

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DR145
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Name of Service:	Flower Childcare Clonskeagh
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Address of Service:	19 Roebuck Road, Clonskeagh, Dublin 14, Co. Dublin
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Eircode:	D14 V386
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Name of Registered Provider:	Cherif Labreche
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Service type:	Full Day
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Dates of Inspection:	07/02/2024
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Date 2 of Inspection:	08/02/2024
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No of pre-school children:	AM	17	PM	15
Day 2	AM	13	PM	13

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	Not applicable
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Description of service

Flower Childcare Clonskeagh is a privately owned service which was established in 2012. The service currently provides full day and part-time care to children aged 1-6 years and offers an Early Childhood Care and Education Scheme (ECCE). The service operates from 09:00 to 17:30 each weekday and comprises of two care rooms. The service is located in a residential area of Clonskeagh, South Co. Dublin within the grounds of The Islamic Cultural Centre of Ireland. There is an enclosed outdoor play area available to the front of the service with artificial grass surfacing.

Staffing

The service currently employs 5 staff members including the registered provider, the designated person in charge, and an adult who works in an auxiliary role cooking and cleaning. The registered provider does not work directly with the children.

On the 7th and 8th February 2024, 5 adults were present and working in the service including the registered provider who facilitated 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

This inspection was unannounced and focused on the area of information and records/ governance/ health, welfare and development of child/ safety/ premises and facilities. 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

This inspection was triggered by the receipt of information which was furnished to the Early Years Inspectorate on the 2nd February 2024.

An immediate action notice was issued to the registered provider on the 7th February 2024 following the 1st day of inspection in relation to Regulation 25 First Aid. A response was received from the registered provider on the 9th February 2024 which addressed the risk identified.

Acknowledgments

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

(3) Where a registered provider has been unable for good and proper reason to notify the Agency within the time specified in paragraph (1) or (2), as the case may be, of a 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), the registered provider shall notify the Agency in writing of the change as soon as possible thereafter.

Compliance Information

(1)(3) Discussions with the registered provider and the person in charge on the day of inspection evidenced that the service was operating in accordance with the details contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2). Changes to the registered provider and the designated person in charge that had previously been notified to the agency were in operation.

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.

(7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:

- the policies, procedures and statements of the service specified in Schedule 5;

- Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act,

– and these regulations

Compliance Information

(2) Documentation was reviewed in respect of all 5 adults working in the service. The following records were available for the 5 adults:

(a) (b)

The registered provider demonstrated that they had verified the references obtained from two sources for 2 of the adults. One verified reference was available for one other adult.

(c) Garda vetting disclosures from The National Vetting Bureau for the 5 adults.

(d) International police vetting for one of the adults.

- (4) There was evidence that 3 of the adults 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. The other 2 adults did not require a qualification as they did not work directly with the children.
- (7) Adequate measures were in place to ensure that appropriate supervision of staff members and regular training occurs in the service in line with the staff training and supervision policies in place as follows:
- Staff members reported that both team staff meetings and one on one supervision occur with staff members and the person in charge at regular intervals throughout the year. A written record was available of these meetings.
 - The policies and procedures in place in the service had all been updated in September 2023 and were distributed to staff members. The person in charge and staff reported that training was provided on each of the policies and associated procedures in place. Staff reported that policies are regularly discussed during team meetings and that updates are implemented and discussed in line with regulatory requirements.
 - Staff and the person in charge stated that based on one-on-one supervision sessions, staff can request to undertake external training they would like to complete. Staff may also be requested to complete relevant training and CPD throughout the year if a need was identified.

Non-Compliance Information

- (2) (a)(b)
- There were no verified references available for 2 of the adults.
 - There was no second reference available for one of the adults.
- (d) Full international police vetting was not available for 1 of the adults working in the service who required it.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The required documents are now on file. Flower Childcare will always ensure that references are verified.

Furthermore, no teacher or employee will commence work until their reference is verified and dated as outlined in the Recruitment policy. Flower childcare will follow a very strict updated recruitment policy that insists that no teacher or employee will start working unless his /her international garda clearance is obtained.

For future reference, all teachers and employees are subject to police vetting and must have their references verified and dated before starting employment. Additionally, all staff files will be updated regularly to ensure all required documents are filed.

Supporting documentation submitted

Supporting documentation was submitted and reviewed by the early years inspector.

Summary Comment

The regulatory requirement has been met.

Part III – Management and Staff

Regulation 10 - Policies, procedures etc. of pre-school service

A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.

Compliance Information

For the purpose of this inspection, a sample of the required written policies, procedures and statements that are specified and required under schedule 5 of these regulations were reviewed. The following policies, procedures and statements were included as part of this inspection:

- The complaints policy
- The policy on behaviour management
- The policy on safe sleep
- The inclusion policy which included admissions to the service
- The policy on accidents and incidents
- The staff training policy
- The supervision policy

Documentation reviewed evidenced that the above policies were available and in operation in the service and had all been updated by the designated person in charge in September 2023.

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.

Non-Compliance Information

(1)

An adequate number of adults were not working directly with the pre-school children attending the service during the inspection as the minimum ratio of adults to children was not maintained at all times in the Jasmine room as outlined below.

(2)

The registered provider did not ensure that the minimum ratio of adults to children was maintained in the service at all times throughout the 1st day of inspection. An insufficient number of adults were available to the children attending on a full day and part time care basis in Jasmine room from 10:00 to 13:00 as outlined below. Other staff members were observed to enter these care rooms intermittently during these times to rotate lunch breaks or exchange information.

Room name	Number of staff	Number & age of children Present	Ratio of adult to child required
Jasmine room	1	11 (1 x 2 year) (7 x 3 years) (3 x 4 years)	2 – 3 years = 1:6 3 – 6 years = 1:8

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The service have hired additional staff to ensure that the minimum ratio of adults to children is maintained at all times Jasmine room. The service will ensure that an adequate number of adults are working directly with the children at all times. The service will also ensure that the minimum ratio of adults to children is maintained at all times in the Crèche. The manager will ensure that there is always an extra staff member available in case of any absences.

Supporting documentation submitted

Supporting documentation was submitted and reviewed by the early years inspector.

Summary Comment

The regulatory requirement has been met.

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;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

Compliance Information

- (1)
- (h) A record was available in both care rooms detailing the attendance of each preschool child on the day of inspection. A review of documentation evidenced that attendance records had been maintained daily in the service.
 - (i) An accurate staffing roster was available in the service detailing hours of work for each staff member on the day of inspection. A review of documentation evidenced that staff members attendance had been recorded daily in the service.
 - (k) Written records of accidents and incidents which occurred in the service were available on the day of inspection. A sample reviewed on the day of inspection documented necessary details.

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.
- (2) A registered provider shall ensure that no corporal punishment is inflicted on a pre-school child whilst attending the service.
- (3) A registered provider shall ensure that no practices that are disrespectful, degrading, exploitive, intimidating, emotionally or physically harmful or neglectful are carried out in respect of a pre-school child whilst attending the service.

Compliance Information

(1)(a)(b)

The designated person in charge reported that snacks and a hot lunch are provided by the service each day. Younger children wore bibs during mealtimes to protect their clothing. Drinking water was available to the children in each of the care rooms on the day of inspection.

Staff members were observed interacting with the children in a warm and affectionate manner and demonstrated an awareness of the individual needs of the children in their care. Adults used respectful language during interactions with the children who appeared happy and content throughout the inspection. Children were observed engaged in activities, exploring their play environments and playing with each other and the staff. The children were all provided with the opportunity to play outdoors on two occasions during each day of inspection and were dressed appropriately to the weather. Older children were observed using the toilet independently and younger children wearing nappies were changed regularly and as required.

Adults used respectful language during all interactions observed with the children. Staff working in the service were observed exchanging information on activities, meals, sleep and nappy-changing with parents during collection. Staff also availed of opportunities to communicate with parents and guardians through an online messaging application throughout the day, sharing photographs of the children during activities.

(3)

No practices that were disrespectful, degrading, exploitive, intimidating, emotionally or physically harmful or neglectful were observed by the inspectors being carried out in respect of a pre-school child on the day of inspection. The behaviour management policy in place stipulated that such practices are prohibited in the service, this was verified during discussions with staff members on the day of inspection.

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 children attending:

General Safety:

The entrance door into service was adequately secured to ensure the safety of the children within and to avoid unauthorised persons accessing the service or children exiting unsupervised. The toys and play equipment observed in use by the children on the day of inspection were safe and in good working order.

Infection Control:

An infection control policy was in place to inform practice. The children were supported to wash their hands at regular intervals including after play, after toileting and nappy changing, and before meals. Schedules were in place and maintained to ensure the service, equipment and materials are regularly cleaned. 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 and had appropriate documentation available to record such administration if required.

Safe Sleep:

Staff were familiar with safe sleep guidance and placed babies on their backs to sleep. Sleep logs were maintained in the dedicated sleep room and the Bluebell care rooms, and individual children's observations recorded room temperature, breathing, colour, and position at regular intervals. 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:

1. A low-level press located in the hallway of the service which older children accessed independently to use the bathroom was unlocked during the inspection. The press contained a 5-litre drum of cleaning solution and bleach which posed a risk of harm to a child if ingested. It is acknowledged that the press was locked once the person in charge was informed by the inspector.
2. Low level radiators which were uncovered and in reach of the children were too hot on the day of inspection and posed a risk of a burn injury to a child. The radiator in the Bluebell room was 58.7°Celsius and the radiator in the Jasmine room was 58.6°Celsius.
3. The water temperatures in the handwash sinks in the children's bathrooms were too hot and posed a risk of injury to a child. The temperatures were recorded to be 47.6°Celsius and 47.1°Celsius.

Infection Control:

4. The pedal operated bin used for disposal of nappies was broken meaning staff had to lift the bin lid to place soiled nappies posing the risk of cross contamination.
5. An unlidded bin was in use in the Bluebelle room for disposal of waste and was accessible to the children posing a risk of cross contamination.
6. Paper towels were not readily available and accessible to the children and staff in care rooms or bathrooms for hand drying. Children and staff were observed using facial tissues to dry their hands during the inspection. The tissues were sticking to their hands and were ineffective for hand drying and infection control purposes.

- At dinner time, a child was observed moving around the care room handling food from their own bowl and other children's bowls and eating it with no intervention from staff members. This posed a risk of cross contamination.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

- To prevent any risk of harm to children accessing this press, a lock has been installed.
- All radiators have been fully covered. Additionally, temperatures will be monitored daily. The service also conduct a daily risk assessment before the children arrive. A comment regarding the water temperature monitor is included in the Daily assessment.
- The water temperature is now controlled through the boiler monitor system which allows us to have the full control over the water temperature. A comment regarding the water temperature monitor is included in the Daily assessment to make sure the water is not above 38°C

Infection Control:

- A new bin was installed to prevent the risk of cross-contamination. Also a daily risk assessment is conducted to identify any hazard.
- A new bin was installed and accessible to the children and to prevent posing a risk of cross contamination.
- Blue roll is provided as needed in the dispenser and accessible to the children and staff at all times. Additionally, a daily assessment is conducted before children arrive, to prevent children from using facial tissues, and reduce infections.
- During dinner time, an additional staff member will be available to ensure that each child is satisfied and has the food they need. This measure is to prevent children from moving around, handling food from their own bowl or other children's bowls, and eating it, thus preventing cross-contamination.

Supporting documentation submitted

Supporting documentation was submitted and reviewed by the early years inspector.

Summary Comment

The regulatory requirement has been met.

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

(2)
(a)(b)
A suitably equipped first aid box was observed to be immediately accessible to the children within the service and was stored in a conspicuous location on the day of inspection.

Non-Compliance Information

(1) There were no adults available in the service with up to date First Aid Responder (FAR) or Paediatric First Aid training. It is acknowledged that three staff members had completed paediatric first aid training. However, this was found to be non-compliant on the last inspection of the service on the 15th May 2023. The corrective and preventive actions submitted following the last inspection of the service did not prevent the re-occurrence of the non-compliance.
An immediate action notice was issued following the inspection in relation to Regulation 25(1).

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

A First Aid Responder (FAR) training was booked for the two staff and the Manager who works full time in the crèche. This way the service will make sure that each room has a teacher with (FAR) training Course. The manager will make sure that an adult with up-to-date First Aid Responder training is always available all times in the service. The manager will update and review the staff files on a regular basis, ensuring that all required documents are up to date.

Supporting documentation submitted

Supporting documentation was submitted and reviewed by the early years inspector.

Summary Comment

The regulatory requirement has been met. The actions outlined will be reviewed on the next inspection of the service.

Part VI - Safety

Regulation 27 – Supervision

A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Compliance Information

The children attending the two care rooms were observed to be adequately supervised during the inspection, including during designated sleep times. Older children accessed the bathroom independently but were supervised appropriately while doing so by staff.

Part VIII - Notifications and Complaints

Regulation 32 – Complaints

- (1) A registered provider shall ensure that the complaints policy of the service specifies-*
- (a) the procedure to be followed by a person for the purposes of making a complaint in relation to the service,*
 - (b) the manner in which such a complaint shall be dealt with, and*
 - (c) the procedures for keeping a person who makes such a complaint informed of the manner in which it is being dealt with.*
- (2) A registered provider shall ensure that-*
- (a) a record in writing is kept of a complaint made to the provider in respect of the pre-school service, and*
 - (b) the complaint is duly dealt with in accordance with the provider's complaints policy.*
- (3) A record in writing referred to in paragraph (2)(a) shall-*
- (a) include the nature of the complaint and the manner in which the complaint was dealt with, and*
 - (b) be open to inspection on the premises by an authorised person.*

(4) A registered provider shall ensure that a record in writing referred to in paragraph (2)(a) is retained for a period of 2 years from the date on which the complaint has been dealt with.

(5) The requirement in paragraph (4) is without prejudice to any requirement to retain the record in writing referred to in paragraph (2)(a) under any other enactment or rule of law.

Compliance Information

(1) A complaints policy was in place in the service and adequately outlined the following;

- (a) Details of the procedure to be followed by a person for the purposes of making a complaint in relation to the service.
- (b) Details of the manner by which a complaint will be dealt with by the service.
- (c) Details of the procedures in place outlining how the person who makes such a complaint in relation to the service will be informed of the manner by which the complaint is being dealt with.

(2)

(a) (b)

The registered provider stated that no complaints had been made to the service and therefore no records were available in writing of any complaints made. The person in charge and the registered provider detailed the procedures in place in the service for dealing with complaints, including maintaining a record in writing, as per the complaint s policy in place.

(3)

(a)(b) The registered provider and the person in charge stated they are aware of their obligation to detail the nature of any complaint made and the manner in which it will be dealt with. The provider stated a record of any complaint made will be kept in the service and available for inspection on the premises.

(4)(5)

The persons in charge in the service stated during discussions with the inspector that all records relating to any child and family who have attended the service are retained for the required period of time, including any complaints made.