

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DR053
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Name of Service:	Puddleducks Creche & Montessori
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Address of Service:	Springvale Hall, Ticknock Hill, Sandyford, Dublin 18, Co. Dublin
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Eircode:	D18 X0Y0
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Name of Registered Provider:	Sheila Neill
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Service type:	Full Day, Part Time
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Date(s) of Inspection:	10/10/2023
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No of pre-school children:	AM	60	PM	58
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Address of the Early Years Inspectorate:	Floor 7, Brunel Building, Heuston South Quarter, Kilmainham, Dublin 8
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Inspection undertaken by:	F Carty and S Quigley
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Title:	Early Years Inspectors
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Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

Conditions if applicable	Not applicable
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Description of service

Puddleducks Crèche and Montessori is registered to provide full day, part-time and sessional care to children aged 0 to 6 years. The service operates from five rooms in a purpose built crèche facility. There are four rooms on the ground floor, the Chicks, Waddler, Little Ducks and Big Ducks rooms and one room on the first floor, namely the Montessori room. A separate sleep room and sanitary accommodation is provided together with an outdoor area which is located at the rear of the building. The service opens from 8:00am to 6:00pm Monday to Friday. A morning Early Childhood Care and Education Scheme (ECCE) session is provided from 9am to 12pm for 38 weeks of the year.

Staffing

On the day of inspection there were seventeen staff members working directly with the children. The registered provider was also present in the service. The service also employs a cook who was not present on the day of 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, health, welfare and development of child and safety.. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11, 16, 19, 22 and 23, however, on inspection additional non-compliance which posed significant risk was identified under Regulation 29. These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under regulation 16 (1) Records and 19 (1)(b) ...As a result, the scope of the inspection included a sample of documentation and the Chicks, Waddler, Little Ducks and Big Ducks rooms.

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 children, registered provider, and staff who were present on the day of the inspection.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

- (a) the service has a designated person in charge and a named person who is able to deputise as required,
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.

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

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,
- (b) consideration of references from reputable sources in the case of a person who has no past employers,
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and
- (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.

(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

- (1)
- (a) The service had a person in charge and a named person to deputise as required.
 - (b) The person in charge was on the premises throughout the inspection. The staff roster provided for the person in charge or deputy to be present at all times of opening.

This regulation was assessed in relation to all staff who were employed in the service.

(2)(a)(b)

Of the forty-two references required twenty-four written and validated references were available from a past employer. A further five written and validated references were available from a source other than a past employer.

(c) Garda vetting disclosures were available for twenty adults.

(d) International Police vetting was available for five staff members who had lived outside of the State for a period exceeding 6 months as an adult.

(4) Of the nineteen adults requiring a recognised qualification in Early Childhood Care and Education, evidence of sixteen qualifications at a minimum Level 5 on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent were available.

Non-Compliance Information

(9)(2)(a)(b)

Seven references from a past employer or a source other than a past employer were not available for five adults. It is acknowledged that there were six references available for four other adults however, these references were not adequately validated.

This Regulation was found non-compliant on the previous inspection dated 29th June 2022. The corrective and preventive actions submitted by the registered provider did not address the non-compliance.

(2)(c)

A Garda vetting disclosure was not available for one adult who was present and working directly with the children on the day of inspection.

An Immediate Action Notice was issued to the registered provider on the 11th October 2023.

(d) International Police vetting was available for one adult however it was not translated into English, therefore the outcome of the search cannot be determined.

(3)

This regulation was assessed in relation to four new staff who were employed in the service since the last inspection dated 29th June 2022.

The following procedures were not carried out prior to the adults commencing work in the service:

- One adult had no references on file.
- Three references had not been adequately validated prior to the adult commencing employment in the service.
- A Garda vetting disclosure had not been obtained and considered for one adult.
- International Police vetting was not translated and therefore could not be considered for one adult prior to commencing employment in the service.

(4) There was no evidence available that three adults working directly with the children had obtained at least a Level 5 on the National Framework of Qualifications or an equivalent qualification.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)

(a)(b)

All staff member files have been reviewed in full subsequent to the inspection. There are only two files where there was only one reference available. One staff member has been in employment since 2007 and the other since 2017 so we are not in a position to seek an additional reference after this length of time.

Additionally, four staff members had inadequate validation dating back 5 years, 6 years (twice) and 16 years. Again, we do not consider it possible to further validate these references after this length of time.

In each of the above-mentioned cases, staff have operated to a fully satisfactory level during their time working at Puddleducks.

Two references are now obtained as a matter of course for new employees and we will adopt the recommended validation form in future.

(c)

The adult who was subject of the immediate action notice was removed from the building immediately the inspectors left. Subsequently, her Garda Vetting was received on October 20th, and is on file.

In future, potential new recruits will not be permitted into the building until Garda Vetting is received.

(d)

International Police Vetting translated into English is now held on file. We would point out that the form had been viewed but the Hungarian form had been placed on file in error.

Greater care will be taken with filing in future.

(3)

All four new staff members have their files complete and all paperwork is present and correct. Our review of the staff files showed that only one, who had not actually started yet, and was the subject of the immediate action notice, did not have references. These are held now. We will continue to ensure that all references are on file and adequately validated for new staff members.

(4)

Two of the three “unqualified” staff work with after school children and therefore do not require a Level 5 qualification. However, one of these was completing work experience hours for a Level 6 qualification in the Waddler Room at the time of the inspection.

The third staff member has a qualification that was previously accepted as Level 7 equivalent, and she has subsequently applied to DCYA for fresh verification that this remains the case.

Supporting documentation submitted

No supporting documentation submitted.

Summary Comment

Based on the registered providers response the requirements of Regulation 9 have been met.

The non-compliance listed above will be reviewed on the next inspection.

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 sixty children present in the service being supervised by fifteen adults.

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

(h) Records were available detailing the attendance of children on a daily basis. These included the time the children arrived at the service and the time they left.

(i) A staffing roster was available in the service detailing hours of work for each staff member on the day of inspection.

(j) Written records of administration of medication to preschool children were available in the service. A sample reviewed on the day of inspection documented signed parental consent.

(k) Written records of accidents and incidents which occurred in the service were available on the day of inspection.

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 inspectors observed appropriate care practices in place in the service during the inspection.

The service provided breakfast, snacks, a hot meal, and an evening meal to the children in attendance. All children were supported to eat independently during meals, and staff provided assistance to children where required. Bibs were worn in younger care rooms to protect the children's clothes from becoming soiled or wet when eating. Drinking water was available in the care rooms at all times. Staff supported the children to wash their hands at appropriate times throughout the inspection and clean their faces after mealtimes.

The play experiences in the service were observed to be child-led. Children were observed exploring their environment, engaged in activities and playing with each other and the staff. The children were all provided with the opportunity to play outdoors and were dressed appropriately to the weather. Older children were observed using the toilet independently and younger children wearing nappies were changed regularly and as required.

Staff used opportunities when assisting with personal care for warm individual engagement with the children, addressing them by name and making conversation.

Staff demonstrated kindness and affection during all interactions observed by the inspectors, and comfort was provided promptly if a child became upset.

Staff used daily communication sheets documenting the children's routine including sleep times and food which they gave to parents at collection time.

Children in the Baby room had a designated sleep room that could be used whenever a child displayed signs of tiredness. Staff provided comfort to the children when they were settling to sleep, using soft tones and offering reassurance where required. The sleep room was relaxed and conducive to sleep. The children attending the Waddler and Little Chicks rooms were provided with an opportunity to sleep after their dinner and rest areas were available in all care rooms so children could relax or take time away from the group if required.

Part V - Care of Child in Pre-school Service

Regulation 22 – Food and drink

A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.

Compliance Information

The food provided to the children on the day of inspection appeared nutritious and varied. Toast and milk was available for the morning snack, chicken curry with rice and vegetables was served as the main hot meal followed by fruit and an evening meal of sausage rolls and milk was served to the children. Individual dietary requirements including allergies and religious preferences were catered for. Water was also served with all meals throughout the inspection. There was a 4-week rotating menu in place. All food is prepared onsite by a cook daily. Additional portions of food were made available during each mealtime if children wanted more.

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:

- Emergency doors were kept clear to allow for timely evacuation in the event of an emergency.
- Blind cords were secured out of reach of children.
- Heavy furniture was secured to prevent tipping.
- The kitchen was inaccessible to children.
- Cleaning products were stored safely out of reach of children.

Infection Control:

- Children's hands were washed at appropriate times to prevent the spread of infection.
- The Pre-school rooms and sanitary facilities were observed to be in a clean condition.
- Children's nappies were changed in a manner that reduced the risk of cross infection.
- Sanitary facilities were equipped with liquid soap and paper towels for handwashing.
- Pedal operated, lidded bins were available for the safe disposal of waste.

Administration of Medication:

- Medication was stored appropriately in the original packaging out of reach of children.
- Parent/guardian consent had been obtained for medications which had been given to children attending the service.

Safe Sleep:

- Inspectors observed staff checking sleeping children at 10-minute intervals and maintaining a record of the checks.
- The required temperature of the rooms were not maintained when children were sleeping to prevent overheating.
- Appropriate bedding was used to prevent overheating.

Fire Safety:

- Regular fire drills took place in the service.

Non-Compliance Information

General Safety:

1. A window in the Montessori room did not have an appropriate restrictor in place to prevent a child exiting the service or an unauthorised person entering the building.

Infection Control:

2. Fruit in the Waddler and Chicks room was placed directly onto the table which posed a risk of cross contamination.

3. The children in the Waddler and Little Ducks rooms were placed to sleep on mats in close proximity to each other. The staff in the Little Ducks room could not reach the children should they require comfort or care. There were nine children placed to sleep on mats with no space in between. The required 50cm space between each sleep mat was not maintained which could cause a spread of infection.

Safe Sleep:

4. Appropriate sleep facilities and equipment were not provided for children in the Waddler or Little Ducks rooms. All children aged 1 year were placed to sleep on sleep mats. Floor beds are required for children aged between 1 and 2 years who are not placed to sleep in a cot. These beds must have a firm, flat and waterproof mattress with a minimum depth of 6cm.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. Window restrictor has been placed on the Montessori Room window.

Infection Control:

2. Place mats have been reissued to the Waddler and Chick Rooms for use during mealtimes.
3. Bed mats are now appropriately spread-out during nap time to allow for ease of staff access.

Safe Sleep:

4. The new guidance on use of floor beds will be reviewed and the cots in the sleep room will be used as required.

Supporting documentation submitted

General Safety:

1. A photo of the window restrictor in place was submitted.

Infection Control:

No supporting evidence submitted.

Safe Sleep:

No supporting evidence submitted.

Summary Comment

The corrective and preventive actions submitted by the registered provider if implemented will address the non-compliance under Regulation 23.

The requirements of Regulation 23 have been met.

The above non-compliance will be reviewed on the next inspection.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-

(c) kept adequately lit, heated and ventilated

Non - compliance Information

(c) A stale odour was present in the Little Chicks and Chicks rooms. Evidence of damp patches and mould spores on the ceilings and walls in these care rooms were noted posing potential health risks to the children in attendance.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The stale odour and damp/mould patches have been investigated and will be treated in due course. This will require increased ventilation being installed in the external walls as well as installation of more powerful extractor fans in the toilet area. Walls will be treated and repainted.

As we are reliant on the building managers to facilitate the external wall work, a specific timeframe cannot be given at this stage but we have requested that it be addressed as a matter of urgency.

Supporting documentation submitted

No supporting documentation submitted.

Summary Comment

The corrective and preventive actions submitted by the registered provider when implemented will address the non-compliance under Regulation 29.

The requirements of Regulation 29 have been met.

The above non-compliance will be reviewed on the next inspection.