

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DS037		
Name of Service:	Choice Childcare Newcastle		
Address of Service:	Old School House, Main Street, Newcastle, Co. Dublin		
Eircode:	D22 EE05		
Name of Registered Provider:	Elaine O'Meara		
Service type:	Full Day, Part Time, Sessional		
Date(s) of Inspection:	01/06/2023		
No of pre-school children:	AM	38	PM 22
Address of the Early Years Inspectorate:	Floor 7 , Brunel Building, Heuston South Quarter, Kilmainham, Dublin 8		
Inspection undertaken by:	Fiona Carty and Sarah 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).			
Conditions if applicable	Not applicable		

Description of service

This full day care service is located in an urban setting in Newcastle Co. Dublin. A service is provided to children aged between one and six years. The service is open from Monday to Friday between 08:00 and 18:00 hours including a sessional service from 9:30am and 12:30pm for 38 weeks of the year. A school age service is also provided. The premises is located within a former school building with 3 care rooms, and a kitchen. A large outdoor play area is located to the rear of the building.

Staffing

There were twelve adults present on the day of inspection and of these nine were working directly with the children, the area and centre managers were available to assist in the care rooms when required and there was also a cook present.

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, 16, 19, 23, 25 and 26; 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 16.

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 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) The inspection focused on the recruitment records of all staff members currently employed in the service.

Twelve staff files were reviewed.

(a) & (b) The registered provider demonstrated that they had considered the relevant references in relation to twelve staff members. Twenty one references from a past employer were available for twelve staff members. A second reference was available from a reputable source for one staff member. Records were available documenting the references had been verified.

(c) Garda vetting disclosures were available for all staff members.

(d) Police vetting had been sourced for five of the staff members who had lived outside the State for more than six months as an adult.

(4) Records were available evidencing that eleven staff members who were employed to work directly with the children held the required qualification or equivalent. Two staff members held letters of eligibility to practice or

qualification recognition letters from the Department of Children, Equality, Disability, Integration and Youth (DCEDIY).

Non-Compliance Information

(2)(a)(b)

Two references from the same past employer were available for two staff members although they had other previous employers.

(3)

Ten references on file for nine adults had not been validated prior to them commencing employment in the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a)(b)

RP states to have corrected this and contacted the staff in question previous employer. RP states going forward the service will contact two last employers of onboarding staff if two references provided are from the same employment.

(3)

RP states service will make sure staff do not start work (closing rooms to families due to no teacher if necessary) while the service wait for referee to get back to them.

Supporting documentation submitted

No supporting documentation was submitted.

Summary Comment

The corrective and preventive actions submitted by the registered provider have addressed the non-compliances listed under Regulation 9.

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 inspectors observed that an adequate number of adults were working directly with the children.

(2) The minimum ratio of adults to children was always maintained. There were nine staff working directly with thirty eight children during the morning session. All children were aged over two years. Twenty two children stayed after the session for part-time and full-day care. There were eight adults allocated to work with the children for the afternoon.

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 detailing the attendance of each preschool child on the day of inspection.
 - (i) A staffing roster was available in the service detailing hours of work for each staff member on the day of inspection.
 - (j) Signed parental consent was available to administer temperature reducing and emergency medication.
 - (k) A sample of accident and incident records were reviewed and were signed by staff and parents and completed appropriately.

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 inspectors observed appropriate care practices in place in the service during the inspection.

The service provided breakfast, a snack, and a hot meal tea to the children. All children were supported to eat independently during meals, and staff provided assistance to children where required. Drinking water was available in the care rooms at all times, and both water and milk were offered to the children with the hot snack.

Nappy changing was carried out regularly at set times throughout the day and when required. Warm interactions were observed during nappy changes.

Pods 1 and 2 had defined areas of interest including a home corner, cosy area, and construction materials.

Children's artwork was displayed on the walls together with family photos and educational posters.

Staff provided an appropriate level of supervision whilst supporting the children's independence.

Staff interacted warmly with the children in their care throughout the inspection and were observed supporting the children in their work and play. The atmosphere in the service appeared calm and relaxed. Staff managed minor disagreements well and in a positive manner. The play experiences in the service were observed to be child-led. Children were observed exploring their environment, engaged in activities and playing with each other and the staff. The children spent the morning engaging in activities together including building and imaginative play games.

The children spent periods outdoors where they had access to large spaces with artificial grass. There was equipment available to support full-body-movement and imaginative play including climbing equipment. Picnic benches were available for eating outdoors or table-top activities.

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:

Cleaning materials were stored out of reach of children. Cables were out of reach of children.

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 members were aware of the procedures in place and a sample of medication records reviewed on the day of inspection were appropriate.

Fire Safety:

Emergency doors were kept clear to allow for timely evacuation in the event of an emergency. Regular fire drills were completed.

Non-Compliance Information

General Safety:

1. A child was observed entering the kitchen unattended. Staff stated the child had left the garden area unaccompanied and entered the building through an unlocked door. This posed a risk to the child's safety due to the many hazards contained in the kitchen.
2. There was no nappy changing unit available in the changing area. Children were observed to climb steps to an unsecured cupboard and step onto another unsecured cupboard which had a broken door and was unstable. The nappy changing mat was larger than the top of the cupboard it was balancing on. This practice posed a risk of falling and possible rolling off the nappy changing mat which would cause injury to a child.
3. There were a number of stinging weeds located in the outdoor area which could pose a risk of topical injury to a child.
4. There were a number of hazards identified in the outdoor area including:
 - A large piece missing from an artificial grass climbing area which had exposed concrete which could cause a trip hazard.
 - The joins in the artificial grass on the climbing area were coming away causing a trip hazard.

- There were loops of loose material observed at the bottom of the wooden poles in the covered area which could cause a trip hazard.

Infection Control:

5. The handwashing practices observed were not in line with the service policy in Pod 2. Children did not wash their hands prior to having their snack.
6. The paint on a storage unit in Pod 1 had been chipped off over time exposing a porous wooden material underneath which cannot be cleaned effectively.
7. Staining with the appearance of mould spores were noted on the ceiling of the sanitary accommodation in Pod 2 posing potential health risks to the children in attendance.
8. There was sticky residue on walls and doors throughout the service.

Administration of Medication:

9. Emergency medication required for a child with an allergy in Pod 2 was out of date since October 2022.
10. In discussion with the inspector the staff member caring for the child said they had not received training in how administer the medication. During discussions with the persons in charge it was noted that no staff member directly caring for the child had received training on how to administer the medication. This may hamper timely and effective intervention in the event of an emergency. It is acknowledged that a number of staff working in other rooms in the service had received the appropriate training.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. RP states they spoke teachers to make sure all children wait in line to return from the garden and walk in together to ensure no child can walk ahead.
Remind children daily of waiting and walking together.
2. It has been discussed with all staff using the wall nappy changing facilities provided.
Managers will do daily nappy changing checks to ensure all teachers are following company guidelines.
3. The service has a gardener who attends to weeds and maintains areas as requested.
4. The mound is fixed. The loose material was removed immediately. RP will continue to remind children to tidy as they go and for teachers to report repairs to service provider.

Infection Control:

5. Staff have been reminded to encouraged and monitor handwashing before meals. Manager to carry our spot checks on handwashing practices.

- 6. Has been repainted. All Staff have been reminded that they are to report repairs to service provider.
- 7. This window had some condensation due to damp as the vent had been switched to the off position. It was cleaned by maintenance and repainted and the vent turned back on. Management is to carry out full checks and report any maintenance issues to the service provider.
- 8. This sticky residue was Sellotape. Sellotape is not permitted to be used on walls or doors. Teachers have been reminded of this. Management is to monitor this and discuss with teachers if its observed.

Administration of Medication:

- 9. The parent had been asked but did not return it. Teachers have been advised that the parent needs to be informed that their child cannot enter the facility without medication.
Management is to ensure that first along with medication is checked weekly.
- 10. Two staff on the premises had direct training in first the administration of epi pens.

Supporting documentation submitted

General Safety:

No supporting documentation submitted to the inspector.

Infection Control:

No supporting documentation submitted to the inspector.

Administration of Medication:

No supporting documentation submitted to the inspector.

Summary Comment

The corrective and preventive actions submitted in writing by the registered provider have been reviewed and are deemed to meet the requirements of Regulation 23
These non-compliances will be reviewed 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

(2)

(a) Suitably equipped first aid boxes were stored in conspicuous positions within reach of adults.

(b) The first aid boxes were always available for use.

Non-Compliance Information

(1) It is acknowledged that a number of staff members held a certificate in paediatric first aid. However, from discussion with the person in charge it was evident that there is no person with first aid responder training available to the children. The certification expired in May 2021.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

All staff have first aid training. Three staff were enrolled and had been paid for to do advanced FAR training the week after inspection.

Supporting documentation submitted

No supporting documentation was submitted.

Summary Comment

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The corrective and preventive actions submitted in writing by the registered provider have been reviewed and are deemed to meet the requirements of Regulation 25.

These non-compliances will be reviewed on the next inspection.

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.

Compliance Information

- (1)
- (a) Records were available of fire-drills carried out in the service. The last fire drill recorded was dated 30th 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 September 2022 and 1st March 2023.

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
 - (e) equipped with adequate and suitable sanitary facilities.

Non-Compliance Information

Areas of the service were found to be in need of maintenance and a deep clean on the day of inspection as follows:

- The linoleum flooring throughout the sanitary area of Pod 1 was damp and lifting and could not be effectively cleaned.
- The linoleum flooring throughout the care rooms was heavily stained in parts and had not been effectively cleaned.
- There were large accumulations of cobwebs located throughout the building.
- The outdoor area was littered with discarded used tissues, plasters and general waste.
- The plaster on a corner of a wall in the Toddler room was heavily chipped exposing sharp edges at a child's height level which could pose a risk of injury to a child should they hit off it.

- The interior walls and floors of the rooms in use by the service did not appear in a good state of repair and maintenance. There was chipped paint on walls and the service was not maintained in a clean condition. There were large accumulations of dust and debris on the skirting boards and flooring throughout the service. There was heavy staining and dirt on the walls in parts throughout the service.
- A storage unit located in the nappy changing area had a broken door.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The flooring areas that had moved away from the wall have been glued back in place. There is no damp in the sanitary area of pod 1 to address.

- Flooring through the play areas has discolouration in areas. We dispute that it is dirty and stained.
- The ceilings were brushed down and the removal of any webs has been added to the weekly cleaning schedule.
- Outdoor area was cleaned
- Chipped area was fill in and painted.
- Walls were cleaned down using cif to remove paint and painted afterwards. We found no flooring to be in need of repair.
- Storage unit door was removed.
- All building needs will be reported to service provider by staff so they can be addressed when noticed.
- Any repairs to be reported to service provider.

Supporting documentation submitted

No supporting documentation was submitted.

Summary Comment

The corrective and preventive actions submitted in writing by the registered provider have been reviewed and are deemed to meet the requirements of Regulation 29.

These non-compliances will be reviewed on the next inspection