

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DY015		
<b>Name of Service:</b>	Baggot Tots		
<b>Address of Service:</b>	22 Baggot Road, Off Navan Road, Dublin 7, Co. Dublin		
<b>Eircode:</b>	D07 NC83		
<b>Name of Registered Provider:</b>	Veronica Lee		
<b>Service type:</b>	Part Time		
<b>Date(s) of Inspection:</b>	12/11/2024		
<b>No of pre-school children:</b>	AM	10	PM N/A
<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Child and Family Agency, Unit 4&5 Nexus Building Block 6A, Blanchardstown Corporate Park, Dublin 15		
<b>Inspection undertaken by:</b>	E. Saini and S. Murray		
<b>Title:</b>	Early Years Inspector and Inspection and Registration Manager		
<b>Authority to Inspect</b>			
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).			
<b>Conditions if applicable</b>	Not applicable.		

### Description of service

Baggot Tots is a privately owned childcare service operating from a purpose-built building in a residential area in Dublin 7. The service is registered as a part-time service but is currently providing sessional care for children aged 2-6 years from 9am-12pm Monday to Friday. The service also operates a registered school aged childcare service from 1.30-6pm. The service consists of one childcare room, a kitchen and sanitary facilities. An area for outdoor play is available to the side of the premises.

### Staffing

The registered provider employs a manager and 2 core staff members. A core staff member and a staff member providing relief cover were present on the day of inspection providing direct care to the children. An adult who is employed on work experience placement every Tuesday was present in the service. An additional staff member from a sister service arrived to the service at 11am to assist with the inspection. The registered provider does not work in the service and was not present on the day 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

This inspection was unannounced and focused on the area of governance/ health, welfare and development of child/ safety/ premises and facilities. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations:

Regulation 9 Management and recruitment (1)(a)(b)(c),(2)(a)(b)(c)(d), (4),  
Regulation 11 Staffing Levels (1)(2) (8),  
Regulation 19 Health, Welfare and Development of child (1) (a),  
Regulation 23 Safeguarding, Health, Safety and Welfare of child,  
Regulation 25 First Aid.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

## Acknowledgments

The inspectors wish to acknowledge the cooperation of the designated deputy 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)(b) The service had a designated person in charge and a named person to deputise. The designated deputy was present in the service when the inspectors arrived and remained in the service for the duration of the inspection. An additional senior staff member from a sister service arrived to the premises at 11am.

(c) The service had a clear management structure in place, and staff members were able to identify their roles and responsibilities.

(2) The files for the service manager, 2 core staff, the staff member on work experience placement and 2 staff present on the day of inspection from a sister service were reviewed.

- (2)(a) The registered provider had one written and validated references for one member of staff employed from past employers.
- (b) The registered provider had 9 written and validated references for 5 members of staff employed from reputable sources.
- (c) Garda vetting disclosures had been obtained for 8 adults including the registered provider and for a family member who provides administrative/maintenance support to the service. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d) Police vetting was available for 2 adults who had lived in a country other than Ireland for a period of six months or more as an adult.
- (4) Documentary evidence was available to show that 5 adults who worked directly with the children held 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

(2)(a)(b) Two written and validated references were not available in relation to 1 adult employed.

## Corrective & Preventive Action submitted by the Registered Provider

### **Corrective Action**

(2)(a)(b) References have now been validated.

### **Preventive Action**

(2)(a)(b) Please find attached copy of New Employee Checklist which is to be fully completed prior to the start of employment.

### **Supporting documentation submitted**

Validated references and a HR checklist which included questions to be asked when validating a reference.

## Summary Comment

The corrective and preventive actions taken by the registered provider have addressed the non-compliances identified on inspection.

### 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.*

*(8) Without prejudice to paragraphs (2) to (7)-*

*(a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times*

#### Compliance Information

- (1) The registered provider ensured that there were an adequate number of adults working directly with the children attending the service.
- (2) The minimum ratio of adults to children was maintained during the inspection. Two staff were caring for 10 children from 9-11am, and three staff were caring for 10 children from 11am to the end of the session at 12pm.
- (8) (a) On review of the service roster it was observed that two adults were on the premises during the operation of the service.

### 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*

*(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) (a)

#### Basic Needs:

- Staff were observed interacting with children using soft tones and modelling language in a supportive and reassuring manner. This modelled positive interactions.
- Children's language development was supported through conversations and songs and conversations during the inspection. Adults sat with the children whilst they were having lunch and engaged in conversation creating a social interaction about their favourite topics of conversation.
- Transition between 'play time' and 'tidy up time' was recognised and supported. For example, the staff gave children a five-minute verbal and visual notice to play before 'tidy up time'. This allowed children to predict and cope with changes during the session.

#### Physical and Material Environment:

- There was a sufficient number of low tables and chairs to accommodate children whilst they played and ate in the care room.
- The furniture provided in the room was low level and suitable to the needs of the children. Equipment available included a library, arts and craft area, animals, dolls house with supporting equipment, jigsaws, various sorting, stacking, measuring, and connecting equipment, construction materials, sensory equipment, building bricks and transport vehicles including cars and trains. These play materials facilitated literacy and numeracy development, fine motor skills, imaginative play, cognitive and language development.
- There was an outdoor play area that included a covered area with a soft surface. Equipment and toys available included a covered sand tray with props, building and connecting equipment, and ride on toys for example scooters and cars. The equipment and materials available promoted gross motor movement.

### Non-Compliance Information

#### Physical and Material environment:

1. On inspection it was observed that some materials and equipment were inaccessible to the children. For example, the dress up clothes were hanging from the window which was too high for the children to reach. This limited the children's opportunity to engage in imaginative play.
2. While it is acknowledged that the children had access to a sand tray in the classroom. The outdoor sand tray remained covered and inaccessible to the children throughout the session. This was observed to be a previous non-compliance on the last inspection held on the 16 September 2022.

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

#### Corrective Action

1. The dress up clothes rack only recently broke. The clothes are now at a level more suitable to the children.
2. The outdoor sand box is covered when not in use to prevent soiling by birds/cats. The lid is light and not fixed in position and it can be easily removed by the children themselves.

#### Preventive Action

1. Staff discussed the best option to replace the clothes rack, as it gets a lot of use and previous dress up racks have broken. A more permanent rail attached to the wall maybe our best option which will be installed shortly.
2. Staff will remove the sand cover on entering the outdoor area.

### Summary Comment

The corrective and preventive actions taken by the registered provider have addressed the non-compliances identified on inspection.

### 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 to the service was secure with a locked door and locked gate for access on the inspector's arrival, preventing a child from exiting the building unsupervised and an unauthorised adult from entering.
- Emergency exits in the service were clear and unobstructed.
- The kitchen area was not accessible to the preschool children during the operation of the service and was secured with a high level chain bolt latch.

##### Infection Control:

- Thermostatically controlled water, liquid hand soap and paper towels were available for handwashing.
- Children's food from home that contained perishable items were refrigerated on arrival to the service.
- Tables were cleaned in preparation for snack, by the staff members.

- Children in preschool room were supported and encouraged to wash their hands before and after snack time and toilet visits.

### Non-Compliance Information

#### General Safety:

1. On the day of inspection, the radiator temperatures were recorded from 55.0°C to 60.0°C. This exceeded the recommended temperature of 50°C and posed a risk of burning to the children. It is acknowledged that staff members took action to address the non-compliance on inspection and the radiators were turned off.
2. The lock of a shed door accessible to the children in the outdoor play area was broken. Cleaning chemicals, toys, outdoor cleaning equipment and additional outdoor toys were stored haphazardly within and posed a risk to children if they were to access the contents contained within the shed.

#### Infection Control:

3. The staff toilet was being used as a storage area for a variety of items which included; a changing mat, cleaning supplies, nappies, a board game, mop buckets and a variety of clothes. This poses a risk of contamination. This was noted as a previous noncompliance on the previous inspection held on the 16 September 2022.
4. The foot pedal function of the bin in the sanitary area was not working. This posed a risk of cross infection as the children had to lift the lid of the bin with their hand to dispose of waste.
5. The cover of the sofa in the cosy corner was observed to be worn and very stained and was an infection control hazard.

## Action submitted by the Registered Provider

### Corrective Action

#### General Safety

1. Thermostats have been fitted to all radiators.
2. A lock has been fitted to the shed.

#### Preventive Action

1. As above.
2. Staff have been reminded to keep the Staff Toilet area locked.

### Corrective Action

#### Infection Control:

3. Cleaning materials are now stored in the locked shed.
4. A new bin has been installed.
5. New throws have been purchased.

#### Preventive Action

3. Staff have been reminded to keep the Staff Toilet area locked.
4. Regular checks on the function of the bin.
5. The throws will be washed weekly or more often if needed

### Supporting documentation submitted

#### General Safety and Infection Control

1. Receipt of invoice from Plumber.
2. Photographic evidence of lock on shed.
3. Photographic evidence of Lock.
4. Photographic evidence of bin.
5. Photographic evidence of new throws.

## Summary Comment

The corrective and preventive actions taken by the registered provider have addressed the non-compliances identified on inspection.

## 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) (b) A first aid box was stored in an easily accessible position in the service and was available to the adults caring for the children in the service.

#### Non-Compliance Information

(1) On the day of inspection, there was no adult available to the children with valid First Aid Responder (FAR) training. It is acknowledged one staff member employed in the service had valid First Aid Responder training but was on unplanned leave. A person trained in First Aid Response must be available to children at all times to include cover of breaks, leave and appointments.

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

##### Corrective and Preventive Action

On the day of inspection, the permanent staff member who has a FAR certificate had to take unplanned leave. A member of staff from Abbey Tots was relocated to Baggot Tots. Unfortunately, we were not in a position to release a member of staff who was FAR certified on that day.

Another member of staff will attend a FAR course.

#### Summary Comment

The corrective and preventive actions taken by the registered provider will address the non-compliance identified on inspection.