

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DY058
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Name of Service:	Cuddles 'n' Care
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Address of Service:	1 St Patrick's Parade, Drumcondra, Dublin 9, Co. Dublin
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Name of Registered Provider:	Bridget Fitzmaurice
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Service type:	Full Day, Part Time
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Date of Inspection:	06/11/2024
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No of pre-school children:	AM	26	PM	24
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Address of the Early Years Inspectorate:	Early Years Inspectorate 2 nd Floor, Unit 4/5 The Nexus Building Blanchardstown Corporate Park Ballycoolin Dublin 15 D15CF9K
Inspection undertaken by:	T. Nelson and Y. Kelly
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

Cuddles 'n' Care is a full day service located in a residential area of Dublin 9 in North Dublin. The service was established in 1999 and delivers early childhood care and education to a maximum of 35 children aged from 0 to 5 years of age. The service participates in the Early Childhood Care and Education (ECCE) programme, which is delivered on a sessional basis from 9.00am to 12 noon. A part-time service is also offered.

The service is delivered from a two-storey converted residential dwelling. The ground floor comprises of the Baby Room (1-2 years), and there are two cot rooms located directly off this room. The service kitchen and nappy changing facilities are also on this floor. The first floor comprises of three care rooms: the wobbler room (2-3 years), the toddler room (2-3 years) and the playschool (2-3 years). There are further nappy changing facilities and sanitary accommodation on this floor. The Montessori room (2 years 8 months-5 years) is located in a separate building to the rear of the premises and is accessed via the outdoor play area. The outdoor play area is situated to the rear of the premises.

Staffing

Cuddles 'n' Care employs a total of ten staff including the registered provider, the person in charge, a cook, and seven early years staff who work directly with the children. There were seven staff present on the day of the inspection and the registered provider was present on the morning 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, safety, premises and facilities. The inspection may also focus on other areas as required. The following regulations were reviewed:

- Regulation 9 (1), (2)(a)(b)(c)(d), (4) Management and Recruitment
- Regulation 11(1), (2) Staffing Levels
- Regulation 16 (1) (a-k) Record in Relation to a Pre-school Service
- Regulation 21 Equipment and Materials
- Regulation 23 Safeguarding the Health, Safety and Welfare of the Child
- Regulation 25 First Aid

As a result, the scope of the inspection included the baby room, the wobbler room, the toddler room and the playschool room. A sampling process was used to assess compliance under: Regulation 16, Regulation 21 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.

Additional Information

An Immediate Action Notice was issued to the registered provider on the day of the inspection under Regulation 23, in relation to a safety concern identified under Regulation 23. A response was received from the registered provider which mitigated the risk identified. See body of report for details.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, 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 manager was the designated person in charge of the service and two named staff members were appointed to deputise when required.

(b) The service manager was present and in charge of the service when the inspectors arrived at 10.00am and was present for the duration of the inspection.

(c) The service had a clear management structure in place with clear roles and responsibilities outlined. The person in charge discussed that there is a plan in place for specific roles and responsibilities.

A total of ten staff files were reviewed as part of the inspection to include the registered provider, the person in charge, seven core staff members who work directly with the children (including two staff members who work in all the rooms) and the cook.

(2) The registered provider had completed the following checks:

(a)(b) Twenty validated written references were available from recent past employers or a source other than a last employer for the ten files reviewed.

(c) Garda vetting disclosures had been obtained for all ten staff members employed.

(d) International police vetting was not required as no adult had lived outside of the state for a period of more than six months.

(4) Documentation was available to show that eight of the nine staff who worked directly with the children attending the service held at least a major award in Early Childhood Care and Education at QQI 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.

Non-Compliance Information

(4) There was no sufficient documentation to show that one staff member who worked directly with the children attending the service held at least a major award in Early Childhood Care and Education at QQI 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

The service applied for to the relevant department for recognition of qualification.

Preventive Action

The service commit to review qualification for new employees against the DCEDIY Early Years Recognised qualifications list.

Supporting documentation submitted

Evidence of correspondence with relevant department.

Summary Comment

Regulation 9(4) remains non-compliant for 1 staff member as the registered provider's response did not contain evidence that the staff member has a qualification deemed eligible by the Department of Children, Equality, Disability, Integration and Youth.

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) On the day of inspection there were an adequate number of staff members working directly with the children attending the service to meet their basic care needs. There were six staff available to the 26 children present on the morning of the inspection and five staff available to the 24 children present on the afternoon of the inspection.

(2) The registered provider ensured that the correct adult to child ratios were maintained in the service.

- Baby room: there was 1 staff providing direct care to 4 children ranging in age from 1 to 2 years in the morning and in the afternoon.
- Wobbler room: there was 1 staff providing direct care to 4 children aged from 20 months to 2 years of age in the morning and in the afternoon.
- Toddler room: there was 1 staff providing direct care to 6 children aged from 2 to 2 years and 6 months of age in the morning and in the afternoon.
- Playschool room: there was 1 staff providing direct care to 5 children aged from 2 to 3 years of age in the morning and 1 staff to 4 children in the afternoon.
- Montessori room: there was 1 staff providing direct care to 7 children aged from 3 to 4 years of age in the morning and 1 staff to 6 children in the afternoon.

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) the name, position, qualification, and experience of the person in charge and staff working in the service were kept in the staff files.
 - (b) details of the class of service and age profile of children for which the service is registered were detailed in the services' registration certificate and statement of purpose which were displayed on the wall.
 - (c) details of the adult to child ratios were kept in the services' policy handbook.
 - (d) the type of care or programme provided in the service was outlined in the services' statement of purpose displayed on the wall.
 - (e) the facilities available were outlined in the services' statement of purpose displayed on the wall.
 - (f) the opening hours and fees were displayed in the services' statement of purpose displayed on the wall.

- (g) the required policies, procedures and statements of the service were available on request in the services' policy handbook.
- (h) details of attendance by each pre-school child were available in the digital software application used by the service.
- (i) details of the staff roster were displayed in the kitchen and updated on a weekly basis.
- (k) details of accident, or injury or incident involving a pre-school child were available in an accident and incident book. A sample of ten accident and incident records were reviewed, and all the required details were included.

Non-Compliance Information

- (1) (j) The services' medication records were reviewed on the day of the inspection. A sample of ten medication administration records were reviewed. Four out of ten medication administration records reviewed on the day of inspection did not have a parent's signature. This was not in line with the services policy.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

Parents signed the medication forms that were incomplete.

Preventive Action

The service will ensure that medication forms will be filled out correctly and checked each time. Staff and parents were reminded that these forms must be filled correctly.

Supporting documentation submitted

Evidence of corrected medication forms.

Evidence of reminder to parents.

Summary Comment

The inspector has reviewed the actions taken and evidence submitted. The non-compliance identified under Regulation 16(1)(j) has been addressed.

Part V - Care of Child in Pre-school Service

Regulation 21 – Equipment and materials

A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.

Compliance Information

- There were play materials that were suitable to the age and stage of children’s development to include the following: There was a kitchen with props to support dramatic and pretend play for children. There were table top materials such as jigsaws, threading, straws. There were large push and pull toys, mirrors, cars, train tracks, animals and small world resources available. There were blocks for construction and early numeracy. There were books available for storytelling and early literacy and art supplies to support creative art and mark making for children.
- Resources were labelled to support children to identify and tidy up play materials.
- Children’s artwork and photographs of children were displayed on the wall which supported children’s identity and belonging within the service.
- In the outdoor play area there was a playhouse and resources to include buggies for dramatic and imaginative play, a sandpit and materials for sensory play. There was an adequate supply of ride in and ride on cars to support physical play and fundamental movement skills for children. There were large plastic blocks provided for construction and cooperative play.
- The outdoor play area was covered in a synthetic surface on the ground.

Non-Compliance Information

1. There was no suitable shelving to provide accessibility of equipment for the children in the Baby Room to support children with independent decision making in their play and development.
2. There was no rest area available to the children in the Baby Room.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

1. The service will rearrange the baby room to provide accessible equipment.
2. A cosy corner has been introduced to allow children to have a space to rest.

Preventive Action

1. The service will ensure rooms have adequate equipment within the children’s reach to help children play independently.

2. Cosy corners and soft mats area will always be available. A daily checklist will be checked every morning before children arrive.

Supporting documentation submitted

1. Evidence of an order of shelving submitted.
Photographic evidence of new kitchen unit.
2. Photographic evidence of cosy area.
Evidence of a checklist.

Summary Comment

The inspector has reviewed the actions taken and evidence submitted. Regulation 21 point 2 has been addressed however point 1 remains non-compliant as the registered provider's response did not contain evidence that there is currently suitable shelving to provide accessible equipment for the children in the baby room.

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

The registered provider ensured the following measures were in place to safeguard children attending the service:

General Safety:

- The door had an electronic door release and entry to the service was managed by staff to restrict unauthorised persons from gaining access to the premises.
- Cables were secured and there were no cables observed that were accessible to the children.
- Window restrictors were fitted in the upstairs rooms with blind cords secured throughout the premises.
- Cleaning agents were stored safely out of reach of the children.
- The radiators had guards throughout the building.
- There was a cover available for the sand pit.
- The outdoor area was fully enclosed with gates in place.

Infection Control:

- The sanitary area was equipped with liquid soap and dispensed towels. Children were observed to hand wash after outdoor play and before lunch.

- During nappy changing, staff were observed to use disposable aprons and disposable gloves. The nappy changing mat was in good condition. Pedal operated bins were available for disposal of contaminated items.
- Children's soothers were stored in separate containers to prevent risk of cross contamination.

Safe Sleep:

- The recommended ambient temperatures of the cot rooms was maintained whilst children were sleeping and records of the room temperature were kept.
- Records were maintained of the colour, breathing and position of children sleeping and was checked every ten minutes.
- Suitable bed linen was available and all mattresses were wipeable. Staff reported that laundry is carried out every Friday or as the need arises.

Fire Safety:

- Emergency exits were unobstructed.
- The fire escape route was displayed. This helped to ensure the safe evacuation of children and staff in the event of an emergency.

Non-Compliance Information

General Safety:

1. The water temperatures in the following wash hand basins exceeded the recommended temperature of 43°C. This posed a scald risk to the children.

Room	Time	Temperature recorded
Counter-top sink in nappy changing room on first floor	10.41am	58.8°C
Counter-top sink in Playschool room	11.22am	51.9°C
Low sink in nappy changing room on first floor	10.42am	44.4°C

An immediate action notice was issued to the registered provider in relation to the high-water temperatures at the counter top sinks in the nappy changing room and the Playschool room.

Action submitted by the Registered Provider

Corrective Action

General Safety:

1. A plumber attended the service on the evening of the 6 November 2024 and assessed the parts required. The water temperatures were adjusted on the 7 November 2024.

Preventive action

1. The registered provider ensures water temperatures will be within the required range of less than 43°C.

Supporting documentation submitted

General Safety:

1. Invoice for works completed.

Summary Comment

The inspector has reviewed the actions taken and evidence submitted. The non-compliance identified under Regulation 23 had been addressed.

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

- (1) The registered provider ensured that a person is trained in first aid and available to the children attending the service. The person in charge is trained in First Aid Responder training.
- (2) (a) and (b) A suitably equipped first aid box was available and safely stored in an easily accessible and conspicuous position on the premises. There was one first aid box stored upstairs and two first aid boxes stored downstairs, one being in the Montessori room.