

Early Years Inspectorate Regulatory Report

Pre School

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| TUSLA Identifier: | TU2015DS007 |
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| Name of Service: | Chuckleberries |
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| Address of Service: | 55 Hunters Walk, Hunterswood, Ballycullen, Dublin 24, Co. Dublin |
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| Eircode: | D24 VK44 |
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| Name of Registered Provider: | Barbara Thornberry |
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| Service type: | Full Day, Part Time, Sessional |
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| Date of Inspection: | 07/10/2024 |
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| No of pre-school children: | AM | 59 | PM | 21 |
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| Address of the Early Years Inspectorate: | The Brunel Building, Heuston South Quarter, St. John's Road West, Dublin 8 |
| Inspection undertaken by: | R. Brien & S. Quigley |
| 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).

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| Conditions if applicable | Not applicable |
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Description of service

Chuckleberries is one of two early years services operated by the registered provider. The service provides full day, part time and sessional care for children from 2 to 6 years. The service is registered to operate from 07:15 to 18:00, Monday to Thursday and from 07:15 to 16:30 on Fridays. Sessional care is provided from 09:00 to 12:00.

The service is located in an urban, residential area in Ballycullen, south Dublin. The premises is purpose built on the ground floor of an apartment block with six care rooms. There were five care rooms open on the day of inspection. The service operates a sessional service in Montessori 1, Montessori 2, Montessori 3 and Montessori 6. A full day care service is provided in Montessori 2 and in Montessori 5. A fully enclosed outdoor play area is located to the side of the premises.

Staffing

The service currently employs fifteen staff members. There were nine staff working directly with the children on the day of inspection who were supported by the manager and deputy manager. The service also employs a cook. The registered provider was on the premises during the inspection but does not work directly with the children.

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

The inspection focused on an examination of compliance under the following regulations:

- 9(1)(a)(b),(2),(3),(4) Management and Recruitment,
- 11(1),(2),(8)(a) Staffing Levels,
- 15(1) Record of a Pre-school Child,
- 19(1)(b) Health, Welfare and Development of Child,
- 23 Safeguarding, Health, Safety and Welfare of Child,
- 26(1)(4) Fire Safety Measures.

A sampling process was used to assess compliance under regulation 15(1) Record of a Pre-school Child.

A sampling process was used to assess compliance under regulation 19(1)(b) Health, Welfare and Development of Child. As a result, the scope of the inspection included the Montessori 2 and Montessori 5 rooms.

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

(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.*

(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

- (1)
- (a)(b)
- The service had a designated person in charge and a named person to deputise as required who were both on the premises throughout the inspection.
- (2)
- The files of fifteen adults were reviewed as part of the inspection. This included four staff members who had commenced working in the service since the last inspection on 24 October 2022. Documentation was reviewed in respect of these adults and met regulatory requirements as follows:
- (a)(b)
- Of the thirty validated, written references that were required, twenty-one were available from a past employer and nine were available from a source other than a past employer.
- (c)
- Garda vetting disclosures had been obtained for the fifteen adults. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d)
- Police vetting was required and was available for six adults who had lived outside the State for a period exceeding six months as an adult.
- (4)
- Records were available evidencing that the fourteen staff members who were employed to work directly with the children held the required qualification or equivalent.

Non-Compliance Information

- (3)
- It is acknowledged that two past employer references were available in respect of one adult, however, these references had not been validated by the registered provider prior to the adult commencing employment in the service. The adult commenced employment on 25 September 2023 and documentary evidence demonstrated that the references had been validated on 26 September 2023.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (3)
- This reference was taken prior to commencement, but the general manager wrote the wrong date on the validation sticker. However, we have updated our staff profile checklist and highlighted the need for references to be taken before the staff member starts.

Before a new staff member begins with us, we must complete the staff profile checklists, and they will be checked by the general and operational manager to ensure they are completed in full prior to the new staff member start date.

Supporting documentation submitted

Written evidence was presented to demonstrate the corrective and preventive actions submitted by the registered provider.

Summary Comment

The corrective and preventive actions as stated by the registered provider have been deemed to address these non-compliances.

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.

(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 children at all times during the inspection.

(2)

The minimum ratio of adults to children for full day care services was adhered to at all times during the inspection. There were fifty-nine children attending the service being supervised by nine adults on the day of inspection.

(8)(a)

There were at least two adults on the premises at all times.

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 ten records were reviewed which demonstrated that a record was available in writing which contained the information required in (a) to (i) above.

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

Meals were provided at regular intervals and drinking water was accessible to children throughout the day. Children were encouraged to feed themselves and staff supported children who needed assistance with their meals. Children were offered a choice of milk or water with their dinner. Additional servings of dinner were available and staff were observed asking children who had finished their meal if they wanted more.

Additional servings were provided for all children who requested more. Staff were observed sitting with the children at mealtimes and engaging in conversation with children promoting a relaxed and sociable atmosphere.

Children's care needs were observed to be met promptly. Staff were observed supporting children to change their clothes when they became wet. Staff offered tissues to children after dinner for face cleaning.

Children were given responsibility appropriate to their age and were encouraged and supported to be independent including handing out cups and cutlery for dinnertime and cleaning up after their play and meals.

Children were observed getting their own coats for outdoor play and hanging them back up on their hooks following outdoor play. Children were encouraged and observed to use the toilet independently.

Children's choices were respected with children given the opportunity to choose their own activities during free play. An area was provided within the care rooms where the children could rest or take a break from activities.

Staff demonstrated a good awareness of the needs of each child in their care and responded to children's cues promptly. Staff demonstrated kindness and affection during all interactions observed by the inspectors. Children were comforted promptly when they became upset. Staff were observed holding children and speaking to them softly. Staff were observed to use distraction, gentle tones and praise when promoting positive behaviour in line with the service's positive behaviour management policy.

Staff provided an appropriate level of supervision whilst supporting the children's independence during play and mealtimes. Children were provided with the opportunity to play outdoors and were dressed appropriately to the weather.

Staff described how they record information about each child's day using an online application to communicate with parents detailing information on food and activities. Staff stated that they also speak to parents at arrival and collection times.

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.
- Hand sanitisers, hazardous materials and medicines were stored safely out of reach of children.
- The toys and play equipment observed in use by the children on the day of inspection appeared in good working order.
- All storage facilities were inaccessible to children.
- All blind cords were secured.

Infection Control:

- Liquid soap, warm water and paper towels were available to facilitate hand washing. Staff were observed to carry out hand washing as appropriate. The children were supported to wash their hands at regular intervals including after using the toilet, after outdoor play and before meals.
- An infection control policy was in place to inform practice. The premises, equipment and materials appeared clean and maintained in good condition.
- Waste was managed appropriately with the use of pedal bins.

Administration of Medication:

- Staff demonstrated, through discussion, that they were familiar with the procedures and practices in place for the administration of medication in line with the services policy on medication administration. Administration of medication forms were kept in both care rooms.

Non-Compliance Information

General Safety:

1. In the Montessori 6 room a trailing cable from a games console was observed to be accessible to children posing a risk of injury.

Infection Control:

2. In the Montessori 6 room paper towel used for hand drying was not stored in a dispenser posing a risk of cross contamination.
3. The covering on a cushion in the rest area in the Montessori 6 room was torn exposing the foam within which could not be effectively cleaned.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. This game console was temporarily stored here; once identified, it was removed immediately from the area. A staff memo was issued to staff addressing the non-compliance of regulation 23.

Infection Control:

2. This dispenser was fixed immediately and made available to the children and staff. A staff memo was issued to staff addressing the non-compliance of regulation 23.
3. The cushion was removed on the day of the inspection once it was identified to the general manager. The rest area was replaced with a new children's sofa bed. At a staff meeting, staff were reminded to remove any torn textiles or broken materials and/or equipment and bring them to their manager's attention immediately.

Supporting documentation submitted

General Safety:

Written evidence was presented to demonstrate the corrective and preventive actions submitted by the registered provider.

Infection Control:

Written and photographic evidence was presented to demonstrate the corrective and preventive actions submitted by the registered provider.

Summary Comment

The corrective and preventive actions as stated by the registered provider have been deemed to address these non-compliances.

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 11 September 2024.
 - (b) The number, type and maintenance record of firefighting equipment and smoke alarms on the premises was available. There was a record to show that fire fighting equipment had been serviced 15 December 2023 and that quarterly maintenance of the smoke alarm system had taken place on 07 May 2024.
- (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.