

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DY013
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<b>Name of Service:</b>	Axis Centre
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<b>Address of Service:</b>	Main Street, Ballymun, Dublin 9, Co. Dublin
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<b>Eircode:</b>	DO9 H588
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<b>Name of Registered Provider:</b>	Martina Devey
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<b>Service type:</b>	Full Day, Sessional
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<b>Date(s) of Inspection:</b>	20/06/2024
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<b>No of pre-school children:</b>	AM	28	PM	19
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Floor 7 Brunel Building, Heuston South Quarter, St John's Road West, Kilmainham, Dublin 8 D08 X01F
<b>Inspection undertaken by:</b>	E. Griffin
<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).

Conditions if applicable

Not applicable.

### Description of service

Axis Centre provides a full day care service for children aged between 0 – 6 years old. The service is registered to operate between 8:30am – 6:00pm but is currently operating between 8:30am –5:30pm. The service also participates in the Early Childhood Care and Education scheme. The crèche is located on the ground floor of a resource centre in North County Dublin. There are four designated care rooms; the Baby room with an attached sleep room, Toddler room, Pre-school room and the Cabin ECCE room which is located in a portacabin and can be accessed through the outdoor play area, this room was not in operation on the day of the inspection. There is also a kitchen, sanitary facilities, a sensory room and access to an outdoor play area onsite.

### Staffing

The registered provider employs twelve staff to work in the service two of whom are employed under the Access and Inclusion Model. Ten staff were present on the day of inspection including the acting person in charge, nine staff working directly with the children and a cook. The registered provider does not work directly with the children 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 areas of governance, health, welfare and development of child and safety. The inspection may also focus on other areas as required. The following regulations were reviewed:

Regulation 9 (1)(2)(4)-Management and Recruitment.

Regulation 11(1)(2)-Staffing Levels.

Regulation 15- Record of a Pre-School Child.

Regulation 19(1)(a)-Health, Welfare and Development of Child.

Regulation 23-Safeguarding the Health, Safety, and Welfare of child.

Regulation 25-First Aid.

Regulation 26-Fire Safety Measures.

Regulation 28-Insurance.

Regulation 29- Premises.

As a result, the scope of the inspection included the Baby room, Toddler room and Preschool 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 inspector wishes to acknowledge the cooperation of the acting 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) The service had a designated person in charge and a named person to deputise as needed.

(b) The designated persons in charge were present when the inspector arrived unannounced to the service.

(c) The service had a clear management structure in the service and staff were aware of their own role and responsibility.

(2) A review of the roster and conversation with management showed that there are currently thirteen staff employed to work in the service including the registered provider.

(a) Twenty-one written and verified references were available from recent 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 all thirteen staff members. 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) Police vetting was available in respect of one adult who had lived outside the jurisdiction for longer than six months as an adult.

(4) Evidence was available to show that eleven staff members who work directly with the children held 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.

### Non-Compliance Information

(4) Evidence was not available to show that one adult who works directly with 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.

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

#### **Corrective Action**

Management have checked the DCEDIY approved list of qualifications and the staff members Level 1 and Level 2 in childcare award is the equivalent to Level 5 on current NFO.

#### **Preventive Action**

Management will ensure that all staff working directly with the children will have the minimum of Level 5 in Childcare. If any new Staff provide an old award the manager will check that this is equal to current minimum requirements and that there is evidence of this upon Inspection.

#### **Supporting documentation submitted**

Documentary evidence of staff member qualification on DCEDIY approved list of qualifications.

### Summary Comment

The corrective and preventive actions taken have addressed the non-compliance identified. Regulatory compliance has been met for 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) There was an adequate number of adults working directly with the children as follows:

There were seven adults working with 28 children in the morning and six adults working with 19 children in the afternoon.

(2) The correct adult/child ratio was maintained in the service throughout the inspection as follows:

#### During the morning:

Baby room– One adult caring for 3 children aged between 6 months to 2 years.

Toddler room - Two adults caring for 8 children aged between 1 ½ to 3 years.

Preschool room- Three adults caring for 17 children aged between 2 ½ to 5 years.

#### During the afternoon:

Baby room– One adult caring for 3 children aged between 6 months to 2 years.

Toddler room – One adult caring for 5 children aged between 1 ½ to 3 years.

Preschool room- Two adults caring for 11 children aged between 2 ½ to 5 years.

The acting person in charge was available to support break cover, nappy changing and provide general assistance where required during the inspection.

### 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) A sample of ten children's files were reviewed as part of the inspection. The registered provider ensured that the information required under (a)-(i) was maintained for each child.

(3)(c) Records were open to inspection by an authorised person. All records requested by the inspector 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-

(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) Basic Needs:

- The service provided meals and snacks at regular intervals two of which included hot meals for the children. All food was prepared on site. Different dietary requirements were catered for if required and additional food was observed to be available, for example, dinnertime was served at 11.30am, an alternative vegetarian option was available for the children and the cook regularly checked in each room to see if extra portions were required. Water was available in each care room for the children to drink.
- Mealtimes observed were relaxed and sociable events, with children given time to sit at low tables appropriate to their ages. Children were encouraged to self-feed, but staff were on hand to help as required, supporting independence and wellbeing.
- There were cosy areas observed in each care room for the children to relax in as required. In addition, each cosy area had cushions and age-appropriate books for reading. In the baby room there was one adult armchair to support the comforting of children if required.
- All children were observed to enjoy outdoor play during the inspection. This supports their social, cognitive, and gross and fine motor development.

##### Supporting relationships with Children:

- Staff were able to discuss how they support children with the transition from the baby room to the toddler room by offering a settling in period where a staff member from the toddler room visited the baby room every day for short periods to ensure the child who was transitioning was familiar with the staff member before the transition to the toddler room. Additionally, the child would attend the toddler room every day for short periods of settling-in time. This was to ensure the child was familiar with the staff, children, and care room before the transition from one room to another was made.
- Identity and belonging were promoted in the service. For example, there was a 'Birthday Wall' display, 'Children's Observations' display and the children's artwork was displayed throughout the care rooms. In

addition, children had their own personalised cubbyhole to store their belongings and each child had a coat hook labelled with their name.

- The service used an electronic application to communicate with parents and update them on their child's day this included activities, mealtimes, toileting, and sleep updates. The inspector observed staff greeting parents at collection time and updating parents verbally on their child's day in the service.
- Language used by staff was observed to be kind, considerate and supportive. For example, in the Baby room during nappy changing procedures children were observed to be spoken to in a reassuring and friendly manner throughout the nappy changing procedure.

### **Physical and Materials Environment:**

- There were appropriate chairs for feeding in the care rooms to facilitate the children to eat comfortably and independently.
- The furniture provided in the care rooms were low level and suitable to the needs of the children. Equipment was visible and accessible enabling the children to independently access their choice of activity. For example, in the baby room there was adequate space for the babies and toddlers to explore their environment. Materials and equipment included climbing equipment, sensory materials such as bottles and a rice tray, push along toys and cause and effect toys, for example, musical battery-operated toys. Cause and effect toys help promote joint attention, play skills and exploration.
- The outdoor play area of the service was designed with the age and stage of development having been taken into consideration. For example, the large soft surfaced area was divided into two sections, one for the babies and one for the older children. Both sections had age and stage appropriate equipment. For example, the sectioned off area for the older children included three slides, ride on transport toys, sand tray, plastic building blocks and an outdoor kitchen with props.

### 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 main entrance door which leads into the centre and the service is appropriately secured with a swipe/keypad system to prevent a child from exiting unsupervised and to prevent unauthorised access to the service.
- The external outdoor play areas were secure with surrounding walls and securely gated reducing the risk of unauthorised access. Children who were brought out to the outdoor areas from indoors were observed to be supervised.
- There were no flexes or cables observed that were accessible to the children.
- All plug sockets accessible to children had socket protector covers.
- Cleaning agents and medication was stored safely out of the reach of children.
- The kitchen area was inaccessible to the children throughout the inspection.
- Toys and equipment used by the children were observed to be well maintained and in a good state of repair.

##### Infection Control:

- The sanitary accommodation was equipped with liquid soap, warm water, and hand drying facilities. The children were facilitated to wash their hands before eating, after using the toilet, and after nappy changing.
- Pedal bins were evident within the care rooms and sanitary area.
- The premises was observed to be in a clean and hygienic condition.
- Individual bed linen was used for the sleeping children. Staff in the baby room discussed how the bed linen is washed daily.
- Cots in the baby sleep room were positioned 50cm apart.
- Soothers were stored safely, and staff in the baby room were knowledgeable on how to wash and sterilise soothers between use.
- Windows in the care rooms were open to allow for circulation and reduce cross infection.

##### Safe Sleep:

- Shoes and outer clothing were removed from children while they slept.
- The temperature of the baby cot room was recorded at 20°C at 12.15pm while children under 1 years old were sleeping meeting the acceptable temperature of 16-20°C.
- Children were provided with an individually labelled cot at sleep time.
- Sleep check observations documenting the child's breathing, position and colour were carried out at 8-10 minutes intervals.

### Fire Safety:

- On the day of inspection, it was observed that all emergency exit doors were clear from obstruction. This ensured the safe effective evacuation of children and staff in the event of an emergency evacuation.

### Non-Compliance Information

#### General Safety:

1. Garda vetting was available for thirteen staff members. However, five of these vetting disclosures were not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'. It is acknowledged that two of the staff members have been on leave and have not been working in the service since the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 for renewal of Garda Vetting' every three years came into practice in January 2024.
2. Children's attendance records were not maintained and updated as children arrived in the service.

Evidenced by the following:

- In the Baby Room there were three children observed to be present at 10.15am. On review of the attendance book there were no children marked as present in the room. The staff member confirmed that two children arrived at 8.30am and one at 9am but they had not been marked in.
- In the Toddler Room there were eight children observed to be present at 10.21am. On review of the attendance book there were no children marked as present in the room.
- In the preschool room there were ten children from the preschool room and seven children from the Cabin ECCE Room present. On review of the two attendance books the seven children from the Cabin ECCE Room were not marked as present in the room.

The person in charge confirmed these attendance books are used in the event of an emergency. This reduced the effective evacuation in the event of an emergency.

### Action submitted by the Registered Provider

#### Corrective Action

##### General Safety:

1. Garda Vetting was applied for on the day of Inspection for the three staff members currently in the service working directly with the Children. All three Garda Vetting disclosures came back and has now been added to their files. Two of the staff members whose Garda Vetting were out of date have been on extended leave when their Garda Vetting was still in date. The two staff members have since left the service.
2. On the morning of the Inspection, the service was faced with the unfortunate circumstance of staff shortage. Our number one priority with this predicament was the safety and welfare of the children and staff. We as a team prioritised the ratios in the rooms. This unfortunately took our attention away from documentation. After our Inspection we sat down for a team meeting. The facts were conclusive that documentation of children's attendance is of utmost importance and a priority for the safety of all children in the event of an emergency.

#### Preventive Action

##### General Safety:

1. Management will focus more on the dates and has set up a reminder system to notify of upcoming renewals.
2. All staff have been reminded of the importance of documenting children's attendance and they will ensure that it is done daily as children arrive at the setting. Management will ensure this is seen to correctly going forward.

#### Supporting documentation submitted

##### General Safety:

- Documentary evidence of up to date Garda Vetting Disclosures for three staff members.
- Documentary evidence that two staff members have left the service and do not require up to date Garda Vetting.

### Summary Comment

The corrective and preventive actions taken have addressed the non-compliances identified. Regulatory compliance has been met for Regulation 23.

## 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

(2)(a) and (b) A suitably equipped first aid box was available and was safely stored in an easily accessible and conspicuous position on the premises and was available to the adults caring for the children at all times.

#### Non-Compliance Information

(1) On review of the staff files it was observed that there was no adult with First Aid Responder (FAR) training available to the children. It is acknowledged that one adult employed in the service was trained in paediatric first aid and there had been six adults with First Aid Responder training with an expiry date of 10 June 2024. A person trained to the First Aid Responder level must be on the premises at all times during the operation.

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

##### **Corrective Action**

The manager booked the refresher First Aid Responder course for five of the staff that was out of date on the 10th of June 2024 immediately after it was brought to attention. The team have since completed and passed the course. There are now five staff members with First Aid Response that work directly with the children in the setting.

##### **Preventive Action**

Management will organise for remainder of staff to be trained in First Aid Responder and has set up a reminder system to notify of upcoming renewals.

##### **Supporting documentation submitted**

Documentary evidence that five members have completed the First Aid Response training and are awaiting certification.

#### Summary Comment

The corrective and preventive actions taken have addressed the non-compliance identified. Regulatory compliance has been met for Regulation 25.

## 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-
- (c) an authorised person.
- (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) Documentation was available to demonstrate that fire drills were practiced monthly. The last fire drill took place on 11 June 2024.
- (b) The number, type and maintenance record of the firefighting equipment was up to date. Fire extinguishers were last serviced in July 2023. Smoke alarms were serviced in March 2024.
- (2)(c) Records referred to in paragraph (1) were open to inspection by an authorised person. All records requested by the inspector were provided.
- (4) A notice of the procedures to be followed in the event of fire were displayed in prominent positions at the premises.

## 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 the service was insured. The insurance certificate provided for review showed cover for 50 children and an expiry date of 27 March 2025.