborough, Cavan, Co. Cavan
----------------------------	--

Eircode:	A82 N882
-----------------	----------

Name of Registered Provider:	Margo Campbell
-------------------------------------	----------------

Service type:	Full Day
----------------------	----------

Date(s) of Inspection:	09/10/2023
-------------------------------	------------

No of pre-school children:	AM	24	PM	14
-----------------------------------	----	----	----	----

Address of the Early Years Inspectorate:	Tusla Early Years Inspectorate Family Resource Centre, Commons Road, Navan, Co. Meath.
Inspection undertaken by:	AM Cunningham & D Murray
Title:	Early Years Inspector

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	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 also used for the Baby/Toddlers dinnertime. 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 a deputy person in charge and 4 childcare staff who were all present on the day of inspection.

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, 21, 22,23, 25, 26 and 28, however, on inspection additional non-compliances which posed significant risk was identified under Regulation 8 and Regulation 29. 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 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.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Applied to Tusla CIC team and completed application for new room.

Summary Comment

The registered provider submitted a change in circumstances request which was reviewed by Registration Office. The registered provider was instructed that a maximum of 22 children could be accommodated at any one time.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

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

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

(a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,

(b) consideration of references from reputable sources in the case of a person who has no past employers,

(c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and

(d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.

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

Compliance Information

1) (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) Nine validated written references were available either from a past employer or from a reputable source.

(c) Garda vetting disclosure was available for 6 staff members.

(d) Police vetting was available for 1 staff member who had resided outside the jurisdiction for a period of more than 6 consecutive months as an adult.

(4) Six 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)&(b) Three staff members did not have a second validated written reference either from a past employer or from a reputable source.

(d) Police vetting was not available for one staff member who had lived outside the jurisdiction for a period of more than 6 consecutive months as an adult.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

Registered Provider stated that she sought second references immediately for the three staff members.

Preventive Action

Registered Provider stated that she will check all staff files regularly

Supporting documentation submitted

Evidence of references sought submitted to the Inspectorate.

Evidence of police vetting has been submitted to the Inspectorate.

Summary Comment

This response from the registered provider has addressed the non-compliances in Regulation 9, police vetting and references were submitted to the Inspectorate.

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, the registered provider, deputy person in charge and 3 childcare staff were working directly with the 24 children attending the service. An additional staff member arrived to 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 13 months to 22 months being cared for by 2 adults. A third adult came in at 12 midday who assisted in both rooms. Seven children were attending for full day care.

The Preschool Room had 15 children ranging in age from 2 years 10 months to 4 years 6 months being cared for by 2 adults. Seven children attended for full day care.

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

A staff roster was available which reflected the staff members present in the service.

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

(1)(a)

Basic needs:

- Children individual needs were met with additional care, attention and supervision given as required. Staff members were observed changing children’s nappies regularly and in a timely manner with warm one-to-one interactions during direct care. Older children were encouraged to become independent and self-caring, suitable to their age and stage of development.
- The service embraces outdoor play and learning with the older children observed enjoying outdoor play with their peers on the day of inspection.
- Staff members were observed chatting with the children at dinner time, helping the children when required whilst encouraging conversation and extending interactions.

Supporting relationships around children.

- Staff members meet the parents at pick-up time and any issues pertaining to the child was discussed.
- The children in each care room showed confidence around the staff members and an eagerness to engage with them in conversations and play.

Non-Compliance Information

19(1)(b)

1. In the outdoor area, a child from the Baby/Toddler room was placed in the swing at 11.30am, as the staff members prepared children for home. At 11.50am children from the preschool room were starting to leave. This child was upset and crying in the swing and a staff member gave the swing a push intermittently. This child remained in the swing until 12.05pm. The inspector asked the staff member why the child was left in the swing for this length the staff member replied *“they are safer there while the other children are going home”*. This is not appropriate as all children’s needs must be facilitated regardless of the other activities going on in the service.
2. At 12.30pm two children were crying in the Baby/Toddler outdoor area this continued for 20 minutes, the inspector asked the staff member why the children are so upset, the staff member replied that *“they are tired and need a sleep but the two cots available are occupied and they are waiting”*. This is not appropriate as all children who are displaying signs of tiredness must have access to a cot. The needs of the children were not being met.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

1. The registered provider spoke to the member of staff and explained this is not good practice and should not happen as it is not normal practice in the service. The staff member said they were nervous on the day of inspection.
2. Although a third cot was on the premises it was only used occasionally it is always available now.

Preventive Action

1. Alternative activities which the child can choose will be offered like story/ song/ art time are more suitable at the time other children are going home.
2. The third cot is a permanent fixture in the baby/toddler rest room as per photo

Summary Comment

The response and assurances from the registered provider are accepted by the Inspectorate. This will be reviewed at the next inspection.

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.

(3) A registered provider of a full day care service, a part-time day care service or a childminding service, other than such a service to which paragraph (2) applies, shall ensure that-

(a) a suitable, safe and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises.

Compliance Information

(1)(b) There were six stackable beds available for children who requires sleep.

There were two cots available in the cot room.

(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. The outdoor area

included sit on toys, swings, large wooden tractor and trailer, train, mud kitchen, planting area, goal posts and push along toys. Partially sheltered areas permitted outdoor play in all types of weather.

Non-Compliance Information

(1)(b) The registered provider did not ensure that adequate and suitable facilities were available for children to rest during the day in the service, which was observed as follows;

- There were no rest/relaxation areas developed in the Baby/Toddler room and the Preschool room for children to take a break during the day.
- On the day of inspection, an additional two cots were required to meet the needs of the children attending. Two children were already sleeping in the cots and 2 more children who were displaying signs of tiredness were not permitted to sleep as there were no cots available.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

The registered provider stated the following in the CAPA response,

- Rest area was developed for both rooms for preschoolers/toddlers as per photos.
- Although a third cot was on the premises it was only used occasionally it is always available now.

Preventive Action

- Ensure the rest area is cosy and where children feel they can relax.
- The third cot is a permanent fixture in the baby/toddler rest room.

Supporting documentation submitted

The registered provider submitted photographic evidence of the cosy area developed in the preschoolers and toddler's room.

A photograph of the third cot available to the children was submitted.

Summary Comment

The inspectorate accepts the assurances from the registered provider which have addressed the non-compliances. This will be reviewed at the next inspection.

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 Preschool room some equipment was available on low level shelving which included magnetic toys, Mr potato head, dinosaur's, cubes, connectors, and a train track.

In the larger outdoor area, there equipment such as ride on toys, mud kitchen, large wooden tractor and trailer train, swings, covered area with mud kitchen.

In the Baby/Toddler outdoor soft surface area there were sit on toys, some trucks and a small slide.

Non-Compliance Information

The Baby/Toddler room and the Preschool room were inadequately stocked and resourced. Defined areas of interest were not adequately developed.

In the Baby/Toddler room:

- Shelving units which stored toys were not organised in a way to assist children to select and replace items of interest. The toys such as animals, blocks, cars, and small world people were mixed in boxes together.
- There were no defined areas of interest such as dress up, home corner, construction developed in the room to assist children to engage in meaningful play.
- The limited books available were stored in a box on the window sill and not easily accessible and there was no developed area for children to sit and look at their chosen book.

In the Preschool room:

- There was a play kitchen of which the sink was missing; and the supporting equipment available included two cups, a microwave, and a toaster which were stored on shelving away from the kitchen.
- The blackboard had no chalk.
- There was no library area developed.
- The dressing table available had no support equipment.
- A puppet stand was available but had no puppets. dress up clothes were not available
- Jigsaws that were available in the room were suitable for school aged children.

In the larger outdoor area for the older children, support materials were not available for some of the equipment.

- The sand table had no sand present, children were overheard asking for sand.
- The blackboards had no chalk.
- The car garage had no cars, children were overheard asking for cars.
- A ball was not available to play with although two goal posts were present.
- Large wooden tractors and trailer were present with nothing to put in the trailer to extend their fun and creativity.

In the Baby/Toddler area outdoors there was no sensory play, or space for the children to move freely as a lot of the toys were sit on toys and the space available did not facilitate movement.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Corrective Action

- Interest areas underdeveloped were adequately stocked with resources both indoors and outdoors.

Preventive Action

- Interest area developed as permanent fixtures. Homemade kitchen/ living /relaxation areas, dress up area, art and messy corner, photographs attached.

Supporting documentation submitted

Photographs' attached of the indoor areas developed.

Summary Comment

The registered provider has given assurances that defined interest areas will be adequately stocked. This will be reviewed at the next inspection.

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 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 bananas, apples, yogurts and rice cakes.

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, cheese, ham, fruit and yogurts was 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.

Non-Compliance Information

General Safety:

1. The gate to the outdoor area was not hung properly and was tied with a rope and therefore difficult to open quickly in the event of an emergency.

Infection Control:

2. Children in the Baby/Toddler room hands were not washed before dinner. The inspector observed that a wipe was used which is not adequate for effective hand washing.
3. The bin in the pre-school room was lidded and not foot operated therefore children had to continuously handle the bin to open it. This was a source of contamination.

4. A swing lidded bin was used for the storage of soiled nappies which was inappropriate. A bin with a tight fitting lid and which is foot operated is required.

Action submitted by the Registered Provider

Corrective Action

The registered provider stated the following in the CAPA response

1. Gate is now adjusted and now easy openable.
2. Handwashing now takes place.
3. & 4. Foot pedal bins are now a fixture as per photos.

Preventive Actions:

1. Gate made easier to open and close {photo attached}
2. Handwashing is always a priority before meals and after toilet.
3. Foot pedal bins are now a fixture as per photos.

Supporting documentation submitted

Photographic evidence of the gate openable, pedal bins in place, and up to date cleaning schedules submitted to the inspectorate.

Summary Comment

The Inspectorate accepts the assurances from the registered provider. This will be reviewed at the 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) 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 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) A written record was available of the fire drills completed in the service. The last recorded fire drill took place in September 2023.
- (b) A record was maintained of the number, type and maintenance record of the firefighting equipment and mains powered smoke alarms on the premises. The fighting equipment and mains powered smoke alarms were last serviced on 06/10/2023.
- (4) A notice of the procedures to be followed in the event of a fire was conspicuously displayed 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 27/03/2024.

Part VII Premises and Space Requirements

Regulation 29 – Premises

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

- (d) cleaned, maintained and repaired, as required*

Non-Compliance Information

The premises was not maintained in a clean condition.

1. The sanitary accommodation, hallway floor, skirting and architrave between the Baby/ Toddler room and Pre-school room was visibly dirty.
2. The nappy changing mat had dirt around the hinges.

It was noted that the cleaning schedule was not documented since June 2023 to evidence that cleaning is taking place.

3. The shelving units and radiator cover in the pre-school room was a wood unpainted surface therefore did not have a wipeable surface making it difficult to clean.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

Deep cleaning of all areas has been carried out. All surfaces are wipeable. The cleaning schedules July and August were recycled in human error. It is something that is rigorously done as part of our cleaning routine Sept-Nov schedules photographs attached.

Preventive Action

The floors are steamed, and checks are done on cleaning to ensure it kept in record in order to abolish this arising again.

Summary Comment

The response from the registered provider has addressed the non-compliance's in regulation 29. This will be reviewed at the next inspection.