

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DY080
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Name of Service:	Garden of Eden
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Address of Service:	Edenmore Park, Edenmore, Raheny, Dublin 5, Co. Dublin
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Eircode:	DO5 AK57
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Name of Registered Provider:	Emma Lynch
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Service type:	Full Day
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Date of Inspection:	02/05/2024
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No of pre-school children:	AM	53	PM	45
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Child and Family Agency, Unit 4&5 Nexus Building Block 6A, Blanchardstown Corporate Park, Dublin 15.
Inspection undertaken by:	E Hosford and 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

Garden of Eden is a community service situated in the urban area of Edenmore, Dublin 5. It offers sessional, part-time, and full-time care to children aged from 3 months to 5 years of age. The service operates from 8am to 5:30pm Monday to Friday.

The service operates from a single-storey purpose-built premises and currently consists of four care rooms, a separate cot room, sanitary facilities, a kitchen for the preparation of food, a staff office area and reception and an outdoor space to the rear of the service.

The four care rooms operating are the Wobbler room (1- 2 years), Tweenie room (2-3 years), Play school room (3- 4 years) and the Pre School room (4-5 years).

Staffing

The service employs 18 staff to include the registered provider, an office administrator, a cook, a caretaker and 14 childcare staff. The registered provider facilitated the inspection.

During the inspection there were 14 staff caring for 53 children aged from 1 to 5 years of age in the morning and 10 staff caring for 45 children in the afternoon.

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

The unannounced inspection focused on an examination of compliance under The Child Care Act 1991 (Early Years Services) Regulations 2016.

Regulation 9 Management and recruitment (2)(c), (4),
Regulation 11 Staffing Levels (1)(2)(8)(a),
Regulation 16 Record in relation to pre-school service (h)(i)(j)(k),
Regulation 19 Health, Welfare and Development of Child (1)(a) and
Regulation 23 Safeguarding Health, Safety and Welfare of child.

A sampling process was used to assess compliance under regulations:

16 Record in relation to Pre School children,
19 Health, Welfare and Development of Child,
And 23 Safeguarding Health, Safety and Welfare of Child, as a result time was spent in the Wobbler room,
Tweenie room and Play School room and not in the Pre School room.

Regulation 9 Management and Recruitment and regulation 11 Staffing Levels were assessed across all the rooms.

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 registered provider, office administrator, staff and children who were present on the day of the inspection.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(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-

(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

(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

(2) The registered provider confirmed that no new staff had been employed in the service since the last inspection on the 3 August 2023. As a result, Garda vetting declarations for 18 staff members were reviewed.

(c) Garda Vetting disclosures were available for 18 staff members. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

Non-Compliance Information

(4) One staff member employed within the service did not have documentary evidence to confirm they held a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications. The documents presented for inspection did not have the necessary detail to confirm that the staff member held the required components completed to obtain a full award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(4) In response to the non-compliance the registered provider has stated that on review of employee who does not hold a completed award we have taken them from adult/child ratio.

All future employee's certification will be checked in accordance with the National Framework of Qualifications.

Summary Comment

The registered provider has addressed the non-compliance as identified.

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) There were 14 adults working with 53 children aged between 1 to 5 years of age during the morning of inspection and 10 adults working with 45 children in the afternoon.

(2) Throughout the inspection the adult to child ratio was maintained by the service.

At 10:20am the following care rooms were in operation.

Wobbler room: There were 3 adults caring for 11 children aged between 1 to 2 years of age.

Tweenie room: There were 4 adults caring for 15 children aged 2- 3 years of age.

Playschool room: There were 4 adults caring for 15 children aged between 3 to 4 years of age.

Pre School room: There were 3 adults caring for 17 children aged between 4 to 5 years of age.

(8)(a) A weekly staff roster available demonstrated that two adults were always present on the premises during the operational hours of the service.

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:

- (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)

- (h) The time of each child's arrival and departure was recorded in an electronic application.
- (i) Staff rosters were available and reflected the staff present on the day of inspection.

Non-Compliance Information

- (j) On review of 23 administration of medication forms 11 forms were not completed to include the following.
- Three forms did not include the signature of the parent consenting to the administration of the named medication.
 - Five administrations of medications did not include the parents/guardian's signature on collection of their child to confirm they were made aware that their child had received medication.
 - One form did not include the signature of the second staff member who had checked the medication and witnessed the administration.

(k) On review of 22 accident and incident records, 3 forms were not completed as per the service policy and procedures. For example.

- One form did not include the date of birth of the child involved.
- One form did not include the signature of the parent to confirm they were made aware of the incident.
- One form did not include the manager's signature as per the service policy.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(j) In response to the non-compliances the service has stated that all staff members have been advised of the importance of obtaining parental signatures before or after the administration of medicine.

Staff have been advised and reminded of the importance of obtaining a second staff signature who witnessed the administration of medication.

While all Parents/Guardians are contacted by a phone call prior to any administration of medicines all staff have been advised of the importance of obtaining signatures upon collection of children by Parents/Guardians and the importance of receiving a witnessed staff signatory.

(k) In response to the non-compliances the service has stated that all staff members have been advised of the importance of documentation and ensuring all details relating to the child have been fully written out and recorded.

All Parents receive a phone call immediately after any accident or incident and all staff have been advised to ensure Parents/Guardians sign the forms upon collection.

While all Parents receive a phone call after any accident and incident, we do recognise the importance of obtaining the signature of Parents upon collection. Staff have been advised and going forward this will be reviewed and the end of each day to ensure Parental & Management have signed the forms.

Supporting documentation submitted

(j) and (k) Documentary evidence of staff updates.

Summary Comment

The registered provider has addressed the non-compliances as identified.

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:

- Staff demonstrated warmth and affection in their interactions with the children through use of soft and gentle tones and care. Children were promptly comforted when they became upset.
- Children were encouraged and supported to manage their personal care and were assisted to wash and clean their hands and faces as required. Staff changed the children's nappies at scheduled times and in between when needed. Inspectors observed staff using these times as an opportunity for warm one to one interaction.
- The children attending the service were provided with all their meals and drinks. A breakfast of cereal and milk was available on arrival, at 10am a morning snack of toast and butter, a hot meal of potatoes, beef, gravy and vegetables was served at 11:30-11:50am, a snack of yogurt and fruit was served at 1- 1.30pm with afternoon tea served at 3pm. Additional food was available throughout the day if a child was hungry, and water was accessible in the care rooms. Food texture and consistency was prepared according to each child's developmental age and ability. Children were encouraged to feed themselves with assistance available and given if required. Bibs were provided for younger children to protect their clothes from becoming soiled or wet. Staff sat at the tables with the children when they were eating and engaged in conversation. Drinks of water were offered with meals and snacks and were always available to the children within their rooms.
- Children were settled to sleep according to their individual routines or when they displayed signs of tiredness. Children aged 1-2 years were provided with an opportunity to sleep in standard cots while children over 2 years slept on low beds. The transitions to sleep were managed appropriately with staff speaking to children in quiet tones, playing gentle music and providing reassurance.

Supporting Relationships:

- Staff maintained daily contact with parents through informal conversation at drop off, collection and via an electronic application. Through discussion with staff, it was evident that they were familiar with the children in the service and their extended family and friends.
- The children were encouraged to share and take turns with each other, and any difficulties or disagreements were dealt with calmly and patiently by staff.
- Staff were observed working well together and delivered care to the children in a consistent and unrushed manner.

Non-Compliance Information

Basic Needs:

1. Children in the Wobbler room spent extended time during the inspection sitting in highchairs. As outlined in the Quality Regulatory Framework children should not be placed in a highchair or other piece of equipment that constrains their movement, for longer than fifteen minutes as this reduces their freedom of movement and the ability to explore their surroundings and engage with their chosen materials and toys. For example. On one occasion 5 children spent 46 minutes in highchairs during lunch time.
2. Children from the Wobbler and Tweenie rooms were not facilitated to play outdoors on the day of inspection during their allocated garden time of 9-10am for Wobblers and 10-11am for Tweenies. Six children that left the service in the afternoon would therefore not get the opportunity to play outdoors in the afternoon. Outdoor play is an important part of each child's social and physical development.

Physical and Material environment:

3. The service did not ensure that the areas of interest and play equipment in the Wobbler room were accessible as the examples below demonstrate. This reduced the play opportunities and child-initiated play for the children.
 - Areas within the room lacked clearly defined spaces to enable the children to select toys and equipment. For example, equipment such as building blocks, musical instruments, plastic animals, cars, and soft toys were stored in large boxes which were too heavy for the children to lift or access and did not have any visual pictures to indicate to the children what the box contained.
 - Equipment such as jigsaws were stored in large boxes and were incomplete, supporting kitchen equipment was stored in a box away from the play kitchens, equipment was not grouped in themed interest areas which limited the engagement levels of the children's play.

- Items such as a play bus, farmhouse and dolls house were empty with no available props or materials available.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. To address the non-compliance the service has stated that children will only be seating down for 15 minutes at any given time.
2. To address the non-compliance the service has stated that going forward parents will be asked for rain and outdoor clothing to ensure children have the right clothing for all weathers. Yard times have been reviewed and changed to allow half an hour slot to all care rooms to gain more access to the yard for up to 4 times per day for each class. This will ensure all children have access to outdoor play regardless of the weather.
3. The layout of the Wobbler room has been reviewed and changed to ensure the areas of interest and play equipment are easily accessible to create play opportunities and child-initiated play. All areas have been revamped to ensure accessibility and to give children a visual. The room has been redesigned to create different areas of play. New, lower, more accessible storage units have been purchased to make the equipment more accessible to the children. All boxes have been picture labelled to give children a visual of the contents. All equipment is now grouped into defined areas of play.

Supporting documentation submitted

1. Corrective action.
2. Revised outdoor timetable.
3. Photographs of the layout of the room and the labelled boxes.

Summary Comment

The registered provider has addressed the non-compliances as identified.

Part VI - Safety

Regulation 23 - Safeguarding health, safety and welfare of child

A registered provider shall ensure that all reasonable measures are taken to safeguard the health, safety and welfare of a pre-school child attending the service and that the environment of the service is safe.

Compliance Information

General Safety:

- The main door of the service was secured with entry to authorised adults under the supervision of the designated person in charge and office administrator. Children were supervised while in the reception area and exit from the service was restricted by a lock which was positioned out of children's reach. The outdoor area was secured with a locked gate, wall, and fence.

Infection Control:

- The service was observed to be clean with cleaning schedules available.
- Children in the Tweenie room and Playschool room were assisted to wash their hands before mealtimes.
- In the Wobbler room soothers were stored in individually labelled containers to reduce the potential risk of cross infection.

Safe Sleep:

- Children under the age of 2 years were facilitated to sleep in standard cots. Staff maintained ten-minute sleep checks on all the children that slept to include their colour, breathing and position. The temperature of the care rooms was recorded by staff to ensure that it was maintained between the recommended 18-22°C required. The temperature of the rooms while children slept was recorded as 19.2°C at 12:09pm in the cot room and 22°C at 12:06pm in the Tweenie room.

Non-Compliance Information

General Safety:

1. It was observed that three spray bottles of disinfectant were accessible to the children in the service. this increased the potential, risk of harm to a child.

- Two bottles were stored in open cupboards in the nappy changing room used by the Wobbler and Tweenie rooms.
- One bottle was stored on the floor of the toilet facility used by the Playschool and Pre School rooms.

Infection Control:

2. While six children slept in the cot room the four cots and two low beds were not positioned with the recommended 50cms between them to reduce the potential risk of cross infection and ease of access for staff in the event of an emergency.
3. Throughout the service in the sanitary facilities used by the four care rooms toilet paper and paper towels were not stored in dispensers to reduce the potential risk of cross infection from persistent touching from staff and children.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. To address the non-compliance the service has stated that the presses will be locked, and the disinfectant will be safely stored. All disinfectant spray bottles have been removed from the bathroom areas. Disinfectants to be stored in the presses and the presses locked after each use in the nappy changing area.
All disinfectant spray bottles have been removed from the bathroom areas.

Infection Control:

2. In response the service has stated that removal of the floor beds from the sleep room to ensure 50cms between each cot has been adhered to. Floor beds have been removed from the sleep room area and are positioned within the care room for sleep time. Each cot has now the required 50cm between them.
3. Toilet and paper towels dispensers have been purchased. Toilet and paper towel dispensers have been purchased to reduce any potential risk of cross infection from persistent touching from staff and children and placed in each room, bathroom, and nappy changing area.

Supporting documentation submitted

Infection Control:

- 2 & 3 Photographic evidence.

Summary Comment

The registered provider has addressed the non-compliances as identified.