

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2015DY120

Name of Service: Little Learners ABCD

Address of Service: 40 Lower Drumcondra Rd, Dublin 9, Co. Dublin

Eircode: D09 HX37

Name of Registered Provider: Nessa McNamara

Service type: Full Day

Date of Inspection: 20/08/2024

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| No of pre-school children: | AM | 54 | PM | 43 |
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| 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

Little Learners ABCD is a privately owned full day care service located in an urban area in Dublin 9. Little Learners ABCD is one of three services operated by the registered provider and is registered to provide full and part-time early childhood care and education to a maximum of 209 children aged 2 to 6 years old, Monday to Friday from 7.45am to 6.00pm. The service operates an Early Childhood Care and Education (ECCE) programme sessional service from 9.00am to 12.00pm and is registered to provide a school age childcare service.

Little Learners ABCD operates across the ground floor of a multi-use commercial building and also operates from prefabricated buildings on the grounds of the commercial premises.

The service has ten care rooms, each providing care to children in the 2 to 6 year age range. There are sanitary facilities located off each of the care rooms with further sanitary facilities available for staff. A fully enclosed outdoor area is located to rear of the premises.

On the day of the inspection, the sessional care service was closed, and only four rooms were in operation: Castle Room, Baile Beag, Seomra Gael and Draiocht.

Staffing

There are currently 32 staff employed by the service providing care to the full day care children while the sessional rooms were closed during the summer. This includes the registered provider, the person in charge and 30 childcare staff who work directly with the children. The registered provider and person in charge are supernumerary and manage the oversight of the service. The registered provider, person in charge and 23 childcare staff were present on the day of the inspection.

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/ premises and facilities. 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),(3)(4) Management and Recruitment
- Regulation 11(1),(2), Staffing Levels
- Regulation 16(1)(h)(i)(j)(k) Records in relation to the Preschool Service
- Regulation 23 Safeguarding the Health, Safety and Welfare of the Child

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

- Regulation 16(1)(h)(j)(k) – Records in relation to Preschool Service.

The scope of the inspection included Draocht, and did not include the Castle Room, Baile Beag, and Seomra Gael. Regulation 11 was assessed across all four 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.

Additional Information

An Immediate Action Notice was issued under Regulation 23 to the registered provider on the day of the inspection in relation to the non-compliance identified under Regulation 23. See body of report for details.

A response was received from the registered provider which mitigated the risk identified on the 21 August 2024.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, 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.*

(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 named person to deputise as required.

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

(c) There was a clear management structure in place, and this was displayed on a notice board in the hallway.

(2) The files of the 32 staff were reviewed. The registered provider had completed the following checks:

(a)(b) Sixty-four validated written references were available from recent past employers or a source other than a past employer for the 32 full files reviewed.

(c) Garda vetting disclosures had been obtained for all 32 disclosures reviewed. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) Documentary evidence showed that 13 adults had lived outside of the state for six months or more as adults and international police vetting from that state was available for inspection.

(3) Documentary evidence available showed that all of the checks outlined in (2) had been carried out prior to any of the adults having contact with the children in the service.

(4) The 32 staff who worked 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.

Compliance Information

The registered provider ensured the following:

(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 were 17 staff available to 54 children in the morning and 16 staff available to 43 children in the afternoon.

(2) The adult to child ratios were correct when the inspector arrived unannounced to the service and throughout the inspection. Twelve staff were allocated to work directly with the 54 children who were present on the morning of the inspection with a breakdown as follows:

- Castle Room - 3 adults to 10 children aged between 3-5 years old.
- Baile Beag - 2 adults to 10 children aged between 3-5 years old.
- Seomra Gael - 3 adults to 16 children aged between 3 -5 years old.
- Draocht – 4 adults to 18 children aged between 3 -5 years old.

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) The registered provider ensured the following was maintained:

- (h) Attendance records detailing the arrival and departure of the children on a daily basis were maintained.
- (i) A record was maintained of the staff roster which was reflective of the staff present on the day.
- (j) Following a review of a sample of 12 records, the registered provider ensured a full record in writing was maintained for the administration of medication.
- (k) Following a review of a sample of 16 records, the registered provider ensured a full record in writing was maintained for accident and incidents.

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

The following measures were observed to safeguard the health, safety and welfare of children:

General Safety:

- The outdoor play area was fully enclosed.
- Storage sheds in the outdoor play area were inaccessible to the children.
- All cleaning agents and sharp equipment were stored out of reach of the children in locked presses or on high shelves and there were up to date daily risk assessments available.
- Children's fruit was observed to be cut in suitable bite-sized pieces.

Infection Control:

- The premises were in a clean and hygienic condition and documented up to date cleaning records were available and displayed in the premises.
- Liquid soap and single use hand towels were available at all wash hand basins used by the children and the staff members.
- Staff were observed to remind children to hand wash after outdoor play and before lunch.

Administration of Medication:

- A care plan was available for a child who required a particular medication, and staff reported being familiar with the procedures to administer the medication.

Non-Compliance Information

General Safety:

1. Entry to the service was not secured, and there was a risk unauthorised persons could access the premises. On arrival to the service at 10.00am, the inspector was able to access an open gate to the rear of the premises and gain entry through an open door into the main building. This posed a risk to the safety of children.

An Immediate Action Notice was issued to the registered provider in relation to this risk on the day of the inspection and a response which mitigated the risk was received on the 21 August 2024. It is acknowledged that measures were put in place during the inspection to mitigate this risk. A safety lock was observed on the external gate at 11.15am.

2. The flex from a lamp and two fans were observed trailing and accessible to the children in Seomra Draiocht and these posed a risk of injury to the children. This was identified as a non-compliance on the last inspection on the 1 December 2022 and the measures put in place failed to prevent a recurrence.

Infection Control:

3. Children's lunches which were brought in from home and which were observed to contain perishable items were not refrigerated. This increased the potential risk of infection for children.

This was identified as a non-compliance on the last inspection on the 1 December 2022 and the measures put in place failed to prevent a recurrence.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

- Corrective action:** The gate will be secured with a chain. The fire exit route was changed to go through the door in the garden and children will enter and exit through the red front door.

Preventive action: A company is to be engaged to put an intercom on the gate to the three classrooms involved and the class teacher will be able to admit someone once they are identified. The gate will have a spring closer so that the gate automatically closes after each opening. The works are to be completed on the 21 September 2024.
- Corrective action:** the service has removed the trailing flexes and lamps. The remaining two lamps have been put behind presses where children have no access to the flex. The fans have been removed permanently.

Preventive action: A monthly risk assessment will be undertaken by management.

Infection Control:

- Corrective action:** Lunches are now stored in the fridge when the children arrive.

Preventive action: the manager will check this is happening daily.

Supporting documentation submitted

General Safety:

- No evidence submitted.
- Photographic evidence submitted.

Infection Control:

- No evidence submitted.

Summary Comment

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