

Early Years Inspectorate Regulatory Report

Pre School

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| TUSLA Identifier: | TU2015DY131 |
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| Name of Service: | LYCS Early Years Education Service |
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| Address of Service: | Rory O Connor House, Hardwicke Street, Dublin 1. |
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| Eircode: | D01 HK25 |
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| Name of Registered Provider: | Sarah Kelleher |
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| Service type: | Full Day, Part Time, Sessional |
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| Date of Inspection: | 30/05/2023 |
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| No of pre-school children: | AM | 35 | PM | 22 |
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| 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 & A. Bradshaw |
| Title: | Early Years Inspectors |

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).

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| Conditions if applicable | Not applicable. |
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Description of service

LYCS 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 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 twenty-one staff including 9 staff employed through the community employment (CE) scheme; eighteen staff work directly with the children, two staff work in the Kitchen and one staff member is employed as a cleaner. One the day of inspection two staff employed through an agency to cover staff leave were also working directly with the children. The registered provider does not work directly with the children but arrived at 12pm 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 an examination of compliance under Regulation 9; (1)(a)(b), (2)(a)(b)(c)(d), (4), Regulation 11; (1), (2), Regulation 16(1), Regulation 23, Regulation 27.

Regulation 8 was added during the inspection in relation to a non-compliance. The findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under;

Regulation 16- Records in relation to the preschool service,

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

Regulation 27- Supervision.

Sampling included four care rooms. The Pre-ECCE room was not included.

Regulation 9 - Management and Recruitment was assessed in relation to all adults working in the service and

Regulation 11- Staffing Levels was assessed in relation to all children in attendance.

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 registered provider, person in charge, staff and children who were present on the day of the inspection.

Part II - Registration and Register

Regulation 8 - Notification of change in circumstances

(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.

Non-Compliance Information

(1) The registered provider failed to notify the Agency of a change of person in charge and a change to the operating hours of the service from 8:45am-5pm to 9am-5pm.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

A change in circumstance application has been submitted to reflect the new person in charge and the new opening hours. Any change in person(s) in charge will be noted immediately via the change in circumstance process.

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 8.

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) (b) The service had a designated person in charge and a named person to deputise when required. The deputy person in charge was on the premises when the inspectors arrived unannounced and was present for the duration of the inspection.
- (2) A review of the roster and discussion with management established that there were 23 staff currently employed in the service. The files of all staff were reviewed along with the files of two agency staff who were present on the day of inspection were also reviewed.
- (a) Fifteen written and verified references were available from a past employer in relation to 11 adults.
- (b) Twenty-five written and verified references were available from a source other than a past employer in relation to 17 adults.
- (c) Garda vetting disclosures were available in relation to all adults.
- (d) Police vetting was available in relation to 7 adults who had lived outside of Ireland for more than 6 months as an adult.
- (4) Evidence was available to show that 17 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.

Non-Compliance Information

(2) (a)(b) Evidence showed that reference checks had not been completed on a number of staff. The following was observed;

- There were no references on file for three adults.
- A second written and validated reference was not available for three adults.
- One reference in relation to one adult was not validated.

(d) Evidence was not available to allow the inspectors to determine whether two staff members required police vetting.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a)(b) All required references have been obtained and added to the files on the premises. No new staff will commence work before these details are on file.

(d) The service are sourcing the police clearing from the staff members home Country. In the meantime, the staff member is no longer working in the childcare centre. No new staff member will commence in the service until their file is complete.

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 9.

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 13 adults were caring for 35 children on the day of inspection.

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

- In the Baby room 2 adults were caring for 5 children aged 9-17 months.
- In the Toddler room 2 adults were caring for 8 children aged 1-2 years.
- In the Tweenie room 2 adults were caring for 9 children aged 2-3 years.
- In the Pre-ECCE room 3 adults were caring for 8 children aged 3-4 years.
- In the preschool room 2 adults was caring for 5 children aged 3-4 years.

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

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)(a) A display in the entrance hall detailed the name, position and qualification of all staff currently employed by the service.
- (b-f) Details of the class of service, age profile of the children, adult: child ratios, type of care, facilities and the opening hours and fees were available for review in the service policy document.
- (g) The policies and procedures required in accordance with Regulation 10 were available for review in the service policy document.
- (h) Attendance records were maintained within each care room. These were observed to be completed in a timely manner as children arrived to and exited the service.
- (j) The service does not routinely administer medication and as such there was no recent medication records to review.
- (k) The service maintained a record of all accidents and incidents within the service including a parental signature acknowledging they had been informed of the incident.

Non-Compliance Information

- (1)(i) The staff roster did not detail the working hours and breaktimes of staff.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (1)(i) The staff roster now includes the staff working hours as well as breaks and lunches. The management team will continue to ensure that a clear rota of shifts and breaks are shared with the team weekly. This rota will be clearly displayed on-site.

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 16.

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 inspectors arrived to the service unannounced. Staff were observed to attend the door to allow access to the inspectors 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.
- Cleaning agents were stored appropriately out of reach of the children.
- Furniture and equipment in the Toddler and Tweenie care rooms and the garden area was maintained well and free from hazards.
- Large items were anchored safely to the wall to prevent tipping.
- Transitions were observed to be managed in a planned, calm and focused way to ensure minimal disruption to the children and prioritising safety.

Infection Control:

- The service was maintained well and appeared clean throughout.
- Warm water, dispensed hand soap and paper hand towels were available in care rooms and sanitary areas to facilitate adequate handwashing.
- Windows were open throughout the service to allow fresh air to circulate.
- Cot mattresses were observed to be waterproof which allowed for adequate cleaning.
- Cleaning rotas were displayed in the Toddler and Tweenie care rooms 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.
- Soothers were stored in individually labelled boxes.
- Individual labelled beakers were supplied to the children for use when drinking.

- The nappy changing procedure was observed to be completed in line with best practice and the service policy.

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 foothold were avoided in the cots.

Fire Safety:

- Fire exits were unobstructed on the day of inspection.
- 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

Infection Control:

1. The bins in the nappy changing areas were observed to not be pedal operated and the nappy bin in the baby room remained open during the inspection. This posed a risk of cross contamination.

Action submitted by the Registered Provider

Corrective & Preventive Action

Infection Control:

1. New bins were ordered and have replaced any bin in the service that was not pedal operated. Should any bin be needed or purchased in the future for the service, it will be a pedal bin to maintain maximum infection control.

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 23.

Part VI - Safety

Regulation 27 – Supervision

A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Compliance Information

Adequate supervision was observed in care rooms and the outdoor area. Low level furniture allowed for adults to supervise children primarily by sight in the care rooms while adults were observed to position themselves appropriately and engage with the children to ensure the outdoor area was fully supervised. Changes to practice at arrival and departure times ensured adequate supervision at times of transition when the level of risk is higher and additional staff were available to support in care rooms at key times when additional supervision was required.