

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DS051
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Name of Service:	Little Fingers
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Address of Service:	23 Broadfield Court, Broadfield Manor, Rathcoole, Dublin 24, Co. Dublin
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Eircode:	D24 VF66
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Name of Registered Provider:	Samantha Nugent
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Service type:	Sessional
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Date of Inspection:	11/11/2024
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No of pre-school children:	AM	11	3
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Address of the Early Years Inspectorate: Click or tap here to enter text.	Brunel Building, Heuston South Quarter, Saint John's Road West, Dublin 8. D08 X01F
Inspection undertaken by:	R. Duff and A. Byrne
Title:	Early Years Inspector and Inspection and Regulation Manager.

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
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Description of service

Little Fingers is a privately operated sessional service located in the registered providers home in Co. Dublin. The service is registered to provide early childhood care and education to a maximum of 11 children aged 2-6 years. The service participates in the Early Childhood Care and Education (ECCE) scheme and runs a morning session daily from 9:30am-12:30pm. The service operates 38 weeks per year in line with the programme rules. The service operates in one room to the front of the building. Two fully enclosed outdoor areas are available onsite; one to the front and rear of the service.

Staffing

The registered provider is the designated person in charge and is the sole operator of the service.

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 inspection may also focus on other areas as required. The following regulations were reviewed:

Regulation 9 (1)(2)(3) and (4)-Management and Recruitment.

Regulation 11(1)(3) Staffing Levels.

Regulation 19 -Health, Welfare and Development of Child.

Regulation 23 Safeguarding the Health, Safety, and Welfare of Child.

Regulation 25 First Aid.

Regulation 28-Insurance.

Regulation 30-premises

A sampling process was used to assess compliance under regulation 19, 23 and 30. As a result, the scope of the inspection focused on the preschool room.

However, on inspection an additional non-compliance which posed a risk was identified under Regulation 8. These findings are outlined within the relevant regulation 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

An Immediate Action notice was issued under Regulation 23 to the registered provider on the day of inspection in relation to a safety concern identified. It is acknowledged that the registered provider immediately implemented actions to mitigate the risk identified. A response was received on 12 November 2024 from the registered provider which will further mitigate the risk from future occurrence. Please see details in the body of the report.

An internal Tusla referral was made in relation to the service operating outside of its registered status. Further information is available under Regulation 8.

Acknowledgments

The inspection team wish to acknowledge the cooperation of the registered provider and children who were present on the day of the inspection.

Part II - Registration and Register

Regulation 8 - Notification of change in circumstances

(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.

(2) A registered provider of a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 7 days before it is proposed that the change would take effect.

(3) Where a registered provider has been unable for good and proper reason to notify the Agency within the time specified in paragraph (1) or (2), as the case may be, of a change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2), the registered provider shall notify the Agency in writing of the change as soon as possible thereafter.

Non-Compliance Information

The service was found to be operating outside of its current registration status. The service is currently registered as a sessional service to provide care to 11 children aged 2-6 years between the hours of 9:30am-12:30pm. However, on inspection there were 3 children observed to be present between the hours of 12:30pm-1:30pm. An internal Tusla referral was made in relation to the service operating outside of its registered status.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider has stated that she will only operate the service between the hours of 9:30 -12:30 as per current registration, she will not allow children to stay beyond that time.

Supporting documentation submitted

Documentation has been submitted to the Inspectorate to confirm this.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 8 has been adequately addressed.

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.

(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.

Compliance Information

(1)(a) There is a designated person in charge and another designated person appointed to assist in the event of an emergency.

(b) The designated person in charge was present when the inspectors arrived unannounced to the service.

(2) The files of the registered provider and the person appointed by the registered provider to assist in the event of an emergency were reviewed, and the following checks had been completed:

(a) written reference was available from recent past employers or a source other than a past employer for the registered provider.

(b) written references was available from a reputable source other than a past employer for the registered provider.

(c) Garda vetting disclosures had been obtained for the registered provider and the person appointed by the registered provider to assist in the event of an emergency. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) Documentary evidence showed that the register provider had not lived outside of the state for six months or more.

(4) The registered provider who worked directly with children attending the service held at least a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications or a qualification deemed eligible by the Department of Children, Equality, Disability, Integration and Youth Affairs.

Non-Compliance Information

The registered provider did not ensure the following:

(2) (a) (b) 2 validated references were available for the person allocated by the registered provider to assist in the event of an emergency.

(d) Documentary evidence to show that the person allocated by the registered provider to assist in the event of an emergency had not lived outside of the state for six months or more.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider has submitted 2 validated references and a CV for the person registered to assist in the event of an emergency. The documentation reviewed demonstrated that police vetting was not required for the person registered to assist in the event of an emergency.

Supporting documentation submitted

2 validated references and a CV for the person registered to assist in the event of an emergency.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 9 has been adequately addressed.

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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.

(c) a registered provider of a sessional pre-school service shall ensure that, where the person in charge operates the service single-handedly, a second person familiar with the operation of the service and in a position to provide assistance to the person in charge in operating the service is, at all times, within close distance of the service and available to attend the service to assist the person in charge in the event of an emergency.

Compliance Information

(1) There were 11 preschool children being cared for by one adult on the day of inspection.

(3) The minimum ratio of adults to children was met at all times.

(c) The registered provider had appointed a second person who lives close by to assist in the event of an emergency.

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

(b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.

Compliance Information

The inspector observed appropriate care practices in place in the service during the inspection.

A calm and welcoming atmosphere was evident on arrival at the service. The registered provider and children were engaged in a range of activities. The registered provider was attentive and responsive to the needs of the children throughout the day and was observed to respond to children in a calm and relaxed manner throughout the inspection. Language used by the registered provider was observed to be kind and supportive during the session. For example, when children asked about the inspectors being present the registered provider explained their visit in age-appropriate language also during the Christmas concert preparation, children were spoken to in an encouraging and friendly manner.

Identity and belonging were promoted in the classroom with children's family photos and artwork displayed on the walls of the care room and visible to children. Engagement with families and parents is facilitated by the daily sharing of information on the child's day. This is shared through conversations at drop off and collection. On the day of inspection transitions from preschool to home were observed to be friendly and informative to parents or guardians collecting children. Children brought in their snack from home. Snack time was a social occasion. The registered provider was observed sitting chatting with the children while they ate. The service has a healthy eating policy which is shared with parents/guardians in advance of enrolment.

Child sized tables and chairs allowed the children to eat and engage in tabletop activities. There was evidence that equipment and materials provided were based on the children's individual needs and emergent interests. Suitable toys and equipment were laid out on low level shelving, and in low level storage boxes visible to the children, in the front care room and in an additional area used by the children in the registered provider's sitting room area.

The 2 outdoor areas were well equipped with a range of toys and materials to support play experiences. For

example, a slide, blocks, action figures, dolls, bubbles and colored chalks were available. Children also had the opportunity to take toys and materials from the inside to the outdoor areas.

Children enjoyed freedom of movement in the outdoor play areas and were observed to engage in a range of activities without restriction while in these areas, this supports their social, cognitive, gross and fine motor development.

Non-Compliance Information

(1) (a)

1. The preschool room available to the children did not have adequate space for the 11 children who are registered to attend, see regulation 30 for further information. The size of the room impacted on children's ability to move freely about the room. There were no designated interest areas and there no area where children could rest or take a break from activities.
2. The registered provider did not ensure the privacy and dignity of the children was considered, during a scheduled toilet time the door of the toilet was observed to be left open with children using the toilet while others washed their hands in close proximity. Children were also observed standing in the hallway outside the toilet door waiting to use the toilet.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. The registered provider stated that she has changed the main care room from the room at the front of the house to the room at the back of the house. This will provide adequate space for the 11 children registered to attend.
2. The register provider stated that she will ensure that only one child uses the bathroom at any time, the door will be closed enough to ensure children's privacy and dignity is considered.

Supporting documentation submitted

1. Photographic evidence has been submitted to the inspectorate to show the changes to the care room.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 19 has been adequately 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:

- When the inspectors arrived unannounced at the service, access to the main door was monitored and controlled by registered provider to restrict unauthorized persons from gaining access to the premises and to prevent children from exiting the service unsupervised. In addition, the outdoor play area was securely gated restricting unauthorized persons from gaining access to this area and to prevented children from exiting the service unsupervised.
- Grapes and tomatoes in children's lunch boxes were observed to be cut into appropriate bite sized pieces.
- Toys and equipment were maintained in good condition free from hazards.
- There were no flexes or cables observed that were accessible to the children.
- The outdoor areas were observed to be suitable, safe and secure with domestic bins stored out of children's reach and all outdoor play materials maintained and in good condition free from hazards.
- Anti-febrile medication and cleaning agents to include disinfectant sprays and liquids were stored on high shelves and in high cupboards.

Fire Safety:

- On the day of inspection, it was observed that all emergency exit doors were clear from obstruction. This helped ensure the safe effective evacuation of children and staff in the event of an emergency evacuation.

Non-Compliance Information

General Safety:

An Immediate Action notice was issued to the registered provider on the day of inspection in relation to a safety concern identified. Hand washing basins were not thermostatically controlled to ensure that hot water is no hotter than the recommended 43°C. The hot water temperature in the hand washing basin used by the children was recorded at 59.2 degrees which posed a risk of scalding for the children. It is acknowledged that the registered provider temporarily rectified the situation during the inspection.

Infection Control:

1. The registered provider did not ensure that paper handtowels were available to support adequate hand hygiene. The use of a shared cloth towel was observed at handwashing time. This posed a risk of infection to children and was at variance with the service cleaning and hygiene policy which states that paper hand towels will be used.
2. The children's lunch boxes containing lunch brought from home were not stored in a refrigerator on the day of inspection to prevent spoiling of perishable items for example yogurts, cheese and cold meats. All lunch boxes were stored in the hall area of the premises, this increases the risk of bacteria multiplying to levels which could cause illness to young children and is at variance with the services' health eating policy which states that lunch boxes will be stored in the refrigerator.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

The register stated that she provider replaced the thermostat on the water heater. The registered provider has also stated that regular risk assessments will be carried out to ensure the water remains at the appropriate temperature.

Corrective & Preventive Action

Infection Control:

The registered provider stated:

1. Paper towels will be used at all times during handwashing. The cloth towel has been removed from the bathroom.
2. The children's lunch boxes will be removed from their bags on arrival and stored in the fridge.

Supporting documentation submitted

General Safety:

An invoice and receipt for work carried out on the water thermostat has been submitted to the inspectorate. The inspectorate has also received a copy of the risk assessment.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 23 has been adequately addressed.

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) The service provided evidence that an adult trained in First Aid Response was available at all times to the children attending the pre-school.

(2)(a) and (b) A suitably equipped first aid box was available and were safely stored in an easily accessible and conspicuous positions in the service.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The registered provider ensured the sessional service was insured. The insurance certificate provided for review showed cover for the 11 children the service is registered for and an expiry date of 28 March 2025.

Part VII - Premises and Space Requirements

Regulation 30 - Minimum space requirements

(3) A registered provider of a sessional pre-school service or a pre-school service in a drop-in centre shall ensure that a minimum of 1.818 square metres of clear floor space is available for each child attending the service.

Non-Compliance Information

Adequate floor space was not available for the children attending the service. Eleven children are registered to attend daily, however the floor space available to the children in this room measured 13.8 sqm and provided enough space for a maximum of 7 children at any one time.

It is acknowledged that the children had opportunity to use an area in the registered providers sitting room to the rear of the house from 10:43 until 11:05. Children returned to the room at the front of the house at 11:10 to eat their snack.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider stated that she has changed the main care room from the room at the front of the house to the room at the back of the house. This will provide adequate space for the 11 children registered to attend.

Supporting documentation submitted

Photographic evidence has been submitted to the inspectorate to show the changes to the care room.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 30 has been adequately addressed.