

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DR111		
Name of Service:	Absorbent Minds		
Address of Service:	25 The Avenue, Woodpark, Ballinteer, Dublin 16, Co. Dublin		
Eircode:	D16 X239		
Name of Registered Provider:	Anne-Marie Hendrick		
Service type:	Full Day, Sessional		
Date(s) of Inspection:	29/11/2023		
No of pre-school children:	AM	42	PM 4
Address of the Early Years Inspectorate:	Early Years Inspectorate, Tusla child and Family Agency, Loughlinstown Health Centre, Loughlinstown, County 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		

Description of service

Absorbent Minds was established in 2007 and is one of two services owned and operated privately by the registered provider. The early years service is registered to provide full day care. This includes a sessional service which participates in the Early Childhood Care and Education (ECCE) Scheme. The service caters for children aged from 2 to 6 years. A morning sessional service operates from 9am-12pm. The early years service is located in a purpose-built two storey premises in a residential area of Ballinteer in Dublin 16. Care of the children is provided across four pre-school rooms. Three of the care rooms named; the Blue pod, Yellow pod and the Big room are provided within the premises. The fourth pre-school room named the Green pod is provided in a separate building to the rear of the premises. An outdoor play area is available for the children to the rear of the premises.

Staffing

In total seven staff are employed in the service including the registered provider. On the 29 November 2023 six staff were present and the registered provider arrived after the inspection commenced. The designated person in charge and registered provider were not included in the adult: child ratio and were available to provide additional support to staff as required.

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 inspection may also focus on other areas as required.

Compliance was assessed under regulations:

Regulation 9 Management and Recruitment

Regulation 11 Staffing levels

Regulation 15 Record of Pre-school child

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

Regulation 19 Health welfare and development of child

Regulation 23 Safeguarding health, safety and welfare of child

Regulation 25 First Aid

Regulation 26 Fire safety measures.

These findings are outlined within the relevant regulations within this report. A sampling process was used to assess compliance under regulation 15 and Regulation 16 (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, 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.

(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) All staff files were reviewed as part of the inspection process. In total seven staff files were inspected as detailed below.

(a), (b) There were fourteen written verified references available from two sources for staff.

(c) A Garda vetting disclosure was available from the National Vetting Bureau of An Garda Síochána for all staff working the in the service.

(d) Police vetting was available for two adults who lived outside the state as adults for a period exceeding six months.

(4) Records were available evidencing that six staff members who were employed to work directly with the children held the required qualification or equivalent.

Non-Compliance Information

(4) There was no evidence available to confirm that one staff who was caring directly for the children had a childcare qualification.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The staff member has begun an online childcare course and will only have administration duties until qualified.

Supporting documentation submitted

Written evidence.

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 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 children at all times during the inspection.

(3) The minimum ratio of adults to children for full day care service was adhered to at all times during the inspection. There were forty-two children attending the service being supervised by five adults on the day of inspection.

Part IV – Information and Records

Regulation 15 – Record of pre-school child

(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:

- (a) the name and date of birth of the child;*
- (b) the date on which the child first attended the service;*
- (c) the date on which the child ceased to attend the service;*
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
- (e) authorisation for the collection of the child;*
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
- (g) the name and telephone number of the child's registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency*

Compliance Information

(1) A sample of records were reviewed for eleven children who were attending the service. The records reviewed contained the following information:

- (a) The name and date of birth of each child.
- (b) The date on which each child first attended the service.
- (c) There was an area on the registration form where the date when a child would cease to attend the service will be recorded.
- (d) The names, addresses and telephone number of parents were recorded and information where parents can be contacted during the hours of operation of the service were also available.
- (e) There was authorisation for the collection of the child.
- (f) The record available supported the recording of any illness, disability, allergy or special need of the child.
- (g) The name and telephone number of each child's medical practitioner was recorded.
- (h) Parents provided a record of the immunisations their child had received.
- (i) There was written consent for appropriate medical treatment of a child in the event of an emergency.

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 were recorded at the time of entering and leaving the service.
- (i) The staff roster was available and accurately reflected the adults working in the service on the day of inspection.
- (j) A record was available to demonstrate that signed parental consent was obtained to administer medication if required. The registered provider confirmed no medication has been given to a child this year.

Non-Compliance Information

- (k) A sample of twenty accident and incident forms were reviewed. Seven forms were not signed by parents posing a potential safety risk.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (k) The incident and accident forms were reviewed with all staff and signed by parents. The book will be signed on the day of the incident and accident going forward.

Supporting documentation submitted

Written evidence.

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 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)

Children were observed eating a variety of healthy snacks which were provided by parents. Drinking water was readily available to children. Children were supported to use the toilet independently and to be self-caring, suitable to their age and stage of development, for example, cleaning up after play time and caring for their belongings. Calm interactions between children and the adults present were observed and children were supported to interact appropriately with each other. Throughout the morning children were observed to be engaged in a variety of activities of their choice including tabletop activities, messy play and imaginative play. Children's choices were respected, with staff providing additional support when requested.

The staff described how they communicate information to parents daily about their child's day at drop off and collection times. The service also uses a phone messaging app to share additional information.

The care rooms were equipped with suitable low-level tables and chairs. Each room was arranged into defined areas of interest providing children with the freedom to play and explore. Designated areas of interest included musical instruments, dress up areas, construction toys, art materials, chalkboards, rest areas with books and home corners. The care rooms facilitated a range of developmentally appropriate play experiences for the children. The materials were easily accessible from open low-level shelving provided.

The outdoor area was enclosed with a high wall and gates. One area had paved surfacing, the second area had shock absorbent surfacing. Play equipment available to the children included ride on toys, push along toys, a playhouse, a basketball net, balls and a sandpit. Child size picnic tables and benches were available and adult seating was provided. All children were observed to spend time in the outdoor area at designated times during the morning. Children were suitably dressed for the weather with coats and hats.

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:

- Entry to the service was safely secured to prevent unauthorised access and children leaving unsupervised.
- 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 in use on the day of inspection was safe for the age group using them and in good condition.

Infection Control:

- The environment in the service was cleaned. Staff maintained a record of cleaning.
- 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 Blue and yellow pod 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 after using the toilet and prior to eating.
- Staff were observed to clean the tables prior to children eating their lunch.
- Suitable pedal operated bins were provided.

Fire Safety:

- The fire exits were unobstructed.

Non-Compliance Information

General Safety:

1. When the inspectors arrived, they observed one staff member accompanying 20 children aged 3- 4 years from the Big room to the outdoors area at the rear of the premises. The safety of the children was compromised as there no gates at the entrance of the premises which led to a road in the housing estate. This posed a potential safety risk in the event one of the children were to run towards the road.
2. In the yellow pod a trailing flex from a stereo player was within reach of the children posing a potential injury risk.

Administration of Medication:

- The correct supply of emergency medication needed for one individual child in the event of an emergency was not available posing a potential safety risk in the event of a medical emergency. This non-compliance was noted on the last inspection on the 14 October 2021.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

- The two staff members will accompany the children going forward. Only when two staff members are available will we use the front doors.
- The flex from the radio has been removed. No radios or equipment will be placed on shelves accessible to the children.

Administration of Medication:

- The parents will provide an additional auto-injector pen medication as required. The service will amend the medication policy to reflect this. The service will only allow children with two auto-injector pens.

Supporting documentation submitted

General Safety:

Written evidence.

Administration of Medication:

Written evidence.

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 was immediately available to the children at all times on the day of inspection.

(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 25 October 2023.
 - (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 24 February 2023 and 28 April 2023 for the smoke alarms.
 - (4) The procedures to be followed during a fire drill and in the event of a fire were displayed in a conspicuous location within the service.