

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CN036
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Name of Service:	Little Buds Childcare
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Address of Service:	38 Main Street, Mullagh, Co. Cavan
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Eircode:	A82 C6P4
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Name of Registered Provider:	Bernice Gardiner
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Service type:	Full Day
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Date(s) of Inspection:	27/11/2023
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No of pre-school children:	AM	30	PM	15
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Address of the Early Years Inspectorate:	Family Resource Centre, Commons Road, Navan, Co. Meath
Inspection undertaken by:	C Tunney
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
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Description of service

Little Buds Childcare Service is a private Early Years' Service, located on the main street in Mullagh Town in Co Cavan. The service operates from 8.00am to 6.00pm each weekday and provides sessional, part-time and full day care to pre-school children aged from 2 years to 6 years. A school aged service is also provided. The service is conducted from a converted built premises and consists of two care rooms on the ground floor and a school aged room on the first floor. An outdoor play area is accessed directly from the pre-school room to the rear of the pre-school.

Staffing

The service employs fourteen staff members of which ten staff work directly with pre-school children, three staff are assigned to school aged children and a chef is also employed. The registered provider is service based. Nine staff were present on the day of inspection, of which two staff cared for school aged children.

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. Inspections may also focus on other areas as required.

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

The scope of the inspection included the two rooms, namely The Caterpillar and The Butterfly Room in operation on the day of inspection.

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 was issued in relation to excessive water temperature of 72 °C which posed a significant safety risk to children who had access to the sanitary accommodation on the first floor.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, 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.

(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 was the designated person in charge. An adult was available to deputise as required.

(b) Staff rosters and staff sign in records were available for inspection and indicated that the person-in-charge is on the premises during the hours of operation of the service.

(c) Staff members were aware of the management structure in the service, the lines of authority and accountability and the specific roles and responsibilities of each employee.

(2) Fourteen staff files were reviewed.

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

(b) In the absence of past employer references, nine validated references from a source other than an employer was available

(c) Fourteen staff files reviewed had the required garda vetting documents available for inspection.

(d) Police vetting was available for two staff members who had lived outside the state for more than 6 months.

(4) Ten staff members providing direct care to pre-school children had documentation to show that they held a major award in Early Childhood Care and Education at Level 5 or above on the National Qualifications 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) 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 Caterpillar Room there was 15 children, aged 2.8 years to 5 years, of which 7 children were attending on a full day care basis and 1 child attended on a part time basis, being cared for by 3 staff members.
- In the Butterfly Room there was 15 children ranging in aged between 2-5 years, of which 4 children attended on a part time basis and 1 child attended on full day care basis being cared for by 2 staff members.

(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 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.

(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. The service promoted healthy eating, food and snacks were provided by the parents/guardians and consisted of small sandwiches, fruit and vegetable pieces. Children's drinks were available within their reach which they could access as they wished. Dinner was provided by the service and consisted of chilli beef and boiled rice. A menu plan was available for parents / guardians.
- Overall, the staff members were responsive to the children's individual needs, children who required additional attention to complete activities or who required comfort were responded to.
- Children were facilitated to engage in play material of their choice.
- The children were encouraged to be independent, suitable to their age and stage of development. Ass
- A curriculum statement including daily and yearly curriculum plan were displayed which provided a focus on the play themes facilitated in the pre-school.

Supporting Relationships

- Overall, the staff members were observed to respond promptly to the verbal and non-verbal cues of each child. They were observed being kind and respectful to all children and addressed each child appropriately.
- A sense of identity and belonging for the children attending the service were observed. There was a family and birthday wall on display where children could refer to during the sessional service.
- The pre-school is situated within a close-knit community and parents/ guardians were greeted warmly.

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

The indoor environment was comfortable; the care rooms were decorated with appropriate art material enhancing the environment for the children to attend. Play materials were suitable for the age and stage of development of the children such as arts and crafts, puzzles, dolls and prams, home corner areas, play shop, construction toys and book areas. The play resources available to the children were accessible, organised in designated interest areas and stored on low level shelving. The children were able to select and replace items and materials of interest. The materials available were suitable for the age and stage of development of the children attending the service.

The outdoor area allowed the children to engage in a alternative environment to promote their well fare. Play materials included a climbing frame, planting area, a messy play area with support material.

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 was 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.
- Cleaning agents were stored safely out of the reach of children.
- Accidents and incidents were recorded and documented correctly.

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 and following personal care.
- The standard of cleaning throughout the pre-school was satisfactory. There was evidence that daily cleaning schedules were carried out effectively.

Administration of Medication:

- Warm water, liquid soap and paper hand towels were provided to support effective hand hygiene in the sanitary accommodation in the service except as outlined below.
- The children were facilitated to wash their hands before eating and following personal care.
- The standard of cleaning throughout the pre-school was satisfactory. There was evidence that daily cleaning schedules were carried out effectively.

Safe Sleep:

- Five children were placed to sleep on a low bed. Children were appropriately monitored, ten minutes sleep observations were carried out in relation to position, colour and breathing status and recorded. A staff member remained in the pre-school room during sleep time.
- Bed linen was suitable and appropriate space was (50cms) was available between low beds.

Non-Compliance Information

General Safety:

1. The water temperature in the sanitary accommodation on the first floor was excessive and recorded at 72 °C (in variance to the recommended temperature of less than 43 °C) which posed a significant safety risk to children. This sanitary accommodation was reported as a staff toilet however, a staff member was observed directing a child to this area and a child was observed coming out of this area. An Immediate Action Notice was issued to the registered provider during the inspection
2. Children were placed on chairs and at tables that were too high as the children were unable to rest their feet safely on the floor which posed a safety risk.
3. The pre-school rooms felt cold, the temperature was recorded at 16.3 °C in variance to the recommended 18 to 22 °C for a pre-school room.
4. The radiator cover in the Caterpillar Room was broken and not secure, the temperature of the radiator was recorded at 65.8 °C which required a secure cover.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

23(1)

1. The registered provider contracted a plumber following inspection and a thermostatic control device was installed on the sink in the first-floor sanitary accommodation. This ensures that the water is maintained at safe temperature levels.
2. The service will ensure that preschool children will now eat dinner in the care rooms downstairs rather than the dining room on the 1st floor. The chairs and tables provided in the care rooms ensure that the children can comfortably rest their feet safely on the floor while eating.
3. The registered provider will monitor the temperature in the preschool rooms on a regular basis. Additional, suitable room heaters are available to ensure safe temperatures are maintained.
4. The radiator cover in the Caterpillar Room has been replaced.

Preventive Action

1. The registered provider will ensure that all sinks added to the service in the future are fitted with a thermostat to ensure water is within recommended range.
2. Preschoolers will be restricted in future from dining at unsuitable tables/chairs.
3. The registered provider will continue to monitor the temperature in the preschool rooms on a regular basis. If the room temperature begins to drop below the recommended range of 18 to 22 °C due to the open front door at arrival time or the open back door during free play/seamless transition between indoor and outdoor environments, then additional, suitable room heaters will be available to ensure safe temperatures are maintained.
4. The registered provider has implemented a system within our daily risk assessments whereby items to be fixed or replaced are identified and manager is informed. This can then be followed up on in a timely manner.

Summary Comment

The response from the registered provider has addressed the non-compliances as listed above and were accepted by the inspectorate. In respect of the excessive water temperature recorded in the sanitary accommodation, an Immediate Action Notice was issued to the registered provider on the day of inspection. The response submitted outlined the immediate steps taken to reduce the temperature to within normal range which reduced the safety risk to children attending the pre-school on the first-floor level. Regulation 23 has been addressed and will be reviewed at the next inspection.

Part VI - Safety

Regulation 24 - Checking in and out and record of attendance

- (1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.
- (2) Where there are more than 15 children attending a pre-school service in a drop-in centre, the registered provider shall ensure that one employee or unpaid worker is assigned responsibility for the checking in and out of children.
- (3) A registered provider shall ensure that-
- (a) no person other than-
 - (i) pre-school child attending the service,
 - (ii) a person dropping or collecting such a child,
 - (iii) an employee, or
 - (iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and
 - (b) a daily record in writing is kept of the entry on the premises of any such person.

Compliance Information

- (1) A system was in place to record the arrival and departure times for each child attending the service on a daily basis.
- (3)(a) and (b) A system was in place to ensure that no person other than the children's parents / guardians, employees or authorised visitors can enter the pre-school. A visitor's book was maintained, there was evidence that visitors were requested to record their attendance as the inspector was requested to record her time of arrival and departure.

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-

(a) a parent or guardian of a pre-school child attending or proposing to attend the pre-school service,

(b) an employee, and

(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 fire drill recorded was dated 01/11/23.

(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 11/11/23 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 at all times.

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.