

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DR081
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Name of Service:	Giraffe Childcare Stepside
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Address of Service:	Belarmine, Enniskerry Road, Stepside, Dublin 18, Co. Dublin
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Eircode:	D18 R202
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Name of Registered Provider:	Dearbhala Cox Giffin
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Service type:	Full Day, Part Time
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Date(s) of Inspection:	7 November 2022
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No of pre-school children:	AM	93	PM	86
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Address of the Early Years Inspectorate:	Tusla – Child & Family Agency Trinity Building IDA Business Park Bray Co Wicklow
Inspection undertaken by:	Mary Redmond / Linda Magee
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	<p>17th April 2023</p> <p>Part III, Article (9) Child Care Act 1991 Early Years Regulations 2016</p> <p>The Registered Provider are required to</p> <ul style="list-style-type: none"> • Ensure that all staff have completed the requirements for employment in accordance with all applicable legislation prior to commencing employment in the service. • Provide the outstanding qualifications for all staff. <p>This condition is in place for 9 months</p>
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Description of service

The service is a large private childcare facility which is one of a multiple of twenty-one services operated by the registered provider; this service was established in 2007. Full day care and part-time care is provided for children ranging in age from ten months to five and a half years. The service normally operates from 7.30am until 6.30pm Monday to Friday; due to staffing issues the service currently closes at 6pm.

The service is located in a purpose-built premises at ground level in a residential housing complex in south county Dublin. On the day of inspection care was delivered across nine care rooms; three cot rooms were also available. A large outdoor play area with an impact absorbing covering is provided on the premises. A variety of play equipment was available in this area including fixed structures.

Staffing

There were thirty-three adults employed including the management team who were not assigned to care rooms but were available to provide assistance when required; ancillary staff were also employed for cooking and cleaning duties. The registered provider does not work in the service. Nineteen adults employed to work with 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 to be equivalent. Two adults who did not have the required qualification had obtained a letter of eligibility to practice from the Department of Children, Equality, Disability, Integration & Youth (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

This inspection was unannounced and focused on areas of governance and health, welfare and development of child. The inspection may also focus on other areas as required.

Compliance was assessed under the following regulations:

Regulation 9 Management and recruitment

Regulation 11 Staffing levels

Regulation 16 Record in relation to pre-school service

Regulation 19 Health welfare and development of child

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

A condition of registration was proposed on 7th March 2023 regarding regulation 9 (2)(d) police vetting and 9(4) qualifications. The registered provider submitted representations to the proposed condition on 28th March 2023. The registered provider responded to the proposed condition as outlined under regulation 9.

Acknowledgments

The inspectors wish to acknowledge the co-operation of the service managers, area director and staff members who facilitated the inspection 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*
- (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.*

(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) There was a designated person in charge and a named person to deputise as required.
- (b) The designated person in charge was on the premises for the duration of the inspection.
- (c) There was a clear management structure in place.

The designated person in charge confirmed that twenty-six adults had been recruited since the last inspection on the 17 February 2021 and the staff files for these adults were reviewed.

(2)

- (a) There were written validated references available from previous employers for nineteen adults employed in the service since the last inspection.
- (b) References from other sources were available for five adults.
- (c) Garda vetting was available for twenty-six adults.
- (d) Police vetting was available for twenty-five adults.

The qualifications for thirty-three adults were assessed as there have been recurring breaches of this regulation.

(4) Nineteen adults had attained major awards 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 and Youth (DCEDIY) to meet the regulatory requirement. The qualifications for two adults, which did not meet this criterion, had been assessed by the DCEDIY and a letter of eligibility to practice had been issued for these adults.

Non-Compliance Information

- (2)
- (a) References which were available for two adults were not suitable and the second reference for another adult was not suitable as they were not from sources that would be deemed impartial.
- (d) Police vetting from countries where adults had lived for more than six months was not available for two adults for whom it was required.
- (4) There was no evidence available that the qualifications for twelve adults were the equivalent of at least a major award in Early Childhood Care & Education at 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) References for two adults and a second reference for another adult from a reputable source has been obtained and validated.
- (d) International police vetting for two adults has been requested but has not been obtained to date.
- (4)
- Twelve adults working directly with children did not have evidence available to demonstrate they hold at least a major award in Early Childhood Care and Education at Level 5 or above.
- Two of these adults have received recognition of their qualifications from the DCEDIY
 - Four adults have submitted evidence that they have completed their qualification and are awaiting final certificates
 - Two adults are awaiting correspondence from the DCEDIY regarding recognition of the qualification they hold
 - Three adults are still in the process of completing their qualifications
 - One adult is no longer employed
- The HR manager will work with the centre to ensure all documentation is in place prior to adults commencing employment.

Supporting documentation submitted

Documentation has been submitted and reviewed which supports the actions stated above.

Summary Comment

Police vetting and qualifications requirements were not addressed adequately through the CAPA process. Police vetting for two adults and qualifications for five adults remained outstanding.

A condition of registration was proposed on 7th March 2023 regarding regulation 9 (2)(d) police vetting and 9(4) qualifications. The registered provider submitted representations to the proposed condition on 28th March 2023.

A review of these representations demonstrated that the service had addressed the non-compliance with regulation 9(2)(d) police vetting.

Representations regarding 9(4) (qualifications) demonstrated that of the five staff who were unqualified at the conclusion of the CAPA process, two had left the employment of Giraffe Childcare, one employee has commenced extended leave to coincide with study and two further employees, who are undergoing studies, have not achieved 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.

Compliance Information

(1) There were an adequate number of adults working directly with the children attending the service. On the day of inspection there were twenty-eight adults working directly with ninety-three children in the morning and twenty-three adults working with eighty-six children in the afternoon. The managers were also available to assist in the rooms when required.

(2) The minimum ratio of adults to children specified in column (3) of Part 1 of Schedule 6 was maintained during the 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;*
- (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

- (1)
- (h) There was documentation to support the accurate recording of children’s attendance on attendance registers.
 - (i) A staff roster was available.
 - (j) Documentation was available to demonstrate that:
 - signed parental consent was required prior to administering medication
 - administration of medication should be witnessed
 - parents are informed that medication has been administered.
 - (k) Details of accidents, injuries and incidents involving pre-school children were recorded and parents informed.

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

1(b)

The registered provider ensured that appropriate and suitable care practices were in place.

Nutritious and varied food was offered to children at regular intervals throughout the day and extra portions were readily available. Food choices were appropriate for children's individual dietary and cultural needs. Mealtimes were relaxed and observed to be a positive social experience for children as adults engaged with them helping when required. Young children were encouraged to feed themselves appropriate to their age and stage of development and were helped when needed. Babies were cradled in a semi-upright position while being bottle-fed and adults maintained good eye contact with babies while feeding.

Children who wore nappies had them changed regularly throughout the day and at other times when required. Care practices by adults reflected families' personal preferences and support with personal care. For example, some children had barrier creams applied after nappy changing and others were in the process of being toilet trained in consultation with parents. Older children were supported to use the toilet independently and were encouraged to wash their hands afterwards.

Care was given to children's appearance as bibs were put on younger children before eating and their hands and faces were cleaned afterwards.

Sleep routines were reflective of children's individual needs which promoted good habits around sleep. Safe sleep practices were adhered to, and children had heavy clothing and shoes removed before being put down to sleep and rest.

Children had regular access to outdoor play and wore appropriate clothing when outside.

Adults used effective information sharing processes such as daily information sheets which promoted consistency and continuity of care for children attending the service. Appropriate interactions between adults and children were observed during the inspection.