

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DY080
--------------------------	-------------

Name of Service:	Garden of Eden
-------------------------	----------------

Address of Service:	Edenmore Park, Edenmore, Raheny, Dublin 5, Co. Dublin
----------------------------	---

Eircode:	DO5 AK57
-----------------	----------

Name of Registered Provider:	Emma Lynch
-------------------------------------	------------

Service type:	Full Day
----------------------	----------

Date of Inspection:	03/08/2023
----------------------------	------------

No of pre-school children:	AM	52	PM	29
-----------------------------------	----	----	----	----

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 A Bradshaw
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.
---------------------------------	-----------------

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 has five 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 five care rooms are the Baby room (3 months to 2 years), Wobbler room (1-3 years), Tweenie room (2-3 years), Play school room (3-4 years) and the Pre School room (4-5 years). All the care rooms were in use on the day of inspection.

Staffing

The service employs 19 staff to include the registered provider, an office administrator, a cook, a caretaker and 15 childcare staff. The registered provider facilitated the inspection.

During the inspection there were 13 staff caring for 52 children aged from 1 to 5 years of age in the morning and 9 staff caring for 29 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 (1)(a)(b)(c), (2)(a)(b)(c)(d),(3), (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)(b)

Regulation 21 Equipment and Materials,

Regulation 23 Safeguarding Health, Safety and Welfare of child,

And Regulation 25 First Aid (1),

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,

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, 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*

(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.*

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(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 required.

(b) The designated person in charge was on the premises when the inspectors arrived unannounced and was present for the duration of the inspection.

(2) The staff files of 19 employees working within the service were reviewed.

(a) The following references were available from a past employer.

- Two validated written references were available for six staff members.
- One validated written reference was available for seven staff members.

(b) The following references were from a source other than a past employer.

- Two validated written references were available for five staff members.
- One validated written reference was available for six staff members.

(c) Garda Vetting disclosures were available for 19 staff members.

(d) Documentary evidence available and the registered provider confirmed that no staff members had resided outside of the jurisdiction for more than 6 months as an adult.

(4) Twelve staff members employed within the service had 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.

Non-Compliance Information

(2)(a)

One staff member did not have two written and appropriately validated references on file for inspection.

(3)

Two staff members had been employed in the service prior to all vetting procedures being completed.

(4)

Four staff members 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 certificates presented for inspection did not have the necessary detail to confirm that they were present on the DCEDIY list of accepted qualifications or accompanied by a letter of verification from the DECDIY.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a)

In response to the non-compliance the registered provider stated that two written and appropriately validated references are now on file for inspection.

(3)

The service has stated that they will ensure that staff members information is on file.

(4)

The service will ensure that any new staff member have appropriate Certificates as per list of accepted qualifications from DCEDIY.

Supporting documentation submitted

(2)(a) A copy of two written references for one staff member with the date of service validation 21 September 2023.

(4) Documentary evidence of childcare qualifications for three staff members, and component certificates for 1 staff member.

Summary Comment

The service submitted documentary evidence to address the non-compliances as identified on the day of inspection. The regulatory requirement for (9)(2)(a) has been met but (9)(4) remains outstanding for 1 staff member until approval of modules completed are assessed by the DCEDIY as to whether they equate to a full award in childcare.

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 13 adults working with 52 children aged between 1 to 5 years of age during the morning of inspection and 9 adults working with 29 children in the afternoon.

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

At 11:10am the following care rooms were in operation.

Baby room: There were 3 adults caring for 8 children aged between 1 to 2 years of age.

Wobbler room: There were 2 adults caring for 4 children aged between 1-3 years of age.

Tweenie room: There were 3 adults caring for 9 children aged 2- 3 years of age.

Playschool room: There were 2 adults caring for 11 children aged between 3 to 4 years of age.

Pre School room: There were 3 adults caring for 20 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 were recorded in an electronic application.

(i) Staff rosters were available and reflected the staff present on the day of inspection.

Non-Compliance Information

(j) The registered provider did not ensure that the administration of medication policy and procedures were followed by staff when children required medication. On review of 11 administration of medication forms 10 forms were not completed to include the following.

- Nine forms 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.
- Two forms did not include the signature of the second staff member who had checked the medication and witnessed the administration.
- The signature of the manager was not included on one form as per the service policy.

(k) On review of 10 accident and incident records, 3 forms were not completed as per the service policy and procedures.

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

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(i) and (k)

In response to the non-compliances the registered provider stated that all staff were made aware of the importance of all forms been filled out correctly and signed by appropriate personnel /parents. In relation to medicine forms all parents do receive phone call prior to administration and accident or incident forms have been amended to include signatures.

One staff member in each childcare room has been assigned to ensure all paperwork is correctly filled out every evening.

Supporting documentation submitted

Documentary evidence of a staff meeting held on the 1 September 2023.

Summary Comment

The service has addressed the non-compliances identified on inspection. Regulatory compliance has been met for 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:

- 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 ham sandwiches and water was provided. A hot meal of potatoes, chicken, gravy, and vegetables was served at 11:45am, a snack of yogurt and fruit was served at 1.30pm with afternoon tea of fish fingers and beans served at 3pm. Additional food was available throughout the day if a child was hungry, and water was accessible in the care rooms. Children that have specific dietary requirements were catered for and staff were familiar with each child.
- 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.
- Children were facilitated to sleep when they showed signs of tiredness and care rooms were equipped with accessible and available rest areas to consist of soft matting and child size chairs to enable children to take a break from activities when required.

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

Physical and Material environment:

1. The service did not ensure that the areas of interest and play equipment in the Baby room were accessible and operating as the examples below demonstrate. This reduced the play opportunities and child-initiated play for the children.
 - Areas within the Baby room lacked clearly defined spaces to enable the babies to select toys and equipment. For example, equipment such as building blocks, musical instruments, plastic animals, cars, and soft toys were stored in large baskets which were too heavy for the children to lift or access.
 - It was observed that 11 of the 26 battery operated toys in the Baby room were without working batteries, this reduced the enjoyment and interactions available to the children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. In response to the non-compliances the registered provider has stated that the Baby room will no longer be in operation and that toy boxes will be clear, and all battery-operated toys checked on a weekly basis.

Supporting documentation submitted

1. Documentary evidence of a staff meeting held on the 1 September 2023.

Summary Comment

The service has addressed the non-compliance. Regulatory compliance has been met in relation to Regulation 19.

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

- The Playschool room was bright and colourful with equipment and materials accessible and available to the children. During the inspection the children were observed to move freely throughout the care room and engage with the home corner, construction area and rest area. Each area was adequately resourced with supporting equipment to include dolls, cars, trains, blocks, jigsaw, puzzles, and games.
- The outdoor area to the rear of the service was surfaced with soft matting and was equipped with scooters, bicycles, slides, ride in cars, balls, and playhouses. The children had space for games and activities such cycling, running, and jumping.

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. Additional staff were available to ensure that used cloths and bed linen were changed after each child and stored in individually labelled containers.
- Children were assisted to wash their hands before meals and after messy play. Each child was provided with their own drinking cup which was clearly labelled.

Safe Sleep:

- Children under the age of 2 years were facilitated to sleep in standard cots.

Outing:

- The service undertakes outings within the local community. The service outings policy was reviewed, and staff were aware of the procedures in place prior to going and on return to the service. A risk assessment and checklist were in place to ensure that the service policy is adhered to on trips. Click or tap here to enter text.

Non-Compliance Information

General Safety:

1. It was observed that a spray bottle of disinfectant (used by the staff to clean the changing mat) was placed into a child's basket (with nappies) on the low shelf below the changing table. which was accessible to the children in the main sanitary facilities. This increased the potential risk of poisoning.

Infection Control:

The service did not ensure that infection control practices were in line with the service policies and best practice guidelines. This increased the potential risk of cross infection.

2. Three nappy changes completed by staff from the Baby room were observed not to be carried out as per the service nappy changing policy.

- Staff did not wear an apron when changing a nappy for one child.
- Staff and children did not consistently wash their hands at the end of the procedure, of three nappy changes observed one staff member did not wash their hands or the child before returning to the care room following one change.

3. Soothers were not stored in individual containers to reduce the potential risk of cross infection.

4. While children slept their cots were not positioned with the recommended 50cm between them to reduce the potential risk of cross infection and ease of access for staff in the event of an emergency.

Safe Sleep:

5. The service did not ensure that children were visually checked every 10 minutes while they slept as per the service safe sleep policy. For example,

- At 11:30am a staff member observed the sleeping children while standing at the door to the cot room, following this no written record was completed.
- At 11:35am a staff member completed the sleep checks for 11:30am and 11:40am.

6. The temperature in the cot room was not maintained between the recommended 16-20 °C.

- At 10:55am the inspector alerted staff that the temperature recording in the cot room measured 22.4 °C which exceeded the recommended temperature of 16-20 °C. Staff reduced the air conditioning, and the temperature was recorded as 18 °C at 11:05am.
- On review of previous recorded sleep room temperatures, it was observed that on the 2 August 2023 the temperature of the sleep room was recorded as 21 °C, however, there was no documented remedial actions taken by staff to reduce the temperature to within 16-20 °C.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The service have stated that the spray bottle was removed, and staff were advised that all cleaning materials to be kept on the sink area of nappy changing area when not in use. This will ensure all cleaning materials are out of risk of children.

Infection Control:

2. The service has responded that all staff were issued the Nappy changing policy and brought into nappy changing room where nappy changing procedure was carried out by all staff, this was observed by management. Nappy changing training will be implemented every 6 months.
3. The registered provider has stated that all soothers will be sterilised and placed directly in containers. All staff have been advised that no soothers are to be left down without them being in containers.
4. In response one cot was removed from cot room to ensure there was enough space between each cot. Staff to check cot positions daily.

Safe Sleep:

5. Staff were advised of importance of recording sleep checks and all forms to be filled out at 10 min intervals as per sleep policy Sleep policy is on display on wall in rooms where children sleep.
6. Temperature in cot room has been adjusted and staff are aware of the reading required 16 – 20°C Room temperature to be checked before children are put to sleep daily.

Supporting documentation submitted

Documentary evidence of a staff meeting held on the 1 September 2023.

Summary Comment

The service has addressed the non-compliances. Regulatory compliance has been met in relation to 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.

Compliance Information

(1) The registered provider ensured that an adequate number of staff held First Aid Responder (FAR) certification training. Eight staff members currently have valid certificates, and a staff member is available to the children at all times.