

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DS137		
<b>Name of Service:</b>	Giraffe Childcare Rathfarnham		
<b>Address of Service:</b>	Loreto Abbey, Grange Road, Rathfarnham, Dublin 16, Co. Dublin		
<b>Eircode:</b>	D14 R270		
<b>Name of Registered Provider:</b>	Dearbhala Cox Giffin		
<b>Service type:</b>	Full Day		
<b>Date(s) of Inspection: Day 1</b>	19/04/2023		
<b>Day 2</b>	04/12/2023		
<b>No of pre-school children: Day 1</b>	AM	46	PM 44
<b>No of pre-school children: Day 2</b>	AM	48	
<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate 2 <sup>nd</sup> Floor, Unit 4/5 The Nexus Building Blanchardstown Corporate Park Ballycoolin Dublin 15   D15 CF9K		
<b>Inspection undertaken by:</b>	T. Nelson and F. Carty		
<b>Title:</b>	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

N/A

### Description of service

Giraffe Childcare Rathfarnham is a private childcare service and is one of twenty-three childcare services operated by the registered provider. The service provides full day and part-time care and education to pre-school children from 0 - 6 years. The service participates in the Early Childhood Care and Education scheme and operates from 7:30am-6:30pm Monday to Friday. The premises is located in a residential suburb of South Dublin and has six care rooms, to include: Wobbler Namibia (1-2 years), Wobbler Safari (1-2 years), Toddler Madagascar (1-2 years), Toddler Baringo (2-3 years), Junior Pre-school Zambezi (3-4 years) and Pre-school Botswana (3-5 years). Each room has its own sanitary area. The service has two secure outdoor areas at the front and the rear of the premises. There is one sleep room in the service which is located beside the Baby Namibia room. There is a kitchen and staff room, managers office and three staff toilets.

### Staffing

There are eighteen staff employed by the service, including two kitchen staff, a cleaner, the person in charge who manages the oversight of the service and provide cover where needed across the rooms, and fourteen staff who work directly with the children. The registered provider does not work in the service.

On the morning of the inspection on Day 1 there were eighteen staff present including one kitchen staff, the person in charge, deputy person in charge, one house keeping staff and two relief staff members from two other services operated by the registered provider.

On Day 2, there were fifteen staff present including one kitchen staff member, the person in charge and three relief staff members from two other services operated by the registered provider.

The area manager was present on both days of the inspection.

### 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

The inspection on the 19/04/2023 day 1 was unannounced and focused on a review of conditions attached. Both inspections focused on an examination of compliance under regulations 9(2)(a)(b)(c)(d), (3)(4); 11(2) and 20; however, on inspection on Day 1 an additional non-compliance was identified under Regulation 8. These findings are outlined within the relevant regulations 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:

The service was registered with conditions by the Early Years Inspectorate Registration panel on the 10 August 2022 for 9 months under Part III, (9) & Part V, (20) Child Care Act 1991 Early Years Regulations 2016

The Registered Provider was required to;

- Ensure that all staff have completed the requirements for employment in accordance with all applicable legislation prior to commencing employment in the service.
- Children under 2 years of age must have access to and be facilitated with a cot to sleep in. The number of children under 2 years of age attending the service does not exceed 20 children at any one time.

These conditions expired on the 10 May 2023. On completion of the inspections there was evidence that the conditions attached had been complied with.

### Acknowledgments

The inspectors wish to acknowledge the cooperation of the area manager, person in charge, staff 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.*

### Non-Compliance Information

(1) On the inspection on **Day 1**, the registered provider had not notified the agency of the change of the person in charge in the service.

On **Day 2** of the inspection, it was acknowledged that this had been addressed.

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

#### Preventive Action

The service submitted a change in circumstance with the details of the person in charge with immediate effect.

#### Supporting documentation submitted

Evidence of the change in circumstance on file.

### Summary Comment

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

### 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

**On Day 1**, the files of 18 staff members were reviewed with a breakdown as follows:

- Full files of seven new staff who were new to the service since the last inspection held on the 10 May 2022.
- Regulation 9(4) was reviewed for 11 staff members.

The registered provider had completed the following checks for the seven new staff members:

- (2)
- (a) Seven validated written references were available from recent past employers.
  - (b) Seven validated written references were available from a source other than a past employer.
  - (c) Completed Garda vetting disclosures were available in respect of the seven staff members.
  - (d) Seven adults who had lived outside of the state for six months or more as an adult had international police vetting from that state available for inspection.

(4) The files of 18 staff members were reviewed.

Eleven staff 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.

**On Day 2**, the files of 21 staff members were reviewed, with a breakdown as follows:

- The full files of eleven staff; eight of which were new to the service since Day 1 inspection, and the files of the three-relief staff from other services operated by the registered provider.
- A review of the seven staff members files where documentary evidence was not available on Day 1 that they 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.
- The Garda Vetting disclosures of the 21 staff members.

The registered provider had completed the following checks:

- (2)
- (a) Seventeen validated written references were available from recent past employers.
  - (b) Five validated written references were available from a source other than a past employer.
  - (c) Completed Garda vetting disclosures were available in respect of the 21 staff members.
  - (d) Of the eleven new or visiting staff members, there was documentary evidence available that eleven adults who had lived outside of the state for six months or more as an adult had international police vetting from that state available for inspection.

(4) There was documentary evidence available that the ten new or visiting staff members 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.

A review of files of the seven staff members files where documentary evidence was not available on Day 1 found the following:

- Two of those staff members had documentary evidence available that they held a relevant qualification.

- The person in charge and the area manager reported the five staff members were no longer working for the registered provider in this or any other service operated by the registered provider. This was confirmed by the duty roster.

### Non-Compliance Information

On **Day 1**, a breach of the condition that had been attached to the services registration on the 10/08/2023 was found in relation to Regulation 9 evidenced by the following:

(3) The registered provider did not ensure the procedures identified in paragraph (2) were carried out prior to the staff member being appointed. There was documentary evidence available that one staff member had commenced employment prior to police vetting checks being completed.

It was acknowledged that the review of the files on **Day 2** found checks had been completed prior to new staff commencing.

(4) On **Day 1**, the registered provider did not ensure seven staff members who worked directly with the 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. For example:

- Five staff members held a qualification, but the registered provider did not provide evidence that this qualification was deemed equivalent as detailed on the DCEDIY Early Years Qualification list.
- Discussion with staff, and documentary evidence available stated that two staff members were rostered as working in the rooms on the week beginning 10<sup>th</sup> April 2023 with no evidence of relevant qualifications available.
- One staff member did not hold a relevant qualification.

It was acknowledged on **Day 2** of the inspection the non-compliances found on Day 1 had been addressed.

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

#### Preventive Action

9(3)(4) All staff working directly with children will hold the minimum required qualification. Safer recruitment measures are in place in the service to ensure checks are carried out prior to staff being recruited and starting employment. All staff working directly with children will hold the minimum required qualification. Safer recruitment measures are in place to ensure checks are carried out prior to staff being recruited and starting

employment. The service HR team will monitor the safer recruitment process closely at all times with evidence of the job vacancy form completed for each staff.

**Supporting documentation submitted**

Job vacancy form for safer recruitment

**Summary Comment**

The inspector has reviewed the action and evidence submitted. The non-compliances identified under Regulation 9(3) and 9(4) has been adequately addressed.

**Part III – Management and Staff**

**Regulation 11 - Staffing levels**

*(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**

(2)

**Day 1:**

The adult to child ratios were correct when the inspectors arrived unannounced to the service and throughout the inspection. The minimum ratio of adults to children was maintained at all times. 11 staff were allocated to work directly with the 46 children who were present on the morning of the inspection with a breakdown as follows:

- Wobbler Namibia: 1 staff to 3 children from 16 to 19 months old.
- Wobbler Safari: 2 staff to 9 children from aged 1 to 2 years old.
- Toddler Madagascar: 2 staff to 9 children from 2 to 3 years old.
- Toddler Baringo: 2 staff to 8 children from 2 to 3 years old.
- Junior Pre-School Zambezi: 2 staff to 10 children from 3 to 4 years old.
- Pre-School Botswana: 2 staff to 7 children from 4 to 5 years old.

## Day 2:

The adult to child ratios were correct when the inspectors arrived unannounced to the service and throughout the inspection. The minimum ratio of adults to children was maintained at all times. 12 staff were allocated to work directly with the 48 children who were present on the morning of the inspection with a breakdown as follows:

- Wobbler Namibia: 2 staff to 4 children from 12 to 15 months old.
- Wobbler Safari: 2 staff to 7 children from aged 1 to 2 years old.
- Toddler Madagascar: 2 staff to 9 children from 2 to 3 years old.
- Toddler Baringo: 2 staff to 4 children from 2 to 3 years old.
- Junior Pre-School Zambezi: 2 staff to 13 children from 2 to 4 years old.
- Pre-School Botswana: 2 staff to 11 children from 4 to 5 years old.

## Part V - Care of Child in Pre-school Service

### Regulation 20 – Facilities for rest and play

(1) Subject to this regulation, a registered provider shall ensure that-

(b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

### Compliance Information

(1)(b)

In line with best practice guidance on safe sleep at the time, and following an inspection held on the 10 May 2022 a condition was attached which stated that the registered provider must ensure that children under 2 years of age must have access to and be facilitated with a cot to sleep in and that the number of children under 2 years of age attending the service does not exceed 20 children at any one time.

This area of practice was reviewed on **Day 1** of the inspection on the 19 April 2023. The registered provider was found to have adhered to the requirement of the condition and had implemented the corrective and preventive actions that had been put into practice following the last inspection. The inspection team observed that there were an adequate number of cots available for children under two years. There were eighteen cots available to the thirteen children under two years of age present on the day of the inspection.

This was reviewed again on **Day 2**, and the inspectors found adequate and suitable sleep facilities for the preschool children attending the service.