

Early Years Inspectorate Regulatory Report

Pre School

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| Dr069TUSLA Identifier: | TU2015DR069 |
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| Name of Service: | Once Upon A Time |
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| Address of Service: | Wyckham Point, Wyckham Way, Dundrum, Dublin 16, Co. Dublin |
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| Eircode: | D16 WD56 |
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| Name of Registered Provider: | Anne-Marie McCormack, David McCormack |
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| Service type: | Full Day, Part Time, Sessional |
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| Dates of Inspection: | 13/06/2023 |
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|-----------------------------------|----|----|----|----|
| No of pre-school children: | AM | 74 | PM | 63 |
|-----------------------------------|----|----|----|----|

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| Address of the Early Years Inspectorate: | The Brunel Building, Heuston South Quarter, St. John's Road West, Dublin 8 |
| Inspection undertaken by: | R. Brien & E. Cullen |
| 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

Once Upon A Time is a full day care service provided by the registered provider who operates 9 childcare services in Dublin. A full day care , part time and sessional service is provided for children from 1 to 5 years. The service is registered to operate from 07:30 to 18:30, Monday to Friday.

The service is located on the ground floor in a purposely adapted premises in an apartment complex in an urban setting in Dundrum, South Dublin. There are seven care rooms in the service. The Junior Wobbler room caters for children under 2 years. The Senior Wobbler room caters for children aged 1 and 2 years. The Toddler room caters for children aged 2 years. The Pre Montessori room caters for children aged 2 to 3 years. The Junior Montessori and Senior Montessori rooms cater for children aged 3 to 5 years. The Early Childhood Care and Education (ECCE) room provides sessional care for children aged 3 to 5 years. A dedicated cot room is also provided. There are two fully enclosed outdoor play areas located on either side of the premises.

Staffing

The service currently employs 14 staff including a manager. There were 14 adults working directly with the children on the day of inspection including a student. The service also employs a cook. The registered provider does not work directly and 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/ safety/ premises and facilities. The inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under the following regulations:

- 9 – (1) (2) (3) (4) Management and Recruitment,
- 11 – Staffing Levels,
- 19 – Health, welfare and development of child,
- 23 – Safeguarding, health, safety and welfare of child,
- 25 – First Aid,
- 26 – Fire safety measures
- 29 – Premises.

However, on inspection additional non-compliance which posed significant risk was identified under regulation 16 - Record in relation to pre-school service

These findings are outlined within the relevant regulations within this report.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

Additional Information

Two immediate action notices were issued to the registered provider arising from findings on inspection:

An immediate action notice was issued on 14 June 2023 for non-compliance with regulation 23 as the room temperatures were above the required limit for sleep rooms and care rooms.

- The registered provider submitted a response on 16 June 2023 which was deemed to satisfactorily address this non-compliance as an interim measure while medium and long term measures which the registered provider identified are put in place.

A mandatory Garda vetting disclosure was not available for two adults who were employed in the service and for one student who was on placement in the service contrary to the National Vetting Bureau (Children and Vulnerable Persons) Act 2012.

As a result, an Immediate Action Notice was issued on 14 June 2023. The registered provider submitted evidence of Garda vetting for the three adults on 15 June 2023.

Acknowledgments

The inspectors wish 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

(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.

(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)(b) The service had a designated person in charge and a named person to deputise as required who were both on the premises.

(2) The files of sixteen adults were reviewed as part of the inspection. This included nine staff members and one student who had commenced working in the service since the last inspection on 17 May 2022. Documentation was reviewed in respect of these adults and met regulatory requirements as follows:

- (a) Of the thirty-two validated, written references that were required, nineteen were available from a past employer.
- (b) Four further validated, written references were available from a source other than a past employer.
- (c) Garda vetting disclosures from the National Vetting Bureau of An Garda Síochána were available for sixteen adults.
- (d) Police vetting was available for eleven staff members who had lived outside the State for a period exceeding six months as an adult.

(4) A record was available evidencing that nine staff members who were employed to work directly with the children held the required qualification.

Non-Compliance Information

A number of issues were identified in relation to inadequate recruitment procedures which posed a risk to children as detailed below:

(2)(a)(b) There were no references available in respect of three adults. There was no second reference available in respect of one adult. While two references from a past employer were available for one staff member, there was no evidence to demonstrate that these references had been validated.

(d) There was no police vetting available for one staff member who had lived outside the State for a period exceeding six months as an adult. It was not possible to determine whether there was a requirement for police vetting for three other adults as there were no records of experience on file for these adults.

(3) The registered provider did not take appropriate measures to ensure that all adults were suitable to work in an early years service prior to their commencement as outlined below:

- The registered provider did not ensure that a Garda vetting disclosure was obtained for one adult prior to them commencing work in the service as follows:
 - One staff member commenced working in the service on 03 October 2022 and Garda vetting was obtained on 10 November 2022.
- It is acknowledged that two past employer references were available for one staff member however, there was no evidence available to demonstrate that these references had been validated by the registered provider.
- The registered provider did not ensure that two references were validated for one staff member prior to them commencing work in the service. The staff member commenced working in the service on 03 October 2022 and two references for this staff member were validated on 19 October 2022 and 22 October 2022 respectively.

(4) There was no evidence available to show that five adults who had been employed since the last inspection who were working directly with the children in the service held a relevant major award in Early Childhood Care and Education on the National Framework of Qualifications.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a)(b)

Update the HR system to ensure all documents are correct. The service will now continue to have paper forms in the office.

(2)(d)

Update the HR system to ensure all documents are correct. We will now continue to have paper forms in the office.

(3)

Ensure all documents are checked to ensure all dates are correct on staff files. Any staff who attend training before they work directly with children should be documented on their file. The date they work directly with children should be stated clearly. We will now continue to have paper forms in the office.

(4)

Ensure certificates are uploaded to the HR system and a copy held on file in the centre.

Supporting documentation submitted

(2)(a)(b)

Evidence of nine reference validations were submitted in respect of five adults. One written reference was submitted in respect of one adult.

(2)(d)

Evidence of police vetting was submitted in respect of one adult. Another adult did not require police vetting.

(3)

Two reference validation forms were submitted in respect of one adult.

(4)

Evidence was submitted to demonstrate that one adult held a letter of eligibility to practice from the Department of Children, Equality, Disability, Integration and Youth (DCEDIY).

Summary Comment

It is acknowledged that the registered provider stated preventive actions to address non-compliances and that evidence of references, police vetting and a staff qualification were submitted. However, this regulation remains non-compliant as the following information was not submitted:

(2)(a)(b)

Evidence of two written references each remains outstanding for three adults.

(2)(d)

Evidence of police vetting remains outstanding for two adults. A police vetting document was submitted for one of these adults, however no certified translation of this document was received.

(4)

Evidence of a relevant qualification remains outstanding for four adults employed to work directly with children. This regulation will be reviewed on 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.

(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) An adequate number of adults were working directly with the children at all times during the inspection.

(2) The minimum ratio of adults to children for full day care services was adhered to at all times during the inspection. There were seventy-four children attending the service being supervised by thirteen adults on the day of inspection. However, the manager was scheduled to finish work at 14:00 but did not leave until 16:40. The manager was observed working in the kitchen preparing meals for the day as the cook was on sick leave. On the inspector's arrival staff stated that they get an hour-long lunch break. Some staff were observed taking thirty-minute lunch breaks in order to maintain minimum ratios in the care rooms.

The inspectors observed that if the manager had left at their allocated finish time and all staff had taken their hour-long lunch breaks, this would have negatively impacted the staff ratios.

(8)(a) There were more than two adults on the premises at all times.

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:

(i) details of staff rosters on a daily basis;

Non-Compliance Information

(i) The staff roster did not accurately reflect the adults present in the service on the day of inspection. There were fourteen staff members present on the day of inspection and there were thirteen staff members on the roster for the day.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The staff member was not set up on HR system but had signed in the staff room book so was documented on site. Information can change on a day to day basis and it needs to be updated by the manager manually. All staff to be added to the rota in writing until their profile is active on bright hr.

Supporting documentation submitted

No supporting documentation submitted.

Summary Comment

The corrective and preventive actions as stated by the registered provider have been deemed to address this non-compliance. This action will be assessed on the next 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-

(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

Compliance Information

Staff reported that children in the ECCE room bring in their own lunch from home and that all meals for children in the other care rooms are provided by the service. Children are offered breakfast on arrival and a snack of cheese wraps was provided at 11:00, additional servings of this meal were available and offered to children who requested more. Dinner was served between 14:00 and 15:00. A child in the Junior Montessori room who did not eat their dinner was offered cracker, bread and cheese as an alternative. Children were given a snack of fruit and breadsticks at 16:00. Drinking water was available to children throughout the day and all children were given water with their meals. Younger children were provided with bibs for mealtimes. Children were encouraged to feed themselves and staff supported younger children who needed assistance with their meals.

Children were encouraged and supported to be independent including cleaning up after their play and meals. Children's nappies were changed regularly and staff were observed engaging warmly with children when providing this care. There were two designated sleep times for children in the Junior Wobbler room. All children in this room were placed to bed at 11:00 and five children from this room were placed to bed at 14:20 for a second nap in the cot room which is shared with the Senior Wobbler room.

Staff demonstrated warmth and affection in their interactions with the children through the use of gentle tones and praise.

Staff described how they record information about each child's day using an online application which is shared with parents. Parents were observed in the service during arrival and collection times.

Play materials were observed to be accessible to the children on low level shelving. Low level tables and chairs were available in the care rooms. Family photos, birthday walls and children's artwork were displayed in the care rooms.

Two fully enclosed outdoor play areas were located on either side of the premises and had shock absorbent surfacing. All children were observed accessing the outdoor play areas on the day of inspection.

Non-Compliance Information

(1)(a)

1. Children's need to use the toilet was not responded to in a child centred, timely manner in the Junior Montessori room. A child, aged three, was observed requesting to use the toilet and having to wait twelve minutes before being brought to the toilet. At this time, a staff member from the room had brought eight children to the toilet area which is shared with the Toddler room. The child who requested to use the toilet was told by two staff members that they had to wait.

When the eight children from the Junior Montessori room were finished using the toilet, two children from the Toddler room were brought to the toilet. The child from the Junior Montessori room was observed requesting to use the toilet again and being told they had to wait. The child then told a staff member that the Toddlers were not using the bathroom anymore and the staff member said they had to get eight children to go to the toilet together. The manager then came into the room and the child was brought to the toilet, twelve minutes after their first request.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

We have sufficient toilet facilities for the children attending the centre however we cannot control if many children want to use the facilities at the same time. Staff have been retrained to ensure they meet the children's needs in as timely manner as possible. Child was taken to the toilet once there was one available. We will continue to ensure children's needs are met as soon as possible.

Supporting documentation submitted

Written evidence was presented to demonstrate the corrective and preventive actions submitted by the registered provider.

Summary Comment

The corrective and preventive actions as stated by the registered provider have been deemed to address this non-compliance. This action will be assessed on the next 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

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

General Safety:

- The entrance door to the service was adequately secured to ensure the safety of the children within and to avoid unauthorised persons accessing the service or children exiting unsupervised.
- Hand sanitisers and cleaning agents were stored safely out of reach of children.
- All storage facilities were inaccessible to children.
- The toys and play equipment observed in use by the children on the day of inspection appeared in good working order.

Infection Control:

- Liquid soap, warm water and paper towels were available to facilitate hand washing. Staff were observed to carry out hand washing as appropriate. The children were supported to wash their hands at regular intervals including following outdoor play, after using the toilet and before meals.
- A system was in place for effective sterilisation of soothers.
- A system was in use for the effective sterilisation of mouthing toys.
- Individual bed linen was provided for the children in the Junior Wobbler, Senior Wobbler, Toddler and Pre Montessori rooms. Staff stated that all bed linen is laundered weekly.

Safe Sleep:

- Children were physically monitored while sleeping and sleep checks were documented every ten minutes.

Non-Compliance Information

General Safety:

1. Room temperatures exceeded the required temperature ranges for sleep rooms and care rooms as follows;

| Room | Times and temperatures recorded |
|---|---------------------------------|
| The Cot room | 11:25 : 22.5 °C |
| | 15:03 : 23.7 °C |
| Toddler room (children Sleeping) | 13:10 : 24.6 °C |
| Pre Montessori room (children Sleeping) | 13:17 : 24.5 °C |

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|-------------------------------|----------------|
| Junior Wobbler room | 14:07 : 24.5°C |
| Senior Wobbler room | 15:27 : 25.5°C |
| Toddler room | 14:37 : 25°C |
| Junior Montessori room | 15:13 : 26°C |
| Senior Montessori room | 15:17 : 25.6°C |
| ECCE room | 10:52 : 23.7°C |

Room temperatures where children are sleeping should be maintained between 16 and 20°C. Room temperatures in care rooms should be maintained between 18 and 22°C. An Immediate Action Notice was issued on 14 June 2023.

The registered provider submitted a response on 16 June 2023 which was deemed to satisfactorily address this non-compliance as an interim measure while medium and long term measures they have identified are put in place. It is acknowledged that external temperatures on the day of inspection reached 28°C.

2. Trailing cables from two fans and a stereo were observed within reach of children in the cot room posing a risk of injury to children.
3. An air-cooling unit was observed on top of a chair in the ECCE room with a trailing cable within reach of the children, posing a risk of injury to children.
4. Details of the attendance of each child in the Junior Montessori room were not recorded at the time of entering the service. At 11:10, a child who was present in the room, was not signed in on the attendance record. Staff recorded this child's attendance at 11:55 when it was brought to their attention by the inspector. This posed a risk to the safe evacuation of children in the event of a fire.

Infection Control:

Inspectors observed a number of practices which posed a risk of transmission of infection within the service:

5. Some nappy changing practices observed on the day of inspection in the service were contrary to the service's nappy changing procedure and were inadequate for infection control purposes. Staff were observed redressing children while wearing the same used gloves.

- An open bin with waste inside was observed in the sanitary accommodation area used by children off the main hallway.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

- Air conditioning units were placed in the sleep room. Staff were retrained in safe sleep policy. Ensure sleep rooms remain cool and are monitored by senior staff.
- Cables in the cot room are now secure. Ensure when new equipment is placed in rooms that cables are secure.
- Air conditioning unit in ECCE room is located on a high shelf. All air conditioning units will remain placed in secure locations with cables secured.
- Staff were retrained in the importance of accurate logs for the children. Manager will oversee logs and ensure all children are logged correctly.

Infection Control:

- Staff have been retrained in the nappy changing procedure. Nappy changing procedure to be consistently monitored.
- Bin has been removed and replaced. Bins will be checked weekly and replace bins as needed.

Supporting documentation submitted

General Safety:

- Photographic evidence was presented to demonstrate the corrective and preventive actions submitted by the registered provider.
- Photographic evidence was presented to demonstrate the corrective and preventive actions submitted by the registered provider.
- Photographic evidence was presented to demonstrate the corrective and preventive actions submitted by the registered provider.

4. Written evidence was presented to demonstrate the corrective and preventive actions submitted by the registered provider.

Infection Control:

5. Written evidence was presented to demonstrate the corrective and preventive actions submitted by the registered provider.
6. Photographic evidence was presented to demonstrate the corrective and preventive actions submitted by the registered provider.

Summary Comment

The corrective and preventive actions as stated by the registered provider have been deemed to address these non-compliances. These actions will be assessed on the next inspection.

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) A person trained in first aid was immediately available to the children at all times.

(2)

- (a) A first aid box was safely stored in an easily accessible and conspicuous location within the service.
- (b) A first aid box was available to the adults and children in the service at all times.

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

- (a) A written record was available on day of inspection detailing fire drills that had taken place in the service.
- (b) The number, type and maintenance record of firefighting equipment and smoke alarms on the premises was available. The maintenance records for the fire equipment were dated July 2022 and a record was available evidencing that quarterly maintenance of the smoke alarm system had taken place on 04 April 2023.
- (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.

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

(d) On the day of inspection, the Junior Wobbler room appeared clean and well maintained. The floor covering in this room which was observed to be damaged on the last inspection in May 2022 had been replaced.

Non-Compliance Information

(c) A malodour was present in the nappy changing area adjacent to the Junior Wobbler room indicating that the ventilation in place was inadequate.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(c) The nappy changing facilities are located within the wobbler room. Ventilation has been checked and is working correctly. Staff had just completed nappy changes while the inspector was present in the room. Nappy changing areas will have an odour especially if there are soiled nappies. Ventilation will continue to be checked by management and maintenance.

Supporting documentation submitted

No supporting documentation submitted.

Summary Comment

The corrective and preventive actions as stated by the registered provider have been deemed to address this non-compliance. This action will be assessed on the next inspection.