

Early Years Inspectorate Regulatory Report

Pre School

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| TUSLA Identifier: | TU2015DL140 |
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| Name of Service: | Shining Lights Creche Ltd |
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| Address of Service: | 23 Glen Park, Fox Hills, Letterkenny, Co. Donegal |
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| Eircode: | F92 E2C6 |
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| Name of Registered Provider: | Aoife Dorrian |
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| Service type: | Full Day, Part Time, Sessional |
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| Date of Inspection: | 11/11/2024 |
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|-----------------------------------|----|----|----|----|
| No of pre-school children: | AM | 53 | PM | 36 |
|-----------------------------------|----|----|----|----|

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| Address of the Early Years Inspectorate: | Early Years Inspectorate TUSLA Child & Family Agency Suite 7, Vista Primary Care, Ballymore Eustace Road, Naas, Co. Kildare W91 X38W |
| Inspection undertaken by: | F.Maher, T. Duignan |
| 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).

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| Conditions if applicable | Not applicable |
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Description of service

Shining Lights Crèche Ltd. is one of two private childcare services operated by the registered provider in Letterkenny town. Full day, part time and sessional care and education is provided for children aged 0-6 years old. The service is registered to provide school age childcare. Opening hours are from 07:45am-18:00hrs, Monday-Friday. The service operates from a purpose-built premises on the outskirts of the town, 6 pre-school rooms, a kitchen, office and staff room are provided and play areas are located at the rear and sides of the building.

Car parking is available outside the premises.

Staffing

There were seventeen adults present in the service on the day of the inspection, this included 13 adults working directly with the children, the registered provider, deputy person in charge, one student on work placement and the chef.

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

A sampling process was used to assess compliance under

Regulation 23 - Safeguarding health, safety and welfare of child

As a result, the scope of the inspection included Baby (Little lights), Wobbler (Rainbow lights), Toddler (Fairy lights) rooms on the ground floor and ECCE room 1 on the first floor.

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

1. A written immediate action notice under Regulation 23 – Safeguarding health, safety and welfare of child was issued to the registered provider on 11 November 2024.
2. A written response was submitted by the registered provider on 13 November 2024 outlining the measures taken to address the immediate concern.

Acknowledgments

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

Part 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.
- (7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:
- (a) the policies, procedures and statements of the service specified in Schedule 5;

Compliance Information

- (1)
- (a) There was a designated person in charge and a named person to deputise as required.
 - (b) The named person in charge remained on the premises for the duration of the inspection.
- The files of twenty-three adults employed and one workplace student were reviewed on inspection.
- (2)
- (a)(b) Two written and verified past employer references or references from a reputable source other than a past employer, were available in respect of all adults employed and one workplace student.

(c) Garda Vetting disclosures were available for all adults employed and/or present in the service.

The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) Police vetting was available for two adults who had lived in a state other than the State for a period of longer than 6 consecutive months.

(4) Nineteen employed childcare staff members working directly with pre-school children attending the service held a major award in Early Childhood Care and Education at Level 5 on the National Framework of Qualifications or a qualification deemed equivalent by the Minister.

(7)(a) There was documentary evidence that staff meetings had taken place, the last meeting was dated 2 October 2024. Staff members were provided with the service policy folder on a regular basis to refresh their knowledge with regard to various service policies and procedures; there was documentary evidence that staff members had recently read the behaviour management and infection control policies of the service.

Non-Compliance Information

(2)(d) Police vetting was not available for two adults who had lived in a state other than the State for a period of longer than 6 consecutive months.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

Student- vetting was submitted for out of state-

Other staff member was able to get contact with the embassy and re submitted to the state of residence.

Preventive Action

To inform colleges that we do require the out of state vetting for students moving forward.

To ensure that emails from embassy's are not enough when trying to get clearance from another country.

Supporting documentation submitted

Documents x 2

Email x 1

Summary Comment

It is acknowledged the application process has commenced for international police vetting; however, these documents remain outstanding to date. The registered provider has given written assurance that copies of the outstanding documents will be submitted once received.

The requirement for Regulation 9(2)(d) has not been met at this time.

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 53 children attending the service being supervised directly by 13 adults.

(2)

The minimum ratio of adults to children was adhered to during the day.

(8)(a)

There were at least two adults on the premises at all times for the duration of the Inspection. This was confirmed following review of the staff roster for the service.

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 doors to each pre-school room had high level door handles which were out of reach of the children.

All cleaning equipment was stored safely and out of reach of the children. Medicines were kept in their original containers and stored securely.

Infection Control:

Thermostatically controlled hot water, liquid hand soap and paper hand towel, hygienically dispensed from wall mounted units, were readily available for hygienic hand washing and drying.

Foot pedal operated bins were provided for the disposal of soiled nappies, used tissues, paper towel and waste.

Cleaning schedules were in place and maintained. A cleaner was employed to attend to cleaning duties in the evening time when the service is closed.

Administration of Medication:

Medication was not given at the time of the inspection; written parental consent was available should medication be required to be administered to a child. Medication was safely stored. The staff members were familiar with the practices required for the administration of medication to a child attending the service.

Medical care plans were in place for any child requiring emergency medication during their hours of attendance.

Safe Sleep:

The staff members, caring for sleeping children, in conversation with the inspector, advised that ten-minute sleep checks were recorded electronically to check the colour, position and breathing pattern of sleeping children, this practice was observed being carried out during the inspectors' time spent in the baby room when children were sleeping in the cots provided.

The sleep room environmental temperature of the baby sleep room was maintained between 16°C - 20°C to ensure a comfortable and safe sleeping environment for the children, the ambient temperature of the wobbler sleep room was maintained between 18°C - 22°C and was recorded at 20.8°C at 11:40pm when six children were sleeping.

The children sleeping in the Toddler room were supervised by the two staff members who remained in the room and completed the required sleep observations.

Fire Safety:

Monthly fire drills had been carried out and staff members were familiar with fire safety evacuation procedures from the service.

Outing:

The service does not conduct outings.

Non-Compliance Information

General Safety:

1. The main entrance door to the service was found unsecured by the inspectors at various times throughout the day during inspection as follows:
 - At 12:38pm, 13:54pm and 16:10pm

This was a risk for unauthorised persons to gain entry to the service with full access to all areas of the building; an immediate action notice was issued 11 November 2024.
2. Daily indoor and outdoor risk assessments were not being completed to identify and manage the risks of any observed hazards in the service. This did not align with the policy statement of the Risk management policy which stated:
 - The service will carry out regular risk assessments in the service in relation to
 - The health safety and welfare of everyone attending the service
 - The safety of the service and
 - The premises being safe suitable and appropriate for care and education of children
3. The following safety concerns were observed in the baby sleep room:
 - A window blind cord was observed unsecured, was also broken and held together with clear tape; a cot was situated in close proximity to the window and the cord was potentially accessible to a child and posed a risk of injury. Immediate corrective action was taken by the inspector and the cord was tied up and placed out of reach of potential access by a child using the cot; an immediate action notice was issued 11 November 2024.
 - Three cots were situated next to the internal window with cloth window coverings which were accessible to children in these cots; the coverings could be easily pulled down as they were attached by suction cups to the window and posed an injury risk to a child. This safety concern was brought to the attention of the registered provider by the inspector and immediate corrective action was taken and the three cots were moved away from the internal window and coverings.
 - Fire safe window restrictors were not in place on the external windows and posed a risk of unauthorised entry to the premises.

- The edges of a floor mat were observed to have curled up and was a trip hazard.
 - A cot mattress in one cot, adjacent to the window, did not fit snugly and posed a risk of entrapment to a child.
4. One side gate was unsecured in the outdoor area at 12:09pm; it was observed that the bolt mechanism had not been correctly secured with the spring locking mechanism, as a result, the bolt could be accessed and opened from the outside. This posed a risk of unauthorised access to the outdoor play area and subsequently into the premises as the door into the ground floor sanitary area, with direct access from the play area, was open. Immediate corrective action was taken by the inspector and the locking mechanism was correctly engaged to prevent unauthorised access to the premises.
 5. It was advised to the inspector by a staff member in the baby room, that the bottles of powdered infant formula, provided by parents for their child, were being heated in the microwave; this posed a risk of an oral scald injury to a child as there may be hot spots remaining in the formula.
 6. Visibility strips were required on the glass patio doors in ECCE 1 room in the event children did not recognise the glass and therefore a potential injury risk.
 7. The central heating boiler was accessible to the children in the play area at the side of the building used by the children from the Baby and Wobbler rooms and posed a risk of injury to a child from heat/sharp edges. It is acknowledged the registered provider provided photographic evidence, 12 November 2024, that new wooden fencing had been put in place to secure the area.
 8. The handrails on both stairwells were adult height and unsuitable for the pre-school children to comfortably and safely use when ascending and descending the stairs.
 9. There were nine children aged 2- 3 years in Fairy Lights room sitting on chairs which were the incorrect height for them as they could not place their feet on the ground for balance and stability. This posed a potential risk of injury to a child if they lost their balance and fell off the chair.
 10. Three wooden supporting posts for a covered space and a metal upright post observed in the outdoor area on the right-hand side of the premises and used by the Baby and Wobbler rooms were not covered in a protective covering to prevent injury to a child if they failed to recognise the post during play and ran into it.

Infection Control:

11. One cot mattress was observed soiled and stained in the baby sleep room and required replacing.
12. Two cot mattresses, with the sheets in place, were observed stored in another cot which also had the sheet in place in the wobbler sleep room; this posed a risk of cross contamination between the cot sheets.

13. Low level beds with the bedlinen in place on the beds were observed placed against a wall in a room adjoining the Toddler room. The sheet on the edge of the bed frame was in contact with the floor which was not adequate for infection control purposes.
14. The nappy changing practices observed for 11 nappy changes completed, posed a risk of cross infection as evidenced by the following observations:
- Single use disposable gloves and the single use disposable apron, when worn for nappy changes, were not removed at the point that the soiled nappy and used cleaning material were bagged up prior to being disposed of.
 - Children’s hands were not washed following nappy changing.
 - While staff members did wash their hands following each nappy change, they were observed not to wash hands prior to commencing each new nappy change.
 - Staff members did not use the foot pedal mechanism to dispose of the used nappy change items and instead were observed handling/lifting the lids to access the bins.
15. The registered provider had not implemented the Early Years Inspectorate Regulatory Notice – Use of nappy disposal bins in Early Years Services issued in 2022 as the nappy change bin used in the Toddler room sanitary area was not a lined and lidded, leak proof, sealable foot pedal operated required for infection control purposes.
16. Infection control safeguards to prevent the spread of infection in sanitary area used by the Toddler room were not maintained as evidenced by the following observations:
- A build-up of dead small flies was observed on the windowsill in the sanitary area. The windowsill was accessible to children.
 - A dead insect was observed in a plastic file on the wall in the Toddler room.
 - The base of the radiator was observed to be rusted, this limited effective cleaning for the purposes of infection control.
 - The toilet roll dispenser in the middle toilet cubicle was broken and the cover with toilet paper was observed to be on the cistern of the toilet. This prevented a child from accessing toilet paper after using the toilet.
 - Children’s clothing was stored in the toilet area which was unsuitable for hygiene and infection control purposes.
17. The system in place to sterilise the mouthed toys in the Baby room required review as following washing the items in hot soapy water, as advised by the staff members, the toys were sprayed/wiped with a

sterilising solution; this was inadequate for infection control measures as the toys/items were required to be submerged for 15 minutes in a correctly constituted sterilising fluid to achieve complete sterilisation.

Administration of Medication:

18. Two of the four medication care plans for children requiring medication to be administered required to be updated as a recent review had not been completed.

Fire Safety:

19. The fire exit in the baby sleep room was obstructed by a plastic ball play pool stored on the floor; immediate corrective was taken by the registered provider when informed by the inspector and the pool was removed.

Action submitted by the Registered Provider

Corrective Action

General Safety:

1. Evidence was submitted to inspectors the following day that door security was fixing the close (mechanism) on door, this new closing aid was added to ensure it closes securely.
2. Daily indoor/bathroom/sleep/outdoor and management risk assessments were put in place.
3. Window blind cord was fixed on the 11/11/24 by the window company.
 - black out blind was removed that day
 - Fire restrictors put on 12/11/24
 - Mat removed on the day
 - New mattress bought and replaced on 12/11/24
4. Gate has been placed on our daily check list for outside.
5. Staff have been retrained in the policy of bottle making/reheating safety (bottle warmer in use) for our children.
6. Strips applied to window. 7. Fence has been put up 12/11/24.
8. Children currently use the bars on the rail to ascend and descend and this has been attached to our risk assessment and new handrails have been scheduled to go up in Jan '25.
9. New chairs purchased and children were given these on the 18/11/24.
10. Grass was placed around the base of the posts and secured by cable ties.

Infection Control:

11. New mattresses were purchased on the 15/11/24.
12. Staff were advised about the correct storage of mattress when not in use.

13. Staff have now been advised that the beds are to remain flat on the ground to avoid any further infection from the ground.
14. Staff have been re-trained in our nappy changing policy and this was carried out in our training afternoon on 18/11/24.
15. All areas have been provided with new pedal control bins in nappy changing areas.
16. The cleaner has been updated and walked through cleaning requirements again. Staff have also been advised to keep a closer eye on the cleaning started within the toilet area. Radiator has been painted, toilet roll dispenser has been replaced, clothing now stored in rooms.
17. Mouthed toys are now submerged in a box of solution placed in the room every morning- these are then rinsed and dried before going back into play.

Administration of Medication:

18. The medication that was belonging to one child was returned as it is not needed in class.
- Other child now in full attendance has had the medication and equipment provided by parent.

Fire Safety:

19. Ball pit was removed once inspectors pointed it out.

Preventive Action

General Safety:

1. Door security is checked daily to ensure the closing has not slowed down.
2. Risk assessments put in place on the 12/11/24.
3. Binds cords/trip hazards/mattress/window checks have been added to the risk assessment to avoid these being missed and not highlighted to the management team. No objects that could be pulled down by children should be placed in the room.
4. Gate has been placed on our daily check list for outside.
5. Staff training for this has been scheduled for our group training afternoons throughout the year.
6. Strips to be reapplied if they become detached. 7. Ensure fence remains in good working order.
8. Ensure work starts and is completed by end of Jan '25.
9. Ensure children and swapping of chairs in room doesn't occur again.
10. To ensure if covering comes off they are attached again.

Infection Control:

11. Added to sleep risk assessment that these are checked and highlighted to management if in poor condition.
12. Mattress not to be placed or stored in cots and the sheets to be removed and cleaned if not in use.

13. Staff have now been advised that the beds are to remain flat on the ground to avoid any further infection from the ground.
14. We will reissue training in our training afternoon moving forward. Policy updated and sign made for changing area with a step by step guide.
15. Added to risk assessment check list that they are in working order and spare bin kept within the building to help prevent using a broken bin or different bin until its replaced.
16. Daily bathroom risk assessment put in place to ensure these issues are highlighted to management and policy has been updated.
18. All care plans have been reviewed; dates have been double checked on all medications including auto injectors. We have added in another document sheet to help with review of these care plans which will occur every 6mths. Any changes that occur to child's medication will be updated in real time.

Fire Safety:

19. Ensuring the staff do not place any items in the sleep area.

Supporting documentation submitted

Photographs x 16

Documents x 5

Summary Comment

It is acknowledged the registered provider responded in a timely manner to the immediate action notice issued 11 November 2024.

Following review by the Early Years Inspectorate of the written response, documentary and photographic evidence submitted by the registered provider, it is accepted that point 8 will not be addressed until January 2025; this will be reviewed at the time of the next inspection. The requirement for Regulation 23 has been met.

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.

(3) A registered provider shall ensure that-

(a) no person other than-

(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)

The registered provider ensured that each child was checked in and out of the service. This was confirmed by the electronic attendance record.

(3)(b)

The person in charge ensured a record in writing was maintained of any person entering the service.

Non-Compliance Information

(3)(a)(iv)

On arrival to the service at 09:18am when the inspectors rang the entrance bell, the entrance door was remotely released without anyone verifying who was at the door. The inspectors then had access to the whole premises with no staff member available to manage access and vet entry to the service. This system compromised the safety and security of the children and staff in the building and did not align with the 'Doorstep Procedure' of the Visitor policy which stated,

"the person answering the door must inform the person in charge and identification must be checked."

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

Staff have all been advised on our door policy and handed out a copy to have within the room.

A new monitor has been added to office area.

Preventive Action

We have added in a new monitor for the door in the office, this allows office staff to have more control during busy times and to ensure all persons are checked on entry to building.

Supporting documentation submitted

Photograph x 1

Summary Comment

Following review by the Early Years Inspectorate of the written response and photographic evidence submitted by the registered provider, the requirement for Regulation 24(3)(a)(iv) has been met.

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)
There were persons trained in first aid for children and first aid response (FAR) and immediately available at all times to the children attending the pre-school service.

(2)
(a)(b) The first aid boxes were readily available in the service and stored out of the reach of children in easily accessible and conspicuous positions in the pre-school rooms.

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 firefighting equipment and smoke alarms in the premises.
- (4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.

Compliance Information

(1)(a)

A written record was available of fire drills completed in the service; the last recorded fire drill was 16 October 2024.

(b) A maintenance record was kept of the firefighting and smoke alarm system in the premises. The firefighting equipment was serviced October 2024, and the smoke/fire detection system was serviced 27 August 2024.

(4)

A notice of the procedures to be followed in the event of a fire was conspicuously displayed in the service.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

There was evidence of current insurance cover valid until 27 March 2025. The insurance provided cover for 101 children.