

Early Years Inspectorate Regulatory Report

Pre School

| | | | | | |
|--|--|----|-----|----|-----|
| TUSLA Identifier: | TU2015DS108 | | | | |
| Name of Service: | The Learning Curve | | | | |
| Address of Service: | Unit 12-15 Woodstown Village S.C., Knocklyon, Dublin 16. | | | | |
| Eircode: | D16 EA22 | | | | |
| Name of Registered Provider: | Joanna Cassin, Julie Lucid | | | | |
| Service type: | Part Time, Sessional | | | | |
| Date of Inspection: | 29/11/2024 | | | | |
| No of pre-school children: | <table border="1"> <tr> <td>AM</td> <td>47</td> <td>PM</td> <td>N/A</td> </tr> </table> | AM | 47 | PM | N/A |
| AM | 47 | PM | N/A | | |
| Address of the Early Years Inspectorate: | <p>Early Years Inspectorate, 2nd Floor, Unit 4/5 The Nexus Building Blanchardstown Corporate Park Ballycoolin Dublin 15</p> | | | | |
| Inspection undertaken by: | Y. Kelly and C. Harte | | | | |
| 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

The Learning Curve is a part-time service located in Knocklyon, Dublin 16. This service operates from the first floor of retail accommodation. The service is registered to operate a part time and sessional service for children aged between 2 years to 6 years of age. The service operates from 9.00am to 2.00pm Monday to Friday. There are three rooms: the Red Room, Blue Room and Yellow Room. There is also sanitary accommodation for the children and adults, an office and staff room/kitchen. The service has an indoor play area called the 'Jungle Room'. A room is provided for sensory play called the 'Sea Room'.

Staffing

The service is owned and operated by two registered providers. One registered provider was present in the service on the day of inspection and was available to support in a supernumerary capacity. The registered providers employ a total of nine adults who work directly with the children. There were eight adults present on the day of the inspection working directly with the children.

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

The inspection focused on an examination of compliance under regulations as follows:

Regulation 9 (1)(a)(b)(c)(2)(a)(b)(c)(d)(4) Management and Recruitment.

Regulation 11 (1)(2) Staffing Levels.

Regulation 15 (1)(a)(b)(c)(d)(e)(f)(g)(h)(i)(3)(c) Record of a Pre-school Child.

Regulation 19 (1)(b) Health, Welfare and Development of the Child.

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

Regulation 25 (1)(2)(a)(b) First Aid

Regulation 26 (1)(a)(b)(4) Fire Safety Measures.

As a result, the scope of the inspection included two care rooms: the red room and the blue room. A sampling process was used to assess compliance under: Regulation 15, Regulation 19 and Regulation 23.

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 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
- (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 as needed.
- (b) The registered provider was present when the inspectors arrived unannounced to the service and remained for the duration of the inspection.
- (c) The service had a clear management structure in place with clear roles and responsibilities outlined.
- (2) The files of nine adults currently employed in the service were reviewed and Garda vetting disclosures for all adults who were caring for preschool children.
- (a) Thirteen written and verified references were available from past employers.

- (b) Five written and verified references were available from a reputable source other than a past employer.
- (c) Garda vetting disclosures had been obtained for the registered providers and nine adults. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.
- (d) International Police Vetting was available for two adults who had lived outside of the state for six months or more as an adult.
- (4) Evidence was available to show that nine adults who work directly with the children 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.

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) On the day of the inspection there was an adequate number of adults working directly with the children attending the service to meet their basic care needs. There were eight adults caring for 47 children present on the morning of the inspection. The registered provider was available in a supernumerary capacity.
- (2) The registered provider ensured that the correct adult to child ratios were maintained in the service. The following was observed:
- Blue Room: there were three adults caring for 13 children aged 2 years to 5 years of age.
 - Yellow Room: there were three adults caring for 17 children aged 2 years 8 months to 4 years 6 months of age.
 - Red Room: there were two adults caring for 17 children aged 2 years 6 months to 5 years of age.

Part IV – Information and Records

Regulation 15 – Record of pre-school child

(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:

- (a) the name and date of birth of the child;*
- (b) the date on which the child first attended the service;*
- (c) the date on which the child ceased to attend the service;*
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
- (e) authorisation for the collection of the child;*
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
- (g) the name and telephone number of the child’s registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.*

(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-
(c) an authorised person.

Compliance Information

(1) On review of a sample of ten children’s registration records, the required information and details were available. The following information was included:

- (a) the name and date of birth of the child.
- (d) the name and address of an emergency contact of the child that can be contacted during the hours of operation of the service.
- (e) authorisation for the collection of the child.
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention.

- (g) the name and telephone number of the child’s registered medical practitioner.
- (h) record of immunisations, if any, received by the child.
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.
- (3)(c) Records were open to inspection by an authorised person. All records requested by the inspection team were available for review.

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 registered provider ensured the following care practice were in place:

- The staff interacted with the children in a respectful, warm and sensitive manner. Appropriate communication using soft tones was observed and children were provided with comfort when needed.
- Mealtimes were observed to be a social and pleasant experience for the children. Staff sat with children at snack time and engaged in conversations with the children. Children’s lunches and water bottles were brought from home and lunches included sandwiches, crackers and cheese, yoghurts and fruit. Staff advised the service supplies food alternatives if required such as fruit and toast.
- Independence was supported in the care rooms and children were encouraged to tidy up after snack time and to put their bags away.
- Care practices such as toileting were observed to be supported by the staff. Children used the toilet independently and staff offered reminders to children about toileting when needed.
- Staff supported children with self-care skills such as removing a jumper and putting on an apron for water play.

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:

- On arrival to the service, the inspectors observed that the door was secure and monitored by staff with a buzzer and intercom system.
- Windows had safety latches, and the blind cords were observed to be secured in the care rooms.
- There were no cables observed that were accessible to the children.
- Cleaning agents were stored safely out of the reach of the children.

Infection Control:

- Daily cleaning sheets were completed and up to date including fridge temperature checks and room risk assessments.
- There was a heating and air conditioning unit out of children's reach which was thermostatically controlled.
- Windows were open for circulation of air.
- Pedal operated bins were available for disposal of contaminated items.

Fire Safety:

- Emergency exits were unobstructed in the event of emergency evacuation.
- There was a fire drill procedure displayed on the care room wall and staff were aware of fire evacuation procedures.

Non-Compliance Information

General Safety:

1. Garda vetting was available for the registered provider and nine adults. However, one vetting disclosure was not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.
2. Grapes were observed not to be sliced in half on the day of inspection. This posed a choking hazard for the children.

Infection Control:

3. It was observed that handwashing was not completed by a staff member or child after nasal care of a child. This poses a risk of cross contamination. This was not in line with the services' handwashing policy.
4. A jigsaw unit in the blue room had exposed chipboard which prevented effective cleaning. This posed an infection control risk.
5. Handtowels were not hygienically dispensed in the sanitary accommodation. This posed an infection control risk.

Administration of Medication:

6. There was expired emergency medication on the premises. This posed a risk that if administered the medication may not provide the required effect.

Fire Safety:

7. Attendance records were not maintained to accurately reflect children on the premises. At 11.30am when the inspector reviewed the Red room attendance records all children in attendance had been signed out. This posed a potential risk of hindering safe evacuation of the premises in the event of an emergency.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

Corrective Actions:

1. Garda vetting for a staff member that had been applied for over 3 years ago has been re-vetted and received on 9 December 2024.
2. The registered provider reported that parents and staff have been re-informed of the choking hazard of grapes.

Preventive Actions:

1. The registered provider has scheduled for all staff to be vetted in June and vetting dates have been included in staff file.
2. Lunches are to be checked daily for any grapes that need to be cut.

Infection Control:

Corrective Actions:

3. The service's handwashing policy and procedures have been reviewed with all staff.
4. The jigsaw unit in the blue room has been resurfaced.
5. A new hand towel dispenser has been installed in the sanitary accommodation.

Preventive Actions:

4. The registered provider will ensure that the surface on edge of jigsaw unit is checked daily and this has been included in the risk assessment.
5. A new hand towel dispenser has been installed in the sanitary accommodation.

Administration of Medication:

Corrective Actions:

6. The registered provider reported that the expired medication has been disposed of.

Preventive actions:

6. A monthly check of all medication will take place and will be signed off by the room leader.

Fire Safety:

Corrective Actions:

7. The registered provider reported that staff have been advised of significance of signing children out in relation to children's attendance records.

Preventive Actions:

7. The registered provider reported that a second staff member will initial sign out daily in the children's attendance records.

Supporting documentation submitted

General Safety:

1. Evidence of a Garda vetting disclosure dated 9 December 2024 submitted.

Infection Control:

4. Photographic evidence of the jigsaw unit in the blue room.
Evidence of the risk assessment for the blue room.
5. Photographic evidence of the hand towel dispenser installed in the sanitary accommodation.

Summary Comment

The inspector has reviewed the corrective and preventive actions taken and evidence submitted. The non-compliances identified under Regulation 23 have been 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 registered provider ensured that an adequate number of staff were trained in First Aid Response (FAR) and that a staff member trained in FAR was available on the premises throughout the opening hours of the service.

(2)(a)(b) Adequately stocked first aid boxes were observed in the service. These were stored out of the reach of the children but available to staff as needed.

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 record of fire drills was available on the premises with the last drill dated as having been carried out on the 20th of November 2024.

(b) The number, type and maintenance record for fighting equipment and smoke alarms were available. The firefighting equipment and smoke alarms were last serviced on the 2nd of August 2024.

(4) Fire evacuation procedures were displayed throughout the service.