

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DR075				
Name of Service:	Jelly Stone Park Day Nursery				
Address of Service:	134 O' Rourke Park, Sallynoggin, Co. Dublin				
Eircode:	A96 RY24				
Name of Registered Provider:	June McCann				
Service type:	Full Day, Part Time, Sessional				
Date(s) of Inspection:	11/09/2023				
No of pre-school children:	<table border="1"> <tr> <td>AM</td> <td>25</td> <td>PM</td> <td>22</td> </tr> </table>	AM	25	PM	22
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Address of the Early Years Inspectorate:	Early years Inspectorate, Tusla Child and Family Agency Loughlinstown Health Centre, Loughlinstown Drive, Loughlinstown, County Dublin.				
Inspection undertaken by:	Olivia Quill and Sarah Quigley				
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

Jelly Stone Park Day Nursery was first established in 2001 and is privately operated. The early years service is registered to provide full day care, part time and a sessional service for pre-school children aged from 1-6 years. The service operates Monday to Friday from 8am to 6pm. The early years service is located in a purposely adapted detached two storey premises in an urban area of Dun Laoghaire County Dublin. Care of the children is facilitated across three care rooms. Wobbler/Toddler 1 and a new designated sleep room are located on the ground floor. On the first floor the Toddler 2 room was located beside the office and a separate staircase led to the Montessori room. An outdoor play area was provided to the rear of the premises.

Staffing

In total eight staff are employed in the service. This includes the registered provider and a cook. On the 11 September 2023 eight staff were present.

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 inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations;

9 – Management and Recruitment,
11 – Staffing Levels,
19 – Health, welfare and development of child,
23 - Safeguarding Health, Safety and Welfare of child,
24 Checking in and out and Record of Attendance
and 27 – Supervision. 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

An Immediate Action Notice (IAN) was issued on 11 September 2023 under Regulation 23. A door in the Wobbler/Toddler 1 room was not safely secured posed a potential risk of unauthorised access to the children via a passageway to the side of the premises. This non-compliance was found on the last two inspections on the 21 February 2022 and on 12 October 2023. The registered provider responded on the 12 September with corrective and preventive actions that were deemed satisfactory by the inspector in addressing the non-compliance.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, 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.

(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 inspection focused on the recruitment records of four adults who had commenced working in the service since the previous inspection dated 12 October 2022 for regulations 9(2)(a), (b) and (d), (3) and (4). Through discussion with registered provider and review of recruitment records it was evident that four adults started working in the service since that date. Regulation 9(2)(c) was inspected in relation to all staff employed by the service.

- (2)
- (a) Of the eight validated, written references that were required, seven were available from a past employer.
- (b) A further one validated, written reference was available from a source other than a past employer for one staff member.
- (c) Garda vetting disclosures from the National Vetting Bureau of An Garda Síochána were available for the eight staff members employed in the service.
- (d) Police vetting was available for one adult who had lived outside the state for a period of longer than six months as an adult.
- (3) The registered provider carried out all required recruitment procedures as specified in paragraph (2) prior to any staff working directly with the children.
- (4) A record was available evidencing that four staff members who were employed to work directly with the children held the required qualification.
- (7) (a) The registered provider ensured staff were provided with appropriate training in relation to the policies, procedures and statements of the service specified in Schedule 5. This was evident through discussions with employees and the person in charge and in practices observed by the inspectors.

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 twenty-five children attending the service being supervised by six adults on the day of inspection. The designated person in charge provided additional support in the care rooms as required.

(8)(a) There were two adults on the premises at all times. The staff roster demonstrated that two adults are present in the service at all times during the hours of operation.

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.

Compliance Information

(1)(a),(b)

The designated person in charge reported that all snacks, and a hot lunch are prepared daily in the service by the cook. The service had a healthy eating policy in place and meals were provided at regular intervals. On arrival children were offered cereal for breakfast. A morning snack of grapes, raisins, rice cakes and bread sticks were offered to the children. At lunchtime children were served chicken korma, rice and naan bread. The atmosphere at mealtime was calm and relaxed, children sat together and engaged in conversation. Bibs were provided for younger children and staff assisted the children as required. Additional servings of food were available and the inspector observed two children in the Montessori room who requested more dinner receiving additional portions. Drinking water was freely available at all times in the care rooms and provided at mealtimes.

Older children were encouraged and observed to use the toilet independently. Younger children's nappies were changed as required. During this time staff were observed to talk to children and listen to their news. Staff confirmed there is a designated sleep time in the service but explained if a child is tired any time outside the designated sleep time the child will be allowed to sleep in the cot room.

Play was child led and children were observed to freely choose the activity they wished to play with. Staff interacted warmly with the children in their care throughout the inspection. Staff supported children in activities, at circle time they were observed to sing songs and use flash cards to promote learning. Minor behaviour issues were dealt with promptly by staff who were observed to use distraction, soft voice tones and praise when promoting positive behaviour.

All care rooms were arranged into defined areas of interest providing children with the freedom to play and explore. Designated areas of interest included home corners, construction areas, musical instruments, small world toys, dress up areas, chalkboards, paper, pencils and rest areas with a selection of books. The areas were adequately resourced with a variety of materials. Additional equipment was easily accessible for children from low level shelving provided.

The outdoor area was available to the rear of the premises it was enclosed by a wall and a gate which was safely secured. A shock absorbent surface was provided. Play equipment available to the children included ride on toys, push along toys, balls, a rocking horse, a slide and sand and water play. Children from the Wobbler/ Toddler 1 and the Montessori room were observed accessing the outdoor play area on the day of 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:

- Cleaning agents were safely stored out of the reach of children.
- All storage facilities and the kitchen were inaccessible to the children.
- Toys and play equipment were safe for the age group using them and in good condition.

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. Children in the Wobbler/ Toddler 1 and Toddler 2 rooms were supported to wash their hands at regular intervals including following nappy changing, using the toilet and before meals. Children in the Montessori room washed their hands independently.
- A system was in place for laundering sheets used for cots and sleep mattresses. The linen was washed weekly and stored after use in individual labelled baskets. Bed linen was changed more frequently if required.
- A mouthing toys box was used to remove toys that had been mouthed by children for cleaning.

Administration of Medication:

- In the Wobbler/Toddler 1 room a care plan was available for a child who was prescribed emergency medication. Staff were familiar with the care plan when questioned. The required medication was clearly labelled and stored safely.

Safe Sleep:

- Children were physically monitored while sleeping and sleep checks were documented every ten minutes. Discussion with staff demonstrated that staff were familiar with safe sleep guidelines.

Fire Safety:

- The fire exits were clearly labelled and unobstructed.

Non-Compliance Information

General Safety:

1. A door in the Wobbler/Toddler 1 room was not safely secured posing a potential risk of unauthorised access to the children via a passageway to the side of the premises. An immediate action notice was issued to the registered provider on the 11 September 2023.

Infection Control:

- In the sanitary area used by the Wobbler/Toddler 1 room the ventilation unit was covered in dust. This posed a potential risk of impeding effective ventilation.
- The pedal operated bin was broken in the Montessori sanitary area posing a potential infection control risk.

Administration of Medication:

4. A sample of medication forms were reviewed. Two out of three forms provided were not signed by parents. This posed a potential risk of a child being given a double dose of medication.

Safe Sleep:

5. The temperature of the Wobbler/Toddler 1 sleep room was not maintained between the safe range of 18-22°C while children aged 2 – 2.5 years were sleeping. The temperature recorded was 23.4°C at 11.45am while five children were sleeping. Despite efforts made to reduce the temperature there was no effective means to correct this.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The door in the wobbler/toddler 1 room will remain closed at all times, A Sign has been placed on the door, all staff have been made aware of this. A sign has now been placed on the door; the door is only used in case of emergency.

Infection Control:

2. The Ventilation unit in the wobbler/ toddler 1 changing area has been cleaned. Daily Cleaning of the Ventilation unit in the wobbler/toddler 1 changing is carried out.
3. A new pedal operated bin has been purchased.

Administration of Medication:

4. Parents have since signed medication forms. Staff training has been carried out. Going forward parents will sign and initial all medical consent forms.

Safe Sleep:

5. We have purchased more fans for this room, this will be used if we see the temperature in the room is rising towards 22 degrees. We will also open the door leading to the garden that no unauthorised people can access.

Supporting documentation submitted

General Safety:

Written and photographic evidence.

Infection Control:

Written and photographic evidence.

Administration of Medication:

Written and photographic evidence.

Safe Sleep:

Written and photographic evidence.

Summary Comment

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

Part VI - Safety

Regulation 24 - Checking in and out and record of attendance

(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.

Compliance Information

(1) Staff ensured that each pre-school child attending the service was checked in and checked out as required. This was recorded by staff using an electronic software programme.

Part VI - Safety

Regulation 27 – Supervision

A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Compliance Information

At all times during the inspection children were adequately supervised.