

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DY131		
<b>Name of Service:</b>	LYCS Early Years Education Service		
<b>Address of Service:</b>	Rory O Connor House, Hardwicke Street, Dublin 1.		
<b>Eircode:</b>	D01 HK25		
<b>Name of Registered Provider:</b>	Sarah Kelleher		
<b>Service type:</b>	Full Day, Part Time, Sessional		
<b>Date of Inspection:</b>	25/03/2024		
<b>No of pre-school children:</b>	AM	29	PM 22
<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Floor 7 Brunel Building, Heuston South Quarter, St. John's Road West, Kilmainham, Dublin 8		
<b>Inspection undertaken by:</b>	E. Finnegan Hayes		
<b>Title:</b>	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

LYCS Early Years Education Service is a community run service located in the inner city in North Dublin. The service opens from 8:45am-5pm daily providing full-time, part-time, and sessional care and education to children aged 0-6 years and participates in the Early Childhood Care and Education (ECCE) scheme. The service consists of five care rooms; Baby room, Toddler room, Tweenie room, pre-ECCE room and ECCE room, an additional room on the first floor is used for gross motor activities, a staff room, office kitchen and sanitary facilities. An enclosed outdoor area is located to the side of the building.

### Staffing

The service employs 18 staff including 2 staff employed through the community employment (CE) scheme; a manager and assistant manager, thirteen staff work directly with the children, a receptionist, a cook and a cleaner. The registered provider does not work in the service but arrived during the inspection and remained on the premises for the duration 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 and safety. The inspection may also focus on other areas as required.

A sampling process was used to assess compliance under Regulation 9 Management and Recruitment, Regulation 19 Health, Welfare and Development, Regulation 23 Safeguarding Health, Safety and Welfare of Child. As a result, the scope of the inspection included the Toddler and Tweeny rooms and did not include the other care 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 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*

*(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) (b) The service had a designated person in charge and a named person to deputise when required. The person in charge and deputy person in charge were on the premises when the inspector arrived unannounced and were present for the duration of the inspection.

(2) A review of previous staff record held by the Inspectorate and discussion with management established that three staff have commenced employment in the service since the last inspection. The files of these staff were reviewed along with Garda vetting declarations for seven staff for whom our records showed had Garda vetting declarations dated more than 3 years ago.

(a)(b) Six written and verified references were available for three staff members.

(c) Garda vetting disclosures had been obtained for ten staff members; however, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years in relation to three staff members. Please refer to the information outlined under regulation 23 of this report.

(d) Police vetting was available in relation to two staff members who had lived in a country other than Ireland for a period of 6 months or more as an adult.

(4) Evidence was available to show that three staff members who worked directly with the early years 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.

### 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

(1) The registered provider ensured an adequate number of adults were working directly with the children in the service; for example, ten adults were caring for 29 children on the morning of inspection while seven adults were caring for 22 children in the afternoon of the inspection. The manager and assistant manager were also available in a supernumerary capacity.

(2) The registered provider ensured that ratios were maintained throughout the day for example;

- In the Baby room 2 adults were caring for 2 children in the morning and 4 children in the afternoon aged 11-18 months.
- In the Toddler room 2 adults were caring for 7 children in the morning and 6 children in the afternoon aged 1.5 -2 years.
- In the Tweenie room 3 adults were caring for 7 children in the morning and 2 adults were caring for 6 children in the afternoon aged 2-3 years.
- In the Pre-ECCE room 1 adult was caring for 7 children in the morning and 6 children in the afternoon aged 3-4 years.
- In the ECCE room 1 adult was caring for 6 children aged 4-5 years in the morning. This room is closed in the afternoon.

The deputy person in charge, and an additional staff member were available to cover breaks and offer support to the rooms as required.

### 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.

#### Compliance Information

(1) (a)

##### Basic Needs:

- A warm and welcoming atmosphere was evident in the service when the inspector arrived and throughout the day. Children were greeted in a joyful manner with animated tones used by staff.
- The service had a weekly menu and provided regular meals and snacks to the children attending. The daily menu included a variety of cereals, fruit and yoghurts, breadsticks, or crackers for breakfast at 9:15am dinner at 11:15am, a second hot meal at 2pm followed by a snack at 4pm. On the day of inspection children were observed to eat vegetarian pasta for dinner followed by homemade vegetable soup and bread for tea.
- Drinks were available to the children throughout the morning in each room and drinks were 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's clothes were observed to be changed as needed for comfort, for example two children in the Toddler room were observed with wet trousers on return from the outdoor area. Staff were observed to change the child's trousers in a timely manner.
- Children were free to move around the indoor and outdoor spaces and engage in a variety of play experiences without restriction.
- Staff in the Toddler room were observed to assist children to sleep by dimming the lighting and helping the children relax by rubbing their backs as they drifted off to sleep.

### Supporting relationships:

- Staff were observed to be kind, caring and respectful in their interactions with the children and ensured a calm relaxed atmosphere.
- Evidence was available to show that staff recorded the children’s emerging interests and used this to support planning of appropriate interest-based activities.
- Challenging behaviour and minor disagreements were managed in a child centred way in line with the service policy.
- Information was shared with parents on a daily basis through a software application. Staff record details about each child including meals, nappy changes, and sleep. This promoted a strong staff/parent relationship.
- Mealtimes were observed to be a relaxed social event where staff sat and chatted with the children. Children were encouraged to feed themselves, with staff available to help when required.

### 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.
- Staff supported and encouraged language development through, songs, stories, and conversation, challenging the children with questions about what they were doing.
- The service ensured a print rich environment by clearly labelling shelves and toys boxes which supports children’s understanding of language.
- Child sized table and chairs and low-level shelving allowed children to access materials freely and promoted independence.
- The outdoor area was suitable equipped with a range of equipment and provided opportunities for gross motor and imaginative play.

### Non-Compliance Information

1. The books in the Toddler room were not maintained in good condition and were stored in a grey box which does not support children to choose a book that interests them. The box contained 7 books which were intact along with a range of books missing pages and loose pages. Books should be displayed in such a way that supports children to access a book of their choosing and which are in good condition to support the children’s learning.

- The Tweeny room did not provide an environment conducive to sleep for one child who was asleep on the day of inspection. At 12:20pm the room was observed to be bright with all the lights on and children were observed to be playing without restriction in the care room, running, banging, and shouting. Staff had previously advised that the children who did not sleep would be taken to the garden or the indoor play area during sleep time however this practice was not observed. An area which is conducive to sleep is required for sleeping children.

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

#### Corrective and Preventive Action

- Bookshelves have been placed at an accessible level for the children in the Toddler room with new books that are age appropriate and inviting for the children. The ripped/torn books have been disposed of. Checking of books/library area has been added to the safety checklist.
- The children that were sleeping in the Tweeny room are now sleeping in the designated sleep room with their labelled beds. This environment is conducive to sleep as it's a dark room, soothing music, correct temperature maintained and a quiet space. The Tweeny room will maintain a room for the remaining children to engage in activities in. All staff have been informed about the new sleeping arrangements for the children in the Tweeny room.

#### Supporting documentation submitted

- A photograph of the bookshelf has been reviewed.

### Summary Comment

The corrective and preventive actions provided by the registered provider are sufficient to address the non-compliances under Regulation 19.

### 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 door was securely locked when the inspector arrived to the service unannounced. Staff were observed to attend the door to allow access to the inspector and parents throughout the day. This prevented unauthorised persons accessing the service.
- A thumb lock on the inside of the entrance door and a bolt on the garden gate prevented children from leaving the service unsupervised.
- The staircase was well maintained with a suitable handrail and non-slip flooring.
- Cleaning agents were stored appropriately out of reach of the children.
- Flexes and cables were secured out of reach of the children.
- The kitchen was inaccessible to the children in the service.

##### Infection Control:

- Adequate ventilation was ensured by opening windows throughout the service to allow fresh air to circulate and supplemented by mechanical ventilation units in sanitary areas to remove odours.
- Warm water, dispensed hand soap and paper hand towels were available in care rooms and sanitary areas to facilitate adequate handwashing.
- The service was observed to be well maintained and clean. Cleaning rotas were displayed throughout the service and completed to date.
- Handwashing was observed to be completed regularly throughout the day after playing in the outdoor area before meals and after nappy changing and toileting.
- Bedlinen was stored in individual labelled bags in the Toddler room when not in use.

##### Safe Sleep:

- Staff were aware of the risk of safe sleep procedures and the service safe sleep policy.
- Cot mattresses were observed to be well fitted and footholds were avoided in the cots.

##### Fire Safety:

- Fire evacuation plans were displayed in all care rooms and communal areas. Staff were knowledgeable of the procedure to be followed in the event of an emergency.

## Non-Compliance Information

### General Safety:

1. Garda vetting was available for three staff members however, these vetting disclosures were not dated within the previous three years in adherence with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

### Infection Control:

2. Mattresses on five cots observed to be used by the children in the Toddler room were torn which prevented adequate cleaning and exposed the internal foam which presented a potential hazard to the children.
3. Clothes and facecloths were observed to be stored on a shelf in the nappy changing area in the Tweeny room presenting a cross contamination risk. The facecloths were observed to be used following dinnertime to clean the children's face and hands.
4. Paint was observed to be worn away on the steps to the nappy changing unit in the tweeny room preventing adequate cleaning and posing an infection control risk.

### Safe Sleep:

5. Records of physical sleep checks were not available for a child aged 2 years old who was asleep in the Tweeny room when the inspector asked to see them at 12:20pm; staff advised the child had fallen asleep at 11:55am. At 12:40pm the inspector asked staff if they had begun recording the checks and was advised that they were going to record them now; the child was observed to be awake at this time having woken moments earlier. Sleep checks must be conducted and record in a timely manner to ensure the safety of sleeping children.

### Fire Safety:

6. A gate in the garden which formed part of the fire evacuation route was observed to be locked with a key operated padlock at 10:30am. It is acknowledged that management advised that the lock is normally removed when the service opens in the morning however it had not been done on the day of inspection. The lock was observed to have been removed by 12:32pm when the inspector entered the garden for the second time. Management also advised that a more suitable system is currently being investigated.

## Action submitted by the Registered Provider

### Corrective & Preventive Action

#### General Safety:

1. All Garda Vetting renewals have been received back from the National Vetting Bureau and updated. We have created a new administrative system which provides information on the dates when each staff members Garda Vetting expires. We have assigned this to an administrative worker. This allows us to keep on top of all renewals.

#### Infection Control:

2. Wheelie cots with the torn mattresses have been removed from the sleep room and replaced with new cots and new mattresses. Mattresses will be checked as part of our regular safety and equipment checklist.
3. Spare clothes for the children have been put into sealed and labelled bags and placed in a box in each room. The facecloths have also been placed into a sealed container and labelled. Maintenance of these storage boxes is now included into our daily checklists.
4. Ladder has been sanded and painted. The service have added wear and tear of paint to the maintenance checklist.

#### Safe Sleep:

5. Staff participated in retraining on the importance of updating sleep logs on the electronic application used which need to be accurate at all times. A safe sleep procedure has been hung on the walls of all rooms where children sleep. Management will continue to monitor all activity on the electronic application (sleep logs, nappy changes, observations etc). Management will also continue to monitor staff's knowledge and confidence in using the electronic application during their monthly supervision meetings. If extra training is identified, management will meet this need through one-to-one sessions.

#### Fire Safety:

6. A new rota has been created to oversee the locking/opening of the garden gate. It is being signed daily and logged. This is then double checked by a witness each day. We are exploring options to ensure the gate can only be accessed from the inside.

### Supporting documentation submitted

Copies of updated Garda vetting and photographs were reviewed.

## Summary Comment

The corrective and preventive actions provided by the registered provider are sufficient to address the non-compliance 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 an adequate number of staff were trained in First Aid Response (FAR) and that a staff member trained in FAR was available on the premises throughout the opening hours of the service.
- (2) (a)(b) Adequately stocked first aid boxes were located on a high shelf in the care rooms, out of reach of the children but easily visible and accessible to staff if needed.

### 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 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) (a) A record was maintained of all fire drills which occurred in the service. The record showed that fire drills are conducted on a monthly basis. The last fire drill took place on 20<sup>th</sup> March 2024.
- (b) A record of the number, type and maintenance record of firefighting equipment and smoke alarms in the premises was available. The certificates reviewed showed that the firefighting equipment had been serviced on 4<sup>th</sup> July 2023 while the smoke alarms had been serviced on 26<sup>th</sup> January 2024.
- (4) Notices of the procedure to be followed in the event of a fire evacuation were displayed throughout the service in care rooms and communal areas.