

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DL013		
Name of Service:	Bocan Community Creche		
Address of Service:	Bocan, Culdaff, Co. Donegal		
Eircode:	F93 CYK1		
Name of Registered Provider:	Michael Doherty		
Service type:	Full Day, Part Time, Sessional		
Date of Inspection:	19/05/2023		
No of pre-school children:	AM	52	PM 41
Address of the Early Years Inspectorate:	Donegal Early Years Inspectorate, St. Conal's Campus, Letterkenny, Co. Donegal. F95 XK94		
Inspection undertaken by:	L McGlynn and M Farrell		
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
---------------------------------	----------------

Description of service

Bocan Community Creche is a not-for-profit service located in a rural area a short drive from the town of Culdaff, on the Inishowen peninsula in Co. Donegal. The service provides full day, part time and sessional preschool care between the hours of 8.00am and 6.00pm each weekday to children aged 0-6 years. There are two preschool sessional services operating from 9.00am-12.00pm and 1.00pm-4.00pm during the pre-school year. The service is also registered to provide school age care.

The service operates from a detached single-story premises which was purpose built for the provision of an early years' service. There are four playrooms and relevant ancillary facilities. The outdoor play area runs along the rear and both sides of the building and has been subdivided into four main sections. Each playroom has direct access to an outdoor play area.

Staffing

A total of 30 staff members were employed in the service at the time of inspection. This included a manager, relief staff, auxiliary staff members and staff on employment activation programmes. There were 14 staff members working in the service on the day of inspection, 12 of which were working directly with the children. The registered provider is not on the premises on a daily basis. There is a designated person in charge and a designated deputy in their absence.

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 / safety*. The inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11, 16, 23 and 27. These findings are outlined within the relevant regulations within this report.

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

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

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

Acknowledgments

The inspectors wish to acknowledge the cooperation of the person in charge, staff and children who were present on the day of the inspection.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

- (a) the service has a designated person in charge and a named person who is able to deputise as required,
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and

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

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

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

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

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

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

Compliance Information

- (1)
- (a) A manager had been appointed as the designated person in charge in the service.
 - (b) There were named staff appointed as deputy persons in charge to deputise in the event of her absence in the service.
- (2)
- The vetting files were reviewed as follows for eight staff members that had not been reviewed on previous inspections:
- (a) Two written validated references from past employers including their most recent employers were available for five of the staff members. Two staff members had one written validated reference from their most recent employer on file in the service.
 - (b) Two staff members had a written reference from a source other than past employers available on file in the service.
 - (c) Garda vetting documentation was available for inspection for the eight staff members whose files were reviewed.
 - (d) International police vetting documentation was available for one of the staff members who had lived outside of the country for longer than six months as an adult.

- (4) Evidence of an award in Early childhood Care and Education at QQI Level 5 or equivalent was available for four of the staff members whose vetting files were inspected. Two of the staff members were not required to hold a childcare qualification in relation to their role in the service.

Non-Compliance Information

- (2)
- (a) A second written validated reference from a past employer was required in respect of one of the staff members. There was no evidence available on file of the validation of one written reference from a past employer.
 - (b) There was no evidence available on file of the validation of one written reference from a source other than a past employer.
 - (d) A required International Child Protection Certificate was not available for one of the staff members who had lived outside of the State for longer than six months as an adult.
There was a gap in the employment history for two staff members and it was unable to be ascertained from the vetting documentation if international police vetting was required for the staff member for this period in time.
- (4) The documentation relating to the qualifications for two staff members did not clearly demonstrate that a qualification equivalent to QQI level 5 Early childhood Care and Education had been achieved.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (2) (a) and (b) References from past employers have been sought and verified.
- (d) The staff member has applied for International Child Protection Certificate. The staff members CV's have been updated and there are no gaps in employment history.
- (4) Qualifications certificates were immediately got and added to the staff files.

Supporting documentation submitted

Certificates, references and documentation was submitted with the CAPA response to evidence compliance.

Summary Comment

The service has demonstrated compliance with the points numbered (2) (a) (b) and (4). The non-compliance numbered (d) will remain outstanding as the application is still in progress. This will be subject to review on the next inspection.

Part III – Management and Staff

Regulation 10 - Policies, procedures etc. of pre-school service

A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.

Compliance Information

The list of policies and procedures as specified in Schedule 5 were in place for the service. The following were reviewed and found to be compliant and reflective of the practice observed in the service at the time of inspection.

- Supervision Policy.
- Accident and Incident Policy.
- Risk Management Policy.
- Policy on Managing Behaviour.
- Staff Training Policy.
- Outdoor Play Policy.

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 12 adults working directly with 52 children on the inspectors' unannounced arrival to the service. A review of a sample of attendance records showed that an adequate number of adults worked directly with the children during service hours of operation.

(2) The minimum adult to child ratios were provided on the inspectors' unannounced inspection in accordance with the required ratios considering the ages of the children and the length of time each child spent in the service as outlined below:

Baby playroom: 1 adult cared for 2 children aged between 1 and 2 years of age availing of full day care services.

Wobbler playroom: 3 adults cared for a total of 9 children. 2 were aged between 1 and 2 years of age and 8 were aged between 2 year and 3 years of age availing of full day care services.

Junior Preschool playroom: 3 adults were present and caring for 17 children aged between 3 years and 4 years of age.

Senior Preschool playroom: 4 adults cared for 24 children aged between 4 years and 5 years of age.

A review of the adult to child ratios in each room was carried out in the afternoon and the following was found to meet the requirements of the regulation:

Baby playroom: 1 adult cared for 2 children aged between 1 and 2 years of age availing of full day care services.

Wobbler playroom: 3 adults cared for a total of 10 children. 2 were aged between 1 and 2 years of age and 8 were aged between 2 year and 3 years of age availing of full day care services.

Junior Preschool playroom: 2 adults were present and caring for 11 children aged between 3 years and 4 years of age.

Senior Preschool playroom: 4 adults cared for 18 children aged between 4 years and 5 years of age.

(8)(a) There were at least two adults present at all times during the unannounced inspection. A sample of attendance records and staff rosters reviewed showed that at least two adults were present in the service 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:

- (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.

Compliance Information

- (i) A detailed staff roster was maintained for the week and made available to the inspectors on arrival to the service.
- (j) Records on the administration of medication to children attending the service were maintained in each of the rooms. The sample records reviewed included signed parental consent prior to the medication being administered and a second signature on collection of the child from the service. The records also included information on the time, dosage, person administering the medication and a second staff witness.
- (k) Records were available of the records kept by staff containing details of accidents, injuries and incidents involving preschool children in the service. Samples of records reviewed showed that the records were dated and held information on the events, the staff present and were signed by the relevant children's parents.

Non-Compliance Information

- (h) Records detailing the attendance of each preschool child were not maintained accurately in relation to children's arrival time to the service. A review of the attendance records in the senior preschool room demonstrated that two children had not been signed in on arrival to the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (h) Staff have been refreshed on the importance of ensuring all children are marked in arrival as per our arrival and collection policy.

Supporting documentation submitted

A copy of the service policy was submitted with the CAPA response.

Summary Comment

The statement made by the service has been accepted as addressing the non-compliance identified on inspection.

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 internal main entrance door was secured on the inspectors' arrival to the service and remained secured throughout the inspection preventing children from leaving the building unnoticed and unauthorised persons from accessing the area. Half doors were in place at the doors to care rooms preventing children from leaving the rooms unnoticed.
- The kitchen was inaccessible to children at all times during the inspection.
- Securing devices were in place on window blinds in care rooms.
- Cleaning products were stored on high shelving and were inaccessible to children.
- Glass door visibility stickers were in place were needed on glass windows/doors in care rooms.

Infection Control:

- Warm running water controlled below 43°C, liquid soap and paper handtowels were provided for handwashing and hand drying purposes at the wash hand basins. Age-appropriate signage with picture prompts were displayed at the wash hand basins to promote effective hand washing.
- Aprons and gloves were worn by the staff members when changing children's nappies. The staff were observed to assist the children to wash their hands following nappy changes.
- Individual lidded containers were used to store the children's soothers.
- Suncreams were individually labelled and store in containers on high shelves out of reach of children.
- Refrigerators were provided for storage of perishable food items in the care rooms.
- There at least 50cm between cots as required to reduce the risk of cross infection between children using them.

- The staff cleaned down frequently touched surfaces for example the tables in the Wobbler care room after use. Records of cleaning/disinfection procedures undertaken by the staff were recorded and on display in care rooms.
- Care rooms were effectively ventilated with windows opened or left ajar at various intervals throughout the day.

Administration of Medication:

- Medication was safely stored out of reach of children and in accordance with manufacturer's instructions. A sample of medication administration forms reviewed found that two adults signed the medication administration forms as did parents.

Safe Sleep:

- The staff in the baby and wobbler rooms were seen to carry out observations of sleeping children at 10-minute intervals and to record their observations relating to the children's position when sleeping, colour and breathing patterns. A review of the sleep records for the previous day in the junior preschool room evidenced occurrence of sleep checks at 10 minute intervals with the required information completed. The temperature of the sleep areas was maintained between the required ranges of 16-20°C. Cellular blankets or sleep bags were used by the children.

Fire Safety:

- The emergency exits were observed to be kept free from obstructions during the inspection.

Outing:

- Staff informed the inspectors that a risk assessment is carried out prior to going on an outing and this was further evidenced by the documented risk assessment that was available to review on the outing which had taken place the previous day. In line with the services policy, written consent for children to participate on the outing had been obtained from parents and these were available to view on the day of inspection.

Non-Compliance Information

General Safety:

1. The securing mechanism on the wooden gate beside the polytunnel in the outdoor area was easily opened and positioned where a child could potentially access it allowing them to leave the area unnoticed and allowing persons to enter the area without authorisation.
2. A section of the metal grid fencing surrounding the outdoor play area was unsecured and could be opened to a gap of 23cm which a small child could potentially exit through.

3. The restrictor on one of the windows in the Wobbler care room had been unattached from the window allowing the window to open outwards to the carpark at the front of the building. It is acknowledged that once this was brought to the attention of the staff, the restrictor was reconnected to the window to restrict opening.
4. The ground covering in one of the play areas housing a small wooden climbing frame contained nettles and a rubber nail was protruding from underneath the climbing frame both of which presented as safety hazards to children.
5. A small metal key was observed lying on the floor beside the highchairs in the Wobbler care room near an area that children had recently been playing in. It is acknowledged that the key was removed immediately once highlighted by an inspector to the staff.
6. One of the highchairs in the Wobbler care room did not have a safety harness in place.
7. There were sharp edges on a low level metal sink in the outdoor play area used by the younger children in the service with the potential to cause an injury to a child.
8. There were a number of potential safety risks in the polytunnel used by the children including a large water hose that was lying on the ground and wooden storage units that had been stacked on their sides with an unstable base that could be potentially pulled over by children.
9. Some metal hammers were stored at a low level in an open plastic tub beside wooden logs that were used to hammer nails into by the children. One of the logs had a nail protruding from it and the way in which the hammers and nails posed potential risks of injury due to their accessibility by children in the space.
10. Some of the outdoor play equipment in the grassed outdoor area were not secured including a number of metal climbing frames and a soccer goal net posing potential injury risks to children.
11. The wooden base of a water table in the outdoor area used by the older children was damaged with splinters exposed posing a risk of injury to children using it.
12. A rusty chain positioned at a low level was in place dividing one of the outdoor play areas used by the older children into two sections. The rusty chain was not clearly visible and posed safety hazards to children.

Infection Control:

13. The cover of one of the cot mattresses in the sleep room was very worn and frayed posing difficulty with cleaning leading to a potential infection control risk.
14. Digging play equipment in the outdoor area used by the older children was very rusty posing difficulties cleaning it and a potential infection control risk.

15. There was a tear in the covering with foam exposed of the soft seating used for children to rest on in the Log Cabin posing difficulties cleaning and an infection control risk.
16. A padded floor mat in the junior preschool room was dirty and required cleaning. It was evidenced from the documented cleaning records that the mat is not included in the regular cleaning routine for the room and children were observed resting on the mat, reading stories and playing with small toys.
17. The bins in some areas did not meet the regulatory requirements in relation to infection control prevention. A push top bin was provided for disposal of waste in the Baby care room, the bin in the nappy changing area was not a foot pedal operated bin and the foot pedal mechanism on the waste bin in the Log Cabin was faulty and the bin was not openable using it during the inspection. Open top waste bins were provided in the children's sanitary accommodation and one of the foot pedal operated bins in the senior preschool room was broken.
18. Staff informed the inspectors that they do not cover the large sand area when not in use to prevent cross contamination.
19. A small plastic basin in one of the play kitchens was dirty and contained a small amount of stagnant water that posed an infection control risk.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. An additional lock has been added to the gate. Staff to ensure all locks are maintained and reported if necessary.
2. The fencing was immediately secured with heavy duty cable ties as temporary measure and new locks have been ordered. Staff are to ensure outdoor risk assessments are carried out and any potential risks reported immediately.
3. The restrictor was immediately put back into place and locked. Staff have been reminded not to open window restrictors.
4. The nettles were immediately removed, and the rubber nail pushed back into place and secured. Nettles have been added to our outdoor daily risk assessment checklist. Staff have been reminded about checking the area for all potential hazards.
5. The key was removed immediately and in future all keys will be stored away safely out of reach at all times.

6. The highchair was removed until the straps can be replaced. The harness will only be removed from highchairs at the end of the day for washing and replaced at the start of the day. Highchairs are to be removed from the room if for some reason the straps must be removed during the day.
7. A new cushioned surrounding has been installed on the wash hand basin.
8. The hose was removed and drawers put back into place. Staff were advised to keep children from entering the polytunnel until all issues had been addressed. Going forward, staff are to ensure the area is left safe and free from potential risks before and after use.
9. The hammers were moved to a suitable container and stored up high. The logs were immediately removed. In future, staff to ensure hammers are put away safely after each use.
10. Play equipment was secured with additional links from the manufacturers to form a secure base. We have since been advised to remove the equipment completely. The goal post netting was reattached to the frame. Staff will ensure risk assessments are carried out and reported as applicable.
11. The base has been removed and a new base ordered. Staff are to ensure risk assessment are carried out on the outdoor area.
12. The metal chain was removed immediately, and a plastic chain has been ordered. Staff will ensure risk assessments are carried out and reported as applicable.

Infection Control:

13. The mattress was immediately removed and a new one purchased. Staff will monitor the wear and tear of the mattresses and report as applicable.
14. The digging equipment was sanded down and painted immediately.
15. The couch was removed and sent away to get recovered.
16. The mat was removed for cleaning and will be added to our routine cleaning checklist.
17. Broken bins were fixed and new foot pedal operated bins purchased for required areas.
18. A cover was bought for the sand area and staff have been instructed and as part of our outdoor daily risk to cover the sand area at the end of each day
19. The basin was removed and washed. staff have been refreshed on our outdoor checklist, cleaning rotas and the policy to be followed.

Supporting documentation submitted

A series of images and policy documents were submitted to evidence compliance.

Summary Comment

The information submitted by the service has been reviewed and the requirements of Regulation 23 are deemed to have been met.

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 staff supervised the children primarily by sight in the service including when playing indoors and outdoors during the inspection. Older children were within earshot of staff when using the toilets independently. The minimum adult to child ratios were adhered to throughout the day. Additional staff were observed to be provided at key times for example when the children from the Baby and Wobbler care rooms were eating dinner in the Wobbler care room. The staff physically observed children sleeping in cots at 10 minute intervals.