

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DR097
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Name of Service:	Bright Beginnings Nursery and Creche
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Address of Service:	Upper Churchtown Road, Churchtown, Dublin 14, Co. Dublin
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Name of Registered Provider:	Deirdre Conroy
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Service type:	Full Day
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Dates of Inspection:	08/01/2024
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Date 2 of Inspection:	09/01/2024
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No of pre-school children:	AM	91	PM	91
Day 2	AM	89	PM	89

Address of the Early Years Inspectorate:	1st floor Trinity Building, IDA Business Park, Southern Cross Road, Bray, Co. Wicklow.
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Inspection undertaken by:	Sarah Quigley & Fiona Carty
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Title:	Early Years Inspectors
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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	Under Review
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Description of service

Bright Beginnings Nursery & Creche is a large full day care service located in a residential area of Churchtown, South County Dublin. Care and education are provided to children aged between 1 and 6 years and the service is currently registered to operate from Monday to Friday between 08:30 and 17:30 hours. Bright Beginnings operates from within a secondary school building, part of which has been purposely adapted to accommodate the early years service. Seven rooms and 4 dedicated sleep rooms are available. Three outdoor play areas are located to the front of the premises and available to the children for play. On the day of inspection, all 7 care rooms were in operation. Alterations had been made since the last inspection of the service of some of the room names since the last inspection of the service on the 5th September 2023 as follows;

Room name on inspection dated 5/9/23	Room name on this inspection
Wobbler 1 room	Wobbler room
Toddler 1 room	Toddler 2 room
Wobbler 2 room	Toddler 1 room

Staffing

The service currently employs 19 adults, including a cook and the registered provider who is the designated person in charge and works directly in the service. On 8th and 9th of January 2024, 18 adults were present and working directly with the children, including the registered provider.

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 governance/ safety/ premises and facilities. This inspection included an assessment of the conditions attached to the registration of the service under Regulation 23, Safeguarding Health, Safety and Welfare of Child and Regulation 29, Premises. The inspection may also focus on other areas as required.

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

The service is currently in escalation pathway with the National Registration and Enforcement Panel. A letter was issued to the registered provider by the National Registration and Enforcement Panel (NREP) on the 28th July 2023 outlining that the operation and registration of the service will be subject to conditions under:

Regulation 23, Safeguarding Health, Safety and Welfare of Child and Regulation 29, Premises.

The service was found to be in breach of these conditions on an inspection dated the 5th September 2023. Following a Regulatory Enforcement Meeting (REM) on the 10th October 2023, these conditions were extended until the 16th January 2024.

This inspection incorporated a further review of the aforementioned conditions, and the actions outlined by the registered provider under regulations 9, 11, 23 and 29.

An REM was held with the registered provider on 12th March 2024 to address outstanding non-compliance and offer a final opportunity for the registered provider to demonstrate how these issues had or would be resolved.

The National Registration Enforcement Panel (NREP) has made a referral to the Health and Safety Authority and Public Health in respect of the mould present in the service.

Acknowledgments

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

Compliance Information

(2) The assessment of documentation under Regulation 9 was limited to three staff members who had commenced employment since regulation 9 was last inspected on the 5th September 2023. The following records were available for the adults:

(a) (b)

The registered provider demonstrated that they had verified the references obtained from two sources for each of the three adults.

(c) A Garda vetting disclosure from The National Vetting Bureau for the three adults.

(d) International police vetting was available for two of the adults who had lived outside the state for a period exceeding six months as an adult.

(3) Documentation reviewed evidenced that the procedures specified under 9(2) had been carried out prior to the three adults commencing employment in the service.

(4) There was evidence that each of the three staff members had attained at least a major award in Early Childhood Care and Education at Level 5 on the National Framework for Qualifications, or a qualification deemed to be equivalent.

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) An adequate number of adults were working directly with the pre-school children attending the service during both days of inspection.
- (2) The registered provider ensured that the minimum ratio of adults to children was maintained in the service on both days of inspection. There were 91 children present in the service on the 1st day of inspection and 89 children present on the 2nd day of inspection being supervised by 18 adults on each day.

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 the children attending:

General Safety:

The entrance doors into service were adequately secured to ensure the safety of the children within and to avoid unauthorised persons accessing the service or children exiting unsupervised. Internal doors and fire escape doors which lead to the adjacent secondary school were also secured. Cleaning products and hazardous materials were stored securely out of reach of the children.

Infection Control:

An infection control policy was in place to inform practice. Waste was managed appropriately with the use of pedal-operated, lidded bins throughout the service. Pedal operated bins designed specifically for the disposal of nappies were in use in the nappy changing rooms. The children were supported to wash their hands at regular intervals including after play, after toileting and nappy changing, and before meals. Staff were observed to carry out consistent hand washing as appropriate. Staff stated appropriate exclusion periods for adults and children with infectious illnesses were implemented in the service as per the policy.

Administration of Medication:

There was written evidence of prior parental consent for the administration of both temperature reducing and prescribed medications, and there were procedures in place to safely administer and document such medication if required, including in the case of an emergency. Staff adequately detailed the procedures for administering medication when required during discussions with the inspectors. Individual care plans were in place for children who required emergency medication. Staff detailed the procedures outlined for each individual child during discussions with the inspectors and stated they had been trained on how to correctly administer the required medication.

Safe Sleep:

Staff were familiar with safe sleep guidance and outlined the procedures in place in the service during discussions with the inspectors. Sleep logs were observed being maintained in the dedicated sleep rooms and the younger

care rooms. Individual children's observations recorded room temperature, breathing, colour, and position every ten minutes. Standard cots and low-level beds were available for sleep and were used in accordance with children's ages and developmental needs. The temperature of the rooms where children slept were maintained at the required temperature ranges.

Fire Safety:

The designated fire escape routes were clearly indicated and free from obstruction on the day of inspection. Staff members adequately outlined the evacuation procedures in place in the event of a fire and stated that fire drills are practiced regularly on a monthly basis.

Non-Compliance Information

General Safety:

The radiators in the Montessori 3 room and the Montessori 2 children's bathroom were uncovered and accessible to the children on the day of inspection. The radiator's surfaces were recorded to be between 53.9°Celsius to 63.3°Celsius, posing a risk of injury to a child.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

The service engaged a plumber on January 9, 2024, to adjust the thermostat settings to below 50 degrees Celsius. The service have already taken the necessary steps to secure the radiator in the Montessori 2 children's toilets with a cover and will complete the installation of covers for the radiators in the Montessori 3 classroom within the forthcoming week.

Supporting documentation submitted

General Safety:

A screenshot from the plumber the service utilised detailing the adjustments made on-site. Going forward, all radiators installed on the premises will be covered.

Summary Comment

The actions outlined as stated by the registered provider will address the non-compliance. The regulatory requirement has been met.

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*

Compliance Information

The registered provider submitted representations to the inspectorate following the last inspection of the service on the 5th September 2023. These representations outlined additional measures taken and ventilation installed to address concerns regarding the presence of mould and damp malodours in the care rooms, sanitary areas, and cot rooms within the service. The following was found to be installed and in operation on the day of inspection:

- Damp wood and flooring was removed and replaced in the Playschool/Montessori 1 toilets.
- Damp wood, shelving, and flooring was removed and replaced in the Toddler 1/ Toddler 2 (formerly Wobbler 2) changing room.
- Damp wood and flooring was removed and replaced in the new Playschool nappy changing room.
- New vents had been installed in each care room with the exception of the Montessori 3 room where a two-way fan had been installed.
- New openable windows had been installed in the Montessori 2 room, the Toddler 2 room (formerly Toddler), and the Wobbler room (formerly Wobbler 2).
- Damp flooring had been removed and replaced in the Toddler cot room.

Non-Compliance Information

- (c)
1. The registered provider did not ensure that parts of the premises were adequately ventilated on the day of inspection as outlined below;
 - Inspectors observed that there had been further acceleration in mould growth since the previous inspection of the service on the 5th September 2023. Areas of black and green mould were noted in parts of the ceiling in both the Playschool room and the Toddler 2 room (formerly Toddler 1) where mould growth had not been noted on previous inspections.
 2. The registered provider did not ensure that parts of the premises were adequately heated on the day of inspection as follows:

- The temperature of the new Playschool/Montessori 1 nappy changing room was noted to be 14.1°Celsius on the 1st day of inspection whilst children were having their nappies changed.
- The Toddler 2 room was noted to be 14.8°Celsius on the 1st day of inspection. Staff were observed putting additional layers of clothing on themselves and the children and commenting on the room temperature.

The registered provider stated in previous representations made to the inspectorate in July 2023, and October 2023 that mould had been washed, treated, and painted. On the previous inspection dated the 5th September 2023, areas of the ceiling in the Playschool and Toddler 2 (formerly Toddler 1) rooms where black mould had previously been noted had been cleaned and painted, however staining in the areas where the mould had been noted previously were observed. These areas were found to have worsened in these areas on this inspection with dark staining evident in these parts of the ceilings.

Whilst the children were observed to be content on inspection, mould growth continues to pose a potential significant risk to children increasing the risk of varying health conditions.

(d)

3. Although cleaning schedules were documented as being completed in the service, some of the care rooms, children's bathrooms, and nappy changing areas were observed to be heavily soiled and required a deep clean as follows;
 - Areas of the flooring, skirting boards, soft play areas, ledges, and shelving had heavy accumulations of dust, dirt, and debris in crevices and on surfaces of the Playschool, Toddler 2, Montessori 2, and Montessori 3 rooms. The cleaning checklist in the Montessori 2 care room had not been filled in since the 15th December 2023, prior to this it had been completed since the 8th September.
 - Areas of the flooring, skirtings, nappy units, and shelving had heavy accumulations of dust, dirt, and debris in crevices and on surfaces of the Playschool/Montessori 1 children's bathroom and nappy room, the Montessori 2 children's bathroom, and one of the Montessori 3 children's bathrooms.
 - The children's handwash sink in the new Playschool/Montessori 1 nappy room had a build-up of dirt and debris behind the taps and in the sinks.
 - There were accumulations of cobwebs in areas of the ceilings and corners of the care rooms, nappy rooms, and children's bathrooms.

4. The tap on the handwash sink of the new Montessori 2 children's bathroom and the radiator were heavily rusted in parts.
5. The wooden decking in the older children's outdoor play area was rotted in parts exposing holes which created a trip hazard posing a risk of injury to a child.
6. The laminated surfacing of the new Playschool/Montessori 1 nappy changing unit had come away in parts exposing an unfinished wooden surface which could not be effectively cleaned.
7. The vent in the new Playschool/Montessori 1 children's toilets had a thick layer of dust covering the vent which posed a risk of inadequate ventilation of the sanitary area.
8. The wipeable soft play covering was torn with porous internal foam exposed in parts beside the children's handwash sink in the Toddler 2 room and in the play area of the Toddler 1 room. As a result, the areas could not be effectively cleaned, posing a risk of cross contamination.
9. The two children's toilets seats in the new Playschool/Montessori 1 children's toilets were loose and not securely fitted.

The most recent managers monthly audit recorded the following on the 21st of December 2023 which was at variance with the above non-compliances identified.

- That rigorous cleaning schedules had been completed in the care rooms.
- That furniture was free from cracks or tears.
- That no cobwebs were present on ceilings or in corners.

In response to previous non-compliances regarding the cleanliness of the service, the registered provider stated that monthly checks would be completed by management to verify that cleaning tasks are being carried out to the expected standard. The registered provider also stated that the service was going to engage with an external cleaning company on a regular basis to ensure the ongoing standards of cleaning were maintained in the service. This is at variance to what was observed on inspection as noted above in non-compliance point 3. The registered provider and staff working in the service confirmed that this was not regularly in place and had occurred on one occasion following the last inspection of the service.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider submitted the following response;

Corrective and Preventive Action

1. The service stated that they have proactively implemented measures to enhance ventilation, including the installation of import and export fans. The service stated these areas where new mould growth was noted

have been treated and cleaned, and that the current state of the affected areas is a significant improvement from what was observed in the past. The service stated they have gotten a further assessment of the premises by an architect. A letter from an architect was submitted which stated they 'noted evidence of additional ventilation applied to the relevant rooms' and that the additional ventilation 'should alleviate mould issues going forward'.

2. On January 9, 2024, the service arranged for a plumber to service the radiators located in the Playschool/Montessori 1 nappy changing area, as well as those in the toddler 2 room. Furthermore, the service has completed a significant upgrade in the Playschool/Montessori 1 changing area by replacing the old roof and installing a new, insulated ceiling. Previously, the area was covered with a Perspex roof that lacked insulation, a situation that has now been rectified. This improvement ensures that the issue will not reoccur. An insulated ceiling has been put in place.
3. The provider stated all staff and management have committed to staying after hours once a week for a comprehensive deep cleaning of the care rooms and bathrooms. The service stated they will monitor the effectiveness of this strategy and are prepared to implement additional measures if necessary. The service stated they hired cleaning staff for special cleaning sessions on January 13th and 14th. The provider stated cleaners are scheduled to come on the 5th February and will provide extra cleaning support on a monthly basis over the weekends.
4. The response provided by the provider did not contain a corrective answer regarding the bathroom tap. The provider stated that the tap in the handwash sink of the Montessori 2 children's bathroom was not significantly rusted. The provider stated these taps, installed new over the summer, have been thoroughly cleaned to ensure they maintain their condition.

The radiator in the Montessori 2 children's bathroom has undergone a refurbishment. This included sanding, cleaning, and repainting to restore its appearance and functionality. Additionally, a cover has now been fitted over the radiator.
5. The registered provider stated the builder has conducted an assessment of the decking areas and has scheduled repairs to commence following the completion of the roof work. Going forward, staff have been informed to notify management regarding any damage of the decking area so we can get our builder to repair it as soon as possible. Further representations submitted in March 2024 evidenced the registered provider had cordoned off these areas of the decking until remedial works had been completed.

6. The laminated surfacing of the new playschool/Montessori 1 nappy changing unit has since been repaired. Laminated surfacing will be repaired when required.
7. The ventilation system in the new playschool/Montessori 1 children's toilets has been thoroughly cleaned. Moving forward, management will be responsible for the weekly cleaning of all fans every Friday.
8. This wipeable soft play covering has been repaired beside the children's handwash sink in the Toddler 2 classroom and in the play area of the Toddler 1 room. Staff are informed to notify management when any damages in their rooms occur.
9. The toilet seats in the Playschool/Montessori 1 toilets have since been tightened. Staff are informed to notify management if toilet seats become loose or damaged.

Supporting documentation submitted

1. Photographs of areas titled before and after of areas with visible mould growth and areas with no mould growth visible. A letter from an architect regarding mould growth.
2. No supporting documentation submitted.
3. A roster showing 2 staff staying for one hour after closing one day per week. An additional floating staff member also recorded on the roster providing assistance in each room. Completed cleaning checklists.
4. A photograph of a clean bathroom tap. A photograph of a radiator with a cover.
5. Photographs of areas where rotted decking is present cordoned off from use. Further photographs submitted on the 2/05/24 showing the decking replaced in rotted areas.
6. Photograph of clean fans.
7. Photograph of wipeable soft play covering play area of the Toddler 1 room.
8. No supporting documentation submitted.

Summary Comment

As similar actions were submitted previously by the registered provider to address non-compliances and it is evidenced that mould is re-occurring despite efforts of the registered provider the inspectorate cannot be assured that the regulatory requirement under Regulation 29 has been met. The inspectorate will now refer this matter to an external agency for further expertise and assessment of mould type.

No supporting documentation was submitted to evidence that the corrective actions outlined by the registered provider under points 2, 6, and 9 had been implemented. Point 5 has not been addressed.

No corrective action was submitted for point 4, and the statement submitted in response to the non-compliance by the provider is at variance with evidence gathered on inspection.

The supporting documentation submitted under point 8 does not address both areas of non-compliance, no evidence was submitted to show the area beside the sink has been fixed.

Further representations were submitted by the registered provider to the inspectorate on the 27th March 2024 which adequately addressed the non-compliance identified under point 5. Representations were also submitted regarding point 3. Completed cleaning checklists and a staffing roster showing a new floating staff member had been hired by the service to assist in care rooms were submitted.

As similar actions have been submitted previously by the registered provider to address non-compliances relating to cleanliness in the service, the inspectorate cannot be assured that the regulatory requirement has been met regarding the non-compliance under point 3.

The regulatory requirement remains outstanding.