

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DY029
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Name of Service:	Blackhorse Childcare
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Address of Service:	20 Springfield, Blackhorse Ave, Dublin 7, Co. Dublin
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Eircode:	D07 VF62
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Name of Registered Provider:	Michael Diffley
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Service type:	Full Day, Sessional
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Date of Inspection:	19/09/2023
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No of pre-school children:	AM	45	PM	38
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Floor 7 Brunel Building, Heuston South Quarter, St. John's Road West, Kilmainham, Dublin 8
Inspection undertaken by:	E. Finnegan Hayes & 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.
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Description of service

Blackhorse childcare is a privately owned full day care service which operates from a converted residential unit in Dublin 7. The service provides care to children aged 1-6 years on a full day care basis from 7:30am-6:15pm Monday to Friday. The service participates in the Early Childhood Care and Education (ECCE) scheme delivering a sessional service from 9am-12pm daily 38 weeks of the year. An enclosed outdoor area is available to the rear of the service.

Staffing

The registered provider employs 21 staff to work in the service; 10 of whom were present on the day of inspection including the person in charge and a cook. 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.

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 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) The registered provider ensured that;

- (a) (b) The service had a named person in charge and a person who could deputise in their absence. A review of the roster and conversation with staff showed that a designated person in charge is on the premises at all times.
- (c) The service had a clear management structure and staff were aware of their roles and responsibilities.

(2) A review of the roster and conversation with staff showed that there are currently 21 staff employed in the service. The files of all staff currently employed were reviewed.

- (a)(b) Forty-two references were available for review in relation to the staff employed.
- (c) Garda vetting disclosures were available for all 21 staff members.

(d) Police vetting was available for three staff who had lived in a country outside of Ireland for a period of more than 6 months.

(4) Evidence was available to show that 20 staff who worked 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

(d) Police vetting was not available for one staff member who had lived in a country outside of Ireland for a period of more than 6 months.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(d) The staff member has contacted the required authority to get the police vetting reissued. Once this has been reissued the correct documentation will be kept on file for future inspection. The recruitment team have been consulted and informed that the requirement for staff members that worked outside of the country, police vetting is required if the person has worked outside of the country for 6 months and not 9 months. When Management is doing their Bi-yearly review to ensure all staff files are up to date they will also confirm all relevant documentation is on file and not just documentation that expired e.g. Garda Vetting. As part of the recruitment process, the service will continue the policy that no new members of staff will commence employment until all documentation is on File and verified.

Supporting documentation submitted

Documentation in relation to above has been reviewed by the inspectorate.

Summary Comment

The registered provider has addressed the non-compliance identified 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 an adequate number of adults were working directly with the children from 9:39am until 12:50pm and between 2pm and 4pm when the inspectors left the service.

Non-Compliance Information

(1) The registered provider did not sure an adequate number of adults were working directly with the children during staff lunchbreaks from 12:50pm-2pm. The following was observed;

- 12:50pm-1:30pm five adults were caring for 44 children. Seven adults were required in line with the ages of individual children.
- 1:30pm-2pm six adults were caring for 44 children. Seven adults were required in line with the ages of individual children.

(2) Ratios were not maintained in care rooms between 12:50pm-1:30pm during staff lunch breaks. The following was observed;

- One staff member was caring for 12 children aged 2-4 years in the Toddler room. Two adults were required.
- One staff member was caring for 10 children aged 1-2 years; 4 of whom were in the Wobbler room playing and 6 who were asleep in a cot room located outside of the care room. Two adults were required.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1) (2) Staff rotas have been amended to include clear lunch breaks. Staff hours have been increased to cover the shortfall in lunch time cover and to ensure that the correct number of staff are in rooms during breaks. Staff meeting was held to ensure that staff are fully aware that being on the premises during breaks means they are not counted in service Ratios.

The service have also hired a new full-time employee (Level 7) as a full-time floater between rooms. The new employee will commence once her Garda/Police venting is secured. At all times, there will be the required number of adults + 1 in the service to take care of children (once new employee starts). Management will ensure that there is a sufficient number of staff rostered on a daily basis by cross-referencing the number of children to be cared for in each room with the staff assigned to those rooms.

Supporting documentation submitted

An updated roster which includes break cover was reviewed.

Summary Comment

The registered provider has addressed the non-compliance identified under Regulation 11.

Part IV – Information and Records

Regulation 16 – Record in relation to pre-school service

(1) A registered provider shall ensure that a record in writing is kept of the following information in relation to the service:

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;*
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;*
- (c) details of the adult:child ratios in the service;*
- (d) the type of care or programme provided in the service;*
- (e) the facilities available;*
- (f) the opening hours and fees;*
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*
- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

Compliance Information

- (1) The registered provider ensured that a record in writing is kept of the following information in relation to the service:
- (a) Details of the name, position, qualifications, and experience of the person in charge and of every other employee were maintained within the staff files.
 - (b) The service Tusla certificate was displayed within the service and showed detailed of the class of service and the age profile of children for which the service is registered to provide services.
 - (c) (d) (e) The statement of purpose and function outlined the adult:child ratios, the type of care or programme provided and the facilities available within the service.
 - (f) The opening hours and fees of the service were displayed on the noticeboard in the entrance hall of the service.
 - (g) The registered provider maintained all of the policies required in accordance with Regulation 10.
 - (h) Details of the daily attendance by each pre-school child was recorded in a timely manner on a software application.
 - (i) A staff roster was available in the service.

Non-Compliance Information

- (j) Two records of administration of medication were available for review. A review of these showed that all sections of the form were not completed including the parent's signature on one record, date of birth of the child on one record. Administration of the medication was not recorded on either form. This is not in line with the service policy.
- (k) A review of the accident/incident records held by the service showed that the required information was not recorded in line with the service policy which states that parents will sign the accident/incident form. For example, five records did not contain the signature of the parent/guardian of the child acknowledging they had been told about the accident/incident while one record did not contain the manager's signature.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

- (j) All Medicine Administration Consent Forms will now be completed on the electronic application. All sections will be filled in by Staff. Parents/Guardians will receive notification to read and sign this form. Then Staff will follow up to ensure forms are signed.

(k) Correspondence will to be sent to all Parents informing them that they must sign all Accident Report Forms when received. Staff will follow up and check that the forms have been signed in all relevant sections.

Preventative Action

(j)(k) Management discussed with Staff the most effective means of filling out Medicine Administration Form and it was agreed to put the forms on the electronic application for Parents to complete.

Management revised both Policies and carried out training on filling out the Incident/Accident form on the electronic application with Room leaders of each room. Management will monitor the completions of the Medication Administration form and the accident and Incident Form on the electronic application and support staff where necessary.

Supporting documentation submitted

Documentation in relation to above has been reviewed.

Summary Comment

The registered provider has addressed the non-compliances identified under Regulation 16.

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:**

- A warm welcoming atmosphere was evident in the service on arrival and throughout the day. Staff spoke positively about the relationships between staff and children which facilitated this atmosphere.
- The service provides a range of meals each day which were detailed in the four-week menu. Three meals and two snacks are provided for children in the Wobbler and Toddler rooms while children in Preschool room 1 and Preschool 2 room eat lunch which is brought from home in place of the morning snack.

On the day of inspection, the children were observed to eat crackers for morning snack followed by Shepard's pie for dinner.

- Dietary requirements and preferences are catered to in the service in line with the service healthy eating policy for example one child is supplied with a vegetarian meal.
- The individual sleep needs of children were recognised and actioned by staff in the Wobbler room. Staff recognised the children's sleep cues and two children who were observed rubbing their eyes and appeared tired were put into bed.

Physical and Material environment:

- A range of toys and equipment were available in the Wobbler, Toddler and Preschool 2 rooms to support the children development and encourage spontaneous play experiences.
- Children enjoyed free movement in the care rooms during the inspection for example children were free to choose their own toys and activities and movement was not restricted following mealtimes; children were free to leave the table when they finished eating.
- The outdoor area had a range of furniture and equipment to support a wide variety of activities for example a sheltered seating area was available for children to rest while climbing frames and balance beams supported gross motor development while a mud kitchen supported imaginative play.

Supporting relationships:

- Staff were observed to be kind and caring in their interactions with the children. The interactions observed were warm and nurturing and staff treated the children with respect.
- Staff supported a child who was settling in through discussion with her parent regarding shorter days and through strategies such as distraction and through maintaining close contact and reassurance allowing the children to engage in a way that suited their needs.
- Staff supported children to wash their hands and face following mealtimes and bibs were used to help the children protect their clothes to maintain a neat appearance.
- Staff were observed to use rephrasing and descriptive language with the children which supports language development.

Non-Compliance Information

1. Toys and materials in Preschool room 1 did not support children to engage in enriching play experiences for example;
 - Toys and materials were not grouped into defined areas or themes to support self-directed spontaneous play.
 - There were limited props to extend play. Two jigsaws were available, but they were stored in clear bags with no picture to support the children to complete them and there was limited clothing for five dolls.

It is acknowledged that the room has recently relocated downstairs and is in the process of being restructured.

2. A rectangular table in the Toddler room was observed to be at chest height to the children and did not allow the children to eat and engage in tabletop activities comfortably.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

1. Management and Preschool staff discussed the development of defined areas within the preschool room. Preschool staff constructed a plan of the room to incorporate defined areas for the children while considering their age and stage of development. New age-appropriate toys and equipment have been ordered to facilitate the restructuring of the room.
2. A new table has been ordered for the toddler room. This table is a suitable height for children in the toddler room to easily engage in tabletop activities and to ensure they can eat more comfortably.

Preventive Action

Management will consult with all staff monthly to ensure equipment and toys are of good standard and topped up as needed. A monthly budget will be given to all rooms for equipment such as books, jigsaws or other toys that can be easily misplaced or damaged due to the volume of children within the room. Management will ensure that all furniture is of good quality and suitable for the age of the children within the room. As noted in the report the rooms were in a restructuring phase and 3 out of 4 were complete at the time of inspection and works were ongoing to complete the 4th.

Supporting documentation submitted

Photos in relation to above have been reviewed.

Summary Comment

The registered provider has addressed 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 service entrance was secure on arrival to the service and staff attended the door to allow access. This prevented unauthorised persons entering the building unnoticed.
- Staff were observed escorting children through the communal area to use the toilet and access the garden this prevented children leaving the service unsupervised.
- Toys and equipment were maintained in good condition free from hazards.

Infection Control:

- Nappy changing was carried out in line with the service policy and best practice guidelines. Personal protective equipment was available and used during nappy changing and consistent handwashing practices following nappy changing were observed.
- Pedal operated bins were available throughout the service for disposal of contaminated items.
- Windows were open throughout the service to allow fresh air to circulate throughout the day.

Safe Sleep:

- Staff were observed to complete regular checks of sleeping children at 10-minute intervals. Details of these checks were recorded on a software application.

Fire Safety:

- Procedures for evacuation in the event of a fire were displayed throughout the service in care rooms and communal areas and staff were knowledgeable of the evacuation plan in the event of a fire emergency.
- A fire evacuation cot was safely stored in the entrance hall to facilitate the safe evacuation of the younger children during a fire emergency.

Non-Compliance Information

General Safety:

1. Whole grapes were observed to be contained in the lunches of children in Preschool rooms 1 and 2 which is contrary to the service healthy eating policy which states grapes must be halved before coming into the service. Whole grapes posed a choking hazard to the children.
2. The fence on the left side of the garden was observed to be broken with sharp edges in five places all of which were at the children's height. Children were observed playing a racing game with staff during outdoor time in which they ran to the fence. This posed a risk of injury to the children when touching the fence.
3. A bottle of liquid cleaning solution was on a low shelf in the upstairs hallway accessible to the children in preschool room 2 who accessed this area alone when using the toilet or getting their bags and coats.
4. The toilet seat in the toilet used by the Toddler room was broken and had a sharp edge posing a risk of injury to the children.

Infection Control:

5. Water temperatures in the sanitary areas were not adequate for effective handwashing for example the water temperature in the sanitary area used by preschool 1 room and the wobbler room were recorded as 16.2°C and 16.5°C while the water in the sanitary area used by the preschool 2 room was 17.8°C and 17.9°C. This posed an infection control risk.
6. Lunches which were brought from home by the children in Preschool 1 and Preschool 2 contained perishable items which were not refrigerated in line with the service policy. The lunches were stored in the children's bags in the hallway until lunchtime at 10am. Perishable items should be refrigerated to avoid spoiling.
7. Six mattresses in the cot room were not wipeable and did not have protective covers to prevent the spread of infection when sharing cots. This posed an infection control risk.
8. The low beds used by children in the toddler room were stacked with the bedding on them between uses. This posed a risk of cross contamination.

9. Paper towels were not hygienically dispensed in the toddler room leading to repeated handing of the roll. Paper towels should be hygienically dispensed to avoid contamination of the roll due to excessive handling.

Administration of Medication:

10. A packet of vitamins was observed in a toy box in preschool room 1 accessible to the children. This posed a risk of injury to the children.

Safe Sleep:

11. An ambient temperature was not maintained in the Toddler room while children were sleeping. The temperature was recorded to be 24.1°C posing a risk of the children overheating.

Fire Safety:

12. Attendance records were observed to inaccurately record the presence of children in the service. For example, the presence of two children were recorded in the Toddler room roll book however these children were physically in Preschool room 1. The presence of one child in the Toddler room was not recorded at all. Inaccurate recording of the presence and location of children could prevent an accurate count of children in the event of a fire evacuation and may put children at risk.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The healthy eating policy has been amended to include the cutting of grapes that come from home in the children lunch boxes. All staff have had refresher training on the updated healthy eating policy and implementation of this policy will be monitored by management. All parents have been issued with a copy of our revised Healthy eating policy. Preschool staff will monitor the children's snacks to ensure that grapes are cut and if necessary, cut them for the child before snack time.
2. All damaged fence panels have been repaired and no longer pose risk to any child. New mark making activity blackboards been installed on the fence. Management will carry out daily risk assessment of the garden and ensure that all equipment, fences, and general garden area is kept in a good state of repair. All staff have been asked to inform management of and damage to equipment and facilities that may arise during the working day as well as updating the maintenance book that is available in the welcome area and monitored by our maintenance contractor on a Bi-weekly basis. If necessary, any issues causing risk will be highlighted immediately to our maintenance contractor for immediate rectification.

3. The cleaning product was immediately removed and placed in the secure area out of the reach of children. All staff have been reminded that all cleaning products must be stored in the secured area before and after every use. Management will monitor the storage of cleaning products throughout the service.
4. The toilet seat has been removed and replaced with a new one to ensure it poses no risk to any child. Management will carry out daily risk assessment of the service and ensure that all sanitary ware is kept in a good state of repair. All staff have been asked to inform management of any damage to facilities that may arise during the working day as per above.

Infection Control:

5. Water temperatures were checked, and it was noted that the hot water tap needs to run for between 60 - 90 seconds in order for the correct water temperature to reach the taps. Signs noting this have been displayed in areas where required. Management will ensure that the hot water is running in the service on a daily basis. All staff were informed that the hot water tap needs to run for between 60 -90 seconds (in case of inactive use for a period of time) in order for the correct water temperature to reach the taps. Staff were informed that the hot water must reach the correct temperature before hand washing may begin. Signage was displayed above all taps to ensure that all users are aware of this.
6. A refrigerator was purchased and is situated in the service's welcome area. When the children arrive at the service, their lunchboxes are now taken out of their bags and put in the refrigerator. Parents have been asked to ensure that their children's lunch boxes are clearly labelled with their name. Upon arriving at the service, children's lunch boxes must be taken out of their backpacks and placed in the welcome area fridge, which is the responsibility of a dedicated staff member in each Pre-School Room. Management will monitor the use of the fridge for preschool lunches.
7. Waterproof mattress protectors have been purchased and placed on each cot within the service along with purchasing of two spare waterproof mattress covers in case of an emergency. Wobbler room staff have been informed that a waterproof mattress cover is required on every cot at all times and regular washing of the same. Staff have been informed to request replacement waterproof mattress covers from management when necessary.
8. A storage divider has been purchased for the Toddler bed sheets. All bedding is now removed daily from the toddler beds and stored in a divider for each child. All bedding is now removed daily from the toddler beds and stored in a divider for each child. The bedding is then placed on each child's bed before each sleep time and removed immediately after. All bedding is washed on a regular basis.

9. All toilet roll, hand towel and soap dispensers are filled each evening and replenished as need throughout the day. All staff have been instructed to ensure dispensers are filled at the end of each day in preparation for the next day. Staff in each room have also been asked to check all dispensers in their room each lunch time and refill if necessary. Management will ensure that there is sufficient supply of cleaning products, toilet rolls and hand towels on the premises at all times.

Administration of Medication:

10. The medication was immediately removed from the room and placed in the First Aid box out of the reach of children. All staff have had refresher training on the Administration of Medication Policy and implementation of this policy will be monitored by management. All staff have been requested to ensure that personal medication is kept off the premises. If staff medication is required during the day, it must be stored in the Medicine cabinet in the welcome area.

Safe Sleep:

11. Staff were reminded of the Air Conditioning unit within the toddler room, this is now switched on at sleep time to ensure a safe sleep temperature is always maintained. All staff have had refresher training on the Safe Sleep policy and implementation of this policy will be monitored by management. Staff will ensure that the air conditioning unit is switched on and used when needed to ensure that a safe sleep room temperature is met.

Fire Safety:

12. The child that was omitted from the attendance records on the day of inspection was added immediately. The children that had recently moved to the preschool room were removed from the Toddler room attendance records and added to the Preschool room attendance records. Management will ensure that all children's record forms are return from parents before their child starts the service. This will allow all information to be added to child paths ready for the child's start date. All children will be moved to their correct rooms in a timely manner in order to ensure correct attendance records are maintained throughout the service. Children that are on induction between rooms within the service will be added to the both rooms their current room and the one that they are on induction in. For example, if a child is moving from Wobblers to Toddlers they will be signed out of Wobblers and signed onto toddlers when they begin their induction hours. This will allow for a correct record of attendance to be maintained for each room throughout the service.

Supporting documentation submitted

Photographs in relation to above has been reviewed.

Summary Comment

The registered provider has addressed 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.

(4) A registered provider shall ensure that a record in writing referred to in paragraph (3)(b) is retained for a period of one year from the date to which it relates.

Compliance Information

(1) Staff were observed to greet children at the door when arriving and departing the service.

(3)(a)(b) Staff greeted visitors at the door to allow access. A visitor record book was used to record details of visitors to the service. The inspectors were asked to sign the visitor book on entering the service.

(4) Entries in the visitor record book dated back a period of more than 1 year.