

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DR102		
Name of Service:	The Magic Roundabout		
Address of Service:	2 Eden Road Upper, Glasthule, Co. Dublin		
Eircode:	A96 X226		
Name of Registered Provider:	Emma Thompson		
Service type:	Full Day		
Date(s) of Inspection:	19/07/2023		
No of pre-school children:	AM	59	PM 59
Address of the Early Years Inspectorate:	Early Years Inspectorate, Tusla Child and Family Agency, Loughlinstown Health Centre, Loughlinstown Drive, Loughlinstown, Co Dublin		
Inspection undertaken by:	Olivia Quill and Mona Condon		
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

The Magic Roundabout was established in 1993 and is privately operated. The service is registered to provide full day care. Children attending the service were aged from 11months to 5 years. The service operates Monday to Friday between the hours of 08:00–18:00. The service is situated in a large detached two storey house in an urban area of Glasthule County Dublin. There are six care rooms available for the pre-school children named the Baby room (11months-18 months), Wobbler room (16 months -18 months), Pre-school room (2-3 years), downstairs Montessori (3.5-5years), and upstairs Montessori (3-5years). The Toddler room (2-3years) was provided in a separate prefabricated building to the rear of the premises. An outdoor play area was provided on the premises.

Staffing

In total nineteen staff are employed in the service including two cooks. On the 19 July 2023 fifteen staff worked directly with the children and the designated person in charge provided additional support to staff as required throughout the 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

The 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.

This inspection focused on an examination of compliance under regulations :

- 9 – Management and Recruitment,
- 11 – Staffing Levels, 16 – Record in relation to Pre-school service,
- 19 – Health, welfare and development of child,
- 23 – Safeguarding Health, Safety and Welfare of child
- 25 – First Aid and
- 26 – Fire Safety

however, on inspection additional non-compliance was identified under Regulation 8 Notification of Change in Circumstances and Regulation 30 Minimum space requirements. These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under regulations 16 (h), (j) and (k) – Record in relation to Pre-school service, 19 – Health, welfare and development of child and 23 – Safeguarding Health, Safety and Welfare of child. As a result, the scope of the inspection included the Baby, Wobbler, Toddler and Pre-School rooms and did not include the upstairs and downstairs Montessori rooms.

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 person in charge, staff and children who were present on the day of the inspection.

Part II - Registration and Register

Regulation 8 - Notification of change in circumstances

(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.

Non-Compliance Information

- (1) The service was found to be operating outside its registered status. The service is registered to cater for fifty-eight pre-school children.
- Fifty-nine pre-school children were present on inspection and evidence available confirmed sixty-three children are in attendance on the busiest day.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Management have sought for a change in circumstances with Tusla to avoid recurrence of this non-compliance in future.

Supporting documentation submitted

The registered provider submitted a change in circumstance form to the Registration office. Following a Fit for Purpose inspection the change of circumstance to increase the number of children attending to sixty-three was approved.

Summary Comment

The corrective and preventive actions stated by the registered provider have addressed the non-compliance. The Regulatory requirement has been met.

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,

(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) From reviewing the records and speaking to the person in charge and staff it was confirmed four new staff member had commenced working in the service since the last inspection dated 11 April 2022.

This inspection focused on 9(2) (a), (c) (d) and (4) and was limited to the recruitment records for staff employed in the service since the last inspection. Regulation 9(2)(c) was inspected in relation to all staff employed by the service. The details are as follows;

(a) Two written validated past employer references were available on file for four new staff employed.

(c) Garda vetting disclosures from the National Vetting Bureau of An Garda Síochána were available for all staff employed in the service.

(d) International police vetting was available for four staff members who had lived in another state for more than six consecutive months as an adult.

(4) There was evidence that three adults had attained a qualification deemed by the Department of Children, Equality, Disability Integration and Youth (DCEDIY) to meet the Regulatory requirement.

Non-Compliance Information

(3) The registered provider did not ensure Garda vetting disclosures were obtained for the two adults prior to them commencing work in the service, contrary to the National Vetting Bureau (Children and Vulnerable Persons) Act 2012. One staff member commenced working in the service on 26 October 2022 and Garda vetting was obtained on 18 November 2022. A second staff member commenced working in the service on the 10 October 2022 and Garda vetting was obtained on the 22 October 2022.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Management will ensure Garda vetting disclosures are in place prior to all staff or students commencing work in The Magic Roundabout. Management will note and ensure that that only commencement dates are applied to contracts going forward.

Supporting documentation submitted

Written evidence submitted.

Summary Comment

The corrective and preventive actions stated by the registered provider have addressed the non-compliance. The Regulatory requirement has been met.

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 fifty-nine children attending the service being supervised by fifteen 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

- (1)*
- (h)* Details of children’s attendance were recorded in roll books in each care room.
 - (i)* A staff roster was available.
 - (j)* Documentation was available to demonstrate that signed parental consent was required prior to administering medication to a pre-school child.
 - (k)* Details of accidents, injuries and incidents involving pre-school children were recorded.

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

- (1)(a)*
- The designated person in charge reported breakfast, a morning, afternoon snack, and a hot lunch are provided by the service each day. At lunchtime the hot meal served was chicken and sweetcorn pasta. Younger children wore bibs during mealtimes to protect their clothing. Staff sat with the children during mealtimes engaged in conversation, creating a sociable atmosphere. In the Baby and Wobbler room children were given the opportunity to feed themselves appropriate to their stage of development.

Suitable plates, cups and cutlery were provided for the children to use. Formula milk was suitably prepared, and staff sat in the adult chair provided and bottle fed the babies as required. Drinking water was available to the children in each of the care rooms throughout the day.

Older children used the toilet independently while being closely supervised by staff. Younger children's nappies were changed as required. During this time staff were observed talking to the children. Children's care needs were met promptly. Staff in the Baby room were observed cleaning children's noses as required. Staff interacted warmly with the children in their care throughout the inspection and were observed supporting children in their play. The staff described how they communicate information to parents daily about their child's day at drop off and collection times.

The care room were arranged into defined areas of interest. Toys and play equipment were easily accessible at the children's level. Low-level tables and chairs were available in each care room, suitable to the age of the children in attendance. An outdoor play area was provided to the rear of the premises rooms. Children from the Toddler and Pre-School room were observed to enjoy time spent in the outdoor area. A variety of Play equipment and toys were available including ride on bikes, balls, push along toys and a climbing frame. Suitable child size benches were available for children to rest.

Non-Compliance Information

(1)(a)

The rest areas in the Wobbler and Toddler room were not suitably furnished for the number of children. In the Wobbler room the rest area consisted of a folded mat for three children and in the Toddler room a folded soft mat and cushions were provided for nine children. Both areas needed to be developed to make them more comfortable and inviting for the children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Additional cushions, mats have now been purchased, and cosy areas have now been updated across all rooms resulting in more inviting rest areas for all children.

In the toddler room the rest area has been moved to create an even bigger rest and comfort space for the children.

Supporting documentation submitted

Photographic evidence submitted.

Summary Comment

The corrective and preventive actions stated by the registered provider have addressed the non-compliance. The Regulatory requirement has 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 kitchen and storage areas were inaccessible.
- Medication was clearly labelled and safely stored.

Infection Control:

- The environment was clean and cleaning schedules were available.
- Liquid soap, paper towel and pedal operated bins were provided to facilitate hand hygiene. Children were supervised washing their hands after using the toilet, outdoor play and prior to eating.
- Children's soothers were sterilised as required and stored in labelled individual containers.
- Individual linen was provided for children's cots. Staff confirmed it is laundered weekly or as required.

Administration of Medication:

- A sample of records of previous medications given were reviewed. The records were completed correctly and included the time and date it was given, the name of the staff who gave it and the signature of a second staff as a witness and the parents signature.
- Care plans were available for children with specific medical conditions and staff were familiar with these when questioned.

Safe Sleep:

- In discussion with the inspector staff demonstrated they were familiar with safe sleep guidelines. Sleeping children were checked by staff every 10 minutes and a record of all checks was maintained.
- The temperature of the sleep room was maintained between 16 and 20 degrees Celsius.

Fire Safety:

- Fire exits were clearly labelled and unobstructed.

Non-Compliance Information

General Safety:

1. Throughout the inspection the door to the Baby room which was located to the front of the premises remained open making unauthorised access possible.
2. In the Baby room trailing cables were not secured posing a potential injury risk as evidenced by;
 - (a) A music box was positioned on a high shelf the trailing cable was within reach of children.
 - (b) A humidifier was positioned on low level shelf and the cable was within reach of children.
3. In the Baby sleep room additional equipment was unsuitably stored behind the cots including a plastic bag with play equipment, guitar, blankets and mats posing a safety risk.
4. In the Baby sleep room a flex from a fan and a trailing flex from a light fitting on the wall was within reach of a child's cot posing a potential strangulation risk.
5. In the Wobbler room a trailing flex from a stereo positioned on a high shelf was not secured posing a potential injury risk.

Safe Sleep:

6. In the Toddler room there was inadequate planning for the transition to sleep. Staff set up cots beside each other in the room for sleep. Children were placed in cots and were observed jumping up and down, reaching into each other's cots and getting upset. At this time staff were unable to access the children who were upset and console the child because the 50cm space between cots was not provided. Staff then moved the cots while the children were in them to position them in the room. This practice was unsafe and posed an injury risk to the children.

Infection Control:

7. The nappy changing mat in the Baby sanitary area was torn and as a result could not be cleaned effectively for infection control purposes.

Outing:

8. An outing took place for the children attending the upstairs and downstairs Montessori. The risk assessment and outings policy were inadequate as follows;
- (a) The risk assessment completed by staff did not include all relevant information. One child had a specific medical condition that required emergency medication this information was not included in the risk assessment posing a safety risk in the event of a medical emergency.
 - (b) The outings policy did not detail how children from the service could be easily identified from other children at the planned venues posing a potential safety risk.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. On the day of inspection, the door was open to create airflow in the room, and control room temperature. the purchase and installation of an air conditioning unit is underway. For now, the door will remain closed.
2. (a) Staff have been reminded about the importance of ensuring cables are secured at all times. The cable from the music box has been secured to ensure they do not trail.
- (b) The humidifier unit has been removed from the room.
3. All items have been removed from the shelf area. Management are currently looking at ways to improve storage of large items such as mats and blankets.
4. In the baby sleep room, the fan has been removed from its position, eliminating any potential risk to a child. Maintenance have now securely refixed the light fixture and cables to the wall, eliminating any potential risk.
5. The flex in the wobbler room has now been secured. Again, staff were reminded about the importance of flex's not trailing.

Safe Sleep:

6. The planning for transition to sleep in the Toddler room has been revised and a new strategy has been put in place. Children are not in cots while they are moved into position, and an appropriate spacing between each cot is applied to ensure easy movement among cots while carrying out sleep checks.

Infection Control:

7. On the day of inspection, the mat was removed and a new one provided. Staff were reminded about the importance of removing damaged change mats and replacing. Ample amount of fresh change mats are always available in the office.

Outing:

8. (a) Going forward, it will be noted on risk assessments any specific medical conditions of children as well as the planned action for their care in the case of an emergency.

(b) Management have reviewed outing risk assessment and will implement identifier bibs for outings going forward. This will be noted as a safety procedure on all risk assessments going forward also. The outings policy was updated.

Supporting documentation submitted

General Safety:

Photographic evidence submitted.

Infection Control:

Written evidence.

Outing:

Updated outings policy and photographic evidence submitted.

Summary Comment

The corrective and preventive actions stated by the registered provider have addressed the non-compliance. The Regulatory requirement has been met. Practice will be reviewed on 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 for children was, immediately available at all times to the children attending the pre-school service. Certificates were displayed for two staff who had completed the First aid responder training. These certificates were valid until the 14 June and 12 April 2024.

(2)(a) The first aid box was suitably equipped and easily accessible on the premises.

(b) The first aid box was available at all times for the children attending the service.

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 fire drills that had taken place in the service. The record showed that the last fire drill had taken place on the 7 July 2023.

(b) There was a record to show that the firefighting equipment had been serviced on 2 February 2023 and that maintenance of the fire detection and alarm system had taken place in 24 April 2023.

(4)

The procedures to be followed during a fire drill and in the event of a fire were displayed in conspicuous locations within the service.

Part VII - Premises and Space Requirements

Regulation 30 - Minimum space requirements

(1) Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.

(2) A registered provider of a full day care service or a part-time day care service shall ensure that the minimum amount of clear floor space specified in column (3) of Schedule 7 opposite a particular reference number specified in column (1) of that Schedule in respect of the age range of children specified in column (2) thereof at that reference number is available for each child in that age range attending the service.

Non-Compliance Information

(1) and (2) Adequate floor space was not available for the fourteen children aged 3-5 attending the Upstairs Montessori room. Considering the age of the children and the length of time spent in the service 32.2 square metres was required. However, 30.21 square metres was available.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Management have applied for a Change in Circumstances with Tusla. Having created additional space in our Upstairs Montessori Room, we are awaiting a visit to confirm this change and allow for additional attendees, reducing the potential for overlapping of children going forward.

Supporting documentation submitted

Written and photographic evidence submitted.

Summary Comment

The corrective and preventive actions stated by the registered provider have addressed the non-compliance. A fit for purpose inspection completed on 13 September 2023 confirmed the service has sufficient clear floor space to accommodate the number of proposed additional children. The Regulatory requirement has been met.