

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DS119			
Name of Service:	Kids Inc Rathfarnham			
Address of Service:	Hillside Park, Ballyronan Road, Rathfarnham, Dublin 16, Co. Dublin			
Eircode:	D16 KX50			
Name of Registered Provider:	John Harnett			
Service type:	Full Day			
Date(s) of Inspection:	16/01/2024			
No of pre-school children:	AM	53	PM	39
Address of the Early Years Inspectorate:	Early Years Inspectorate 2 nd Floor, Unit 4/5 The Nexus Building Blanchardstown Corporate Park Ballycoolin Dublin 15 D15 CF9K			
Inspection undertaken by:	C. Harte and E. Hosford			
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

Kids Inc Rathfarnham is a private full day care service located in grounds of Coláiste Eanna school in Rathfarnham Dublin 16. The service is one of five owned by the registered provider.

The service operates 7:30am-6:30pm Monday to Friday. The service has the following care rooms Baby room (3 months – 1.5 years), Toddler 1 (1-3 years), Toddler 2 (3 years), Montessori Room (2 years 8 months to 5 years) and ECCE room (2 years 8 months to 5 years). The service participates in the Early Childhood Care and Education scheme (ECCE) from 9:00am-12:00pm offering sessional care.

The service also offers a registered school age service.

Staffing

There are currently 21 staff employed by the service including the person in charge, two deputy persons in charge, two drivers and 16 childcare staff who work directly with the children. The registered provider does not work in 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 area of governance, health, welfare and development of child and safety. The inspection may also focus on other areas as required.

A sampling process was used to assess compliance under regulation:

- Regulation 9(1),(2)(a)(b)(c)(d), (4) Management and Recruitment
- Regulation 19 (1)(a) - Health, Welfare and Development of child
- Regulation 23 – Safeguarding Health, Safety and Welfare of Child

As a result, the scope of the inspection included the Baby Room, Toddler 1, Montessori room, and ECCE room.

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 the day of inspection in relation to two non-compliances identified under Regulation 23 in relation to safety. A response which adequately addressed the non-compliance was received on 17th January 2024.

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)(c) The service had a designated person in charge and two named persons to deputise as required throughout the inspection. Documentation displayed on the reception wall listed the management structure and staff on the premises were aware of their role and responsibility.

(b) The designated person in charge was present when the inspectors arrived at the service at 10:04am and was present for the duration of the inspection.

- (2) The files of four new staff since the last inspection and garda vetting disclosures for all staff were reviewed on the day of inspection.
- (a) Three written and validated references were available from previous employers.
 - (b) Five written and validated references were available from a source other than a previous employer.
 - (c) Garda vetting disclosures were available in relation to all twenty-one staff members.
 - (d) A police vetting disclosure was available for a staff member who resided outside the jurisdiction for a period of longer than six consecutive months.
- (4) Evidence was available to show that four staff members working directly with the children held at least a major award in Early Childhood Care and Education level 5 on the National Qualifications Framework or a qualification deemed 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 provider ensured that an adequate number of adults were working directly with the children on the day of the inspection. There were 53 preschool children being cared for by 8 adults on the morning of inspection. The person in charge and deputy person in charge were also available.

(2) Ratios were maintained during the inspection. On arrival the inspectors observed the following:

Room	Age range	No. of children	No. of adults present	Adults required
Toddler 1	1-3 years	9	2	2
Toddler 2	3 years	6	1	1
Baby Room	3 months -1.5 years	8	2	2
Montessori Room	2.8 - 5 years	19	2	2
ECCE Room	2.8 - 5 years	11	1	1

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

Compliance Information

(1) (a) The following observations are examples on how each child's learning, development and well-being was observed being facilitated during the inspection:

Basic Needs:

- Dinner in the baby room was served promptly after it arrived to the care room and children were encouraged to self-feed with adults available to assist when required. This promoted independence and self-care skills.
- Nappy changing was completed on a set schedule and as needed to ensure the children's comfort.
- Children were made comfortable before nap time for example their hands and face were cleaned following their meal and hair accessories removed.

Supporting relationships around children:

- Staff used soft tones and a supportive manner modelling positive interactions for the children.
- Parents had the opportunity to visit the service and share stories of their life and work with the children. This partnership approach with families supports the children’s overall learning and development.
- A key worker system was observed in practice supporting partnership between parents/guardians and the staff. This promoted a welcoming atmosphere for families and a sharing of learning experiences.
- Staff were observed to sit and play with the children engaging in their activities. This nurtures relationships and supports the children to feel confident.

Physical and material environment:

- A visual daily routine was observed in the Toddler 1 room and was reflected in practice. Routine provides for predictability and comfort.
- The toys and equipment were placed on low level shelving which was visible and accessible to the children. This allowed for choice and for children to explore their own interests.
- Real props and resources from home including condiment containers and biscuit boxes were available in Toddler room 1 and provided for real life meaningful experiences encouraging exploration.

Non-Compliance Information

1. The mud kitchen in the outdoor area had no supporting materials available. This impacted the children’s ability to engage with the resource as intended and reduced play opportunities.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

In Kids Inc we understand that outdoor play is very important for overall development for children. Mud kitchen is an important part of the play. The toys for the kitchen play were misplaced. We have now new toys available for children to play in the garden. The set consists of pans, pots (real life kitchen equipment and plastic ones) and food toys.

These are stored in a box in the shed at the end of the day.

Preventive action

Some areas in the garden to be set up for the children before they come out to the garden and other areas to be set up with support of children when they come out to play.

Staff in the rooms will continue to review resources in the garden and pending children's interests and disposition on the day resources will rotate and be added to facilitate all types of play

Supporting documentation submitted

Photographic evidence of mud kitchen with resources.

Summary Comment

The inspector has reviewed the corrective and preventive actions taken 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:

- The service entrance and outdoor area were secured which prevented children leaving the service unsupervised and prevented unauthorised persons accessing the service.
- Blind cords were adequately secured out of reach of children.

Infection Control:

- Perishable food items brought from home were observed to be stored in the fridge.
- Tables and chairs were observed to be cleaned and disinfected following mealtimes.
- Soothers were stored in individually labelled boxes.
- Bed linen was stored in individually labelled laundry bags.

Administration of Medication:

- Medication was stored safely out of reach of children.

Safe Sleep:

- An ambient temperature of 18-22°C was maintained in rooms where children aged over 1 year old were sleeping.
- A log was maintained where the temperature of the room and the colour, breathing and position of sleeping children was checked every 10 minutes.
- Lighting was subdued in the sleep rooms and soft music was played.
- The sleep rooms remained quite supporting rest for the children.

Non-Compliance Information

General Safety:

1. Radiators accessible to the children on the first floor of the service had a surface temperature which exceeded the maximum temperature of 50°C. The temperature of the radiators was recorded as 63.8°C at 11:05am which increased the potential risk of burning a child. It is acknowledged that once the designated person in charge was advised of the potential risk the radiators were turned off.
2. During nappy changing a staff member momentarily moved away from the child to dispose of waste materials in a bin in another part of the sanitary facility. This is at variance with the service policy and increased the potential risk of a child falling and injuring themselves.
3. The baby gate at the Toddler 1 room door was not secure and lifted away from the frame. This posed a risk of injury.
4. Areas within the outdoor area were observed to be worn and damaged which increased the potential risk of injury to a child. For example:
 - The wooden boarded attached to the fence in the outdoor area was worn and the edges of the laminate covering were lifting. This posed a pinch risk.
 - The foam numbers attached to the wall in the outdoor area were damaged posing a risk of ingestion and choking.
5. A press in the Montessori room was unlocked accessible to children and contained a cream cleaning product. This posed a risk of injury if ingested by a child.

Infection Control:

6. The nappy changing procedure was not in line with best practice or the services policy and procedure which posed a risk of infection control. For example:
 - A staff member did not wash their hands after changing a nappy.
 - Gloves worn for nappy changing remained on while the child was redressed, and the changing mat was disinfected.
7. Children did not wash their hands after returning indoors from the outdoor area. This posed a risk an infection control risk.
8. Three material sofas in the outdoor area were observed to be torn and damaged. This posed an infection control risk.
9. The material adult chair in the baby room was observed to be stained and did not have a removable cover which prevented effective cleaning. This posed a risk of infection.
10. Bins for the disposal of food waste were open and accessible to the children in the Toddler 1 and Montessori room, this posed an infection control risk.
11. Lino flooring in the Montessori room was damaged and cracked preventing sufficient cleaning and posed an infection control risk.

Fire Safety:

12. Obstructions were observed which could prevent safe evacuation in the event of an emergency:
 - The fire exit on the corridor between the baby room and kitchen was blocked by mattresses in storage.
 - Equipment was stored outside the cot room preventing easy access to the evacuation cot.

An immediate action notice was issued on the day of inspection.

Action submitted by the Registered Provider

Corrective Action

General Safety:

1. The cover for radiators in the hall on the first floor had a small narrow open part on the top. Once the temperature was brought to our attention as a part of inspector's feedback, we took the following actions:
 - Temperature of the creche heating system was lowered.
 - A cover was placed on the open part of a cover to prevent risk of burning child's fingers.

2. A meeting was held with staff. We discussed Kids Inc Policies and Procedures and retrained the staff on a correct nappy changing protocol with reiteration of the point, the adult must never move away from the child's side. All staff have also been retrained on correct nappy changing procedure as a part of the staff meeting. They all signed off that they had been re-trained on these policies, understood and agreed to implement these into their daily practices.
3. The maintenance manager was contacted immediately, and the gate was fixed the morning following the inspection.
4. Both wooden boards were removed. A new set of sensory resources is currently being sourced out and will be placed on wooden boards to enhance play experiences outside.
5. According to our policies and procedures on Accidents and Incidents and Infection Control 'All hazardous cleaning materials are stored in a locked cupboard out of reach of children'. On the day of inspection, staff failed to adhere to the policy. A key was misplaced, and the press was left open. A new lock was put on the press in the Montessori room. Staff were spoken about the correct storage of cleaning materials. Staff read through Kids Inc policies on Infection Control and Accidents and Incidents.

Preventive Action

1. Health and Safety Officer will complete regular checks in the centre to identify any hazard and remove risks to children, staff and visitors.
2. Frequent spot checks made by Manager and Deputy Manager to ensure all staff follow the correct nappy changing procedure. Regularly retrain staff on nappy changing during staff meetings.
3. Health and Safety Officer will continue to complete regular checks in the centre to identify any hazard and remove risks to children, staff and visitors.
4. Health and Safety Officer will continue to complete regular checks in the garden to identify any hazard and remove risks to children, staff and visitors.
5. Frequent spot checks made by Manager and Deputy Manager to ensure all staff follow the correct protocol on storage of chemicals in the rooms.

Infection Control

Corrective Action

6. Retraining was provided in nappy changing protocol and hand hygiene for both adults and children.
7. Retraining was provided on hand hygiene for both adults and children and on infection control.
8. The couches were removed from the garden immediately following the inspector's feedback.
9. The adult chair has been removed from the room and replaced by a new one. It is a stain resistant vinyl chair (hard wearing fabric used in hospitals and medical centres) that can be easily sanitised.
10. The compost bins were introduced to promote eco awareness among children and importance of waste segregation. We also want to promote childrens independence in cleaning after themselves at mealtimes. The standard practise is that the bins are open at the mealtimes. After meal is finished the bins are emptied and a new bin bag is replaced. The bins should be kept closed when not in use. Staff were reminded of the correct protocols.
11. Due to the size of the room, the floor can be only replaced when the room is closed for a few days. We have contacted a few suppliers but are awaiting more quotes and times/dates for fitting. As it can be only done when the room is closed, we will have it plan for Easter Break when we have no ECCE in the morning or afterschool in the afternoon.

Preventive Action

6. Continue to run internal audits on nappy changing practices in the centre. Regularly retrain staff on infection control and nappy changing policies
7. Continue to observe hygiene and infection control practices across the centre. Regularly retrain staff on Infection Control Policy.
8. Health and Safety Officer will complete regular checks in the centre to identify any hazard and remove risks to children, staff and visitors.
9. Continue to observe hygiene and infection control practices across the centre. Regularly retrain staff on Infection Control Policy.
10. Health and Safety Officer will complete regular checks in the centre to identify any hazard and remove risks to children, staff and visitors.
11. Corrective action will rectify issue identified.

Fire Safety:

Corrective Action

12. Following on from the inspector's feedback, the equipment was removed from outside the cot room and mattresses were removed from the hallway.

Preventive Action

12. Manager and deputy continue to do checks of fire exits during the day and remove any hazards identified.

Supporting documentation submitted

General Safety:

Photographic evidence with new cover in place.

Photographic evidence of gate.

Photographic evidence of hazards removed from garden.

Photographic evidence of lock on press.

Infection Control:

Record of staff sign off on nappy changing policy, infection control policy and accidents and incidents policy.

Photographic evidence of new chair.

Photographic evidence of sealed compost bins.

Quote from contractor.

Fire Safety:

Photographic evidence of obstructions removed.

Summary Comment

The inspector has reviewed the corrective and preventive actions taken and evidence submitted. The non-compliance identified under Regulation 23 has 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) A review of the roster and First Aid Responder (FAR) certificates for four staff showed that the registered provider ensured that a person trained in FAR was available to the children during the opening hours of the service. It is acknowledged a fifth staff member has attended FAR training is awaiting a certificate to be issued.

(2)(a)(b) Adequately stocked first aid boxes were available in the service. These were stored appropriately out of reach of the children but immediately available to the 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.
- (2) The record referred to in paragraph (1) shall be open to inspection by-
- (a) a parent or guardian of a pre-school child attending or proposing to attend the pre-school service,
 - (b) an employee, and
 - (c) an authorised person.

Compliance Information

- (1)(a) The registered provider ensured that a record of fire drills was maintained in the service. The record showed that fire drills are completely monthly with the last fire drill taking place on the 4th January 2024.
- (b) A record of the number, type and maintenance record of firefighting equipment and smoke alarms was reviewed. The record showed that the firefighting equipment was last serviced 21st June 2023 while the smoke alarm was last serviced on 6th September 2023.