

Early Years Inspectorate Regulatory Report

Pre School

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| TUSLA Identifier: | TU2015DY089 | | | |
| Name of Service: | Happy Ways Creche | | | |
| Address of Service: | 11 Shanliss Walk, Santry, Dublin 9, Co. Dublin | | | |
| Eircode: | D09 XF99 | | | |
| Name of Registered Provider: | Miriam Caffrey | | | |
| Service type: | Full Day, Part Time | | | |
| Date(s) of Inspection: | 17/01/2024 | | | |
| No of pre-school children: | AM | 8 | PM | 8 |
| Address of the Early Years Inspectorate: | Early Years Inspectorate 2 nd Floor, Unit 4/5 The Nexus Building Blanchardstown Corporate Park Ballycoolin Dublin 15 D15 CF9K | | | |
| Inspection undertaken by: | T. Nelson | | | |
| Title: | Early Years Inspector | | | |

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

Happy Ways Creche is a full day care service located in a residential area in North Dublin and is one of three services owned by the registered provider. The service provides full day care for children aged 1-6 years. Children attending the service who are eligible to, are brought from the service to a sister service to participate in the Early Childhood Care and Education (ECCE) scheme which is within walking distance.

The service operates from a purpose-built building to the rear of a residential property and comprises of two adjoining care rooms. There is a kitchen, a cot room and sanitary accommodation located off the rooms.

The outdoor play area is situated to the side of the premises.

Staffing

Happy Days Creche employs a total of six staff, including the deputy person in charge. The registered provider is not rostered to work in the service on a daily basis but manages the oversight of the service. There was five people present on the day of the inspection including the registered provider, the deputy person in charge and three staff members.

Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Child Care Act 1991 (Early Years Services) Regulations 2016 define the duty of a registered provider to ensure the safety and well-being of children and to comply with these regulations. This Act also gives Tusla the authority to assess compliance with the regulations. The purpose of regulation in relation to early years services is to ensure that the care, safety, and well-being of children attending such services is upheld. Inspections of early years services are planned based on the following:

- Previous inspection history
- Any information received in relation to the service

The findings on inspection are based on:

- Information obtained through examination of documentation
- Direct observation
- Discussion with relevant staff

This inspection was unannounced and focused on the area of governance/ health, welfare and development of child/ safety/ The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under:

- Regulation 9(1),(2)(a)(b)(c)(d), (4) Management and Recruitment
- Regulation 11(1),(2),(8) Staffing Levels
- Regulation 16 Records in relation to Children
- Regulation 21 Equipment and Materials
- Regulation 23 Safeguarding the Health, Safety and Welfare of the Child
- Regulation 25 First Aid

A sampling process was used to assess compliance under the following:

- Regulation 16(1)(h)(i)(j)(k) – Record in relation to Preschool children

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 wishes to acknowledge the cooperation of the registered provider, deputy 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 had a designated person in charge and named person to deputise as required.

(b) The deputy person in charge was present during the inspection.

The files of the six staff were reviewed and the registered provider had completed the following checks:

(2)

(a) Ten validated written references were available from recent past employers.

(b) Two validated written references were available from a source other than a past employer.

- (c) Completed Garda vetting disclosures were available in respect of the six staff members.
- (d) A review of documentary evidence showed that no adults had lived outside of the state for six months or more.
- (4) The six staff who worked directly with children attending the service held at least a major award in Early Childhood Care and Education at 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 Affairs.

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) On the day of inspection there were an adequate number of adults working directly with the children attending the service to meet their basic care needs. There three staff available to 8 children.
- (2) The adult to child ratios were correct when the inspector arrived unannounced to the service and throughout the inspection. Two staff were allocated to work directly with the 8 children who were present on the day of the inspection who ranged in age from 1 – 3 years.

8(a) A review of the staff roster provided for a minimum of two adults to be on the premises during the services operational hours.

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 was kept of the following information in relation to the service:

- (a) Details of the name, position, qualifications, and experience of the person in charge and of every other employee were maintained within the staff files.
- (b) The class of service and the age profile of children for which the service is registered to provide a service was shared in the policy document.

(c) (d) (e) The adult: child ratios, the type of care or programme provided and the facilities available were available online.

(f) The opening hours and fees of the service were available in the parents handbook.

(g) The registered provider maintained all of the policies required in accordance with Regulation 10.

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 registered provider ensured the following was available:

- There was a variety of play materials and equipment available to the children according to their age and stage of development, to include: arts and crafts materials; role play equipment and props; jigsaws; construction toys; sorting toys; small world play and soft play.
- The toys and equipment were laid out on low level shelving, visible and accessible to the children.
- The furniture in the rooms was observed to be suitable for the age and stage of the children attending.

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:

- Entry and exit to the service was managed by staff to restrict unauthorised persons from gaining access to the premises and to prevent children from exiting the service unsupervised. Entry was signalled by an intercom doorbell system, and the lock was up high out of reach of children.
- Blind cords were secured out of reach of children.
- Radiators were covered.
- All cleaning agents and sharp equipment were stored out of reach of the children in locked presses or on high shelves.
- The kitchen was inaccessible to the children on the day of the inspection.
- A record was maintained of accidents and incidents that occur in the setting.

Infection Control:

- Liquid soap, dispensed paper towels and thermostatically controlled warm water was available at the wash hand basins.
- Drinks were available in individual labelled cups.
- Children's bed linen was stored in individual labelled boxes.

Safe Sleep:

- A log was maintained where the colour, breathing and position of sleeping children was checked every 10 minutes.

Fire Safety:

1. Fire drills were carried out on a monthly basis, the last one being the 12 December 2023, in order to familiarise children and staff with the evacuation procedures.

Non-Compliance Information

General Safety:

1. Two of the three cots available were broken and posed a risk of injury to children.
 - The base of one of the cots was loose and fell to the floor when the inspector moved the mattress. The side panel of this cot was not securely fixed and was loose and unstable.
 - The side panel of the second cot was not securely fixed and was loose and unstable.

Infection Control:

2. The mattresses of the three cots were visibly stained. This posed a potential risk of cross contamination.

Fire Safety:

3. The details of the attendance of the children were not accurately recorded in the attendance book.
 - Two of the children who had left to go to the sister service were still marked as present.
 - Two children who were present were not recorded as being present.

Contemporaneous accurate attendance logs must be maintained to support the safe evacuation of children in an emergency.

Outing:

4. The daily outing with the children to and from the sister service for the ECCE session which is not adjacent to the service and involves a five-minute walk was not in line with safe practice or the service policy on outings. The following practices were reported to the inspector:
 - There was no risk assessment in place.
 - There was no attendance sheet detailing the names of the children and their contact details on the outing.
 - No first aid kit was taken on the daily outing.

Appropriate safeguarding measures must be in place when children leave the premises.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. Corrective action: Three new cots were purchased and assembled on the same day as the inspection. Old cots were disposed of.

Preventive action: The risk assessment has been updated to include a thorough inspection of the cots.

Infection Control:

2. Corrective action: Three new cots mattresses were purchased and assembled on the same day as the inspection. Old mattresses were disposed of.
Preventive action: The risk assessment has been updated to include a thorough inspection of the cots.

Fire Safety:

3. Corrective action: The service has moved to a digital spreadsheet for attendance check-in and out so that there is now multiple points throughout the service where attendance can be recorded.
Preventive action: The importance of timely tracking of attendance was conveyed to the whole team through meetings and signage.

Outing:

4. Corrective action: A risk assessment is to be completed to identify risk areas and strategies to lower the risk. A first aid kit has been purchased and will be placed in the outings bag. An attendance sheet with contact details will be created and placed in an outing bag to take daily.
Preventive action: The policies in relation to outings will be reviewed

Supporting documentation submitted

General Safety:

1. Photographic evidence of new cots.

Infection Control:

2. Photographic evidence of new cots with mattresses.

Fire Safety:

3. No evidence submitted.

Outing:

4. No evidence submitted.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliances identified under Regulation 23 has been addressed and will be reviewed on the next inspection.

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 service provided evidence that a person trained in First Aid Response (FAR) was available at all times to the children attending the pre-school.

(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.