

# Early Years Inspectorate Regulatory Report

## Pre School

**TUSLA Identifier:** TU2015DL027

**Name of Service:** Colmcille Creche

**Address of Service:** Carrownaffe, Derry Rd, Moville, Co. Donegal

**Eircode:** F93 Y4A6

**Name of Registered Provider:** Orla Doherty

**Service type:** Full Day, Part Time, Sessional

**Date of Inspection:** 18/10/2023

<b>No of pre-school children:</b>	AM	16	PM	16

**Address of the Early Years Inspectorate:** Donegal Early Years Inspectorate,  
St. Conal's Campus,  
Letterkenny,  
Co. Donegal.  
F95 XK94

**Inspection undertaken by:** L Mc Glynn

**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** 1. Pursuant to Part VI, Regulation 23, the Agency is supplied (no later than 31st December 2023) with the information required to provide

assurance that the service is compliant with the state required fire safety and building control measures.

2. In the interim and without delay you put in place a robust safety plan to ensure that the current absence of fire safety confirmation poses no risk to children who attend your service. This plan must be in written format and available for inspection.

### Description of service

Colmcille Crèche is a privately run service located on the outskirts of the town of Moville, Co. Donegal. The service operates from 8.00am-5.30pm each weekday providing both full day and part time care to children aged 0-6 years. The premises consists of a former detached, single story domestic dwelling which has been adapted for the provision of an early years' service. There are two playrooms namely the baby room and the toddler room. The service has a designated sleep room and a kitchen where meals and snacks for children are prepared. An enclosed outdoor area is provided at the entrance to the building.

### Staffing

There are eight adults employed to work in the service including the registered provider who is the person in charge and works in the service daily. There were six adults present on the day of inspection. Five of the staff were working directly with the children one adult was employed to work in the kitchen. There is one adult employed solely for the purpose of transporting children to the service and one adult employed on a relief capacity to work in the service when required.

### 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. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11, 20, 23 and 28; however, on inspection an additional non-compliance which posed significant risk was identified under Regulation 8. These findings are outlined within the relevant regulation 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 inspector wishes 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

There was evidence found on the day of inspection to demonstrate that the registered provider had proceeded to implement a change in the number of children that could be accommodated prior to submitting their notification and receiving the approval. The service is registered to cater for a maximum of 16 pre-school children at any one time. A review of the attendance records for the previous week evidenced that up to 23 preschool children were attending the service at one time on any given day. This was also found to be non-compliant on the last regulatory inspection of 6 June 2022.

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

##### **Corrective and Preventive Action**

The service will immediately revert to registered number of children. The service will continuously monitor the number of children attending the creche. Organise the rooms, so that numbers are consistent with registered number. Inform parents there will be no alternative days other than those initially agreed.

##### **Supporting documentation submitted**

No documentation received.

#### Summary Comment

The actions taken by the registered provider have been accepted in addressing the non-compliance identified on inspection.

### Part III – Management and Staff

#### Regulation 9 – Management and recruitment

*(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*

*(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

(2) There were eight adults employed in the service at the time of inspection. The vetting files for four of the adults were reviewed on previous inspection. Relevant vetting documents for three adults employed since the services last inspection on 9 June 2022 and an outstanding requirement for one adult were reviewed as part of this inspection.

(b) There were two written references on file from past employers for two adults.

(c) Vetting disclosures from the National Vetting Bureau of an Garda Síochána were on file for two adults.

(4) Evidence of the completion of a major award in Early Childhood Care and Education at Level 5 or above on the National Qualifications Framework was available for one adult who had commenced employment in the service working directly with children since the last focused inspection.

### Non-Compliance Information

(a) The two references on file for one adult were from sources other than one of the past employments listed by them in their curriculum vitae.

(c) The vetting disclosure from the National Vetting Bureau of the Garda Síochána on file for one adult was from a previous employment in the service and had not been updated on the employee's return to the service as required.

(4) Evidence of completion of a major award in Early Childhood Care and Education at level 5 or above on the National Qualifications Framework was not available for three adults. It is acknowledged that there was documentary evidence on file to demonstrate that two of the adults had participated on the relevant training, however the final award certificate to confirm completion was not available. This requirement was outstanding from the previous inspection for one of the adults.

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

#### Corrective and Preventive Action

- (a) The adult referred to is no longer a member of staff. The service will have a second signature/verifier check references and sign our previously developed staff requirement sheet.
- (c) The adult referred to is no longer a member of staff. Parents have been informed to arrange their own transport. The service will identify renewal dates of garda vetting for all current staff and set date reminders on electronic calendar for one month prior to renewal.
- (4) A level 8 certification is attached for the one adult. The other two adults no longer work in the creche.

### **Supporting documentation submitted**

Documentary evidence was submitted to demonstrate compliance with the regulations.

### **Summary Comment**

The registered provider has adequately demonstrated that the non-compliances identified have been addressed.

## **Part III – Management and Staff**

### **Regulation 11 - Staffing levels**

*(1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.*

*(2) 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 was an adequate number of adults working directly with children on the day of the inspection.

(2) The minimum ratio of adults to children was maintained throughout the period of inspection.

On the inspector's arrival to the service, there were 16 preschool children present in two care rooms.

There were 4 children aged 1-2 years, 11 children aged 2-3 years and 1 child aged 3-4 years. Four adults were present and caring for the children at all times which meet the minimum requirement.

## Non-Compliance Information

(8) (a)

Records demonstrated that two adults were not always present in the service during the hours of operation. A review of records for the previous week evidenced that between the hours of 5.00pm and 5.30pm, one adult was present with the children attending. This regulation was also found to be non-complaint on the services last inspection on 9 June 2022.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

(8) (a) The service immediately changed the rota to ensure two members of staff are on the premises at all times between 8.00am and 5.30pm. Hours have been allocated to each member of staff to ensure two people on the premises at all times.

### Supporting documentation submitted

A copy of the staff sign in record was submitted.

## Summary Comment

The response submitted by the registered provider has been accepted in addressing the non-compliance identified on 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-

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

(b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

## Compliance Information

(1) (a)

Having regard to the age of the children and the time spent on the premises there was adequate and suitable play equipment available to children in both the indoor and outdoor learning environments. There were two preschool rooms in the service, one catering for younger children aged 1-2years, the baby room, and the second for the older children aged 2-3 years, the 'big room'. There was a range of play equipment in each room which included arts and crafts, construction, small world items, dress up props, play kitchen areas, library's, relaxing areas, problem solving toys and wide range of manipulate play resources. Open low level shelving units enabled all items to be readily accessible to the children and suitable sized tables and chairs were available for tabletop activities.

In the baby room large floor mats provided space for babies to engage in floor play and a range of play materials such as soft, push and musical toys were available within reach of children. A wall hanging, shatter proof mirror with pull up bar provided a space for children learning to stand, to refine their developing physical skills. An overhanging canopy provided a pleasing view for younger babies lying on their back. A kitchen unit was resourced with supporting materials as was a construction bench and garage. Large open shelving accessible at children's level contained baskets with a range of activities and resources to support children's fine motor development, hand eye coordination and concentration skills.

The 'big room' provided developmentally appropriate resources and materials for the older children. A kitchen/home area was resourced with a range of supporting materials. Large open shelving accessible at children's level provided a range of tabletop activities and resources to support children's fine motor development, hand eye coordination and concentration skills. A wooden structure in the corner of the room provided a designated space for role play with dress up costumes to support this.

The outdoor play area was covered in an artificial grass and surrounded by a boundary fence. A wooden structure with overhead polycarbonate sheets covered a large section of the play area and provided shelter from the natural elements. The range of play materials available to the children included two wooden and plastic playhouses, swings, a slide, a range of wooden picnic benches, seating and a mud kitchen. Staff were observed adding additional resources to the area in response to children's requests, for example plastic blocks and small world toys were added to the area under the canopy for children to play with.

(b) There was a designated sleep room off the main corridor containing four standard cots to provide for the sleep needs of younger children aged under two years. Each cot was fitted with a waterproof mattress containing the required safety label, which was clean, firm and correctly fitting. The cots were observed to be in a good state of repair. A storage unit provided individual storage of bed linen for each child. Stackable floor beds were available for children aged over two years to sleep if required.

### 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 main entrance to the building was secured preventing unauthorised access and the unsupervised exit of a preschool child. The boundary of the outdoor play area was secured with wooden fencing with a gate preventing children from exiting. Hazardous cleaning materials and supplies were stored in locations that were inaccessible to preschool children. The kitchen door was closed throughout the period of inspection preventing children from entering. The play equipment in use on the day was observed to be maintained in a satisfactory state of repair.

##### Infection Control:

The service was found to be clean during the inspection. The adults prompted the children to wash and dry their hands thoroughly with help given in accordance with their needs at appropriate time such as before eating and after using the toilet and nappy changes. The nappy changing procedures observed in the service supported effective infection control practices including the wearing of appropriate protective clothing, handwashing and cleaning processes. Cots shared by children were clearly labelled and cleaned between use.

##### Administration of Medication:

The inspector was informed that medication if required was labelled and stored in the kitchen. Records detailing the administration of medication were maintained.

##### Safe Sleep:

All children aged under two years were placed to sleep in a cot in the designated sleep room. Children aged over two years were placed to sleep on stackable floor beds in the baby room. The air temperature in both areas where

children slept was maintained within the required ranges. Adults were observed to physically enter the room while children slept at intervals of no more than 10 minutes. Records of the physical observations were maintained.

### Non-Compliance Information

#### General Safety:

1. The water temperature in the wash hand basin used by children after nappy changes was not thermostatically controlled to ensure it did not reach the maximum safe limit. The running water was measured by the inspector to be at 50°C which is above the safe limit of 43°C to prevent the risk of scalding.
2. There were six highchairs stacked on top of each other in the baby room posing a safety risk to children if they were to be pulled down by a child or topple over.

#### Infection Control:

3. Foot pedal operated waste bins were not provided in the sanitary accommodation.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### General Safety:

1. A plumber was contacted to rectify and fit thermostatically controlled tap. No children were allowed to wash their hands in the nappy changing room until rectified. Children wash their hands in the adjoining toilet in the interim.
2. The service will not stack chairs so high that they could be potentially pulled over.

#### Infection Control:

3. Foot pedal bins were acquired and installed in place of previous bins. New pedal bins will be provided at regular intervals or as when required.

#### Supporting documentation submitted

A number of images were submitted to evidence compliance.

### Summary Comment

The evidence submitted by the registered provider has been accepted in addressing the non-compliances identified on inspection.

## Part VI - Safety

### Regulation 28 - Insurance

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

#### Non-Compliance Information

1. A review of the attendance records evidenced that on Monday 16 October 2023, there were 23 preschool children attending the service. As a result, the service was not adequately insured for the number of children attending on this date.
2. It could not be determined from the evidence provided that the service had current insurance to cover the type of service provided, specifically including cover for the transport of preschool children to and from the service.

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

##### Corrective and Preventive Action

1. The service has reverted to the registered number of children. The service will apply for a change of circumstances to increase the registered number of children. The service will continuously monitor the number of children attending the creche. Organise the rooms, so that numbers are consistent with registered number. Inform parents there will be no alternative days other than those initially agreed.
2. Transport of children from playschool to creche stopped immediately and parents informed that they are to arrange their own transport. Parents to arrange transport if required going forward. Creche no longer provides transport.

##### Supporting documentation submitted

No supporting documentation received.

#### Summary Comment

The response and assurances provided by the registered provider has been accepted and the requirements of this regulation have been met.