

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DY140
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<b>Name of Service:</b>	Mellow Spring Childcare Development Centre
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<b>Address of Service:</b>	Mellowes Road, Finglas, Dublin 11
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<b>Eircode:</b>	D11 K250
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<b>Name of Registered Provider:</b>	Rachel Duff
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date of Inspection:</b>	12/02/2024
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<b>No of pre-school children:</b>	AM	75	PM	76
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, 7th Floor, Brunel Building, Heuston South Quarter, Kilmainham, Dublin 8
<b>Inspection undertaken by:</b>	E. Finnegan Hayes & T. Nelson
<b>Title:</b>	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).

<b>Conditions if applicable</b>	Not applicable.
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### Description of service

Mellow Spring Childcare Development Centre is community run service offering full time, part-time and sessional care and education to children from 0 to 6 years of age. A registered school age service also operates in the afternoon. The service opens 8am-6pm Monday to Friday from a purpose-built single storey building. The service has a large reception area, 7 care rooms, two cot rooms, a kitchen and office space. The service participates in the Early Childhood Care and Education (ECCE) scheme. Six of the care rooms have access to a sheltered outdoor area directly outside their classroom with a larger outdoor area accessible from there.

### Staffing

The registered provider employs 32 staff and also works in the service in a supernumerary position. Twenty-six staff work directly with the children in the service. The service also employs an administrator, housekeeper, kitchen staff, cleaner and a caretaker.

### 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 16 Record in relation to Preschool children, Regulation 19 Health, Welfare and Development of child, Regulation 23 Safeguarding Health, Safety and Welfare of Child, Regulation 24- Checking in and out and record of attendance. As a result, the scope of the inspection included the Baby room, Waddler room, Toddler room and Preschool 1 room 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 inspectors wish 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
- (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 named person to deputise as required. The person in charge was present in the service when the inspectors arrived.

(2) A review of the staff roster and conversation with the registered provider showed that there are currently thirty-three staff employed in the service. The files of two staff who commenced employment since the last inspection and Garda vetting disclosures for all staff currently employed were reviewed as part of the inspection.

(a)(b) Four written and validated references were available in relation to two staff members.

(c) Garda vetting disclosures which were dated within the previous 3 years were available for thirty-three staff members.

(d) There was no evidence to suggest that either of the staff members had lived in a country other than Ireland for a period of six months or more as an adult and as such police vetting was not required.

(4) Evidence was available to show that two staff members 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 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

(1) The registered provider ensured that an adequate number of adults were working directly with the children on the day of inspection. Eighteen staff were caring for 75 children when the inspectors arrived in the service. Additional staff were available to cover in the care rooms as needed.

(2) Ratios were maintained on the day of inspection. The following was observed;

- In the Baby room, three staff were caring for 4 children aged 10-18 months.
- In the Waddler room, three staff were caring for 9 children aged 1-2 years.
- In the Toddler room, three staff were caring for 11 children aged 2-3 years.
- In Preschool room 1, two adults were caring for 14 children aged 3-4 years old.
- In Preschool room 2, two adults were caring for 11 children aged 4-5 years old.
- In Preschool room 3, three adults were caring for 15 children aged 3-4 years old.
- In Preschool room 4, two adults were caring for 11 children aged 4-5 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:*

*(k) details of any accident, injury or incident involving a pre-school child attending the service.*

#### Compliance Information

(1)(k) A sample of 23 accident and incident records were reviewed and were found to be completed in full with all the necessary details included.

### 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 provides all food consumed in the service in line with their healthy eating policy and a three-week menu which offered a variety of food for both meals and snacks. The service recognised dietary requirements and preferences for example halal meat was provided in the service. Food was provided at regular intervals throughout the day and a selection of fruit and snacks were available in the care rooms and staff advised these are available if the children are hungry outside of scheduled mealtimes.
- Mealtimes were a social occasion and staff were observed to sit with children while they ate. Children were supported to self-feed with staff on hand to help if required.
- Staff in the baby room were observed to respond appropriately to children's cues and applied a child centred approach to the daily routine for example one child showed an interest in the inspector's pen and staff provided crayons and paper for the child to use. Staff were also heard discussing the sleep needs of the individual children and used this information to prioritise the children for nappy changing before naptime to ensure the children who appeared tired were put down for a nap first.
- Nappy changing was done on a set schedule and as required to ensure the children's comfort.

- Children were supported to transition into the care room on arrival with staff providing time and comfort to the children as required.

### **Physical and material environment:**

- Toys and materials were observed to be stored at a level accessible to the children and grouped thematically throughout the service which encouraged independent spontaneous play experiences. Toy boxes were labelled with images and words to assist children to identify materials and promoted language development.
- Visual daily routines were displayed at children's level in the service supporting children's understanding of now and next. The daily routines consisted of a ranges of activities including planning time, free play, small and large group activities. Children were free to engage in planned activities or play independently.
- Verbal cues were used to notify children of upcoming transitions. This provided children with an opportunity to finish their play in preparation for the next activity.

### **Supporting relationships with children:**

- Children were observed to be unrestricted in the play and movement throughout the room and staff were observed to sit at the children's level engaging in their play in a supportive way.
- Staff in the baby room spoke about actively seeking information about the child, their routine and parental preferences for their care from parents when a child commences in the service. This information was readily available within the care room and had been updated for children who have been present in the service for a while. This promoted a strong relationship between carers in the room and the parents.
- Staff complete daily record books about the children's day and these are given to parents at collection time.
- Staff were observed to support children during minor disputes and managed children's behaviour appropriately giving clear instructions.

### 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:

- A manned reception area and coded door prevented unauthorised persons entering the care rooms and also prevented children leaving the service unsupervised. The gate in the outdoor area which was used by parents to drop and collect the children was securely locked during the inspection with staff having to physically attend the gate to allow access.
- Toys and equipment available in the care rooms were maintained in good working order and free from hazards.
- The nappy changing units used in the service appeared sturdy and safe for changing children.
- Low level cupboards were fitted with bolt locks where required to prevent access to unsafe items by children.
- Flexes were appropriately secured in the care rooms and sleep rooms.

##### Infection Control:

- Tables were observed to be cleaned regularly throughout the day for example after activities and before mealtimes.
- Pedal operated bins were available throughout the service in care rooms and sanitary areas for disposal of contaminated items.
- Individual storage was available for children's items for example soother and nappy creams to prevent cross contamination.

##### Administration of Medication:

- Detailed health care plans outlining the steps to be taken in the event of a medical emergency were available as required and staff were aware of the procedure to be followed in the event of an emergency.

##### Safe Sleep:

- An ambient temperature of 16-20°C was maintained in the cot room where children under 1 year old were sleeping and a temperature of 18-22°C was maintained in rooms where children over 1 year old were sleeping.
- Staff in the baby room were knowledgeable of safe sleep procedures for the children.

- Staff maintained physical checks of sleeping children every 10 minutes and recorded details of these checks.

### Fire Safety:

- Emergency evacuation plans were visible throughout the service and staff were knowledgeable of the procedure for evacuation in the event of a fire emergency.
- Emergency exits were unobstructed on the day of inspection.

### Non-Compliance Information

#### Infection Control:

1. Handwashing was not observed to be completed by staff or children following nappy changing in the Toddler room in line with the service policy. Handwashing is required to prevent the spread of infection.
2. A build-up of dirt and debris was observed on the mechanical ventilation unit in the sanitary accommodation in Preschool 1 room this could make the extraction unit less effective resulting in malodour.

#### Safe Sleep:

3. The registered provider did not ensure that children aged under two years of age were provided with adequate sleep facilities in line with Tusla's *"Guidance for the Early Learning and Care sector on sleep provision for children under 24 months"*. The following was observed;
  - In the Waddler room three children aged less than 2 years old were observed to sleep on low level stackable beds at nap time. A mattress with a minimum 6cms depth is required for children under 2 years to ensure the children's comfort while they sleep.
  - Individual sleep plans and risk assessments were not available for the children. Individual sleep plans should be prepared in consultation with the parents to ensure a child centred approach while risk assessments are required to ensure a safe sleeping environment for the children.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### Infection Control:

1. Staff have been reminded of the importance of handwashing for both themselves and the children and additional signage is available as a reminder. Staff will receive regular reminders of the nappy changing procedure.
2. The vent has been cleaned. Cleaning of the vent has been added to the cleaning checklist.

### Safe Sleep:

3. New beds with a mattress of 6cm have been purchased for children in the wobbler room. Individual sleep plans have been prepared in collaboration with the parents and risk assessments have been conducted. Individual sleep plans and risk assessment will be available for all children under 2 years old who sleep on low beds.

### Supporting documentation submitted

Photos of above have been reviewed

### Summary Comment

The corrective and preventive actions provided are sufficient to address the non-compliance under Regulation 23.

## Part VI – Safety

### Regulation 24 - Checking in and out and record of attendance

*(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.*

*(3) A registered provider shall ensure that-*

*(a) no person other than-*

*(i) pre-school child attending the service,*

*(ii) a person dropping or collecting such a child,*

*(iii) an employee, or*

*(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and*

*(b) a daily record in writing is kept of the entry on the premises of any such person.*

### Compliance Information

(1) The registered provider ensured that the children were checked into and out of the service on a daily basis by staff. Conversation with the registered provider and observation of parents arriving to the service showed that staff collect children on arrival and return them at collection time to the designated entry/exit gate to the rear of the service. Attendance records are maintained in each care room and were observed to be completed promptly on the day of inspection.

(3)(a)(b) Visitors to the service enter through the reception area which is manned by staff. A door which is secured with a locking system prevents access to the care rooms preventing unauthorised persons entering the service. A visitor sign in book which recorded all the required details was in use on the day of inspection.

## 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 observed in the care rooms. These were stored out of reach of the children but accessible to staff if needed.