

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DY115			
Name of Service:	Lír Childcare Centre			
Address of Service:	St. Berach's Place, Swans Nest Avenue, Kilbarrack, Dublin 5, Co. Dublin			
Eircode:	D05 H4C9			
Name of Registered Provider:	Lorraine Furlong			
Service type:	Full Day			
Date of Inspection:	25/07/2023			
Regulatory Compliance Meeting:	08/09/2023			
No of pre-school children:	AM	28	PM	28

Address of the Early Years Inspectorate:	Early Years Inspectorate, Floor 7 Brunel Building, Heuston South Quarter, St. John's Road West, Kilmainham, Dublin 8
Inspection undertaken by:	E. Finnegan Hayes
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.
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Description of service

Lír Childcare Centre is a community run full day care service located in a residential area in North Dublin which operates 8:30am-5:30pm Monday to Friday. The service operates from a single storey building and is comprised of an office, kitchen, cot room and four care rooms; Baby room catering for children aged 1.5-2 years, Wobbler room catering to children 2-3 years, Toddler room catering for children aged 2-3 years and the Preschool room catering to children aged 3-5 years. The service caters for 32 children aged 0-6 years and participates in the Early Childhood Care & Education (ECCE) scheme.

Staffing

The registered provider employs 14 staff to work in the service including the registered provider who is the service manager, one CE staff member and a cook. Nine staff were present on the day of inspection including the person in charge, administrator and the cook.

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 and safety. The inspections may also focus on other areas as required.

A sampling process was used to assess compliance under Regulation 19- Health, Welfare and Development of Child and Regulation 23- Safeguarding Health, Safety and Welfare of Child. As a result, the scope of the inspection included the Baby room and Toddler room.

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 25th July 2023 in relation to an identified concern under Regulation 23 Safeguarding Health, Safety and Welfare of Child and Regulation 28 Insurance. A response which adequately addressed the concern was received on 26th July 2023.

A Regulatory Compliance meeting was held on 8th September 2023. A response which addressed some of the outstanding issues was received on 22nd September 2023.

Acknowledgments

The inspector wishes 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.*
- (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 who was able to deputise as required in the absence of the person in charge.
- (b) The deputy person in charge was on the premises when the inspectors arrived in the service. The person in charge arrived at 9:45am and was present for the duration of the inspection.
- (2) A review of the roster and conversation with management showed that there are currently 14 staff employed by the service. The files of all staff were reviewed.
- (a)(b) Twenty written and verified references were available in relation to 14 staff members.
- (c) Garda vetting declarations were available for 14 staff members.
- (d) Police vetting was available for one staff member who had lived outside of the country for a period of more than 6 months.
- (4) Evidence was available to show that 11 staff members 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.

Non-Compliance Information

- (2)(a)(b) The required references were not available on file for the following staff;
- Two written and verified references were not available in relation to three staff members.
 - One written and verified reference was not available in relation to one staff member.
 - Evidence was not available to show that one written reference had been verified.

(d) Police vetting was not available for a staff member who had lived in two countries outside of Ireland for more than 6 months. Evidence was not available to show that one staff member did not require police vetting.

(4) There was no evidence to show that one staff member who was observed working 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.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a)(b) The registered provider obtained and verified all staff references over the last few weeks. Will ensure all new staff have full references.

(d) Police vetting has been obtained from 1 country and the staff member is currently attempting to apply for vetting from the other jurisdiction. A full history and vetting for students as well as staff will be obtained in future.

(4) An application has been made to the DCEDIY to have the qualification assessed to see if it meets the minimum requirements. A floating staff who was absent on the day of inspection and the manager will cover breaks.

Supporting documentation submitted

Documentation in relation to above has been reviewed by the Inspectorate.

Summary Comment

The registered provider has addressed the non-compliance under Regulation 9(2)(a)(b). The registered provider has partially addressed the non-compliances under Regulation 9(2)(d) and has attempted to address the non-compliance under (9)(4). This will remain outstanding; the registered provider has been advised to submit the necessary documents once they have been received.

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.

Non-Compliance Information

(1) The registered provider did not ensure an adequate number of adults were working directly with the children at all times. Between 12:20-1:20pm four adults were caring for 28 children where five adults were required. It is acknowledged that an adequate number of adults were working directly with the children at all other times on the day of inspection.

(2) Ratios were not maintained in care rooms at all times for example between 12:20-1:20pm one staff member was caring for 6 children aged 1.5-2years and one staff member was caring for nine children aged 2-3 years. There was no additional staff to call during this time in the event of an emergency.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The manager and floating staff member will cover breaks.

Supporting documentation submitted

A roster has been reviewed.

Summary Comment

The registered provider has addressed the non-compliance under Regulation 11.

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 service provided regular meals and snacks to the children attending. The daily menu included a variety of cereals for breakfast between 8:30-9:30am, snack at 10am, dinner at 11:30am, an afternoon snack at 1:45pm and tea at 3:30pm. On the day of inspection children were observed to eat fruit for snack and spaghetti bolognaise for dinner.
- Water was available to the children throughout the morning in each room and milk was provided to the children with their meals.
- Nappy changing was done on a set schedule and as required to ensure the children's comfort. Older children were supported to use the toilet independently with staff available to assist if needed.
- Children were free to move around the indoor and outdoor spaces and engage in a variety of play experiences.
- Restful sleep was supported in the service. Blinds were pulled to dim the room and children who don't require a nap were removed from the sleep room to engage in activities elsewhere. This provided a calm, quiet atmosphere for the sleeping children while also meeting the needs of the other children.

Supporting relationships:

- Staff were observed to be kind, caring and respectful in their interactions with the children and ensured a calm relaxed atmosphere.
- Children were aware of the daily routine and transitions were observed to be relaxed for example when the Toddler children returned from the garden, they were observed to hang up their coats, take off their shoes and sit on the mat with a gentle reminder from staff to put their shoes on the shelf. A predictable routine ensures children are clear of what is expected from them and provides security.

- Mealtimes were observed to be a relaxed social event where staff sat and chatted with the children. Children were encouraged to feed themselves and independence was supported for example a child in the baby room was asked if they wanted help and said no, the staff respected the child's decision and allowed them to feed themselves. Staff remained available to help when required.
- Information was shared with parents on a daily basis. Staff record details about each child including meals, nappy changes, and sleep. This promoted strong staff/parent relationship.

Physical and Material Environment

- Cosy areas were present in all rooms offering a quiet comfortable area for children to rest and relax during the day.
- Child sized table and chairs and low-level shelving allowed children to access materials freely and promoted independence.
- The children were observed to spend a long period of time outside on the day of inspection. The outdoor area offered a range of play experiences and an opportunity for children to engage with children of various age groups.

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 entrance to the service was appropriately secured when the Inspectors arrived at the service. Staff were observed to attend the door to allow access. This prevented unauthorised persons accessing the service.
- Internal doors were secured appropriately to prevent children leaving the service unsupervised.
- An exit gate from the garden area was secured with a coded lock to prevent children leaving the area unsupervised and to prevent access by unauthorised persons.
- The garden shed was secured with a bolt to prevent children gaining access.

- Safety locks were fitted to presses to prevent children accessing unsafe materials.
- Blind cords were appropriately secured to prevent injury to the children.
- The nappy changing units were safe and sturdy and children's nappy changing items were stored within easy reach.
- Cleaning supplies were stored out of reach of the children on high shelves throughout the service.
- The nappy changing unit was safe and sturdy for use and children's nappy changing items were within easy reach.

Infection Control:

- Handwashing was observed to be done frequently throughout the day, after activities and outdoor play and before and after meals.
- Dispensed hand soap and handtowels were available throughout the service to facilitate adequate hand washing.
- Soothers were stored in individually labelled boxes.
- Toy sterilisation and service cleaning records were available and completed to date.
- Aprons and gloves were available to ensure good hygiene practices during nappy changing and supporting children to use the toilet.
- Windows were open to allow fresh air to circulate in the service.

Safe Sleep:

- Cots were maintained in a good state of repair.
- Cots and low beds were positioned 50cms apart.

Fire Safety:

- Fire exits were clearly identified and unobstructed during the inspection.

Non-Compliance Information

General Safety:

1. Water in two sinks in the sanitary area used by the Toddler room was not thermostatically controlled and exceeded the required temperature of 43°C which posed a risk of scalding.
2. Two electrical cords were not adequately secured to the wall and posed the risk of injury to the children for example A cord which was beside a cot was not secured to the wall and was accessible to the child in the cot and in the toddler room the TV wire was unsecured.
3. The step of the playhouse in the garden was cracked and posed a pinch risk to the children.

Infection Control:

4. Sofas in the Baby and Toddler rooms were torn exposing the foam inside. This did not allow for easy cleaning and posed a choking hazard should a child ingest the foam.
5. Pedal operated bins were not available or were used incorrectly in the service for example; one bin was not pedal operated while two pedal operated bins were placed on a high counter for use meaning the pedal could not be used. Pedal operated bins are required for disposal of contaminated items.
6. Individual storage was not available for linen used by the wobbler and Toddler children to sleep. Sheets which staff advised had been used the previous day were stored on the mattresses while the blankets were folded and stacked in the press. Individual storage is required to prevent cross contamination.

Safe Sleep:

7. An ambient temperature of 16-20°C was not maintained in rooms where children were sleeping which posed a risk of overheating to the children. An immediate action notice was issued to the provider. The following temperatures were recorded;
 - The Toddler room was 22.8°C at 12:25pm and 1:01pm. The fan was turned on by the staff member to cool the room. One small openable window is present in the room and was open for the duration of the inspection.
 - The Cot room was 22.8°C at 12:56pm. The room does not have an opening window and the external door could not be opened as the Preschool group were playing in the garden.
8. A review of the sleep check records maintained by the service at 1:10pm showed that the breathing, position, and colour of the children had not been recorded at 12:35pm, 12:45pm or 1pm. On review of these records during the feedback meeting the information was completed. The breathing, colour and position of the children should be recorded in a timely manner as the checks are completed.

Fire Safety:

9. Fire drills were not completed monthly as required. A review of the documentation showed that fire drills had taken place in March, May and June in 2023 and March, April and May in 2022. Monthly fire drills are necessary to ensure the safe evacuation of staff and children in the event of a fire emergency.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The registered provider contacted a plumbing company who confirmed that the sinks are thermostatically controlled. Water temperatures have been checked daily and the water has not been more than 38°C. Water temperatures will be checked weekly.
2. Both electrical cords have been secured to the wall. All cables will be secured to the wall going forward.
3. The step of the playhouse has been sealed with clear resin.

Infection Control:

4. The sofas have been removed. Torn or broken items will be removed and replaced when needed.
5. Pedal bins have been placed in all rooms and moved to the floor where needed.
6. Individual storage containers have been placed in the storage area for bed linen to be stored after sleep.

Safe Sleep:

7. We have contacted three companies to provide quotes for air conditioning. We are currently using extra fans and opening windows and doors where possible.
8. We are continuing to document and record all Babys sleep room checks at all times and recorded every 10minutes consecutively.

Fire Safety:

9. Fire drills are being done and recorded on a monthly basis.

Supporting documentation submitted

Documentation in relation to above has been reviewed by the Inspectorate.

Summary Comment

The registered provider has addressed the non-compliances 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

(1) The registered provider ensured that a person trained in First Aid Response (FAR) was available to the children at all times. FAR certification for nine staff were reviewed in line with the roster.

(2)(a)(b) Two suitably equipped first aid boxes were available in the service out of reach of the children but easily accessible to staff if required.

Part VI - Safety

Regulation 26 - Fire safety measures

(1) A registered provider shall ensure that a record in writing is kept of-

(b) the number, type and maintenance record of firefighting equipment and smoke alarms in the premises.

(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)(b) A record of the number, type and maintenance record of firefighting equipment and smoke alarms in the premises was available for review. The record showed that the firefighting equipment was serviced on the 16th August 2022 while the smoke alarms were serviced on 1st June 2023.

(4) Fire evacuation procedures were displayed throughout the service in care rooms and communal areas.

Part VI - Safety

Regulation 28 - Insurance

A registered provider shall ensure that the pre-school service is adequately insured.

Non-Compliance Information

A record of adequate insurance for the service was not available for review on the day of inspection. An immediate action notice was issued to the registered provider.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

An insurance certificate was obtained the following day which showed that insurance had been in place.

Supporting documentation submitted

Insurance certificate reviewed.

Summary Comment

The registered provider has addressed the non-compliance under Regulation 28.