

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DR181		
<b>Name of Service:</b>	David Lloyd Leisure Creche		
<b>Address of Service:</b>	David Lloyd Riverview, Beechhill Road, Clonskeagh, Dublin 14, Co. Dublin		
<b>Eircode:</b>	D04 AF10		
<b>Name of Registered Provider:</b>	Diane Ballagh		
<b>Service type:</b>	Sessional, Temporary Part Time, Drop-In		
<b>Date of Inspection:</b>	24/01/2024		
<b>No of pre-school children:</b>	AM	9	PM 7
<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		
<b>Title:</b>	Early Years Inspector		
<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

David Llyod Leisure Creche is a privately owned drop-in service which is located within the DLR kids sections of a large multi-purpose leisure centre. The service caters for children aged 3 months to 6 years and currently operates three morning drop-in sessions daily, for an hour-long period each session. Staff reported a temporary sessional and part-time service is also occasionally provided on the premises during school holidays for children aged over 3 years. The service operates from one large care room within the leisure centre and an outdoor play area is available to the front of the premises.

### Staffing

The service currently employs six staff members, not including the registered provider or the designated person in charge who do not work directly with the children. Four adults are employed to work directly with the children. Two other adults who work within the centre performing reception and administrative duties provide cover in the care room when required. The six adults who work with the children held relevant major awards in early childhood care and education on the National Framework of Qualifications.

### 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/ health, welfare and development of child/ safety/ information and records. 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.

### Acknowledgments

The inspector wishes to acknowledge the cooperation of the 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) Documentation was reviewed in respect of the six staff members who work directly in the service. The following records were available for the adults:

(a) (b)

Verified references were available from two sources for each of the six adults.

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

(d) International police vetting was available for one of the adults who required it.

(4) There was evidence that each of the six staff members had 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) Documentation reviewed evidenced that Garda vetting had not been obtained prior to five adults commencing employment in the service. One of these adults commenced employment twenty-four days prior to Garda vetting being obtained.

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

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

All staff currently employed hold Garda Vetting. The recruitment policy has been revised and will be adhered to. Staff will not complete club induction or complete any form of paper work until vetting has been received back to management.

#### **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 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.*

*(6) A registered provider of a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 3 of Schedule 6 opposite a particular reference number in column (1) of that Part in respect of the age range of the children specified in column (2) thereof at that reference number is satisfied.*

*(8) Without prejudice to paragraphs (2) to (7)-*

*(a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times,*

#### Compliance Information

- (1) An adequate number of adults were working directly with the pre-school children on the day of inspection.
- (2) The registered provider ensured that the minimum ratio of adults to children was adhered to in the service, there were three adults working directly with nine preschool children during the inspection.
- (8) (a) A minimum of two adults were on the premises throughout the inspection and were documented on the staff roster to be present at all times.

## Part III – Management and Staff

### Regulation 13 - Temporary pre-school services and pre-school services in drop-in centres

- (1) A registered provider of a temporary pre-school service or a preschool service in a drop-in centre shall ensure there are no more than 24 children attending the service at any given time.
- (2) A registered provider of a temporary pre-school service shall ensure that no child attends the service for longer than 8 hours consecutively.
- (3) A registered provider of a pre-school service in a drop-in centre shall ensure that no child attends the service for longer than 2 hours consecutively.

### Compliance Information

- (1) Staff confirmed that no more than 24 children attending the service at any given time. This was evidenced by the attendance records maintained in the service.
- (2) Not applicable.
- (3) Staff confirmed that no child attends the service for longer than 2 hours consecutively. This was evidenced by the attendance records maintained in 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 the care room detailing the attendance of each preschool child on the day of inspection.
  - (i) A staff roster was available which reflected the staff members present on the day of inspection.
  - (j) Written records of the administration of medication were not available in the service as no medication had been administered to a child. Appropriate documentation was available to record the administration of medication if required.
  - (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.

## 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 inspector observed appropriate care practices in place during the inspection. Staff availed of opportunities for warm individual interactions with children. Babies were held during bottle feeding. Staff reported that children's nappies were changed promptly during the hour session when required.

A cozy area was available where children could rest or take time away from the group if desired. Children moved freely around the care room during the inspection, accessing play materials and equipment as desired, which were all accessible on low level shelving units. Staff ensured that babies who were not yet mobile were regularly moved position to various play areas and materials.

Staff comforted children promptly when they became upset and were observed to be warm and kind during interactions observed with the children. The children were all observed to be happy and content during the inspection, engaged in various activities with staff and alone as desired. Staff detailed how relevant information is shared with parents prior to a child availing of the drop-in service on children's identification document forms (CID's). Facilities were available in the care room for a child to sleep if required.

### Part VI - Safety

#### Regulation 23 - Safeguarding health, safety and welfare of child

*A registered provider shall ensure that all reasonable measures are taken to safeguard the health, safety and welfare of a pre-school child attending the service and that the environment of the service is safe.*

#### Compliance Information

##### General Safety:

The service was adequately secured with a buzz in entry system at the reception gate to ensure the safety of the children within and to avoid unauthorised persons accessing the service or children exiting unsupervised. Children's attendance was recorded daily through an online booking system and written records of attendance were also maintained within the care room. A system was in place to ensure relevant information was obtained prior to a child attending the service and this information was held on a child information document (CID) within the service. All cleaning products and hazardous materials were stored safely out of reach of children. 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:

Waste was managed appropriately with the use of pedal-operated, lidded bins throughout the service. Staff were observed sanitizing their hands at regular intervals throughout the inspection. Schedules were in place and maintained to ensure the service, equipment and materials are regularly cleaned. Staff stated appropriate exclusion periods for adults and children with infectious illnesses were implemented in the service as per the policy.

##### Administration of Medication:

A medication policy was in place in the service. Staff reported that medications are typically not administered in the service, with the exception of emergency medication as per the service policy. Care plans were in place for three children attending the service who required emergency medication. Staff adequately detailed the procedures for administering these medications if required during discussions with the inspector and had appropriate documentation available to record such administration if required.

##### Safe Sleep:

Staff were familiar with safe sleep guidance and detailed the procedures in place should a child in attendance require sleep. Sleep logs were maintained in the service and individual children's observations recorded room temperature, breathing, colour, and position every ten minutes.

### 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.

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### 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)

An adult trained in First Aid Responder (FAR) training was available to the children on the day of inspection.

(2)

*(a)* The first aid box was stored in a conspicuous location within the service.

*(b)* A first aid box was available in the service at all times on the day of inspection.

### Part VI - Safety

#### Regulation 28 - Insurance

*A registered provider shall ensure that the pre-school service is adequately insured.*

#### Compliance Information

Documentation reviewed evidenced that the service was adequately insured for the type of service provided and the number of children in attendance.