

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DS029
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<b>Name of Service:</b>	Rathfarnham Daycare
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<b>Address of Service:</b>	19-20 Main Street, Rathfarnham, Dublin 14, Co. Dublin
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<b>Eircode:</b>	D14 V3H9
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<b>Name of Registered Provider:</b>	Claire Doyle, Tracy Sheridan
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date of Inspection:</b>	29/10/2024
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<b>No of pre-school children:</b>	AM	155	PM	150
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate 2nd Floor, Unit 4/5 The Nexus Building Blanchardstown Corporate Park Ballycoolin Dublin 15   D15 CF9K
<b>Inspection undertaken by:</b>	C. Harte and T. Nelson and E. Sani
<b>Title:</b>	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).

<b>Conditions if applicable</b>	Not applicable.
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### Description of service

Rathfarnham Day care provides full day care to children aged 0-6 years old, Monday to Friday from 7:30am to 6:00pm. The service is operated by two registered providers. The service participates in the Early Childhood Care Education (ECCE) programme for 38 weeks of the year. There is a registered school age service in operation on the premises.

Rathfarnham Day care has three separate buildings each with their own sanitary facilities for staff and children. There are shared amenities across the three buildings with a main reception in Building 1, a kitchen in Building 2 and outdoor areas attached to each building.

The service is provided across each building as follows.

- Building 1 - There are five ground floor care rooms in this building. These rooms accommodate children aged 2 years and 5 months to 5 years old. The room on the first floor is currently providing accommodation for the school age service only.
- Building 2 - There are six care rooms all on the ground floor. These accommodate children aged 0 - 2 years old.
- Building 3 - There are five care rooms accommodating to children aged 18 months -3 years old.

### Staffing

The registered providers do not work in the service. The registered providers employ 58 staff members. Of the 58 staff employed there is an overall person in charge and a manager for each of the three buildings who all work in a supernumerary capacity.

### 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 and safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under:

- Regulation 11(1),(2), Staffing Levels,
- Regulation 16(1) (a)(b)(c)(d)(e)(g) Records in relation to the Preschool Service.

A sampling process was used to assess compliance under the following:

- Regulation 9 Management and Recruitment,
- Regulation 16(1)(h)(j)(k) Record in relation to a preschool child,
- Regulation 19(1)(b) Health, Welfare and Development of child,
- Regulation 21 Equipment and Materials,
- Regulation 23 Safeguarding Health, Safety and Welfare of Child.

As a result, the scope of the inspection included:

Building 1 - room 2, room 4 and room 3.

Building 2 - baby room, room 2 and room 5.

Building 3 - room 1, room 3, room 4 and room 5

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

An immediate action notice was issued to the registered provider on 29 October 2024 in relation to concerns under Regulation 23 Safeguarding the Health, Safety and Welfare of Child. A response which adequately addressed the concerns was received on 30 October 2024. Further details are available under regulation 23 below.

### Acknowledgments

The inspectors wish to acknowledge the cooperation of the 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*
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.*

*(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

- (1) (a) The service had a designated person in charge and a named person to deputise if required.
- (b) A review of the roster showed that a named person in charge or deputy was present on premises during the opening hours of the service the week of the inspection.
- (c) There was a clear management structure in the service including a whole service manager and assigned managers per building. Staff were aware of their own role and responsibilities.
- (2) Discussion with management and a review of the roster showed that twenty-six staff have commenced employment in the service since the last inspection in September 2023. The files of these staff were reviewed in full along with garda vetting disclosures for all staff currently employed.
- (a) Twenty-six written and verified references were available from a past employer.
- (b) Twenty-six written and verified references were available from a source other than a past employer.
- (c) Garda vetting disclosures had been obtained for the registered providers and all fifty-eight staff currently employed in the service. 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 available in relation to twenty-four staff members who had lived outside of Ireland for more than 6 months as an adult.
- (4) Evidence was available to show that twenty-four staff members whose files were reviewed and who worked directly with the children held 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.

### 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) The registered providers ensured that there were an appropriate number of adults working within the service based on the number and age group of the children present.
- (2) The service had the appropriate ratio of adults working with the children when the inspectors arrived and throughout the inspection. The following was observed:

#### Building 1

- Room 1 - there were 2 adults working directly with 15 children aged 2.5 - 3.5 years.
- Room 2 - there were 2 adults working directly with 14 children aged 2 years 10months - 3.5 years.
- Room 3 - there were 2 adults working directly with 16 children aged 3-5 years.
- Room 4 - there was 1 adult working directly with 4 children aged 2-3 years.
- Room 5 - there were 2 adults working directly with 16 children aged 3-5 years.
- Room 6 - The Den is not used for pre-school children.

#### Building 2

- Baby room - there were 3 adults working directly with 7 children aged 6 months - 1 year.
- Toddler 1 - there were 2 adults working directly with 8 children aged 1 year - 18 months.
- Toddler 2 - there were 2 adults working directly with 10 children aged 1 year - 17 months.
- Toddler 3 - there were 2 adults working directly with 7 children aged 1-2 years.
- Toddler 4 - there were 2 adults working directly with 7 children aged 1 year - 15months.
- Toddler 5 - there were 3 adults working directly with 9 children aged 1 year - 18 months.

### Building 3

- Room1 - there were 3 adults working directly with 12 children aged 1.5 - 2 years.
- Room2 - there were 3 adults working directly with 9 children aged 18 - 22 months.
- Room 3 – there were 2 adults working directly with 9 children aged 2-3 years.
- Room 4 – there were 2 adults working directly with 5 children aged 2-3 years.
- Room 5 – there were 2 adults working directly with 7 children aged 2-3 years.

In each building there was a team leader and floating staff member to support break cover.

### 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:*

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;*
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;*
- (c) details of the adult:child ratios in the service;*
- (d) the type of care or programme provided in the service;*
- (e) the facilities available;*
- (f) the opening hours and fees;*
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*
- (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) The registered providers ensured that a record in writing was kept of the following information in relation to the service:
- (a) Details of the name, position, qualifications, and experience of the person in charge and of every other employee were maintained within the staff files.
  - (b) The class of service and the age profile of children for which the service is registered to provide a service was displayed in the hallway.
  - (c) The adult:child ratios were displayed in the hallway.
  - (d) (e) The type of care or programme provided and the facilities available were available in the services statement of purpose and function and displayed in the hallway.
  - (f) The opening hours and fees of the service were displayed in the hallway.
  - (g) The registered provider maintained all the policies required in accordance with Regulation 10.
  - (h) Attendance records detailing the arrival and departure time of the children on a daily basis were maintained.
  - (i) A record was maintained of the staff roster for each building which was reflective of the staff present on the day.
  - (j) Following a review of a sample of 26 records, the registered provider ensured a full record in writing was maintained for the administration of medication.
  - (k) Following a review of a sample of 21 records, the registered provider ensured a full record in writing was maintained for accidents and incidents.

### 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

- (1)(b) The following practices were observed to be in place to support the children attending:
- Staff were observed to interact with children in a calm and patient manner. They were responsive to the children and offered support and comfort when needed.

- Mealtimes were a positive and social experience as children sat with their peers and staff. Dinner was mashed to a suitable texture for young children. Additional portions were available and offered to the children.
- Drinks were available to children in the care rooms and were also brought to the outdoor areas during play in the garden.
- Staff regularly reminded children about toileting and engaged children in conservation and songs during nappy changing. A nappy changing checklist was in place to check each child regularly and a record of these times was kept.
- Children were supported to dress suitably for play outdoors. Wellies were available for days of wet weather. Staff appropriately supervised and praised the children as they used climbing frames, balancing beams and ladders. Children were also observed to have the option of wearing slippers when they returned indoors.
- Staff advised how sleep was led by the child and information they received from parents. Lighting was dimmed during sleep times to support a restful environment. A staff member was responsive to a child who did not settle.
- Children’s independence was encouraged in numerous ways for example tidying up after mealtimes and activities and having responsibility for their belongings such as coats and lunch boxes.

### Part V - Care of Child in Pre-school Service

#### Regulation 21 – Equipment and materials

*A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.*

#### Compliance Information

- The furniture in the rooms was observed to be adequate for the number of children attending it was appropriate for the age range and stage of development of the children in the rooms, and was well maintained, durable and easy to clean.
- The toys and equipment in the care rooms were laid out on low level shelving, visible and accessible to the children.
- Children’s personal belongings were appropriately stored in designated spaces.
- Equipment was grouped in themed areas of interest such as art and craft, floor play area, home corner and library area. Themed areas of interest assist children to have a more focused engagement in their play experiences.

- The toys and equipment available facilitated a range of play experiences including fine motor, imaginary, sensory, creative, literacy and numeracy play experiences.
- Outdoor areas were observed to be well resourced with a variety of materials suitable to the age and stage of children.

### Non-Compliance Information

- (1) The play kitchen units in rooms 1 and 4 of building 3 did not have any supporting resources. Supporting resources enable children to use materials as intended and assist children to have extended engagement in their play experiences.

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

#### Corrective Action

The service has supporting resources for both rooms, it is acknowledged they were not placed by the play kitchens. The layout of both rooms has been changed to ensure a storage unit for the resources is nearby the kitchens.

#### Preventive Action

The service has added a section on the room daily risk assessment for staff to check their rooms during the day as well as an additional check by the team leader. Both will check that the rooms have been set up accurately and remind staff to ensure toys are returned to the correct area when tidying up.

#### Supporting documentation submitted

- Photographic evidence.
- Daily checklist.

### Summary Comment

The inspector has reviewed the actions taken and supporting documentation submitted. The non-compliance identified under Regulation 21 has been addressed.

## 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 entrances were secure when the inspectors arrived unannounced. This prevented children from leaving the service unsupervised and from unauthorised persons gaining access.
- Cleaning products were stored out of reach of children.
- Handrails were available on staircases.
- Sharp objects such as scissors were stored out of reach of children.

#### Infection Control:

- Soothers were stored in individually labelled containers.
- Children's bottles were refrigerated appropriately.
- Children's cots were prepared with individual bed linen.
- Cots were observed to have the minimum required spacing of 50cm and had wipeable waterproof mattresses.
- Pedal operated bins were present in the sanitary areas.

#### Administration of Medication:

- Medication was stored safely out of children's reach and was clearly labelled.
- Staff were observed to bring children's emergency medication to the outdoor area during garden time.

#### Safe Sleep:

- Physical checks of sleeping children were conducted at 10-minute intervals and a record was maintained of the children's colour, position, and breathing.
- Temperature records were maintained in rooms where children were observed to be sleeping.

#### Fire Safety:

- Fire safety procedures were clearly displayed.

## Non-Compliance Information

### General Safety:

1. The water temperature of the nappy changing area used by room 1 in building 2 exceeded 50 °C and posed a potential risk of scalding. At 11:45am the water temperate of sink one was 54.2 °C while sink 2 was 54.7 °C. An immediate action notice was issued.

The following hazards were observed which posed a risk of injury to children:

2. At 10:57am the water temperature of the sink in the baby room of building 2 was 49.7°C.
3. In building 1 room 3 a cracked storage box with a sharp edge used to store toy animals was accessible to children.
4. There was an exposed wire accessible to children in room 1 building 3.
5. There were two trailing flexes accessible to children in room 3 building 3.

### Infection Control:

The procedures in place did not ensure that the risk of cross contamination was reduced to prevent the spread of infection. The following was observed:

6. A child brought a push along walker into a nappy changing area.
7. Children did not wash their hands after returning from play outdoors.
8. After supporting a child with nasal care, a staff member did not wash their hands or the child's hands.
9. Tyres in the garden of building 3 contained stagnant water.
10. A cushion in the cosy corner of room 1 in building 3 was visibly stained.
11. The carpet and cushions in room 5 building 3 were visibly stained.

## Action submitted by the Registered Provider

### Corrective & Preventive Action

#### General Safety:

1. **Corrective action:** The service adjusted the water temperature gauge at 7.30am on Wednesday 30<sup>th</sup> October and noted that the water temperature was reduced to 26.1°C /27°C and 41.8°C /40.5°C respectively at 8.00 am. Then monitored the water temperature throughout the day to ensure that the correct temperature was maintained and that it didn't exceed 43°C throughout the day.

**Preventive action:** The service will continue to monitor hourly for a period of time to ensure that adjustment is maintained.

- Corrective action:** The water temperature gauge was reduced on the morning of the 30th of October and water temperature was monitored during that day and did not exceed 43°C. Water temperatures are taken twice daily for all sinks in all our rooms.

**Preventive action:** The service has created a new checklist for the team leaders and managers check the water heater gauges weekly to ensure that they are set at the correct temperature.

- Corrective action:** The box was removed and replaced.

**Preventive action:** The service have added onto the room checklist that all boxes are to be checked and replaced if required.

- Corrective action:** The service has added a section at the bottom of the press to ensure that the children have no opportunity to reach these.

**Preventive action:** The service added a check for wires/flexes to the team leader checklist.

- Corrective action:** The trailing flexes were removed on 30th of October and staff are reminded where to plug in the tablets so that children do not have access to trailing flexes.

**Preventive action:** The service added a check for wires/flexes to the team leader checklist.

### Infection Control:

- Corrective action:** Management has reminded staff that no push-along toy should be brought into the bathroom.

**Preventive action:** Management has placed a sign outside the changing areas reminding staff not to bring the push along toys into the changing areas.

- Corrective action:** Staff were re-issued with the handwashing policy and procedures.

**Preventive action:** Additional spot checks have been included in the team leader checklist.

- Corrective action:** Staff were re-issued with the handwashing policy and procedures.

**Preventive action:** Additional spot checks have been included in the team leader checklist.

- Corrective action:** The rainwater from the night before was removed by mid-morning by our maintenance person and these are now checked before the children enter the garden.

**Preventive action:** Management has amended the maintenance morning checklist, so the gardens are checked before children go into them to ensure that water from the night before can be removed.

10. **Corrective action:** The cushions were washed on 30th of October. Each room has a deep cleaning day, and all cushion covers, dress up etc are washed.

**Preventive action:** Management has added to check the cushion covers and place to wash if need regardless of when their deep cleaning day is to the room daily risk assessment.

11. **Corrective action:** The cushions were cleaned on 30th of October and the carpet was cleaned on 4th of November.

**Preventive action:** Management has added to check the cushion covers and place to wash if need regardless of when their deep cleaning day is to the room daily risk assessment and checking carpet condition and cleaning has been added to the cleaner's weekly checklist.

### Supporting documentation submitted

#### General Safety:

- Photographic evidence.
- Water temperature monitor sheet.
- Team leader checklist.
- Daily risk assessments.

#### Infection Control:

- Photographic evidence.
- Staff memo.
- Signage.
- Policy signature sheet.
- Team leader checklist.
- Maintenance checklist.
- Cleaners' weekly checklist.

### Summary Comment

The inspector has reviewed the actions taken and supporting documentation submitted. The non-compliances identified under Regulation 23 have been addressed.