

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DR075			
<b>Name of Service:</b>	Jelly Stone Park Day Nursery			
<b>Address of Service:</b>	134 O' Rourke Park, Sallynoggin, Co. Dublin			
<b>Eircode:</b>	A96 RY24			
<b>Name of Registered Provider:</b>	June McCann			
<b>Service type:</b>	Full Day, Part Time, Sessional			
<b>Date of Inspection:</b>	06/06/2024			
<b>No of pre-school children:</b>	AM	30	PM	30
<b>Address of the Early Years Inspectorate:</b>	The Early Years Inspectorate, Tusla, Child and Family Agency, Loughlinstown Health Centre, Loughlinstown drive, County Dublin.			
<b>Inspection undertaken by:</b>	Olivia Quill and Sarah Quigley			
<b>Title:</b>	Early Years Inspectors			
<b>Authority to Inspect</b>				
The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).				
<b>Conditions if applicable</b>	Not applicable			

### 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. The Pre-Montessori room and a designated sleep room are located on the ground floor. On the first floor the Wobbler 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 nine staff are employed in the service including the designated person in charge. On the 6 June 2024 seven staff were present. This included the registered provider and designated person in charge who were not part of the adult: child ratio but provided cover for staff breaks and additional support as required in the rooms.

### 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.

This inspection focused on an examination of compliance under the following regulations.

Regulation 9(1)(a), (b), (2)(a) -(d), (3) and (4) Management and recruitment

Regulation 11(1), (2) and (8)(a) Staffing levels

Regulation 16 (h),(i),(j) and (k) Record in relation to pre-school children

Regulation 19 (1)(a) and (b) Health welfare and development of child

Regulation 23 Safeguarding health, safety and welfare of child

Regulation 25(1), (2)(a) and (b) First Aid

Regulation 26 (1) (a) (b) and (4) Fire Safety

A sampling process was used to assess compliance under regulation 16(1) (j) and (k).

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 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

*(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) The service had a named person in charge and a person who could deputise in their absence.
  - (b) The person in charge was present when the inspectors arrived and remained on the premises throughout the inspection.

(2) The inspection focused on the recruitment records of staff who had commenced working in the service since the previous inspection dated 11 September 2023 and included a review of Garda vetting disclosures for all staff employed in the service. The person in charge reported that two new staff members had commenced working in the service since then.

(2)

(a), (b) Four written validated references were available from past employers and a second reference for one of the adults was from reputable source.

(c) Garda vetting disclosures from the National Vetting Bureau of An Garda Síochána were available for all staff employed in the service. These were dated within the previous three years in adherence to the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

(d) Police vetting was available for one adult who had lived outside the State for a period exceeding six months as an adult.

(3) All of the procedures specified in paragraph (2) were carried out prior to the staff being appointed to work directly with the children attending the pre-school service.

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

## 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 thirty children attending the service being supervised by five adults on the day of inspection.

(8)(a) There were 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:*

*(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) Details of the attendance of each child in the service were recorded at the time of entering and leaving the service.

(i) The staff roster was available.

- (j) A sample of medication administration records were reviewed. These records were signed by staff and parents and were completed appropriately.
- (k) A sample of accident and incidents records were reviewed. These records were signed by staff and parents and were completed appropriately.

## 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)

Each child's learning, development and well-being was facilitated within the service. Children were given responsibility appropriate to their age, younger children in Wobbler room were encouraged to clean their own noses and put the tissue in the bin while being supported by staff and in the Pre-Montessori room children were encouraged to take off their own shoes before the designated sleep time. Children in the Montessori room were supported to be independent including caring for their belongings, tidying up after play and using the toilet. Younger children's nappies were changed as required during this time staff engaged warmly with the children.

The atmosphere in the care rooms was observed to be calm. Staff managed the transitions within the service well. In the Pre-Montessori room, the transition from playtime to dinner time was managed with the use of stories. Children had freedom to choose the activity they wished to engage in during free play. The staff described how they communicate information to parents daily about their child's day through the use of a computer application and information was also shared with parents at drop off and collection times.

A hot meal of a sausage and vegetable stew was served with couscous at dinner time. Mealtime was observed to be sociable occasion, children sat together ate, and engaged in conversation with each other and staff. Drinking water was served with the main meal and freely available throughout the day.

Care rooms were arranged into defined areas of interest allowing children the freedom to play and explore. Designated areas of interest included construction toys, art materials, chalkboards, rest areas with books and home corners. The materials were observed to be accessible to the children on low level shelving. Low level tables and chairs were available in the care rooms. Children's art was displayed and a family wall with children's photos were also displayed in the care rooms.

All children were observed to spend time in the outdoor area at a designated time. The outdoor area had a rubber tile surface and a selection of play equipment including, a playhouse, balls and ride on toys. The area was safely secured with a high wall and gate.

### Non-Compliance Information

1. In the Wobbler room bibs were not provided for children who required them. The tops of two children's clothing were heavily soiled in sauce from the dinner.

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

#### **Corrective and Preventive Action**

1. Bibs are supplied in our wobbler room. The importance of using Bibs for infection control has been highlighted to wobbler room leader, and all staff. If a child clothing is soiled, the clothes will be changed prior to next activity. Implemented immediately. Bibs will be stored in the Wobbler room at all times.

#### **Supporting documentation submitted**

Photographic evidence.

### Summary Comment

The actions as stated will address the non-compliances. The regulatory requirement is deemed to have been met.

### 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 and side door in the PreMontessori room was adequately secured to ensure the safety of the children within and to avoid unauthorised persons accessing the service or children exiting unsupervised. The gates in the outdoor area were safely secured.
- The toys and play equipment observed in use by the children on the day of inspection were safe and in good working order.
- Cleaning agents and medication were safely stored out of reach of children.
- The kitchen was inaccessible to children.

##### Infection Control:

- Liquid soap, warm water and paper towels were available to facilitate hand washing. Staff in the pre-Montessori and Montessori rooms were observed supervising children washing their hands after outdoor play, prior to eating and after using the toilet.
- Nappy changing practice was observed and carried out in line with the Nappy Changing Policy.
- Individual bed linen was available for the children's cots and low-level beds. Staff reported they are laundered weekly.

##### Administration of Medication:

- Staff demonstrated an awareness of the procedures to take when giving medicine to children, including obtaining written parent/guardian consent. Records were available detailing medicines given. These included the signature of the staff member who gave the medicine and the staff who witnessed the medicine being given. The records had been signed by parents indicating the information had been shared.

##### 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.
- The sleep room was maintained at the required temperature for sleep.

### Fire Safety:

- Fire exits were unobstructed and the fire assembly point was marked.

### Non-Compliance Information

#### General Safety:

1. In Wobbler room at mealtime one child was observed to cough up sausage meat at dinner time. The inspector observed the sausage meat was cut into coins / round shapes. These shapes increase the choking risk in children.
2. In the cot room two cots were observed to have footholds posing a potential risk a child's limb could become caught in this space.

#### Infection Control:

3. In the Wobbler room children's hands were not washed before morning snack and before dinner posing a potential infection control risk.
4. There was no paper towel available in the paper dispenser in the sanitary area used by the Wobbler room.
5. In the sanitary area on first floor dust and debris were observed around the crevices of the nappy changing unit and around the taps posing an infection control risk.
6. The pedal bin in the downstairs sanitary area and in the Montessori sanitary area was broken posing an increased infection control risk.
7. The plastic cover on the child size seating in the PreMontessori and Montessori room was torn and could not be effectively cleaned for infection control purposes.
8. The lacquered surface was worn on the tables in the PreMontessori room and as a result they could not be cleaned effectively.

## Action submitted by the Registered Provider

### Corrective & Preventive Action

#### General Safety:

1. Sausages like grapes will be cut lengthways prior to cutting into bite size. Implemented immediately. Our chef will ensure all food is cut into age-appropriate size; staff will recheck prior to serving food to the children.
2. The correct mattress has been placed into cots. Implemented immediately. Staff will ensure all cots are safe for children with no risk of limbs getting caught, as new cots are added to the room, management will ensure the correct mattress is used for each cot.

#### Infection Control:

3. Staff have been retrained on the importance of hand washing throughout the day in the rooms, especially before food, and after garden activities. Implemented immediately. Portable sink has been purchased for Wobbler Room.
4. We have included this on our daily checklist to ensure toilets have an adequate supply for the day. To ensure paper towels are loaded in the dispenser and not left on shelf to use. Implemented immediately. Staff training has been carried out.
5. We have updated our bathroom checklist to ensure crevice of changing unit and taps are cleaned. Implemented immediately. Staff training has been carried out on infection control.
6. New Bins have been purchased. Implemented Immediately. As the bins break regularly surplus stock has been purchased to ensure we can replace immediately when this happens.
7. New Sofas have been purchased for pre- Montessori and Montessori. Staff will ensure to report any equipment that is damaged.
8. New tabletops have been ordered for supply and fit August 3rd, 2024. Staff will report any damaged surfaces to ensure they are fixed immediately.

### Supporting documentation submitted

#### General Safety:

Photographic evidence and written records.

#### Infection Control:

Photographic evidence and written records.

## Summary Comment

The actions as stated will address the non-compliances. The regulatory requirement is deemed to have been met.

## Part VI - Safety

### Regulation 25 - First aid

*(1) A registered provider shall ensure that a person trained in first aid for children is, at all times, immediately available to the children attending the pre-school service.*

*(2) A registered provider shall ensure that a suitably equipped first aid box for children-*

*(a) is safely stored in an easily accessible and conspicuous position on the premises, and*

*(b) is available to the children attending the pre-school service at all times.*

### Compliance Information

(1) A person trained in first aid was immediately available to the children at all times on the day of inspection. Staff had a First Aid Responder certificate that was valid until the 3 March 2025.

(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

- (1)
- (a) A written record was available detailing monthly fire drills that had taken place in the service. The last fire drill had been recorded as undertaken on the 15 May 2024.
- (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 9 February 2024 and 2 May 2024 for the smoke alarms.
- (4) A notice of the procedure to be followed in the event of a fire was displayed in all care room and entrance hall of service.