

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DR046
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<b>Name of Service:</b>	Simbas Childcare Limited
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<b>Address of Service:</b>	42 Main Street, Blackrock, Co. Dublin
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<b>Eircode:</b>	A94 W3X7
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<b>Name of Registered Provider:</b>	Kim Mccarthy
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<b>Service type:</b>	Part Time
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<b>Date of Inspection:</b>	27/05/2024
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<b>No of pre-school children:</b>	AM	35	PM	35
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<b>Address of the Early Years Inspectorate:</b>	1st floor Trinity Building, IDA Business Park, Southern Cross Road, Bray, Co. Wicklow
<b>Inspection undertaken by:</b>	Sarah Quigley
<b>Title:</b>	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).

<b>Conditions if applicable</b>	Not Applicable
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### Description of service

Simba's Childcare is a privately owned early years service which was established in 2008, and is 1 of 2 services operated by the registered provider in Blackrock, South Co Dublin. The service is located in an urban area on the main street of Blackrock operating from the 1<sup>st</sup> floor of a Methodist Church. The premises consists of three purposely adapted care rooms, two of which operate from one large room with a partition in place separating the two groups. A blend of a play based and Montessori curriculum is provided on a part time basis to children aged 2 to 6 years from 09:00 to 13:15 each weekday. There is an outdoor play area available to the front of the premises which is shared with another early years' service who operate from the ground floor of the same building.

### Staffing

The service currently employs 8 staff members who work with the children each day including an adult who provides relief cover. The registered provider does not work directly in the service. On the day of inspection, 7 staff members were present including the adult who provides relief cover to both early years services which are operate by the registered provider. The registered provider was not present during the inspection.

### 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/ information and records/ health, welfare and development of child/ safety/ premises and facilities. The inspection may also focus on other areas as required.

A sampling process was used to assess compliance under regulation 15 and regulation 16.

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 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

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

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

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

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

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

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

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

#### Compliance Information

(2) Documentation was reviewed in respect of 8 adults currently working in the service. The following records were available for the adults:

(a) (b)

The registered provider demonstrated that they had verified the references obtained from 2 sources for 8 of the adults.

(c) Garda vetting disclosures had been obtained for the 8 staff. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.

(d) International police vetting was available for 2 adults who required it.

(4) 7 of the adults held a relevant major award in Early Childhood Care and Education on the National Framework of Qualifications.

### Non-Compliance Information

- (3) A review of documentation evidenced the registered provider had not taken the required steps as outlined in Regulation 9(2)(c) to ensure that new recruits were suitable and competent before allowing them access to children. One adult has commenced employment in the service on the 22<sup>nd</sup> October 2023 and a Garda Vetting disclosure had not been obtained until the 8<sup>th</sup> November 2023.
- (4) There was no evidence available to show that 1 of the adults who were working directly with the children held a full relevant major award at a minimum of level 5 in Early Childhood Care and Education on the National Framework of Qualifications.

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

#### Corrective and Preventive Action

- (3) The new recruit was interviewed on the 28/9/23 and Garda Vetting was applied for on this day. The commencement date of the 22/10/23. The thought gave ample time for the Garda Vetting disclosure to have returned. The service will ensure Garda Vetting has been obtained prior to the start date regardless of the lengthily timeframe that can be associated with this process.
- The service will take the action of the temporary closing of a room if they are awaiting a Garda Vetting disclosure.
- (4) A relevant qualification was submitted for the staff member in question.

#### Supporting documentation submitted

Supporting documentation was submitted and reviewed by the early years inspector.

### Summary Comment

The regulatory requirement has been met.

### 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.*

#### Compliance Information

- (1) An adequate number of adults were working directly with the pre-school children attending the service during the inspection.
- (2) The registered provider ensured that the minimum ratio of adults to children was maintained in the service on the day of inspection. There were 35 children present in the service being supervised by 7 adults during the inspection.

### Part IV – Information and Records

#### Regulation 15 – Record of pre-school child

*(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:*

- (a) the name and date of birth of the child;*
- (b) the date on which the child first attended the service;*
- (c) the date on which the child ceased to attend the service;*
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
- (e) authorisation for the collection of the child;*
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
- (g) the name and telephone number of the child's registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*

*(i) written parental consent for appropriate medical treatment of the child in the event of an emergency.*

### Compliance Information

A sample of 10 records of preschool children maintained in the service were reviewed by the inspectors to assess compliance. The documentation reviewed evidenced that each of the 10 records detailed all of the required information outlined under Regulation 15(1) (a), (c), (d), (e), (f), and (i).

### Non-Compliance Information

Of the 10 records reviewed, some did not contain the required information outlined under Regulation 15(1) as follows:

- (b) 2 of the records reviewed did not detail the date on which the child 1<sup>st</sup> attended the service.
- (g) 1 of the records did not detail the name and phone number of the child's medical practitioner.
- (h) 9 of the records did not detail a record of immunisations, if any, received by the children.

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

#### Corrective and Preventive Action

(b)(g)(h)

The service currently have 2 variations of a child's record form - one being a hard copy and the other is stored electronically. The service updated the hard copies to make sure all required information is on the hard copy record form. The service have reviewed all record forms to make sure the start date is detailed, and a monthly review of hard copy record forms will take place to ensure all information is detailed.

#### Supporting documentation submitted

No supporting documentation was submitted.

### Summary Comment

The regulatory requirement has been met.

## 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

(1)

- (h) A record was available in each care room on an online application detailing the attendance of each preschool child on the day of inspection.
- (i) An accurate staffing roster was available in the service detailing hours of work for each staff member on the day of inspection.
- (j) There were no written records of medication available in the service as staff stated medication had not yet been administered to a child. There was appropriate documentation available to administer medication if required, including in the event of an emergency. Staff were familiar with the documentation in place.

## Non-Compliance Information

- (k) There were no written records which adequately detailed accidents and incidents which occurred in the service available on the day of inspection.

## Corrective & Preventive Action submitted by the Registered Provider

### **Corrective and Preventive Action**

The provider discussed with the service manager that all accidents including minor incidents must be recorded on the online application in use and shared with parents. To date for this current year the service has had no accidents or incidents that they felt warranted an accident report, however going forward the service will be taking records on the application of any incident in the future.

The service implemented a system that when any incident occurs the staff member must inform the manager and follow through with a detailed report.

### **Supporting documentation submitted**

No supporting documentation was submitted.

## Summary Comment

The regulatory requirement has been met.

## 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-*

*(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.*

#### Compliance Information

The service had a healthy eating policy in place and staff reported that a morning snack and lunch are provided daily by the parents/guardians of the children in attendance. Children's drinks were accessible to them at all times. Mealtimes were relaxed and staff were observed sitting with children eating and engaging in conversation, creating a relaxed sociable atmosphere.

Children's nappies were changed routinely and in between if required, staff availed of opportunities for warm one-to-one interactions when providing one to one care. Older children were supported to use the toilet independently. Staff assisted the children with handwashing at appropriate times and helped children to clean their noses when required.

The children were all provided with the opportunity to play outdoors and were dressed appropriately to the weather. Staff demonstrated warmth and kindness during all interactions observed by the inspector, comfort was provided promptly if a child became upset. The play experiences in the service were observed to be mostly child-led, and children were visibly happy and engaged in their play. Adults were all observed to have a supportive role in the children's play, getting involved to extend the child's learning using prompts or suggestions. Adults were offered continuous praise and encouragement towards the children and promoted a language rich environment, prompting open-ended conversations and encouraging children to take turns, listen, and engage in discussions. Staff alerted children in advance of transitions which ensued smoothly to new activities such as tidy up time, snack time and circle time. This provided the children with adequate time to finish what they were doing and prepare for the next activity.

## 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

The inspector found by observation of practice, review of documentation, discussion with the registered provider, and inspection of the premises that the following steps to safeguard children attending:

#### General Safety:

The entrance doors and gates into the building was adequately secured to ensure the safety of the children within and to avoid unauthorised persons gaining access or children exiting unsupervised. The toys and play equipment observed in use by the children on the day of inspection were safe and in good working order. The registered provider had taken measures to ensure the indoor and outdoor play environments were safe and free from hazards. Cleaning products and hazardous materials were stored securely out of reach of the children.

#### Infection Control:

An infection control policy was in place to inform practice. The children were supported to wash their hands at regular intervals including after using the toilet, after outdoor play, and before lunch. Schedules were in place and maintained to ensure the service, equipment and materials are regularly cleaned. Staff members outlined appropriate exclusion periods for adults and children with infectious illnesses were implemented in the service as per the policy. Staff members regularly washed their hands including before assisting with food preparation and after tending to children's personal care needs.

#### Administration of Medication:

There was written evidence of prior parental consent for the administration of both temperature reducing and prescribed medications, and there were procedures in place to safely administer and document such medication if required, including in the case of an emergency. The person in charge detailed the procedures for administering medication if required during discussions with the inspector and had an appropriate means on an interactive application available to record such administration if required.

#### Fire Safety:

The designated fire escape routes were clearly indicated and free from obstruction on the day of inspection. Staff members adequately outlined the evacuation procedures in place in the event of a fire and stated that fire drills are practiced regularly on a monthly basis.

### Non-Compliance Information

#### General Safety:

1. The service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. 4 staff members working in the service did not have a Garda Vetting disclosure which was dated within the last 3 years.

#### Infection Control:

2. Perishable food items contained in children's lunch boxes in the Toddler room were not refrigerated prior to consumption at snack and lunch time, posing a risk of gastrointestinal illness.
3. A swing lidded bin was in place in the Junior Montessori room for the disposal of paper towels where a pedal operated bin is required, posing a potential risk of cross contamination.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### General Safety:

The service re vetting process has been reviewed and regular staff file checks will be done to ensure that our vetting is always renewed every 3 years, attached is the completed re vetting for 3 members of staff and proof of application for the 4 members of staff identified.

Monthly checks of staff files will take place to ensure all re vetting is applied for within the 3 year time frame.

#### Infection Control:

A fridge has been purchased for the Toddler room to ensure all perishable items are being stored at a safe temperature. The service will ensure all broken items such as the previous Toddler fridge will be replaced immediately to ensure the safe storage of all perishable foods.

#### Supporting documentation submitted

Supporting documentation was submitted and reviewed by the early years inspector.

### Summary Comment

The regulatory requirement 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)

An adult trained in First Aid Responder (FAR) training was available to the children on the day of inspection.

(2)

(a) The first aid box was stored in a conspicuous location within the service.

(b) A first aid box was available in the service at all times on the day of inspection.

### 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.
- (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 detailing fire drills that had taken place in the service.
  - (b) There was record to show that the firefighting equipment had been serviced and that maintenance of the fire detection and alarm system had taken place as required.
- (4)
- The procedures to be followed during a fire drill and in the event of a fire were displayed in A conspicuous location within the service.