

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DR145		
<b>Name of Service:</b>	Flower Childcare Clonskeagh		
<b>Address of Service:</b>	19 Roebuck Road, Clonskeagh, Dublin 14, Co. Dublin		
<b>Eircode:</b>	D14 V386		
<b>Name of Registered Provider:</b>	Cherif Labreche		
<b>Service type:</b>	Full Day		
<b>Date of Inspection:</b>	15/05/2023		
<b>No of pre-school children:</b>	AM	18	PM 18
<b>Address of the Early Years Inspectorate:</b>	1st floor Trinity Building, IDA Business Park, Southern Cross Road, Bray, Co. Wicklow.		
<b>Inspection undertaken by:</b>	Sarah Quigley & Fiona Carty		
<b>Title:</b>	Early Years Inspectors		
<b>Authority to Inspect</b>			
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		

### Description of service

Flower Childcare Clonskeagh is a privately owned service which was established in 2012 by the current registered provider. The service currently provides full day, part-time and sessional 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 7 staff members including the registered provider who works directly in the service. On the 15<sup>th</sup> May 2023, 7 adults were present and working in the service including the registered provider and a student on a work placement programme.

### 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 governance/information and records/ health, welfare and development of child/ and safety. The inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11, 15, 16, 19, 23, and 25; These findings are outlined within the relevant regulations within this report; however, on inspection additional non-compliance which posed significant risk was identified under Regulation 29. These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under regulation 9(2)(3)(4). As a result, the scope of the inspection included a review of documentation for adults who had been employed in the service following the last date of inspection on the 9<sup>th</sup> June 2022. A sampling process was also used to assess compliance under regulation 15(1), and regulation 16(1).

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

### Part III – Management and Staff

#### Regulation 9 – Management and recruitment

*(2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-*

*(a) consideration of references from the person’s past employers, if any, and in particular the most recent employer, if any,*

*(b) consideration of references from reputable sources in the case of a person who has no past employers,*

*(c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and*

*(d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.*

*(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.*

*(4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early Childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.*

#### Compliance Information

(2) A sample of documentation was reviewed in respect of three adults who had commenced working in the service since Regulation 9 was last inspected. The following records were available for the three adults:

(a) (b) The registered provider demonstrated that they had verified the references obtained from two sources for the three adults.

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

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

(4) There was evidence that three 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. One of the adults did not require a qualification.

The qualification for a 5<sup>th</sup> adult was reviewed who was present on the last inspection of the service on the 9<sup>th</sup> June 2022 and did not hold the required minimum qualification at that time.

There was evidence that the adult had now attained at least a major award in Early Childhood Care and Education at Level 5 on the National Framework for Qualifications.

### Non-Compliance Information

(3) A review of documentation evidenced that the procedures specified above under Regulation 9(2) had not been completed prior to the three of the adults commencing employment in the service as follows:

- Documentation reviewed evidenced that three of the adults had commenced employment in the service prior to a Garda vetting disclosure from The National Vetting Bureau being obtained for them.

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

The registered provider provided the following response:

#### **Corrective and Preventive Action**

Flower childcare will follow a very strict, updated recruitment policy that insists that no teacher or employee will start working unless his/her garda clearance is obtained. For future reference, all teachers and employees are subject to police vetting prior to starting employment and all staff files will be updated on regular basis to make sure all required documents are filed.

#### **Supporting documentation submitted**

Supporting documentation was submitted and reviewed by the early years inspector and deemed to meet the regulatory requirement.

### Summary Comment

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.*

#### Compliance Information

(1) An adequate number of adults were working directly with the pre-school children attending the service during the inspection.

(2) The registered provider ensured that the minimum ratio of adults to children was maintained in the service on the day of inspection. There were eighteen children present in the service being supervised by five adults during the 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 eight records of preschool children maintained in the service were reviewed by the inspectors to assess compliance. The documentation reviewed evidenced that three of the eight records detailed the required information outlined under Regulation 15(1)

## Non-Compliance Information

(1) Of the eight records reviewed, five did not contain all of the required information as set out under regulation 15(1) as follows:

(b) Two of the records did not detail the date on which the child first attended the service.

(h) Three of the records reviewed did not detail a record of immunisations, if any, received by the child.

## Corrective & Preventive Action submitted by the Registered Provider

The registered provider provided the following response:

### Corrective and Preventive Action

The service will follow the child record policy that ensures that records must be kept for all children. Both the manager and the supervisor should complete the records. The Manager must oversee, monitor and review records. Records must be updated at least once a year.

### Supporting documentation submitted

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

## Summary Comment

The corrective and preventive actions submitted by the registered provider if implemented will address the non-compliance. The actions outlined will be reviewed on the next inspection of the service.

### 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) A written record was available in each of the care rooms detailing the attendance of each preschool child on the day of inspection.
  - (j) Written records of the administration of medication were available. A sample reviewed on the day of inspection documented necessary details.
  - (k) Written records of accidents and incidents which occurred in the service were available on the day of inspection. A sample reviewed documented necessary details.

#### Non-Compliance Information

- (i) A staff roster was not available in the service on the day of inspection detailing the staff members present and the hours of work undertaken.

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

The registered provider provided the following response:

##### **Corrective and Preventive Action**

The staff rota and sign in sheets will be displayed in the main corridor. Staff will be reminded to sign in and out on the rota each day on arrival to and when leaving the service.

##### **Supporting documentation submitted**

No supporting documentation was submitted.

#### Summary Comment

The corrective and preventive action as stated by the registered provider will address the non-compliance. The actions outlined will be assessed on the next inspection of the service.

### 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

The service had a healthy eating policy in place. Staff stated breakfast, snacks, and a hot lunch is provided by the service each day for the children in attendance. Staff supported children to be independent in their environment including using the toilet independently, tidying up following activities, and washing hands before meals. Staff were observed using gentle tones whilst speaking to the children. Rest areas were available in each room to enable the children to take time away from the group as desired.

A fully enclosed outdoor play area was available to the front of the premises with a shock absorbent surfacing. The area was well resourced with a variety of play equipment and materials to support gross motor skills and imaginative play. The care rooms were adequately resourced for the age group, and the number of children in attendance.

### 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 to the 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.

The registered provider had taken measures to ensure the indoor and outdoor play environments were safe and free from hazards. Cleaning products and hazardous materials were stored securely out of reach of the children.

### **Infection Control:**

Staff stated an infection control policy was in place to inform practice. Waste was managed appropriately with the use of pedal-operated, lidded bins throughout the service. The children were supported to wash their hands at regular intervals. 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. Documentation was available to record such administration if required, a sample of this documentation was reviewed by the inspectors and was appropriate.

### **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 individual children's observations recorded room temperature, breathing, colour and position every ten minutes. Standard cots were provided for children under two years to sleep and low-level beds were provided for children over two years to rest as required. The temperature of the sleep room was maintained between 16 - 20°Celsius as required.

### **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.

## 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) training as required. It is acknowledged there were adults present with Paediatric First Aid training.

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

#### **Corrective and Preventive Action**

The registered provider has FAR training but was not present at all times during the inspection. Another staff member who works full time in the service has been booked onto a FAR course and will also be available on the premises.

#### **Supporting documentation submitted**

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

### Summary Comment

The regulatory requirement has been met.

## Part VII - Premises and Space Requirements

### Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-*  
*(d) cleaned, maintained and repaired, as required, and*

#### Non-Compliance Information

- (d) Areas of the children's nappy changing room which was also the adaptable bathroom, and the Bluebell room were not appropriately maintained and repaired as follows:
- Metal hand and towel rails were heavily rusted in parts and could not be effectively cleaned.
  - A number of low-level tiles were broken, exposing sharp edges and internal drainage systems posing the risk of injury or cross contamination to a child.
  - The skirting boards and floor underneath the children's handwash sink in the Bluebell room were heavily stained and soiled in parts, with cracked paint exposing evidence of damp. The flooring did not meet the skirting boards in parts exposing gaps which had accumulations of dirt, dust and debris.

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

The registered provider provided the following response:

##### Corrective and Preventive Action

Metal hand and towel rails were cleaned. The tiles were fixed on a temporary basis. The area was also cleaned. The skirting boards and floor underneath the children's handwash sink in the Bluebell room will be replaced. A notice has been displayed specifying required cleaning measures. The service is still waiting for the builder to fix tiles and other outstanding works.

##### Supporting documentation submitted

A photograph of a single tile was submitted as evidence.

#### Summary Comment

Based on the corrective and preventive actions submitted by the registered provider, the inspector is unable to assess compliance as a number of actions are yet to be implemented. The regulatory requirement has not been met.