

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DS055
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<b>Name of Service:</b>	Toddling Tots
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<b>Address of Service:</b>	Tallaght Leisure Centre, Jobstown, Tallaght, Dublin 24, Co. Dublin
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<b>Eircode:</b>	D24 KX38
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<b>Name of Registered Provider:</b>	Elizabeth Hughes
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<b>Service type:</b>	Sessional
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<b>Date of Inspection:</b>	27/05/2024
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<b>No of pre-school children:</b>	AM	16	PM	n/a
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<b>Address of the Early Years Inspectorate:</b>	The Brunel Building, Heuston South Quarter, St. John's Road West, Dublin 8
<b>Inspection undertaken by:</b>	R. Brien
<b>Title:</b>	Early Years Inspector

### 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

Toddling Tots is a sessional service which provides care to children aged 2 to 6 years. The service is registered to operate from 09:30 to 12:30, Monday to Friday.

The service is located in Tallaght Leisure Centre in south Dublin. The service operates from a single care room. The service has access to an outdoor play area directly outside the care room and also has use of the astro turf pitch of the leisure centre.

### Staffing

The service currently employs 6 staff including the registered provider. There were 5 staff working directly with the children on the day of inspection including two Access and Inclusion Model (AIM) support staff.

### 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.

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 inspector wishes 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

(1) A registered provider shall ensure that-

- (a) the service has a designated person in charge and a named person who is able to deputise as required,
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and

(2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,
- (b) consideration of references from reputable sources in the case of a person who has no past employers,
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and
- (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

#### Compliance Information

- (1)
- (a)(b) The service had a designated person in charge and a named person to deputise as required who were both on the premises throughout the inspection.

(2)

The files of six adults were reviewed as part of the inspection. This included three staff members who had commenced working in the service since the last inspection on 23 September 2021. Documentation was reviewed in respect of these adults and met regulatory requirements as follows:

(a)(b) Of the twelve validated, written references that were required, eight were available from a past employer and three were available from a source other than a past employer.

(c) Garda vetting disclosures from the National Vetting Bureau of An Garda Síochána were available for the six adults. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) Police vetting was available for two adults who had lived outside the State for a period exceeding six months as an adult.

(4) Records were available evidencing that six adults who were employed to work directly with the children held the required qualification or equivalent.

### Non-Compliance Information

(2)(b)

One of the references obtained in respect of one staff member from a source other than a past employer was not suitable as the source of the reference could not be considered to be independent or unbiased.

(3) The registered provider did not ensure that a Garda vetting disclosure was obtained for one adult prior to them commencing work in the service. The staff member commenced working in the service on 31 January 2023 and Garda vetting was obtained on 21 February 2023.

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

#### Corrective and Preventive Action

(2)(b)

The employee in question ceased employment in the service on the 3<sup>rd</sup> of June. In future ensure that 2 valid references from previous employers are obtained from future employees.

(3)  
Garda vetting was applied for prior to staff starting employment, unfortunately we had no employee with level 6 as previous employee had to leave suddenly so I employed this member while waiting, as she previously had garda vetting. I am aware now to confirm Garda vetting is in place prior to employing staff.

**Supporting documentation submitted**

No supporting documentation submitted.

**Summary Comment**

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

**Part III – Management and Staff**

**Regulation 11 - Staffing levels**

*(1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.*

*(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) An adequate number of adults were working directly with the children at all times during the inspection.

(3) The minimum ratio of adults to children for sessional services was adhered to at all times during the inspection. There were sixteen children attending the service being supervised by five adults on the day of inspection.

### 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

(1)(a)(b)

The service had a healthy eating policy in place and the person in charge reported that children bring in their lunch from home. Lunch took place at 11:30 and children were given a drink with their meal. Staff supported children who needed assistance with their lunch. Staff were observed eating with the children at lunch and engaging in conversation with children promoting a relaxed and sociable atmosphere.

Children were given responsibility appropriate to their age and were encouraged and supported to be independent. The inspector observed children cleaning up after their play and putting on their own coats for outdoor play. Staff supported children who required assistance. Staff provided an appropriate level of supervision whilst supporting the children's independence during play and lunch time.

Staff displayed warmth and sensitivity during all interactions with the children throughout the inspection. Staff demonstrated a good awareness of the needs of each child in their care and responded to children's cues promptly. Staff were observed to use distraction, gentle tones and praise when promoting positive behaviour in line with the service's behaviour policy.

Transitions within the service were managed with the use of a bell to notify children of an upcoming change and children appeared to be familiar with the daily routine.

Children’s choices were respected with children given the opportunity to choose their own play equipment and activities during free play. Individual education plans were available for children who required additional supports and the inspector observed one to one support being given to these children by staff.

Staff described how they communicate with parents regarding their child’s day at arrival and collection times and using an online application.

The care room was arranged into defined areas of interest providing children with the freedom to play and explore. Designated areas of interest included small world toys, dress up clothes, jigsaws and manipulative toys, a home corner, construction toys, a library and a rest area. The care room provided a range of developmentally appropriate play experiences for the children and was adequately resourced with a variety of materials.

The environment was laid out to support the children’s independence. Low level hooks were provided for coats and bags. Play materials were observed to be accessible to the children on low level shelving. Low level tables and chairs were available in the care room.

An enclosed outdoor play area was available directly outside the care room. Children accessed the fully enclosed astro turf pitch of the leisure centre on the day of inspection. Children were observed to be engaged in energetic and imaginative play with adults supporting them as needed.

### Part VI - Safety

#### Regulation 23 - Safeguarding health, safety and welfare of child

*A registered provider shall ensure that all reasonable measures are taken to safeguard the health, safety and welfare of a pre-school child attending the service and that the environment of the service is safe.*

#### Compliance Information

The inspector found by observation of practice, review of documentation, discussion with staff and inspection of the premises that the registered provider had taken the following steps to safeguard children attending:

#### General Safety:

- The entrance door to the service was adequately secured to ensure the safety of the children within and to avoid unauthorised persons accessing the service or children exiting unsupervised.
- Cleaning agents were stored safely out of reach of children.

- All storage facilities were inaccessible to children.
- The toys and play equipment observed in use by the children on the day of inspection appeared in good working order.

### Infection Control:

- Liquid soap, warm water and paper towels were available to facilitate hand washing. Staff were observed to carry out hand washing as appropriate. The children were supported to wash their hands at regular intervals including after outdoor play and before meals.
- Children's nappies were changed in line with the service's nappy changing policy to reduce the risk of the spread of infection.
- Waste was managed appropriately with the use of pedal bins.

### Non-Compliance Information

#### General Safety:

1. A large crack in the glass of a window at the children's level was observed, posing a potential risk of injury to the children. This non-compliance was present on the last inspection on 23 September 2021. The corrective and preventive actions as previously stated by the registered provider did not address this non-compliance.
2. Heavy equipment was not secured. A free-standing air-conditioning unit was observed on top of the fridge in the care room which posed a risk of tipping and injury. The cable from this unit was not secured posing a risk of tripping.

#### Infection Control:

3. The floor covering at the patio door leading to the outdoor area was damaged exposing the concrete underneath. This area could not be adequately cleaned posing a risk of the spread of infection. This non-compliance was present on the last inspection on 23 September 2021. The corrective and preventive actions as previously stated by the registered provider did not address this non-compliance.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### General Safety:

1. I have sent numerous emails regarding the maintenance of the crèche room to management I have also contacted centre owners personally. I now have written confirmation that they are aware of the issue and

will endeavour to rectify it soon. Address any maintenance issues straight away with management and to receive this in writing.

2. No corrective or preventive actions submitted.

### **Infection Control:**

3. I have sent numerous emails regarding the maintenance of the crèche room to management I have also contacted centre owners personally. I now have written confirmation that they are aware of the issue and will endeavour to rectify it soon. Address any maintenance issues straight away with management and to receive this in writing.

### **Supporting documentation submitted**

#### **General Safety:**

1. Photographic evidence was presented to demonstrate the corrective and preventive actions submitted by the registered provider.
2. No supporting documentation submitted.

#### **Infection Control:**

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

### **Summary Comment**

The corrective and preventive actions as stated by the registered provider have been deemed to address the non-compliances identified in points 1 and 3 above. These actions will be assessed on the next inspection.

No corrective or preventive actions were submitted to address the non-compliance identified in point 2 above.

This non-compliance remains outstanding. The regulatory requirement has not been met.

### 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) A person trained in first aid was immediately available to the children at all times on the day of inspection.

(2)

(a) A first aid box was safely stored in an easily accessible and conspicuous location within the room.

(b) A first aid box was available to the adults and children in the service at all times.

## Part VI - Safety

### Regulation 26 - Fire safety measures

- (1) A registered provider shall ensure that a record in writing is kept of-
- (a) any fire drill that takes place in the premises, and
  - (b) the number, type and maintenance record of fire fighting equipment and smoke alarms in the premises.
- (4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.

### Compliance Information

- (1)
- (a) A written record was available detailing monthly fire drills that had taken place in the service. The last fire drill had been recorded as undertaken on the 13 May 2024.
  - (b) The number, type and maintenance record of firefighting equipment and smoke alarms on the premises was available. There was a record to show that fire fighting equipment had been serviced on 21 March 2024 and that quarterly maintenance of the smoke alarm system had taken place on 09 April 2024.
- (4) The procedures to be followed during a fire drill and in the event of a fire were displayed in a conspicuous location within the service.