

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DR068
Name of Service:	Once Upon A Time Nursery & Montessori
Address of Service:	Harbour Square, Crofton Road, Dun Laoghaire, Co. Dublin
Eircode:	A96 T6N6
Name of Registered Provider:	Anne-Marie McCormack, David McCormack
Service type:	Full Day Care
Date 1 of Inspection:	21/02/2024
Date 2 of Inspection:	22/02/2024

No of pre-school children 21/02/2024	AM	81	PM	80
No of pre-school children 22/02/2024	AM	83	PM	82

Address of the Early Years Inspectorate:	Tusla – Child and Family Agency, Trinity Building, IDA Business Park, Bray, Co Wicklow
Inspection undertaken by:	Mary Redmond and Fiona Carty
Title:	Early Years Inspectors

Authority to Inspect

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

Conditions if applicable	Not applicable
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Description of service

This large private childcare facility was established in 2008 and is one of nine early years services operated by the registered providers. Full day care is provided for children ranging in age from one to six years and the service operates from 7.30am to 6.30pm Monday to Friday.

The service is located in a purposefully adapted premises at ground level in a mixed-use apartment complex in an urban area of south county Dublin. An enclosed outdoor space is provided and is accessed via two of the care rooms. Six care rooms were available and in use on both days of inspection and two separate cot rooms were also available. The Wobbler 1 and 2 rooms catered for the youngest children attending who ranged in age between one and two years and children in the Toddler 1 and 2 rooms were aged between twenty-two and twenty-eight months. Children in the Pre-Montessori room were aged between two and three years of age and children attending the Montessori room were all aged over three years.

Staffing

There were nineteen adults employed to work with pre-school children including the manager who was not assigned to a care room but was providing cover throughout the inspection. The service director and an area manager were rostered to work in the service on the week of inspection due to staff shortages; another area manager also arrived after the commencement of the inspection. Twelve adults employed to work directly with pre-school children had attained major awards in Early Childhood Care and Education at a minimum of Level 5 on the National Framework of Qualifications, or qualifications deemed by the Department of Children, Equality, Disability, Integration & Youth (DCEDIY) to be equivalent. Five adults who did not have the required qualification had Letters of Qualification Recognition which had been issued by the DCEDIY.

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

The inspection plan was to assess compliance under the following regulations:

Regulation 9 Management and recruitment

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

Regulation 11 Staffing levels

Regulation 16 Record in relation to pre-school service

Regulation 19 Health welfare and development of child

Regulation 23 Safeguarding health, safety and welfare of pre-school child

Regulation 29 Premises

Regulation 32 Complaints

The following regulation was not part of the inspection plan so therefore only the non-compliance was reported:

Regulation 8 Notification of change in circumstances

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 reoccurring. 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

This inspection was triggered by the receipt of information which was furnished to the Early Years Inspectorate on the 1 February 2024. Correspondence issued from the inspectorate to the registered providers on the 12 February 2024 outlining the nature of the information received and a response was received from the service on the 15 February 2024.

The service was found to be operating outside of registration during this inspection and correspondence issued from the registration office on the 5 March 2024 regarding this.

Acknowledgments

The inspectors wish to acknowledge the co-operation of the designated person in charge, the service director and staff members who facilitated the inspection and children who were present on both days of inspection. The service director and an area manager were present for the feedback meeting on the 22 February 2024.

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

(1)
There were 81 children present on the 21 February 2024 and 83 pre-school children present during the inspection on the 22 February 2024; the service manager and staff confirmed that 86 children attend the service on days when the service is operating at full capacity. The service is registered to accommodate a maximum number of 80 pre-school children and the registered providers had not notified the Agency of the proposed change to increase the number of children registered to attend.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1)
A Change in Circumstance (CIC) application was submitted on the 8 March 2024

Supporting documentation submitted

CIC form completed

Summary Comment

The registered provider has applied to the registration office for an increase in the number of children to be registered for this service. This process has not been completed.

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.*
- (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

The files for twenty-three adults including the service director, area managers and a cook who were employed by the registered providers and another adult who was present during the inspection were reviewed.

- (2)
- (a)* There were written validated references available from previous employers for adults employed in the service.
- (b)* References from other sources were available for adults who did not have a previous employer.
- (c)* Garda vetting was available for all adults.
- (d)* Police vetting was available for eighteen adults for whom it was required.
- (4) Fifteen adults had attained at least a major award in Early Childhood Care and Education at Level 5 on the National Framework of Qualifications or qualifications deemed by the Department of Children, Equality, Disability, Integration & Youth (DCEDIY) to meet the regulatory requirement.
- (7) *(a)* Adults working in the service were familiar with policies and procedures of the service. This included an adult who had recently commenced working in the service and had read the policies and procedures and received support during a two-week induction period.

Non-Compliance Information

(4) Two adults who were employed to work with the pre-school children did not have a major award in Early Childhood Care and Education at Level 5 on the National Framework for Qualifications.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The staff have completed courses and are awaiting certification. The recruitment manager and manager of the centre will ensure all staff have their final certificate for their qualification before being employed.

Supporting documentation submitted

None

Summary Comment

There was no evidence or documentation available to demonstrate that the adults had completed the necessary course.

The regulatory requirement has not been met.

Part III – Management and Staff

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

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

Compliance Information

There were written policies, procedures and statements, as specified in Schedule 5, available for the service. The policies reviewed for this inspection included the policies on managing behaviour, accidents and incidents and the complaints policy. A Child Protection policy was also available which incorporated the Child Safeguarding Statement for the service.

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.

Compliance Information

(1) There were an adequate number of adults working directly with children attending the service. There were seventeen adults working directly with eighty-one children on the first day of inspection and eighteen adults available to work directly with eighty-three children on the second day of inspection; this included the service manager. The service director and two area managers were also working directly with children on the first day of inspection and the service director and one area manager were working directly with children on the second day of inspection.

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;

(k) details of any accident, injury or incident involving a pre-school child attending the service.

Compliance Information

(1)

(h) Details of children’s attendance was accurately recorded in electronic format.

(i) A staff roster was available.

(k) Details of accidents and incidents were recorded and there was evidence available that parents were informed following an accident or incident involving their child.

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-

(a) each child’s learning, development and well-being is facilitated within the daily life of the pre-school service through the provision of the appropriate activities, interaction, materials and equipment, having regard to the age and stage of development of the child, and

(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.

(3) A registered provider shall ensure that no practices that are disrespectful, degrading, exploitive, intimidating, emotionally or physically harmful or neglectful are carried out in respect of a pre-school child whilst attending the service.

Compliance Information

(1)(a)

Children's learning and development was facilitated within the daily life of the service.

Children were engaged in a variety of activities during the inspection including eating together, playing together, and other interactions between children which were appropriately managed by adults who were caring for them. Children were encouraged to be independent appropriate to their age and stage of development, for example, by tidying up and putting on their own coats.

A programme of activities was available in each room and there was some evidence of curriculum planning.

During activities adults used opportunities to extend children's learning through storytelling which were based around children's interests as they requested certain stories.

The materials and equipment were presented effectively and included a range of developmentally appropriate equipment, arts and crafts materials and other open-ended materials which provided opportunities for children to participate in activities. Children in the Wobbler rooms had an opportunity for sensorial play using play dough.

(1)(b)

A variety of food was offered to children throughout the day and extra portions were available. Water was served with meals and was accessible to children in their respective rooms.

Care was given to children's appearance as they had their hands and faces cleaned after dinner.

Nappy changing took place throughout the day and staff were observed to engage attentively with children at this time. Children were encouraged to use the toilet independently and older children were observed to be supervised and assisted with hand hygiene following toilet use.

(3)

No practices that were disrespectful, degrading or physically harmful or neglectful were observed by inspectors during this inspection.

Part VI - Safety

Regulation 23 - Safeguarding health, safety and welfare of child

A registered provider shall ensure that all reasonable measures are taken to safeguard the health, safety and welfare of a pre-school child attending the service and that the environment of the service is safe.

Compliance Information

General Safety:

The entrance door to the service was secured to prevent unauthorised access or children exiting unsupervised. Toys and play equipment observed in use by children on the day of inspection were safe and in working order. Cleaning products and hazardous materials were stored securely out of reach of the children.

Infection Control:

Children's hands were washed before eating and after outdoor play. The nappy changing procedures observed were effective for infection prevention and control. Foot pedal bins were used appropriately by adults and older children.

Safe Sleep:

Sleeping children were physically monitored and sleep checks were recorded every ten minutes. The temperatures of the cot rooms were maintained within an acceptable range for habitable rooms.

Non-Compliance Information

General Safety:

The two doors which provided access to the building from the outdoor area when children were playing could not be opened from the outside. Whilst observing children in the garden, the inspector was unable to gain access to the building and had to wait approximately ten minutes until an area manager came to the garden. Staff explained that in the event of an emergency they would have to wait and get the attention of other adults working in the centre to gain access. This posed a potential risk to children if access to the building could not be gained in the event of an emergency.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

A new lock has been fitted to the door to allow it to be opened from the outside.

Summary Comment

Documentation and photographic evidence was submitted and reviewed.

The non-compliance has been adequately addressed.

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*
- (d) cleaned, maintained and repaired, as required, and*

Compliance Information

(c) On the days of inspection, the premises was adequately lit, heated and ventilated. The ambient temperatures of the care rooms on the days of inspection ranged between 18.2 and 18.8 degrees Celsius. There were no malodours prevalent in the care rooms or sanitary areas.

(d) The indoor and outdoor areas were clean and well maintained.

Part VIII - Notifications and Complaints

Regulation 32 – Complaints

- (1) A registered provider shall ensure that the complaints policy of the service specifies-
- (a) the procedure to be followed by a person for the purposes of making a complaint in relation to the service,
 - (b) the manner in which such a complaint shall be dealt with, and
 - (c) the procedures for keeping a person who makes such a complaint informed of the manner in which it is being dealt with.
- (2) A registered provider shall ensure that-
- (a) a record in writing is kept of a complaint made to the provider in respect of the pre-school service, and
 - (b) the complaint is duly dealt with in accordance with the provider's complaints policy.

Compliance Information

- (1) There was a comprehensive complaints policy available for the service.
- (a) The management of complaints was outlined in detail through different stages. Complaints are made in the first instance to the manager of the service and if not resolved then a formal written complaint is made on a form which is available for the recording of complaints.
 - (b) The complaint is acknowledged and a plan for how it will be dealt with is made including a timeline for when it will be resolved and keeping records of all interactions regarding the complaint.
 - (c) The policy outlines that the person making the complaint will be informed of the outcome and will have the opportunity to have the complaint referred to a third party.
- (2)
- (a) A record was kept of a complaint made to the provider in respect of the pre-school service.
 - (b) The complaint was dealt with in accordance with the complaints policy for the service.