

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DR139
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<b>Name of Service:</b>	Lakelands Childcare
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<b>Address of Service:</b>	9 Lakelands Road, Upper Kilmacud Road, Stillorgan, Co. Dublin
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<b>Eircode:</b>	A94 HK38
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<b>Name of Registered Provider:</b>	Vivienne Walsh , Ceinwen Walsh
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<b>Service type:</b>	Full Day
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<b>Date of Inspection:</b>	02/10/2023
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<b>No of pre-school children:</b>	AM	34	PM	33
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Tusla Child and Family Agency, 7th Floor, Brunel Building, Heuston South Quarter, Dublin 8.
<b>Inspection undertaken by:</b>	E. Mulhern and R. Brien
<b>Title:</b>	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).

<b>Conditions if applicable</b>	Not applicable
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### Description of service

Lakelands Childcare is one of two early years services operated by the registered providers. It is located in a residential area of county Dublin. It operates from a two-storey, purposely adapted commercial building, consisting of four child-care rooms, a sleep room and an outdoor area. The service provides full-day care for children up to six years old between 8am and 6pm.

### Staffing

There are 16 staff employed to work in the service including the registered providers and cooks. The service is managed by the registered providers who also work directly with the children when required. There were 11 adults working directly with the children on the day of 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

This inspection was unannounced and focused on the areas of governance, health, welfare and development of child and safety. The inspection may also focus on other areas as required. A sampling process was used to assess compliance under regulation 21 – Equipment and Materials. As a result, the scope of the inspection under this regulation included the 'Wobbler' room.

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 providers, 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.

(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 person in charge and named persons to deputise as required.
  - (b) The person in charge was on the premises throughout the inspection. The staff roster provided for the person in charge or deputy to be present at all times of opening.
- (2)
- (a) & (b) Through review of records it was evident that adequate consideration had been given to references for 14 of 16 staff members. References had been sourced from their past employers and from another source where they had only one or no previous employers. Records were available of phone calls made to verify the references.
  - (c) Garda vetting disclosures were available for all adults.

(d) Through review of records it was evident that international police vetting had been considered for five of the seven staff for whom it was required.

(4) Fourteen staff members were employed to work directly with the children. Records were available evidencing that 12 of these held 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.

### Non-Compliance Information

(2)(a) & (b) It was not evident that adequate consideration had been given to the references of two staff members as outlined.

- There were no references available from a previous employer or reputable source in relation to one staff member.
- There was no record to evidence that one of the references available for a second staff member had been verified.

This regulatory requirement was non-compliant on the previous inspection dated 2 December 2022. The registered providers had submitted corrective and preventive actions following that inspection stating they will always check staff references, document this and complete a pre-employment checklist to ensure the oversight does not occur again. The actions had not been carried out.

(2)(d) It was not evident that appropriate consideration had been given to international police vetting for two adults, for whom it was required. Although records were available, these were in a foreign language and there was no certified record of translation available.

(4) There was no record to evidence that two staff members employed to work with children held at least a major award in Early Childhood Care and Education at Level 5 on the National Qualifications Framework or an equivalent qualification. This regulatory requirement was non-compliant on the previous inspection dated 2 December 2022. The registered providers had submitted corrective and preventive actions following that inspection stating they would ensure that qualifications which require recognition are submitted to the

Department of Children, Equality, Disability, Integration and Youth (DCEDIY) and this had been included on the pre-employment checklist. The actions had not been carried out.

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

#### Corrective and Preventive Action

- (2)
- (a) & (b) The references have been sourced and verified. Although a pre-employment checklist was available, it's use had lapsed. The registered providers will now send this checklist to new staff members and thoroughly check all paperwork is completed and received in a timely manner. The checklist will always be used and is displayed clearly on staff files for easy use and access.
- (d) Documents have been translated by a certified translation service. The registered providers will ensure a certified translation service is always used prior to employment. The pre-employment checklist for staff records includes that certified translations are required.
- (4) Documents have been submitted to the Department of Children, Equality, Disability, Integration and Youth (DCEDIY). This has been included in the pre-employment checklist which is now sent to proposed new staff. New staff will not be allowed to begin employment unless their qualification has been recognised by DCEDIY.

#### Supporting documentation submitted

- (2)
- Pre-employment checklist
  - Copies of outstanding references with records of verification.
  - Certified translations of outstanding police vetting.
- (4)
- Pre-employment checklist

## Summary Comment

(2)(a)(b) & (d) The actions submitted have been deemed to adequately address the non-compliance. The effectiveness of the preventive actions will be assessed on the next inspection.

(4) It has not been evidenced following the CAPA process that the two staff members employed to work directly with children hold at least a major award in Early Childhood Care and Education at Level 5 on the National Qualifications Framework or an equivalent qualification. The non-compliance remains outstanding.

## 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 11 staff allocated to work directly with 34 children. An adequate number of staff were always working directly with the children.

(2) At all times the minimum required ratio of adults to children was maintained.

### 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

The inspectors observed appropriate care practices in place. Children moved freely, exploring the environment within their rooms and the outdoor area. Meals and snacks were offered at regular intervals. Adults sat with the children during meals and supported the children towards independence.

Staff supported the children to manage their personal care. Bibs were provided to protect the children's clothes from becoming soiled or wet when eating. Low level hooks were available for hanging coats and personal items. Children were supported to clean their hands and faces at appropriate times. Older children used the toilet as needed. Younger children's nappies were changed at scheduled times and in between when required. Staff used these opportunities for warm one-to-one interactions.

Children attending the Baby room were placed to sleep in a separate sleep room according to their individual routine. Children in the Wobbler and Toddler rooms were provided with an opportunity to sleep after dinner. A child in the Wobbler room was placed to sleep outside of this time as she was displaying signs of tiredness. Children were made comfortable for sleep with staff removing their shoes and outer clothing and providing soothers to those who used them. Children were placed to sleep in cots or on sleep mats according to their age and stage of development. The transitions to sleep were managed appropriately with staff providing a quiet, restful environment.

A key-worker system was in place to support the development of secure attachments. Staff demonstrated an in-depth knowledge of the children in their care including their individual likes and dislikes.

They showed warmth and affection in their interactions with the children through use of soft and gentle tones. Inspectors observed that children were promptly comforted by staff when they became upset. An app was used by staff to share information about each child's day with their parent/guardian.

## Part V - Care of Child in Pre-school Service

### Regulation 21 – Equipment and materials

*A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.*

#### Compliance Information

The scope of the inspection under this regulation focused on the ‘Wobbler’ room. The service had engaged with Better Start (National Early Years Quality Development Initiative) following the previous inspection on 5 December 2022. Inspectors observed that changes had been made to the environment which supported the children’s learning and development. Materials and equipment were stored on open shelves, visible and accessible to the children to support child-led play and learning. These included books, blocks, puzzles, dolls, sensory items, dress-up clothes, cause and effect items, and small-world toys. Staff told the inspectors that the environment was still undergoing development. The children also accessed the outdoor area which had equipment to support full body movement including a climbing frame with a small slide and ride-on toys.

## 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 registered providers had taken measures to safeguard the health, safety and welfare of the children as outlined in the examples below:

#### General Safety:

- Entrances/exits were secured to prevent unauthorised access or a child leaving unsupervised.
- Cleaning products were stored safely out of reach of children.
- Heavy furniture was secured to prevent tipping.
- Cables and blind cords were secured out of reach of children.

### Infection Control:

- Sanitary facilities were equipped with warm water, liquid soap and paper towels for handwashing.
- Children's hands were washed at appropriate times to prevent the spread of infection.
- The Pre-school rooms and sanitary facilities were observed to be in a clean condition.
- Bed linen was clean and mattresses had a wipeable cover.
- Children's nappies were changed in a manner that reduced the risk of cross infection.
- Soothers were stored in individual, labelled containers.
- Pedal operated, lidded bins were available for the safe disposal of waste.

### Administration of Medication:

- Parent/guardian consent had been obtained for medications which had been given to children attending the service.
- Medication was stored appropriately in the original packaging out of reach of children.
- Clearly documented plans were available for the administration of emergency medicine to children who may require it in the event of an anaphylactic reaction. Staff demonstrated a good understanding of the steps required to give the medicine safely if required.

### Safe Sleep:

- Children were placed to sleep in appropriate facilities including standard cots according to their age and stage of development.
- Staff demonstrated an understanding of measures to take to reduce the risk of sudden infant death including placing infants to sleep on their back.
- Inspectors observed staff checking sleeping children and maintaining a record of the checks.
- The temperature of the rooms was maintained between 16-20°C when children were sleeping to prevent overheating.
- Appropriate bedding was used to prevent overheating.

### Non-Compliance Information

#### Outing:

The registered providers did not ensure that adequate steps were taken to minimise the risk to children's safety on outings. Staff told the inspectors that they regularly bring children to the local park. The procedures detailed in the outings policy did not include the following:

- Checklist for outing
- First Aid box
- Adult trained in First Aid for children
- Details of management of critical incident on outing (e.g. missing child)

Risk assessment records of previous outings were reviewed. There was no record of where the children were being brought on the documents which referred only to 'trip/outing'. There was no information documented in relation to the specific hazards that may present on the outing. Generalised statements were documented for example 'injuries on a trip out/walk'.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

The outings policy was expanded, reviewed, and put into effect. This occurred within two days of the inspection to ensure all trips are safe. No trips were undertaken until this was done. All staff have been informed of the updated policy and the importance of safety on an outing was explained. More information has been added to the checklist to ensure the upmost safety. The registered providers plan to review all policies going forward.

#### Supporting documentation submitted

- Copy of amended outings policy.

### Summary Comment

The actions submitted have been deemed to adequately address the non-compliance.