

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CN022
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Name of Service:	Scallywags Childcare
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Address of Service:	3 Coppengagh, Virginia, Co. Cavan
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Eircode:	A82 D6K7
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Name of Registered Provider:	Catherine Keenan
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Service type:	Full Day
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Date(s) of Inspection:	24/08/2023
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No of pre-school children:	AM	35	PM	31
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Address of the Early Years Inspectorate:	Family Resource Centre, Commons Road, Navan, Co. Meath
Inspection undertaken by:	C Tunney and AM Cunningham
Title:	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).

Conditions if applicable	Not Applicable
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Description of service

Scallywags Childcare is one of three privately-owned Early Years services operated by the registered provider in Co. Meath and Cavan. The service caters for pre-school children from 0 to 6 years and also provides a school aged service. The service operates from 07:30am to 6pm from Monday to Friday and participates in the Early Childhood Care and Education (ECCE) scheme. The premises is a purpose built 2-storey building which is located adjacent to the registered provider's family home in a rural setting close to the village of Virginia in Co. Cavan. There are 4 care rooms with the Baby room and Toddler room both located on the ground floor whilst the interconnecting Koala and Kangaroo room are located on the first floor. An enclosed outdoor play area is located to the rear and side of the premises.

Staffing

There are 16 staff employed in the service including the registered provider. On the day of inspection, a manager, nine childcare staff and a cook were present. The registered provider was present on arrival of the inspectors and left the service shortly afterwards.

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.

These findings are outlined within the relevant regulation(s) within this report.

The scope of the inspection included the three pre-school rooms in operation on the day of inspection namely, Cub Room (Baby Room), Toddler Room, and Kangaroo Room.

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.

Additional Information

An immediate action notice in relation to Regulation 23 (Safety) was issued on the day of inspection regarding excessive water temperature. The manager carried out an immediate response by reducing the water temperature. The inspectorate received a written response from the registered provider the following day confirming the service immediate response and actions taken which was accepted by the inspectorate.

Acknowledgments

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

Part III – Management and Staff

Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

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

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

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

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(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 identified a named person (manager) to deputise as required.

(b) The manager was the designated person in charge was present on arrival of the inspectors. The registered provider was present on arrival but left the service shortly afterwards to attend to a prior engagement.

(c) There was a clear management structure in place evidenced by the relevant records made available to the inspectors and from speaking to staff members in relation to the service.

(2) Files in relation to the sixteen staff members employed in the service were examined.

(a) Twenty written past employer references were available and validated.

(b) In the absence of past employer references, 12 references from a source other than an employer were available.

(c) Garda Vetting was available in respect of the 16 staff members.

(d) Police Vetting was available in respect of two staff members who had lived outside the state for a period of more than 6 consecutive months.

(3) There was evidence that vetting procedures are carried out prior to staff being appointed, assigned or allowed access to or contact with a child attending the pre-school service. Vetting procedures were available for a staff member due to commence in the service on the 30/08/23.

(4) All staff members who provide direct care to pre-school children, held a major award in Early childhood Care and Education at Level 5 or higher on the National Qualification Framework

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 an adequate number of adults working directly with the children attending the service.

(2) The following adult to child ratios were observed on the day of inspection:

- In the **Cub House (Baby Room)** there were 8 children, aged 1 -2 years of age all attending on a full day care basis being cared for by 3 staff members.
- In the **Toddler Room** there were 12 children ranging in aged between 2-3 years, of which 10 attended on a full day care basis being cared for by 4 adults.
- In the **Kangaroo Rooms** there were 15 children ranging in age from 3 years to school going age, of which 11 children attended on a full day care basis, being cared for by 4 adults.
- The **Koala Room** was closed and not inspected.

(8) The registered provider ensured that there were always two adults on the premises when the service was in operation, as evidenced in the staff roster maintained in the service.

Part IV – Information and Records

Regulation 16 – Record in relation to pre-school service

(1) A registered provider shall ensure that a record in writing is kept of the following information in relation to the service:

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;*
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;*
- (c) details of the adult:child ratios in the service;*
- (d) the type of care or programme provided in the service;*
- (e) the facilities available;*
- (f) the opening hours and fees;*
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*
- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.

Compliance Information

(1) Records were available as specified by Regulation 16 (a) to (k) in relation to the service.

(3) Records were open to inspection by an authorised person. All records requested by the inspector were made available.

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.

(2) A registered provider shall ensure that no corporal punishment is inflicted on a pre-school child whilst attending the service.

(3) A registered provider shall ensure that no practices that are disrespectful, degrading, exploitive, intimidating, emotionally or physically harmful or neglectful are carried out in respect of a pre-school child whilst attending the service.

Compliance Information

Basic Needs

- The children's basic care needs were met on the day of inspection. Healthy eating was promoted throughout the service. Nutritional hot meals and snacks were prepared by the service and delivered to the rooms at mealtimes each day. A menu plan was displayed to inform parents of the food choices offered. Chicken, broccoli and potatoes was served for dinner on the day of the inspection which the children enjoyed. Parents provided the morning and afternoon snack which was stored in the fridge.
- Highchairs & low tables were used by the children in the Cub House (Baby) & Toddler Room and elsewhere children sat at low level tables and chairs when eating. Sanitary accommodation was located in or next to each room in the service and a sink was also available in each room to facilitate hand washing.
- The children's personal care was attended to. Hand hygiene was carried out at recommended times, prior to mealtimes and following personal care. The children were supported to be self-caring, suitable to the age and stage of development, including hand washing and personal care.
- Nappy changing occurred in a timely manner and a staff member was observed engaging in warm one to one interaction with the children when changing their nappies. The staff members were observed to be responsive to the children's cues that they needed to use the toilet and provided assistance when necessary.
- Individual child-led sleep routines were facilitated for children attending the Cub House (Baby Room).

Supporting Children's Relationships

- Positive engagement between the staff members and children were noted. The staff members used age-appropriate soft tones, used the child's individual name, and were actively involved in the children's play where appropriate. The younger children were held and comforted when upset and age-appropriate tones were used. For example, a child who was upset and distressed, was offered play materials. The staff member sang some songs and the child settled. Transitions were clearly announced and signalled by staff. Children had the choice to engage in group activities or play by themselves, such as a child enjoyed sitting in the ball pool alone. The staff members sat beside children who needed encouragement and support during play time and during mealtimes.

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

Adequate facilities were available for the children to play indoors in the three pre-school rooms in operation on the day of inspection. The children were able to move unhindered by furniture or fixtures and to avail of quiet time in the cozy areas.

Play materials were suitable the age and stage of development of the children. Defined interest areas were available which were adequately resourced such as arts and crafts, train sets, puzzles, dress up, home corner area, musical instruments and book areas.

The play resources available to the children were accessible and stored on low level shelving in clear storage containers easily visible to the children. The children were able to select and replace items and materials of interest. The materials available promoted independent play and engaged the children in interest areas.

A new all-weather outdoor area was available, with a small section designated for the children in the Cub House (Baby Room), a hard surfaced area facilitated water sand play and messy play to the side of the outdoor area. The outdoor play area provided an alternative change of environment for the children. This included see saw, large and small slides, sit on tractors, a planting area, a climbing area with a wooden bridge and small basketball hoop.

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 entrance door leading into the premises were appropriately secured to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the premises.
- Fire doors throughout the building were unobstructed.
- The external outdoor play area was secured.
- Cleaning agents were stored safely out of the reach of children.
- The kitchen was inaccessible to the children and the door remained closed throughout.

Infection Control:

- Warm water, liquid soap and paper hand towels were provided to support effective hand hygiene in the sanitary accommodation in the service.
- The children were facilitated to wash their hands before eating, after using the toilet, after nappy changing and following messy play.
- Soothers were labelled and stored in personalised containers when not in use. The registered provider stated that soothers were washed in warm soapy water and sterilized appropriately.
- A container was available to place mouthed toys after use by the young children. The registered provider stated they are washed in warm soapy water

Administration of Medication:

- The medication administration forms maintained for children who had received medication in the service were accurately completed, demonstrating safe practice. The forms included signed parental consent.

Safe Sleep:

- Sleep observations were carried out and documented at 10 minutes intervals, noting each child's position, colour and breathing pattern.
- The eight cots and mattresses were in good state of repair. A system was in place to manage sheets and blankets, all sheets noted on cots/low beds were clean.
- Adequate space was left between the cots in the sleep room.

Non-Compliance Information

General Safety:

1. The water temperature at the sink in the nappy changing area was 48.3°C which was excessive. The inspector noted that children were observed using this sink for hand washing. The inspector alerted the manager to the situation immediately. An immediate action notice in relation to Regulation 23 (Safety) was issued on the day of inspection regarding excessive water temperature. The manager carried out an immediate response by reducing the water temperature.
2. The doors into the care rooms were difficult to open, the release button was not working efficiently which posed a safety risk.

Infection Control:

3. The mouthed toy policy did not give provide direction to staff to prevent cross infection. The policy stated that mouthed toys are cleaned using hot water and a sterilising solution and not washed using warm soapy water and sterilised (according to manufactories instructions as required).
4. Paper towel was not available in the nappy changing area during the morning time when nappy changing occurred. The staff members were observed returning to the care room for paper towel to dry their hands and the children's hands which posed an infection control risk.

Corrective and Preventive Action

Corrective Actions

1. The staff sink will only be used to facilitate hand washing by staff members only.
2. The handle has to be all the way down for the button to work properly. All staff are aware of this. The door will be serviced to ensure that it is working correctly. The service man called out yesterday (21/11/23) and needs to plan the work when children are not on the premises. He is hoping to get to us one evening next week.
3. The mouthed toy policy has been updated.
4. Staff reminded to replace paper towel when dispenser is empty.

Preventive Action

1. The staff sink will only be used to facilitate hand washing by staff members only.
2. The door will be serviced to ensure that it is working correctly. Check the door regularly.
3. The mouthed toy policy has been updated. Staff have all received new information on soother and mouthed toy cleaning and sterilising techniques.
4. Regularly remind staff to replace towels when dispenser is empty.

Summary Comment

An immediate action notice in relation to Regulation 23 (Safety) was issued on the day of inspection regarding excessive water temperature. The manager carried out an immediate response by reducing the water temperature. The inspectorate received a written response from the registered provider the following day outlining the immediate actions taken which was accepted by the inspector.

The response from the registered provider has been accepted. The registered provider has given assurance that children will not have access to hand washing facilities at sinks designated for staff use. The registered provider has updated the mouthed toy policy, staff have received information on mouthed toy cleaning and sterilising techniques. The registered provider has provided assurance that maintenance will be carried out to ensure the release button on doors are working correctly. Regulation 23 has been addressed and will be reviewed on 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) Staff members were trained in First Aid Response (FAR) and available to the children attending the pre-school service. Five staff members held a certificate in FAR training.

(2) (a)(b) The first aid box available in the service was suitably equipped and stored in conspicuous locations on the premises and were available for the children in attendance, in the event

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.

(2) The record referred to in paragraph (1) shall be open to inspection by-

(c) an authorised person.

(4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.

Compliance Information

(1)(a) A record was maintained of fire drills which had been completed in the service. The last recorded fire drill took place on the 16/08/23.

(b) A record was kept of the number, type and maintenance of the fire extinguishers and fire alarm in the premises, which were last serviced on the 16th August 2023 respectively.

(2) The fire maintenance records were available for inspection.

(4) A notice of the procedures to be followed in the event of a fire was conspicuously displayed on the premises.

Part VI - Safety

Regulation 27 – Supervision

A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Compliance Information

The preschool children attending the service were adequately supervised during the time the children were cared for 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 registered provider ensured that the pre-school service is adequately insured for 56 children, expiry date on the insurance certificate was dated 27/03/2024.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

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

- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*

Non-Compliance Information

(c) The extraction fan in the nappy changing area was not functioning and an unpleasant odour was noted.
(d) There was evidence that the service was not adequately cleaned. Cleaning records were displayed and recorded however the cleaning records were in variance to the standard of cleaning noted on the day of inspection. Examples include common areas such as clear glass gate on the first floor and partition. There was also evidence of dust and dirt particles on a low table in the Kangaroo Room where food was placed.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Corrective Action

(c) The extractor fan has been replaced and is in working order.
(d) Three staff members were assigned to setup, change around and clean the rooms before preschool started back. They were not rostered to work with children all this time. The pre-school has been cleaned.

Preventive Action

(c). Extraction fan in the nappy changing area has been replaced (invoice submitted to the inspectorate). Check extractor fans regularly.

(d) Cleaning schedules are being followed. Our cleaner now comes in once a month on a Saturday to clean alongside her daily cleaning schedule.

Summary Comment

The inspectors have accepted the registered providers corrective and preventative actions. The registered provider has given assurance that the pre-school will be maintained going forward. Regulation 29 will be reviewed on the next inspection.