

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DY073
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<b>Name of Service:</b>	Fizzy Fingers
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<b>Address of Service:</b>	St Kevins Jnr School, Newbrook Avenue, Donaghmede, Dublin 13, Co. Dublin
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<b>Eircode:</b>	D13 DK88
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<b>Name of Registered Provider:</b>	Camelia Levica Bilt
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<b>Service type:</b>	Sessional
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<b>Date of Inspection:</b>	01/10/2024
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<b>No of pre-school children:</b>	AM	15	
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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 and E. Saini
<b>Title:</b>	Early Years Inspectors

### Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

### Conditions if applicable

Not applicable.

### Description of service

Fizzy Fingers is located on the grounds of a primary school in North Dublin. The service provides sessional care and education to children aged 2-6 years, from Monday to Friday between 9:00 am to 12:00pm and participates in the Early Childhood Care and Education (ECCE) scheme. The service also offers a registered school aged service to school aged children in the afternoon. There is one care room which is located in the school building and has direct access to an outdoor play area.

### Staffing

The registered provider employs three adults to work directly with the children in the service; two adults who work in the service on a daily basis and one adult who provides staff cover when required. The registered provider works in the service in a supernumerary capacity as the person in charge and oversees the daily operation of 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

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

1 October 2024

An immediate action notice was issued to the registered provider under Regulation 23, in relation two identified safety concerns, one which is identified under Regulation 25 First Aid. A response was received on 2 October 2024 which mitigated the two risks identified. Please see details within the body of the report.

## Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, staff and children who were present on the day of the inspection.

### Part III – Management and Staff

#### Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

- (a) the service has a designated person in charge and a named person who is able to deputise as required,
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.

(2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,
- (b) consideration of references from reputable sources in the case of a person who has no past employers,
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and
- (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.

(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 person in charge was present when the inspector arrived unannounced to the service.

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

(2) The files of the registered provider and the adults who work in the service were reviewed.

(a) Five written and verified references were available from past employers.

(b) Three written and verified references were available from a reputable source other than a past employer.

(c) Garda vetting disclosures were available for the registered provider and three adults. 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 one adult who had lived in a country other than Ireland for a period of six months or more as an adult.

(4) Evidence was available to show that the three adults 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.

### 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.*

*(3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 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) therefore 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 there were an adequate number of adults working directly with the children.

(3) There were two adults working with 15 children, aged 2-5 years old, during the morning of the inspection. The registered provider was also available to offer support in a supernumerary capacity.

(8)(a) The registered provider ensured there were two adults on the premises at all times. Evidenced by the staff attendance records.

### 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 registration records 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:

- Children brought snacks from home. The service has a healthy eating policy which is shared with parents/guardians in advance of enrolment. Staff discussed how they check the children's snacks for any non-nutritious items and choking hazards such as full grapes. Children had access to their drinks throughout the session.
- Identity and belonging were promoted in the service. For example, the children's artwork was displayed throughout the care room, children had their own personalised individual coat hook and art box labelled with their name and photograph.
- There was a cosy area with a wooden bench, soft mat, cushions and books for rest and relaxation present in the care room.
- Children were observed to use the outdoor play area during the inspection. This supports their social, cognitive, gross, and fine motor development.

##### Supporting Relationships:

- 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.
- 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. In addition, staff spoke about how the transition between 'home' and the service' was supported. For example, children and parents are invited to the

service before the child's enrolment. During this time the children have an opportunity to play in the care room and meet their new teachers.

- The staff discussed how they have a rolling snack time which is between 10am to 10.50am. During this time the children were observed to choose at what time they would like to sit down and have snack with their friends. This system was observed to work well with the children and the children were familiar with this snack routine. In addition, there was a visual timer to show how much time was left for snack time and staff were observed to gently encourage children to have snack before the timer ran out. This promoted independence and choice for the children.
- The service used an electronic application to communicate with parents and update them on their child's activities. The registered provider discussed how the service shared electronically a book with the services policies and procedures with parents/guardians in advance of their child's enrolment. The inspection team observed staff chatting informally to a parent about their child's day.

### 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 was visible and accessible enabling the children to independently access their choice of activity. Equipment available included a library, arts and craft area, animals, dolls house with supporting equipment, role play costumes, jigsaws, various sorting, stacking, measuring, and connecting equipment, construction materials, sensory equipment, building bricks, jigsaws 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 with a soft surface. Equipment and toys available included; a covered sand tray with props, building and connecting equipment, a slide, rocking toys and ride on toys for example scooters and cars. There were also two goal posts with three balls available. The equipment and materials available promoted gross motor movement.

### 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:

- On the inspectors unannounced arrival at the service, access to the main door was monitored and controlled by staff to restrict unauthorised persons from gaining access to the premises and to prevent children from exiting the service unsupervised. In addition, the outdoor play area was securely gated restricting unauthorised persons from gaining access to the premises and to preventing children from exiting the service unsupervised.
- The radiator in the care room had a protective radiator cover. This prevented a child from being injured from the heat source.
- Cleaning agents were stored safely out of the reach to the children.

##### Infection Control:

- The windows were open to allow fresh air to circulate in the care room.

##### Administration of Medication:

- Medication was observed to be stored safely out of the reach to the children.

##### Fire Safety:

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

#### Non-Compliance Information

##### General Safety:

1. The blind cords on the windows in the care room were not secured and were accessible to children. It is acknowledged that the children were supervised at all times, however, having unsecured blind cords that are accessible to children posed a strangulation risk to children. An Immediate Action Notice was issued to the registered provider with regards to this risk on the day of the inspection 1 October 2024 and a response with a plan to address the risk was received on the 2 October 2024.
2. Thermostatically controlled water was not available in the sinks in the children’s sanitary accommodation. The water temperature was recorded at 47°C at 10am and at 45°C at 10.10am. This created a scalding

risk to children when handwashing. Water must be thermostatically controlled to under 43°C for handwashing and safety purposes.

### **Infection Control:**

3. Perishable snacks such as yoghurt and cheese brought by the children from home for morning snack time were not stored in a fridge, this increases the risk of bacteria multiplying to levels which could result in children becoming ill.
4. The bin in the sanitary area was not foot operated. This posed a risk of cross infection.

### **Fire Safety:**

5. The attendance of one child who was present in the service from 9.15am was not recorded at 10.17am on the electronic application used to record children's attendance. The registered provider confirmed to the inspector that this application is used in the event of emergency evacuation to account for the children.

### **Action submitted by the Registered Provider**

#### **General Safety:**

#### **Corrective Actions**

1. Registered provider pulled up the blinds as far as they can go and wrapped the strings tightly around the base of the blinds securing them and out of the reach of children.
2. The under-sink water heater already had a thermostat installed on it. It just needed the temperature to be lowered. The temperature was adjusted to the required one and now is under 43°C.

#### **Preventive Actions**

1. The school principal brought in a company to measure up the windows to replace the blinds with school regulation blinds and they have a safety hook attached on the side. This job will be done after Christmas.
2. A risk assessment was completed, and temperature is now monitored every hour and logged on the electronic record system.

#### **Infection Control:**

#### **Corrective Actions**

3. Large bags have been provided for the children to place lunchboxes into them and then place them in the fridge, and now this is a part of morning routine for the children when they arrive at playschool.
4. The bins were changed, children are now using them successfully.

### Preventive Actions

3. It is part of the nutrition policy to have healthy lunches and as well no yoghurt allowed on the premises. Putting lunches in the fridge is part of the children's morning routine they have got used to it fairly quickly.
3. Children were shown how to use the pedal bin and taught how not to touch the lid.

### **Fire Safety:**

### Corrective Actions

4. The children are always marked in when they arrive on the electronic record system. On that day the child was overlooked due to the complexity of the events.

### Preventive Actions

5. Staff will be more vigilant, and a second physical roll call will be done at @11.20 every day.

### Supporting documentation submitted

### **General Safety:**

1. Photograph evidence of the blinds secure in the care room.
2. Photographic evidence of the existing thermostat under the sink and documentary evidence of the risk assessment for water temperatures daily.

### **Infection Control:**

3. Photographic evidence of the bags individually labelled for each child.
4. Photographic evidence of the new pedal bin.

### **Fire Safety:**

5. No supporting documentation submitted.

### Summary Comment

The corrective and preventive actions provided are sufficient to address the non-compliances identified under 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) Suitably equipped first aid boxes were available and were safely stored in an easily accessible and conspicuous position on the premises.

#### 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. This posed a risk to children where first aid is required. An Immediate Action Notice was issued to the registered provider with regards to this risk on the day of the inspection 1 October 2024 and a response with a plan to address the risk was received on the 2 October 2024.

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

##### Corrective Action

When the registered provider took over the service, she had tried to book in a first aid training and that was the only available date in Dublin. The registered provider booked it straight away knowing how important this is. At this point the registered provider has completed all 3 days of first aid training.

##### Preventive Actions

The registered provider has set the date in her calendar before it expires, and the registered provider will ensure she is trained in advance of this happening. The registered provider has also requested dates from the training company so the other staff members can do or renew their training.

##### Supporting documentation submitted

Documentary evidence to show the registered provider has completed FAR training and is awaiting certification.

#### Summary Comment

The corrective and preventive actions provided are sufficient to address the non-compliance identified under 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 23 September 2024.
- (b) The number, type and maintenance record of the firefighting equipment was up to date. Fire extinguishers were last serviced on 29 May 2024. Smoke alarms were serviced on 19 July 2024.
- (2)(c) Records were open to inspection by an authorised person. All records requested by the inspector were available for review.
- (4) Procedures detailing the steps to take in the event of a fire were displayed on the wall in the care room. In addition, child friendly procedures showing the steps to take in the event of a fire were displayed at the children's level in the care room.

### 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 22 children the service is registered for and an expiry date of 27 March 2025.