

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DS024
Name of Service:	Teach na Leanaí
Address of Service:	Ionad Pobal, Rathcuil, Rathcoole, Co. Dublin
Eircode:	D24 DX57
Name of Registered Provider:	Gráinne Breathnach
Service type:	Sessional
Date of Inspection:	25/05/2023
Date of regulatory compliance meeting	15/06/2023

No of pre-school children:	AM	21	PM	n/a
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Tusla Child and Family Agency, 7th Floor, Brunel Building, Heuston South Quarter, Dublin 8.
Inspection undertaken by:	E. Mulhern and F. Carty
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).

Conditions if applicable	N/A
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Description of service

Teach na Leanaí is a sessional early years service operating out of two rooms in Rathcoole Community Centre. The service has access to the centre's hall and an outdoor area on the centre grounds. The outdoor area is shared with another early years service. The service is registered to accommodate children aged 2-6 years. The Early Childhood Care and Education (ECCE) programme is offered in the Irish language between 9am and 12pm Monday to Friday.

Staffing

There are four staff employed to work in the service, including the registered provider. Three staff members and a contractor were present 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 inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9 (2) & (4), 11 (1) & (3), 19 (1)(a), 23, 25 (1) & (2) and 26 (1) & (4). These findings are outlined within the relevant regulations within this report.

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

Immediate Action Notices issued 25 May 2023

Regulation 9 – Management and Recruitment

An Immediate Action Notice was issued for non-compliance with regulation 9(2)(c) Management and recruitment. A mandatory Garda vetting disclosure was not available for a contractor who was present in the service contrary to the National Vetting Bureau (Children and Vulnerable Persons) Act 2012. This requirement was not met on the previous inspection also, dated 18 June 2021. The corrective/preventive action submitted by the registered provider following that inspection had not been implemented. It is acknowledged that the registered provider submitted a response on 26 May 2023. Details are documented under regulation 9.

Regulation 23 - Safeguarding Health, Safety and Welfare of child

An immediate action notice was issued as the premises were unsecured and posed a significant risk of unauthorised entry or a child leaving unsupervised. This risk was identified on the previous inspection also, dated 18 June 2021. The corrective/preventive action submitted by the registered provider following that inspection had not been implemented. It is acknowledged that the registered provider submitted a response on 26 May 2023. Details are documented under regulation 23.

Referrals

A referral was made to the Chief Fire Officer on 6 June 2023 to advise the registered provider on securing the premises in adherence with fire legislation.

Regulatory Compliance Meeting

A regulatory compliance meeting was held with the registered provider on 15 June 2023 in relation to the non-compliance findings on inspection.

Acknowledgments

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

(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

The inspection focused on the recruitment records of adults who had commenced working in the service since the previous inspection dated 18 June 2021. One staff member and a contractor had started working in the service since that date. The regulatory requirements were met in relation to the staff member as follows:

- (2)
- (a) & (b) Two past employer references with a record of verification were available.
- (c) A Garda vetting disclosure was available.
- (d) Not applicable as the staff member had not lived outside the state as an adult.
- (4) A certificate was available evidencing that the staff member held a major award in Early Childhood Care and Education at Level 5 on the National Framework of Qualifications.

Non-Compliance Information

(2) An adult whom the registered provider reported was a contractor was present in the service from 10:40 until 11:30 on the day of inspection. The registered provider reported that the adult had been contracted since May

2022 to provide dance classes to the children. The regulatory requirements were not met in relation to the adult as follows:

(a) & (b) There were no records available relating to reference checks. The registered provider told inspectors she was unaware of this requirement.

(c) A mandatory Garda vetting disclosure was not available contrary to the National Vetting Bureau (Children and Vulnerable Persons) Act 2012. The registered provider told inspectors she was unaware of this requirement. An Immediate Action Notice was issued to the registered provider on the day of inspection. This requirement was not met on the previous inspection also, dated 18 June 2021. The corrective/preventive actions submitted by the registered provider following that inspection had not been implemented.

(d) It could not be determined whether international police vetting was required as there were no records available in the service relating to the adult.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider confirms the contracted adult will not be working with the children until Garda vetting, two references and record of previous employment history is in place. The registered provider will seek Garda vetting for anyone who comes in contact with children before they enter the premises.

Supporting documentation submitted

No supporting documentation submitted.

Summary Comment

The inspectorate acknowledges the actions submitted by the registered provider. The regulatory requirement will be assessed on the next inspection.

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.

(3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 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) therefore at that reference number is satisfied.

Compliance Information

(1) There was an adequate number of adults available to the children.

(3) The minimum ratio of adults to children was always maintained. Three adults were allocated to work with twenty-one children. Twenty children were aged 3-6 years and one child was aged 2-3 years. All children were attending on a sessional basis.

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

Children had access to different areas within the service including the hall and their base rooms. The indoor areas had some designated areas including home corners and art and craft areas. Areas were laid out to support children's independence; low level hooks were provided for the children's coats and equipment and materials for play were visible and accessible. These included puzzles, blocks, and mark making materials. Areas were provided for children to rest or take a break from activities with soft seating, cushions, and mats. Children's identity and belonging was promoted through art displays and family photograph walls.

All children spent time outdoors. The outdoor space had natural elements including grass, sand, plants, and stones. It was laid out with equipment and free space to support children's play and physical movement. Children had access to swings, slides, climbing frames, ride-on toys, play kitchens and a playhouse.

The children used the toilet as they needed with staff reminding and assisting them to wash their hands afterwards. The inspectors observed the staff interacting warmly with the children and engaging positively. The children brought food and drinks from home and sat together engaging in conversation while eating. The staff communicated with parents/guardians when children were arriving or leaving.

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

Measures had been taken to safeguard the health, safety and welfare of the children as outlined in the examples below.

General Safety:

- Emergency doors were kept clear to allow for timely evacuation in the event of an emergency.
- Blind cords were secured out of reach of children.
- Children's attendance was recorded accurately for reference in the event of an emergency evacuation.

Infection Control:

- Sanitary facilities were equipped with warm water and liquid soap for handwashing.
- Children's hands were washed at required times including before eating and after using the toilet to prevent the spread of infection.

Administration of Medication:

- The registered provider reported that none of the children had received medication while attending the service. Staff demonstrated an awareness of the steps to take to give medicine safely if required. This included obtaining written parent/guardian consent and keeping a record.

Non-Compliance Information

General Safety:

1. The inspectors observed that entry/exit points on the premises were not adequately secured as outlined below. This risk was identified on the previous inspection dated 18 June 2021. The corrective/preventive actions submitted by the registered provider following that inspection had not been implemented. An immediate action notice was issued to the registered provider on the day of the inspection due to the significant risk to the children's safety.

a) The entrance/exit door from the carpark leading directly into Seomra 2 was unsecured. The door had a low-level handle which could be reached by children. The door could be opened from the inside and the outside. This posed a risk of unauthorised entry or a child leaving unsupervised.

b) The entrance/exit door from the carpark leading directly into Seomra 1 was inadequately secured to prevent a child leaving unsupervised. The door had a low-level thumb-turn lock which could be opened by a child. It is acknowledged the door could not be opened from outside and prevented unauthorised entry.

c) The entrance/exit door on the corridor leading to/from the pre-school rooms and sanitary facilities was not adequately secured. Inspectors observed the door was ajar at times throughout the inspection. This posed a risk of unauthorised entry and a child leaving unsupervised. Although the door had a low-level thumb turn lock which was used at times, this could be opened by a child. The door led directly onto the carpark and an open gate leading directly to a road.

d) The entrance/exit door at the end of the corridor, leading to/from the sanitary facilities and pre-school rooms was unsecured. This led to a door which was open for the duration of the inspection. This led directly onto the carpark and an open gate leading directly to a road.

e) One of the gates leading to/from the children's outdoor area was unsecured while the children were present. This posed a risk of unauthorised access or a child leaving unsupervised onto the adjacent carpark.

2. Hazardous items were not secured appropriately to prevent children from accessing them, as outlined below. This was non-compliant on the previous two inspections dated 20 March 2019 and 18 June 2021. The

corrective/preventive actions submitted by the registered provider following those inspections had not been implemented.

a) Inspectors observed cleaning products within reach of children in the dress-up area of Seomra 1. They observed industrial paints and an open bottle of industrial paint thinner outside an open door at the end of the corridor leading from the children's rooms and sanitary facilities.

b) Inspectors observed a loose cable hanging from the ceiling to the floor in the sanitary facility used by children from Seomra 2. Inspectors observed a trailing cable from a light box at floor level in seomra 2 and a cable from a charger on the windowsill on the corridor outside the children's rooms and sanitary facilities.

3. Fire extinguishers were not mounted to the wall to ensure they were secure, visible, and readily accessible. These were observed free-standing on the floors in Seomra 1 and Seomra 2 and posed a risk of injury if they were to fall on a small child.

Infection Control:

4. The premises and equipment were not adequately cleaned to prevent the spread of infection. The most recent cleaning schedule record for the sanitary facilities and pre-school rooms was dated 21 March 2023. This was non-compliant on the previous inspection dated 18 June 2021. The corrective/preventive actions submitted by the registered provider following that inspection had not been implemented. Inspectors observed the following:

- Brown staining on the floor and toilet cubicle panelling of the sanitary facilities used by the children attending Seomra 1.
- A build-up of grime around a toilet used by the children attending Seomra 2.
- Brown staining on the nappy-changing mat.
- A build-up of dust and debris in the rest area of Seomra 2.
- Brown staining on the surface of the sofa in Seomra 2.

5. Toilet paper was not available in one of the toilet cubicles used by a child to allow them to clean themselves. This was non-compliant on the previous inspection dated 18 June 2021. The corrective/preventive actions submitted by the registered provider following that inspection had not been implemented.
6. Paper towels were not stored appropriately in the sanitary areas to prevent the spread of infection. The paper towel dispenser in one of the sanitary facilities used by children was empty. A roll of paper towel was stored on the radiator. This was non-compliant on the previous inspection dated 18 June 2021. The corrective/preventive actions submitted by the registered provider following that inspection had not been implemented.
7. Waste was not appropriately disposed of in Seomra 2. The inspector observed the bin which contained food waste was broken and the lid was on the floor. The inspector observed children and adults reaching into the bin to dispose of waste. This posed a risk of spreading infection.
8. Mops used for cleaning the premises were not stored appropriately, increasing the risk of spreading infection. Mop heads were not stored dry and inverted. Inspectors observed these stored wet inside mop buckets.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1.
 - (a) The top latch on the door was loose and therefore dropped when it was put on. This will be tightened on Monday by Rathcoole Community Centre. Staff will also secure the low-level handle going forward.
 - (b) There was difficulty sourcing a latch suitable for this door so the fire safety officer agreed to put a key lock back in the door and have the key hanging above the door at a level the children could not reach.
 - (c) This door is now always locked and not used except for emergencies. Rathcoole Community Centre have submitted a proposal to the fire officer and will have a suitable lock in place before the service returns in August 2023.
 - (d) Rathcoole Community Centre have submitted a proposal to the fire officer and will have a suitable lock in place before the service returns in August 2023.

(e) A latch has been put on the gate.

2.

(a) Cleaning products are usually kept in a locked drawer in Seomra 1. All staff will make sure that they are secured going forward. Industrial paints and items have been removed.

(b) Loose cables were all subsequently secured on the day of inspection. A safety check will be carried out every morning looking for loose cables and ensuring there are no hazardous items in any areas which the children might have access to.

3. Fire extinguishers were all mounted on Monday 29 May 2023.

Infection Control:

4. A deep clean was carried out on the entire service on 25 and 26 May. Brown staining on the floor was from a leak in the ceiling that was fixed on 26 May. Cleaning schedules will be signed and kept up to date and signed off by the manager every week.

5. A check is carried out before and after every child uses the toilet to ensure there is an abundance of toilet paper. The service will source a toilet roll holder where 2-3 toilet rolls can be stored ensuring an abundance of toilet roll is available.

6. The service will ensure paper towel is kept in the dispenser. The service will install a second paper towel to ensure an abundance of paper towel.

7. The bin was replaced on 25 May 2023. A back up bin will be kept on the premises in case the lid breaks.

8. Mops were disposed of on Thursday 25 May. New mops were bought and stored upright. Mops will be stored upright and replaced regularly to prevent the spread of infection.

Supporting documentation submitted

1. Photographic images of locks.

2 – 8. No supporting documents submitted.

Summary Comment

1. A referral was made to the Chief Fire Officer on 6 June 2023 to advise the registered provider on securing the premises in adherence with fire legislation. A regulatory compliance meeting was held with the registered provider on 15 June 2023 in which concerns regarding the security of children were discussed. The registered provider reported that contact had already been made with the Fire Officer and plans were underway to secure the service whilst adhering with fire legislation. The registered provider reported that the measures will be taken before the service re-opens in September 2023. The inspectorate is satisfied that the registered provider is taking appropriate measures to address the non-compliance.
- 2 – 8. The inspectorate acknowledges the actions submitted by the registered provider. These will be reviewed in practice on the next inspection.

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) Certificates were available evidencing two staff members had undertaken recent training in first aid for children. At least one of the adults was always available to the children.

Non-Compliance Information

(2)(a) & (b) It is acknowledged that a first aid box was stored on the premises. However, it was not stored in a conspicuous position and all staff were not aware where to access it. When the inspector asked a member of staff where the box was, they told the inspector they did not know. The box was located after the staff member asked the registered provider. The box was located in a closed cupboard in Seomra 2 with no signage.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

A first aid sign was placed on the press where the first Aid box is kept on 26 May. Signage will be checked regularly.

Supporting documentation submitted

Photograph of first aid sign on cupboard door.

Summary Comment

The inspectorate has deemed the actions to adequately address the non-compliance.

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) Records were available of fire-drills carried out in the service. The date documented on the most recent fire drill record was 9 May 2023.
 - (b) The service had a record outlining the firefighting equipment and the smoke alarm system in the service. The last recorded dates of maintenance were June and December 2022 consecutively.
- (4) Notices of the procedures to be followed in the event of a fire were displayed in conspicuous positions on the premises.