

TUSLA PRE- REGISTRATION REGULATORY INSPECTION REPORT

Inspection Due to a Proposed Change of Circumstances

Tusla I.D: TU2015DY140

Name of Service: Mellow Spring Childcare Development Centre

Address of Service: Mellow's Road
Finglas
Dublin 11

Email Address: manager@mellowspring.com

Name of Registered Provider: Rachel Duff

Type of Proposed Service:	Sessional	x	Part-Time	x	Drop-In	
	Full Day Care	x	Childminding		Temporary	

Proposed change:

- **Open a new room**
- **Increase the total number of children from 76 to 86**
- **Addition of a morning sessional service**

Proposed Number of Children: 86

Registered change: Increase in number of children from 76 to 86

Date of Inspection:	3	1	0	3	2	0	2	1
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Inspection undertaken by: Ms M Foley

Title: Early Years Inspectorate

Tusla Early Years Inspectorate Address: Early Years Inspectorate,
Child and Family Agency,
Dublin North East,
2nd Floor, Unit 4&5 Nexus Building, Block 6A,
Blanchardstown Corporate Park,
Dublin 15.

Rationale for Inspection :

Proposed Change of Circumstance

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Note: For Office use only, to be completed by Registration Office

Registration Status:	Registered Full day care, Part time and Sessional service for 86 children
Date of Registration	12 th July 2021

Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(D) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

Description of Service	This service was established in 2004 as a not-for-profit childcare service. The service offers full-day, part-time and sessional childcare and education to children from 2 months to 6 years old. The service also participates in the Early Childhood Care and Education (ECCE) scheme. School aged children are cared for from 1.45 pm until 6pm daily. Opening times are from 8am to 6pm daily.
Premises	The early years' service is located in a single storey purpose built premises located on Mellowe's Road. The service is adjacent to Dublin City offices and Finglas Resource Centre. The service consists of six care rooms, an office, two sleep rooms, a kitchen and a reception area. The rooms are named as follows; Baby room, Waddler room, Toddler room, Preschool room 1, Preschool room 2 and Preschool room 3. There are two large outdoor areas at the rear of the premises with smaller covered outdoor areas off six of the care rooms. The registered provider has applied to the Inspectorate to open a new care room called Preschool room 4. It is a newly built extension to the existing premises.
Staffing	On the day of the inspection the service employed fifteen childcare staff, the registered provider, an administrator, a cook and maintenance staff. Files for new staff were inspected 25/11/20. One new staff has joined the service since November 2020. The registered provider facilitated the inspection process.
Methodology	The inspection was an announced inspection to assess compliance with the Childcare Act 1991 (Early Years Services) Regulations 2016 and Childcare Act 1991 (Early Years Services) (Amendment) Regulations 2016. The Inspection focused on regulations under two themes; Governance, and Safety. The findings on inspection based on information obtained through examination of documentation, direct observation, and discussion with relevant staff are documented in the Inspection report and presented to the Registration Panel for consideration of a decision in relation to the service receiving continued registration. 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.

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Acknowledgements

The Inspector wishes 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.

Requirement met:

The requirement has been met.

(1)(a) The service had a designated person in charge and a named person who can deputise as required. The registered provider is the person-in-charge. Both staff currently work in the service.

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.

(8) Without prejudice to paragraphs (2) to (7)—

(b) a childminder shall ensure that a second person familiar with the operation of the service and in a position to provide assistance to the childminder in operating the service is, at all times, within close distance of the service and available to attend the service to assist the childminder in the event of an emergency, and

(c) a registered provider of a sessional pre-school shall ensure that, where the person in charge operates the service single-handedly, a second person familiar with the operation of the service and in a position to provide assistance to the person in charge in operating the service is, at all times, within close distance of the service and available to attend the service to assist the person in charge in the event of an emergency.

Requirement met:

The requirement has been met.

(1) Staff rosters for were available for inspection. Existing staff are due to transfer to the new care room with increased work hours. An adequate number of staff are currently employed and will continue to work directly with the pre-school children. On the day of inspection there were fifteen staff employed to meet the education and care needs of fifty-two preschool children aged from 8 months to five years and 14 school aged children.

(8)(b) Not applicable as it is a full day care service.

(8)(c) Not applicable as it is a full day care service and employs fifteen childcare staff.

Part V - Care of Child in Pre-school Service

Regulation 20 - Facilities for Rest and Play

- (1) Subject to this Regulation, a registered provider shall ensure that—
- (a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child to play indoors and, where required by these Regulations, outdoors, during the day, and
 - (b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.
- (2) A registered provider—
- (b) of a full day care service, a part-time day care service, a sessional preschool service or a childminding service that moves premises on or after 30 June 2016, shall ensure that a suitable, safe and secure outdoor space to which the preschool children attending the service have access on a daily basis is provided on the premises.
- (3) A registered provider of a full day care service, a part-time day care service or a childminding service, other than such a service to which paragraph (2) applies, shall ensure that—
- (a) a suitable, safe and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises or
 - (b) where no such space is provided, the preschool children attending the service have access on a daily basis to an outdoor service
- (4) Where outdoor space to which the pre-school children attending the service have access is provided on the premises of a sessional pre-school service other than such a service to which paragraph (2) applies, a temporary pre-school service or a pre-school service in a drop-in centre, the registered provider shall ensure that such outdoor space is suitable, safe and secure.
- (5) Where pre-school children attending a sessional pre-school service other than such a service to which paragraph (2) applies, a temporary pre-school service or a pre-school service in a drop-in centre have access to an outdoor space other than such a space specified in paragraph 4, the registered provider shall ensure that such outdoor space is suitable.

Requirement met:

The requirement has been met.

(1)(a) Six care rooms have a small covered outdoor area directly of their room available for to the children from that room at all times. Additionally, there are two large outdoor areas available to the children at times assigned on the services outdoor play area rota. The new room named Preschool 4 opens directly into one of the large well fenced outdoor areas.

(b)There are adequate and suitable rest and relaxation areas in all of the care rooms. There are two designated sleep rooms with cots for the children under two years to use. One sleep room is directly off the Baby room and the second sleep room is across the hall from the Waddler and Toddler rooms. Adequate cot and low bed linen is available. Low beds are available to provide sleep and rest facilities for children over 2 years old.

The service is not registered to provide on overnight childcare service.

	<p>(2)(b) Not applicable as the service has not moved premises on or after 30 June 2016.</p> <p>(3)(a) A suitable, safe and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises. (b) Not applicable as there are secure outdoor spaces on the premises.</p> <p>(4) & (5) Not applicable as the service is registered to provider full day care, part-time and sessional childcare.</p>
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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.

Requirement Met:	<p>The requirement has been met.</p> <ul style="list-style-type: none"> • Each day the cook prepares food including a hot meal for the children attending the service for full day childcare. A three-week menu was on display and a hot meal of beef stew was served on the day of inspection. • Fridges were available to store lunches provided by parents. • Drinking water was freely available. • Formula milk bottles were stored in a designated fridge in the Baby room.
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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.

Requirement Met:	<p>The requirement has been partially met.</p> <p>The proposal is to increase enrolment from 76 to 86 pre-school children with the opening of a new childcare room to provide an additional sessional service in the mornings and to cater for school aged children in the afternoons.</p> <ul style="list-style-type: none"> • The entrance and exit doors of the care rooms were safe and secure to prevent unauthorised entrance and unsupervised exit from the pre-school. All care rooms were managed as a pod with staff assigned to one room. Staff breaks were staggered and 2 metre physical distancing with other adults advised, encouraged and undertaken. • During Covid-19 pandemic, staff from each care room meet and greet each child and parents. Children enter their room directly through the outdoor play area and start the day with supervised and supported hand washing. Arrival and
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	<p>collection times were supervised and well managed by staff from each room to reduce risk of cross infection.</p> <ul style="list-style-type: none"> • The surface of the walls, floors, doors and shelving in all rooms were clean and well maintained. • Cleaning schedules are in place which includes a daily, weekly and monthly plan. • Thermostatically controlled warm water is available at all wash-hand basins to support hand hygiene on arrival and as needed throughout the day • Paper towels, liquid soap and pedal operated bins are in place at all wash-hand basins in sanitary areas and in care rooms. • Cleaning agents and medicines are stored out of reach of children in locked presses or on high shelves. • A section of the large lobby area has been assigned as the designated isolation area should a child or staff member feel unwell. A Covid-19 box with personal protective supplies such as disposable masks, single use gloves & hand sanitizer were available. • Wall mounted hand sanitizer units were positioned outside rooms and on the walls in the lobby area to facilitate regular hand hygiene. • Staff was familiar with the possible signs and symptoms of Covid-19 and the steps to be taken in the event of a case. • Staff was aware of the need to notify Tusla on Covid-19 notification form and a form was available in the prepared Covid-19 box.
Requirement not met:	<ol style="list-style-type: none"> 1. The four window openings in the proposed new room were not adequately secured as it was possible for a person/child to enter or exit through the opening.
Response from Provider:	<ol style="list-style-type: none"> 1. All windows now have an easy release safety catch, please see photography attached.
Summary Comment:	<p>The registered provider submitted their response with supporting photographs. These have been reviewed and found to address the requirements of the regulation.</p> <p>Regulatory requirement has been met.</p>

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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 is available to the children attending the pre-school service at all times

Requirement met:

- (1) The requirement has been met as demonstrated by first aid certificates available for inspection. The registered provider is aware of the need to have a person trained in first aid for children immediately available to the children attending at all times.
- (2) (a) First aid boxes were easily accessible and available in each childcare room. They are stored out of reach of the children. Thermometers for checking a child's temperature are also available and stored out of reach of children. Staff was aware of the position of first aid boxes in their care room.

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.
- (4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.

Requirement met:

- The requirement has been partially met.
- (1)(a) Records of monthly fire drills completed for January, February and March 2021 were available for inspection.
- (b) Maintenance certificates for the smoke detection system were available and dated 17/3/2021.
- (4) A notice of the procedure to be followed in the event of a fire was on display. Staff were familiar with the designated assembly point and route to be taken from their care room.

Requirement not met:

- (b) An in-date maintenance certificates for the firefighting equipment was not available for inspection.

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Response from Provider:	All firefighting equipment has now been serviced and a copy of the maintenance certificate submitted to the Inspectorate.
Summary Comment:	The registered provider submitted a copy of the required maintenance certificate with their response. The certificate expires April 22. Regulatory requirement has been met.

Part VI – Safety

Regulation 28 – Insurance

A registered provider shall ensure that the pre-school service is adequately insured.

Requirement met:	The requirement has been met. The insurance policy commenced on 01/03/21 for one year and provides cover for 90 children.
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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,*
- (c) kept adequately lit, heated and ventilated,*
- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

Requirement met:	<p>The requirement has been met for (a)(b)(d) & (e)</p> <p>The requirement has been met for the care rooms but not for the sanitary areas as outlined in non-compliance (c) below</p> <p>(a) On visual checks; the care rooms appear to be of sound and stable structure. The seven care rooms and associated sanitary areas are clean and appear well maintained.</p> <p>(b) The entrance doors to the care rooms are monitored, supervised and managed by staff in each of the care room to prevent unauthorised entrance and unsupervised exit. All fire escape routes and doors were free of obstacles.</p> <p>(c) The childcare rooms were adequately lit, heated and ventilated. All rooms were bright with natural light from the windows augmented by electric lighting when needed. The radiators are thermostatically controlled. In the new care room, the radiators are electric and in the six other rooms the heating is provided through an underfloor gas heating system.</p>
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	<p>(d) The care rooms, sanitary areas and corridors were cleaned, maintained and in good repair.</p> <p>(e) The service is currently equipped with adequate and suitable sanitary facilities. In total there are sanitary areas designated to each care room as follows:</p> <ul style="list-style-type: none"> • In the Baby Room, the sanitary area consisted of nappy changing areas and a hand basin. • In the Waddler room, the sanitary area consisted of a nappy changing unit beside a hand basin and a cubicle with a toilet and a hand basin. • In the Toddler room, the sanitary area consisted of a nappy changing unit beside a hand basin and a cubicle with a toilet and a hand basin. • In the four Preschool rooms, the sanitary areas consisted of two toilets and two hand basins. The toilets were in individual cubicles. • Separate staff sanitary areas are located off the end of the corridor near the manager's office.
Requirement not met:	(c) A maintenance record was not available for the ventilation system in the sanitary areas. The air in the Toddler room sanitary area was malodorous.
Response from Provider:	<p>The registered provider submitted their response as follows: a ventilation company has completed an initial assessment; work will commence following receipt of their report.</p> <p>June 21: The registered provider submitted a report from a ventilation company indicating that all works have been completed and that all ventilation systems are working.</p>
Summary Comment:	<p>The registered provider submitted their response with an email from the company. Repair work on the ventilation system is due to start soon.</p> <p>In June 21 the registered provider submitted the required documentation to fully address the requirements of the regulation. Regulatory compliance has been met.</p>

Part VII – Premises and Space Requirements

Regulation 30 – Minimum Space Requirements

- (1) *Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.*
- (2) *A registered provider of a full day care service or a part-time day care service shall ensure that the minimum amount of clear floor space specified in column (3) of Schedule 7 opposite a particular reference number specified in column (1) of that Schedule in respect of the age range of children specified in column (2) thereof at that reference number is available for each child in that age range attending the service.*

- (3) A registered provider of a sessional pre-school service or a pre-school service in a drop-in centre shall ensure that a minimum of 1.818 square metres of clear floor space is available for each child attending the service.
- (4) Where a registered provider contemporaneously provides—
- (a) a sessional pre-school service, and
 - (b) a full day care service or a part-time day care service, or both, the minimum clear floor space applicable for the duration of the sessional preschool service in respect of the children attending that service shall be the floor space specified in paragraph (3).
- (5) A registered provider of a temporary pre-school service shall ensure that a minimum of 2 square metres of clear floor space is available for each child attending the service.

Requirement met:

(1) Taking into account the age range, type of service the children were enrolled for and number of children attending there was adequate clear floor space available. The service can accommodate a total of 86 children as per the registered provider’s application.

(2) The minimum clear floor space requirements have been met in each of the following care rooms.

In the Baby Room, the children avail of a full day childcare service. The age range is 8 months to 15 months old and the number of children enrolled is six. The room can accommodate a maximum number of six children.

In the Toddler room, the children avail of a full day childcare service. The age range is 2 to 3 years old and the number of children enrolled is 13. The maximum number of children the room can accommodate is 13.

In Preschool room 1, 2, 3 & 4 the age range is 3 to 5 years old.

In Preschool room 1, the children avail of full day care, part-time and sessional childcare. The number of children enrolled is sixteen. The maximum number of children the room can accommodate is 16.

In Preschool room 2, the children avail of full day care, part-time and sessional childcare. the number of children enrolled is fifteen. The maximum number of children the room can accommodate is 16.

In Preschool room 3, the plan is to provide sessional childcare to sixteen children enrolled. A maximum of seventeen children attending a sessional service can be accommodated.

In Preschool room 4, which is the new room the maximum number of children the room can cater for is 18 attending a sessional service.

The application to increase the number of children to a maximum of 86 is compliant if a maximum of 9 children enrol for Preschool room 4.

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	<p>(3) Not applicable as the service is registered as a full day care, part-time and sessional service.</p> <p>(4) (a)&(b)The requirement has been met taking into account the type of service and the floor space available in each of the care rooms.</p> <p>(5) Not applicable as the service is not a temporary pre-school service.</p>
Requirement not met:	(1) In the Waddler room the maximum number enrolled is 14, the clear floor space can accommodate a maximum of 11 children aged from 1 to 2 years old attending a full day care service. On the day of inspection there were eight children in attendance.
Response from Provider:	<p>The registered provider submitted their response to address the requirement not met above.</p> <p>The maximum number attending is now 11 children and the maximum number to be enrolled for this room will be 11.</p>
Summary Comment:	<p>The registered provider submitted their response to address requirement not met above.</p> <p>Regulatory requirements has been met.</p>