

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DS183			
Name of Service:	Lily Pad Creche & Montessori			
Address of Service:	16 Main Street, Rathfarnham Village, Dublin 14			
Eircode:	D14 F5X8			
Name of Registered Provider:	Sharon Browne			
Service type:	Full Day			
Date of Inspection:	19/02/2025			
No of pre-school children:	AM	51	PM	53

Address of the Early Years Inspectorate:	Early Years Inspectorate 2nd Floor, Unit 4/5 The Nexus Building Blanchardstown Corporate Park Ballycoolin Dublin 15 D15 CF9K
Inspection undertaken by:	L Jameson and T Nelson
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

Lily Pad Creche & Montessori is a full-day care service located in a residential area in Dublin 14. The service operates five days a week, Monday to Friday from 7:30am-6pm and provides care for children aged 0-6 years. The service is comprised of seven care rooms located between two adjacent buildings which have separate entrances to the front and back of the buildings. In number 16, the Tadpole room and the Froglet room are located on the ground floor, the Hopper room is located on the first floor. In number 17, the Ribbit room and the Speckled Frogs room are located on the ground floor with the Croaker room and Montessori room 1 located on the first floor. Lily Lodge is located in a prefabricated building to the rear of the service and is used as the designated cot room. The kitchen is located on the ground floor and an enclosed outdoor area to the rear of the premises.

Staffing

The registered provider works in the service and employs 18 staff members, including two deputy persons in charge and 16 early years practitioners to work 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 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)(2)(3) and (4) Management and Recruitment

Regulation 11(1)(2) Staffing Levels

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

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

Regulation 24 Checking In and Out and Record of Attendance

Regulation 27 Supervision

Regulation 28 Insurance

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 19 February 2025 under Regulation 23, in relation to a non-compliance identified under Regulation 23. A response was received from the registered provider which mitigated the risk identified on the 19 February 2025. See body of report for details.

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.

(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) The service had a designated person in charge and a named person to deputise as needed.
 - (b) A deputy person in charge was present when the inspectors arrived unannounced to the service. The registered provider arrived shortly after and remained in the service for the duration of the inspection. A review of the staff roster showed that a designated person is on the premises at all times during the opening hours of the service.
 - (c) The service had a clear management structure and staff members were aware of their own role and responsibilities.

- (2) A review of the roster and conversation with the management showed that the registered provider currently employs 18 adults to work in the service. The full staff records of twelve adults who had been employed since the last inspection were reviewed along with the Garda vetting disclosures of three staff members which had expired since the last inspection.
- (a) There were thirteen written and verified references available from past employers.
 - (b) There were eleven written and verified references available from a source other than a past employer.
 - (c) Garda vetting disclosures were available for the 12 adults newly employed in the service since the last inspection. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda Vetting every three years in relation to three staff members whose previous vetting had expired since the last inspection.
 - (d) Police vetting was available for 12 adults who had lived in a country other than Ireland for a period of six months or more as an adult.
- (4) Twelve adults 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

- (2) (d) Police vetting was not available for one staff member in respect of one country that they had lived in other than Ireland for a period longer than 6 months as an adult.
- (3) A review of documentation available showed that garda vetting declarations for one staff member had not been considered prior to the commencement of their employment. This posed a potential risk to the children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (2) (d) A police vetting disclosure has been added to the staff file of one adult. A review of all staff files has been conducted to ensure that no other employees have gaps in their vetting records. A checklist has been created to verify vetting compliance before issuing employment contracts with ongoing audits conducted every six months to maintain compliance.
- (3) Management have introduced a policy to ensure that no new employee can begin working until their garda vetting has been reviewed and approved.

Supporting documentation submitted

- (2) (d) Documentation in relation to the above has been reviewed.
- (3) Documentation in relation to the above has been reviewed.

Summary Comment

The corrective and preventive actions taken by the registered provider are sufficient to address the non-compliance under Regulation 9.

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 inspection. Seventeen staff members were caring for 51 children when the inspectors arrived in the service at 9:36am. The registered provider arrived in the service at approximately 9:55am to support the inspection.
- (2) The correct adult/child ratio was maintained in the service for the duration of the inspection. The registered provider and two deputy persons in charge were available in a supernumerary position to provide cover in rooms as needed.

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 follow practices were observed on the day of inspection which supported the health, welfare and development of the children attending:

- The children were encouraged to follow their own interests. Staff members promoted independence and decision making, offering support to the children when required. Staff members played with and supported the children during activities.
- Staff members were observed to use positive and respectful language on the day of inspection, acknowledging the children's achievements with praise and recognition.
- Staff members were attentive to children's individual needs, for example, a child was upset on arrival to the service, a staff member was observed to interact warmly and kindly, using a gentle and reassuring tone of voice, to support the child.
- Staff members were knowledgeable about the children's individual needs, likes and dislikes, demonstrating strong relationships and familiarity between staff members and the children. This is supported by the documentation displayed in the care rooms for the children and through conversations with staff members.
- Family walls, photographs and children's artwork were displayed throughout the care rooms, promoting a sense of identity and supporting links between the service and home.
- Nappy changing practices were respectful and carried out at scheduled times and more frequently when required on the day of inspection. Staff members offered discreet supervision and guidance to children during toileting and handwashing.

Non-Compliance Information

1. Drinks were not visible or accessible to the children in the Froglet room on the day of the inspection. Beakers were observed to be stored in a high, closed press, restricting access to a drink if children were thirsty.

- Children in the Froglet room did not have access to table and chairs throughout the day except at mealtimes. The low-level table and chairs were stored in a separate part of the care room, restricting the children's access to sit down and take part in tabletop activities if they so wished.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- Beakers for drinking water have been relocated to an easily accessible area to ensure children have unrestricted access to drinks throughout the day. Staff have been advised to ensure beakers to be left at child level.
- The low-level tables and chairs are now accessible within the care room to allow children to engage in tabletop activities as desired. A room layout has been developed to ensure that essential resources remain accessible to children at all times. Regular monitoring of room arrangements will be conducted to prevent recurrence.

Supporting documentation submitted

- Photographic evidence in relation to the above has been reviewed.
- Photographic evidence in relation to the above has been reviewed.

Summary Comment

The corrective and preventive actions taken by the registered provider are sufficient to address the non-compliance under Regulation 19.

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 entrance door leading into the service was appropriately secured to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the premises. A buzzer system was in place which was managed and monitored by staff members. The inspectors were asked to sign into a visitor book upon arrival to the service.
- The outdoor play area was fully enclosed, and safety gates were used to prevent the children leaving the area unsupervised.
- Cleaning agents were stored safely out of reach of children.
- Blind cords were secured safely out of reach of the children.

Infection Control:

- Effective handwashing practices were observed on the day of inspection. The children were supported to wash their hands at regular intervals throughout the day.
- Windows in the care rooms were observed to be open which allowed for circulation of air and reduced the risk of cross infection.
- Pedal operated bins were available in the care rooms and sanitary areas to allow hygienic disposal of contaminated materials.

Administration of Medication:

- Medication was observed to be in date, stored in the correct packaging and out of the children's reach. No children were observed having medication administered on the day of inspection.

Safe Sleep:

- A sleep check log was observed on the day of inspection, showing the breathing and position of sleeping children was checked at 10-minute intervals. The service's safe sleeping policy and sleep room layout was displayed in care rooms as a guide for staff members.

Non-Compliance Information

General Safety:

1. A care room that was potentially accessible to the children contained hazardous items such as saws, a drill, exposed wiring and other hazardous building equipment. These posed a potential risk of injury to a child. It is acknowledged that the care room was undergoing repair following recent damage in a storm and that the door to the care room was locked at approximately 2.50pm, restricting access by children. An Immediate Action Notice was issued to the service in respect of this non-compliance.
2. On the day of the inspection, the following potential trip hazards were observed:
 - Part of a staircase had a plastic protective covering laid on several steps. It is acknowledged this plastic protective covering was in place due to ongoing repairs in a care room.
 - Five floor mats were stored at the top of a staircase. It is acknowledged that the mats were moved when the inspector brought this to the attention of the staff.
3. A box containing wiring, which was mounted on the wall of a care room, was not secure. This posed a potential risk of injury to a child.
4. There was no window restrictor on a window in a care room located on the first floor of the service, posing a risk of injury. Additionally, a wire that borders the window frame was broken and exposed. It is acknowledged that the registered provider confirmed that these wires were not live.
5. Tangled wire lights, a notice board and a shelf were unstably propped against the wall in an unlocked storeroom, which posed a risk of injury if a child were to gain access. Additionally, the handle of the storeroom door was broken, which posed a potential risk of a child becoming locked inside.
6. A shelf in a hallway of the service was broken, which posed a potential risk of injury. It is acknowledged that this was removed when brought to the attention of the staff.

Infection Control:

7. There was no dispensed toilet roll in sanitary accommodation used by the children in the Hoppers room. This posed a risk of cross contamination and repeated touch to surfaces.

Safe Sleep:

8. The temperature in Lily Lodge cot room was not maintained between 18°C - 22°C. A temperature of 24.8°C was recorded by the inspector at 12:12pm while children aged 1 – 2 years slept.

Fire Safety:

9. Children's attendance records were not maintained in a contemporaneous manner:

- Children who were moved to another room were observed to be recorded as being present in two rooms.
- One child who arrived in the service at 10:35am had not been signed in to the attendance record in a timely manner. The child was still not signed in 02:48pm.

This reduced the effective evacuation of the children in the event of an emergency.

10. The emergency exit in the Ribbit Room was partially obstructed from the outside on the day of inspection. It is acknowledged that this was obstruction was removed during the inspection.
11. The space between two cots in Lily Lodge cot room measured 34.5cm, limiting the free floor space leading to an emergency exit. This posed a potential risk for safe evacuation in case of an emergency.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The care room containing hazardous materials has been fully secured, and all unsafe items have been removed. A comprehensive safety check is now conducted weekly to identify and address hazards promptly.
2. Trip hazards identified have been removed. A comprehensive safety check is now conducted weekly to identify and address hazards promptly.
3. The insecure wall-mounted wiring box has been repaired and secured. A comprehensive safety check is now conducted weekly to identify and address hazards promptly.
4. A window restrictor has been installed on the first-floor window, and the broken (non-live) wire has been taken away. A comprehensive safety check is now conducted weekly to identify and address hazards promptly.
5. Items propped against the storeroom wall have been secured, and the storeroom door handle has been fixed. A comprehensive safety check is now conducted weekly to identify and address hazards promptly.
6. The shelf in the hallway has been put back up securely. A comprehensive safety check is now conducted weekly to identify and address hazards promptly.

Infection Control:

7. Toilet roll dispensers have been installed in all sanitary accommodations used by children. Daily hygiene checks have been implemented to ensure all sanitary areas are fully stocked and compliant with hygiene standards.

Safe Sleep:

8. A new air conditioning unit has been installed which keeps the cot room at the correct temperature at all times. Temperature control is always monitored and documented on daily room temperature sheets

Fire Safety:

9. Attendance records have been updated to reflect accurate real-time sign-in/sign-out procedures. Staff have been trained on accurate attendance recording procedures during a staff meeting.
10. The emergency exit in the Ribbit Room has been cleared of all obstructions and staff have been advised to ensure clear pathways for emergency evacuation.
11. The spacing between cots in Lily Lodge have been adjusted to ensure clear pathways for emergency evacuation. Staff have been advised to ensure clear pathways for emergency evacuation.

Supporting documentation submitted

General Safety:

1. Documentation and photographic evidence in relation to the above has been reviewed.
2. Documentation and photographic evidence in relation to the above has been reviewed.
3. Documentation and photographic evidence in relation to the above has been reviewed.
4. Documentation and photographic evidence in relation to the above has been reviewed.
5. Documentation and photographic evidence in relation to the above has been reviewed.
6. Documentation and photographic evidence in relation to the above has been reviewed.

Infection Control:

7. Photographic evidence in relation to the above has been reviewed.

Safe Sleep:

8. Photographic evidence in relation to the above has been reviewed.

Fire Safety:

9. Documentation in relation to the above has been reviewed.
10. Documentation in relation to the above has been reviewed.
11. Photographic evidence in relation to the above has been reviewed.

Summary Comment

The corrective and preventive actions taken by the registered provider are sufficient to address the non-compliance under Regulation 23.

Part VI - Safety

Regulation 24 - Checking in and out and record of attendance

(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.

(3) A registered provider shall ensure that-

(a) no person other than-

(i) pre-school child attending the service,

(ii) a person dropping or collecting such a child,

(iii) an employee, or

(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and

(b) a daily record in writing is kept of the entry on the premises of any such person.

Compliance Information

(1) Staff members were observed to greet children at the door of the service and roll books, which were present in each room, were used to record attendance.

(3) (a) The service entrance was adequately monitored by staff. The deputy person in charge greeted the inspectors at the door to allow access to the service.

(b) A visitor record was available to the inspectors upon their arrival to the service and there was clear evidence that the record was in long term use.

Part VI - Safety

Regulation 27 – Supervision

A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Compliance Information

Staff members were observed to supervise the children attending the service throughout the duration of the inspection process.

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 that the service was adequately insured to reflect the type of care provided. The insurance certificate had an expiry date of 27 March 2025.