

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DY126		
<b>Name of Service:</b>	Little Stars Childcare & Montessori		
<b>Address of Service:</b>	351A Navan Road, Dublin 7, Co. Dublin		
<b>Eircode:</b>	D07 HP80		
<b>Name of Registered Provider:</b>	Niall O'Reilly		
<b>Service type:</b>	Full Day		
<b>Date(s) of Inspection:</b>	03/05/2023		
<b>No of pre-school children:</b>	AM	44	PM 41
<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Child and Family Agency, Unit 4&5 Nexus Building Block 6A, Blanchardstown Corporate Park, Dublin 15		
<b>Inspection undertaken by:</b>	Á Dunne and T Nelson		
<b>Title:</b>	Early Years Inspectors		
<b>Authority to Inspect</b>			
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).			
<b>Conditions if applicable</b>	Not applicable.		

### Description of service

Little Stars Childcare and Montessori is a private service which offers a full day care service located in Dublin 7. The service operates from 8.00am to 6.00pm, Monday to Friday. A service is provided to children aged between 1 to 5 years of age. The service participates in the Early Childhood Care and Education (ECCE) scheme. The service operates from a purpose built two-storey building in a residential area with an additional care room in a prefabricated building to the rear of the premises.

On the ground floor there are two care rooms - the Tadpole room and the Frog room both catering for children aged from 1-2 years old, two sanitary facilities, a sleep room, and a reception area. The first floor comprises of the Caterpillar room catering for 2–3-year-olds, the Cocoon room catering for 3- 5-year-olds, a kitchen and two sanitary facilities. The Butterfly room care room with one sanitary facility situated in the prefabricated building to the rear of the premises catering for pre-school children in the 4 -5 age group.

The converted attic contains a staff room.

The outdoor play area is situated to the rear of the premises, with artificial grass surface, fully enclosed and divided into 2 areas – one area for 1 -2 year olds and one area for the 2 - 5 year olds.

### Staffing

On the day of inspection, there were fourteen adults present to include the person in charge, deputy person in charge and a cook. Eleven adults were working directly with the children including one adult employed under the Access Inclusion Model and one adult available to provide cover across the rooms to allow for nappy changing and lunch breaks. The person in charge and deputy person in charge were supernumerary and provided support where needed, together with managing oversight of the service. The registered provider does not work in the service and was not 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 inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations:

Regulation 9 – (1), (2)(a), (b), (c), (d), (4)

Regulation 11- (1), (2), (8)(a),

Regulation 21

Regulation 22

Regulation 23

Regulation 25 - (1), (2)

Regulation 26

These findings are outlined within the relevant regulations within this report.

however, on inspection additional non-compliance was identified under Regulation 29.

These findings are outlined within the relevant regulations within this report.

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

- Regulation 23 – Safeguarding Health, Safety and Welfare of Child

As a result, the scope of the inspection included rooms - the Tadpole room, the Frog room, the Caterpillar room, and the Butterfly room and did not include the Cocoon room.

Regulation 9 - Management and Recruitment was assessed in relation to all staff currently employed and

Regulation 11- Staffing Levels was assessed across all of 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 person in charge, 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 person in charge was present when the inspectors arrived at the service and was present for the duration of the inspection.

(c) There was a clear management structure in the service that identified the lines of authority and accountability in the service and the specific roles and responsibilities of each employee.

(2) The files of 15 staff members were reviewed.

- (a) Two written and validated references were available for eight staff members from a past employer.  
One written and validated reference was available for three staff members from a past employer.

- (b) Two written and validated references were available for four staff members from a source other than a past employer.  
One written and validated reference was available for three staff members from a source other than a past employer.
- (c) Garda vetting was available for 15 staff members.
- (d) Police vetting was available in respect of ten staff members from three different countries who had lived outside the jurisdiction for longer than six months as an adult.
- (4) The 14 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) There were an adequate number of adults working directly with the children as there were 11 adults working with 44 children in the morning, and nine adults working with 41 children in the afternoon.
- (2) The correct adult/child ratio was maintained in the service throughout the inspection at all times.

The adult child ratios during the morning session were maintained as follows;

**Tadpole room** - 1 adult to 4 children aged between 1-2 years.

**Frog room** - 2 adults to 5 children aged between 1-2 years.

**Caterpillar room** - 2 adults to 11 children aged between 2 -3 years.

**Cocoon room** - 2 adult to 15 children aged between 3 -5 years.

**Butterfly room** – 2 adults to 9 children aged between 4 -5 years.

The adult child ratios during the afternoon were maintained as follows;

**Tadpole room** - 1 adult to 4 children aged between 1-2 years.

**Frog room** - 2 adults to 5 children aged between 1-2 years.

**Caterpillar room** - 2 adults to 10 children aged between 2 -3 years.

**Cocoon room** - 2 adult to 14 children aged between 3 -5 years.

**Butterfly room** – 1 adult to 8 children aged between 4 -5 years.

(8)(a) The registered provider ensured that two adults were always present on the premises.

### 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

- Each room in the service was designed with the age and stage of development having been taken into consideration. For example, the Tadpole room had a large space in the centre of the room to allow the younger children the opportunity to develop their gross motor skills with soft shapes to climb on and space to walk or crawl, in addition there were containers of toys on the floor which were easily accessible to the children using the room. The Frog room, the Caterpillar room and the Butterfly room had areas of interest with specific equipment and materials to support play. Children were observed to take part in free play and group work on the day of inspection. The layout of the rooms facilitated these choices. The Butterfly room had a wide variety of equipment to reflect the children’s interests and their emergent curriculum.

- 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 directly accessible to the children, home areas with associated props; range of jigsaws; range of construction toys; sorting and stacking toys; range of toys for transporting such as cars and trains with tracks and small world play toys.
- The toys and equipment were laid out on low level shelving and were visible and accessible to the children.
- Comfortable and cosy rest areas were available in all care rooms.
- Areas of interest were observed in the outdoor play area for example large building blocks, mud kitchen with supporting equipment, slide, large plastic caterpillar tunnel, 2 ride ons, 2 chalk boards, basketball hoop, wooden playhouse, large wooden boat shape climbing frame, large wooden climbing frame with climbing wall, 2 sand pits providing gross and fine motor play and learning opportunities for children

### Non-Compliance Information

1. When children sat at the tables in the Caterpillar room, the table were chest height and therefore were not of suitable height or appropriate for the age range of the children in the room.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

Introduce smaller height table in Caterpillar Room. Monitor children that have turned 2 years of age inducting into Caterpillar Room. Management has informed EYP'S during staff meeting, held 25<sup>th</sup> May 2023 that if children are not of suitable height to request children if they would like to sit at the smaller table.

#### Supporting documentation submitted

Photo evidence submitted

### Summary Comment

The non-compliance outlined under Regulation 21 has been addressed.

### Part V - Care of Child in Pre-school Service

#### Regulation 22 – Food and drink

*A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.*

#### Compliance Information

- The service followed a three-week menu plan which was on display in the hallway and visible to parents. Food provided within the service was prepared in the onsite kitchen with the main dinner supplied by an external catering company.
- Parents provided snack time food from home.
- On the day of the inspection the children were served a breakfast of cereal with milk, a mid-morning or mid-afternoon snack provided from home, a hot lunch of savoury mince with Pasta for the Tadpole and Frog rooms and savoury mince with sauté potatoes for the Caterpillar, Cocoon and Butterfly rooms an afternoon tea of ham and cheese sandwiches.
- Staff were aware of the different dietary requirements of the children in their care room and suitable meals and alternatives were provided.
- Meals were prepared to suit the stages of development of the children in each care room.
- The children were given support and supervision when self-feeding.
- Drinks of Water and Milk were available throughout the day.

#### Non-Compliance Information

1. Children attending a full day care service were not offered food every 3 hours, in the Caterpillar room, one child arrived at 8.30am to the service and hot dinner of savoury mince with sauté potatoes was served at 12.02pm.

#### Corrective & Preventive Action submitted by the Registered Provider

##### Corrective and Preventive Action

1. Introduce a snack at 10am in the Caterpillar Room. Management to regularly monitor Mealtimes, to ensure that children are offered food every 3 hours.

##### Supporting documentation submitted

Staff Meeting Agenda 25<sup>th</sup> May 2023.

#### Summary Comment

The non-compliance outlined under Regulation 22 has been addressed.

### 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:

- On the inspectors unannounced arrival at the service, the entrance was secure in order to prevent unsupervised entrance and exit from the service.
- The weekly roster was available for review by the inspectors on the inspection day.
- The kitchen area was inaccessible to the children throughout the day of inspection.
- Emergency exits in the service were clear and unobstructed.

##### Infection Control:

- Handwashing facilities for hand hygiene included thermostatically controlled warm water, liquid soap, and paper towels.
- Bins were provided for the disposal of wastepaper in the sanitary facilities.
- Nappy changing facilities were available for the children.
- Nappy changing was completed at regular intervals and when required.
- Sheets and blankets were individual to each child and stored in individual labelled bags when not in use. Staff reported that these were sent home every Friday with the children to be laundered weekly.
- The snack provided from home was stored in the service fridges immediately on arrival each morning.
- The care rooms in the service were ventilated by open windows.
- The temperature of the care rooms was recorded as follows:

Room	Temperature	Time
Tadpole Room	21.5 ° C	at 10.45am
Frog Room	18.0° C	at 12.37pm
Caterpillar Room	19.4 °C	At 11.24am
Butterfly Room	20.2°C	at 12.29pm

which is within the recommended temperature of 18-22 °C.

##### Safe Sleep:

- During sleep time in the cot room off the Tadpole room and in the Frog room the following was observed:
  - The sleep needs for children under 2 years of age, were facilitated with access to cots for sleep.

- In the Caterpillar room
  - Children over two years need for sleep and rest were facilitated through the provision of low beds.
- Children were provided with cellular blankets for sleep.
- 10-minute sleep checks were completed for each child's position, colour and breathing pattern
- The temperature of the rooms where sleep occurred were maintained between the recommended temperature of 16-20°C while children slept

### Non-Compliance Information

#### General Safety:

1. The ground in the outdoor play area at two of three points where the posts from the shelter go into the ground was uneven and posed a trip hazard for the children.

#### Infection Control:

2. Two cots in the sleep room off the Tadpole room had exposed wood where paint had chipped off, making it difficult to keep clean.
3. Low beds in the Caterpillar room, during sleep time, were not positioned with the recommended 50cms apart to reduce the potential risk of cross infection and for access to children in the event of an emergency.
4. During sleep time, the sleep room of the Tadpole room was observed to be congested with toys and equipment, this is not an appropriate storage area
5. The lid of the nappy disposal bin in the sanitary facility used by the Caterpillar room was not closed properly leading to malodour and poor infection control.
6. The pedal of the bin in the sanitary facility of the Butterfly room was broken leading to poor infection control as the children had to use their hands to open the bin.

#### Safe Sleep:

7. The mattress of two cots in the Tadpole sleep room and 3 cots in the Frog room did not have safety labels present on them.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### General Safety:

1. The area directly around the posts were filled in and made level 6<sup>th</sup> July 2023 and ongoing inspection of garden for potential trip hazards will be completed.

### Infection Control:

2. The two cots in the Tadpole Room that have exposed wood have been painted. Early Years Practitioners and management to monitor cot's maintenance.
3. New 50 centimetres markers have been introduced to all sleep rooms, management to regularly check that staff are using markers to ensure cots and canvas beds are 50 centimetres apart at all times during sleep time.
4. Removed toys from Tadpole sleep area. Early Years Practitioners informed by management not to store any toys in the Tadpole sleep room. Toys that are not in use by the children in the Tadpole room are to be stored in the storage room on the third floor.
5. The service will ensure the nappy changing bin in Caterpillar changing room is closed at all times. When bin liner is not correctly placed in nappy changing disposable bin, lid will not shut correctly. Demonstrate placing bin liner correctly in nappy disposable bin in staff meeting held 25<sup>th</sup> May 2023.
6. The service replaced the bin and Early Years Practitioners to inform management immediately if any disposable bin is faulty.

### Safe Sleep:

7. Purchase new cot mattresses management has informed EYP's not to remove safety label tags in future and to ensure and monitor that all mattresses retain their safety label tags.

### Supporting documentation submitted

#### General Safety:

1. Photographic Evidence submitted

#### Infection Control:

2. Photographic Evidence submitted.
3. Photographic Evidence submitted.
4. Photographic Evidence submitted.
5. Staff meeting agenda held 25<sup>th</sup> May 2023 and proof of attendance of staff at Staff meeting submitted.
6. Photographic Evidence submitted.

#### Safe Sleep:

7. Receipt of Purchase of New Mattresses submitted

### Summary Comment

The non-compliances outlined above, under Regulation 23 has been addressed

### 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 two adults trained as First Aid Responders were 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.

### Part VI - Safety

#### Regulation 26 - Fire safety measures

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

*(a) any fire drill that takes place in the premises, and*

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

*(2) The record referred to in paragraph (1) shall be open to inspection by-*

*(a) a parent or guardian of a pre-school child attending or proposing to attend the pre-school service,*

*(b) an employee, and*

*(c) an authorised person.*

*(3) A registered provider shall ensure that a record referred to in paragraph (2) is retained for a period of 5 years after its creation*

*(3) 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)
- (a) A written record was available of the fire drills completed in the service. The last recorded fire drill took place on the 3<sup>rd</sup> April 2023.
- (b) A record was available of the number, type and maintenance of the firefighting equipment demonstrating it was last serviced 29<sup>th</sup> August 2022 and for the number, type and maintenance of the mains powered smoke alarms in the premises, which were last serviced on the 29<sup>th</sup> November 2022.
- (4) A notice of the procedures to be followed in the event of a fire was conspicuously displayed on the premises.

### Part VII - Premises and Space Requirements

#### Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-*

- (a) of sound and stable structure,*
- (b) safe and secure,*
- (e) equipped with adequate and suitable sanitary facilities.*

### Compliance Information

- (a) The premises appears to be of sound and stable structure.
- (b) A secure entrance gate and the entrance door to the service were both monitored by the person in charge and deputy person in charge and entry was adequately secured with an intercom system to prevent children from exiting unsupervised and to prevent unauthorised access to the service.

### Non-Compliance Information

- (e) On the day of inspection there were 14 adults with only one staff toilet including one wash hand basin. Separate facilities are required for staff and children, and require the following ratios:  
1 toilet including hand wash basin for every 8 adults.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

- (e) The service will install new staff toilet and wash hand basin in adjoining room beside current staff room and lockers. Progress update to be provided by 30<sup>th</sup> June 2023 regarding discussions and engagement with contractors.

### Summary Comment

Regulatory compliance remains outstanding under Regulation 29(e) and will be reviewed on the next inspection.