

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DY156		
Name of Service:	Old Mc Donalds		
Address of Service:	1 Fleming Road, Drumcondra, Dublin 9, Co. Dublin		
Eircode:	D09 N8X2		
Name of Registered Provider:	Claire Mcdonald		
Service type:	Part Time		
Date of Inspection:	09/11/2023		
Regulatory Compliance Meeting:	29/02/2024		
No of pre-school children:	AM	19	PM No.

Address of the Early Years Inspectorate:	Early Years Inspectorate, Child and Family Agency, Unit 4&5 Nexus Building Block 6A, Blanchardstown Corporate Park, Dublin 15
Inspection undertaken by:	Á Dunne
Title:	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

Old McDonald's is a privately owned childcare service based in Dublin 9. The service operates from a two-storey house in a residential area. The service consists of one large childcare room, a kitchen, a sanitary area on the ground floor of the house and an outdoor area to the rear of the house. The service provides part-time care for preschool children aged between 3-5 years, Monday to Friday from 9am -1pm.

Staffing

Two adults were present on the day of inspection including the registered provider, who works directly with the preschool children.

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 inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under the regulations.

Regulation 9 Management and recruitment (2)(a)(b)(c)(d), (4),

Regulation 11 Staffing Levels (1)(2),

Regulation 15 Record of a Preschool child (1) (a to i),

Regulation 16 Record in relation to Preschool service (1) (j)(k),

Regulation 19 Health, Welfare and Development of Child (1)(a),
Regulation 23 Safeguarding Health, Safety and Welfare of child,
Regulation 25 First Aid (1), (2),
Regulation 26 Fire Safety Measures (1) (a) (b) (4),
however, on inspection additional non-compliance which posed a risk was identified under Regulation 10 Policies and procedures of a preschool service.

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

The scope of the inspection was the one care room of the service.

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, the staff member and children who were present on the day of the inspection.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(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

During the Inspection, the files of the registered provider and one staff member were reviewed.

(a) One written and validated reference was available for the registered provider and one staff member from a past employer.

(b) One written and validated reference was available for the registered provider and one staff member from a source other than a past employer.

(c) Garda vetting was available for the registered provider and one staff member.

(d) Not applicable as the registered provider provided evidence to demonstrate that police vetting was not required for them or the one staff member currently employed.

(4) The qualifications of the registered provider and one staff member were reviewed and Evidence available demonstrated that the registered provider and one staff member 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 (DCEDIY).:

Part III – Management and Staff

Regulation 10 - Policies, procedures etc. of pre-school service

A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.

Non-Compliance Information

1. The registered provider did not ensure that written policies and procedures as specified in Schedule 5 were in place for the service as the following policies were not available to the inspector:
 - Complaints Policy
 - Healthy Eating Policy
 - Use of the internet, Photographic and recording devices Policy
 - Risk management Policy
2. The following policies contained incorrect detail:
 - Record Keeping policy incorrectly stated that record keeping and record management timelines are 5 years.
 - Collection policy stated the incorrect operation times of the service for example it stated 9.15am to 12.15am when the service operation hours are 9am to 1pm

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

All policies and procedures have been updated and are stored in both hard and soft copy. Policies and procedures will be maintained yearly.

Supporting documentation submitted

1. Policies submitted.
2. Updated Policies submitted.

Summary Comment

Under regulation 10, the non-compliances outlined above have been addressed through the corrective and preventive actions taken.

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.

Non-Compliance Information

(1) On the day of inspection from 12 to 1pm, there was not an adequate number of adults working directly with the children as there were two adults working with 18 children.

(2) The incorrect adult/child ratio was maintained in the service as follows:

- On the day of inspection, from 12 pm to 1pm, there was two adults to 18 children (aged between 3 to 5 years) when three adults are required.
- Documentary evidence available demonstrated adult to child ratios were not maintained as follows:
 - on the 13th, 14th, 15th, 20th, 22nd, 27th of September 2023, the week from 2nd to 6th of October 2023, 10th, 11th, 13th, 16th, 27th, of October 2023 two adults were working directly with 17 children (aged between 3 to 5 years) between 12pm and 1pm when 3 adults were required for this number and age profile of children.
 - on the 18th, 19th, 25th, 26th, 28th, 29th of September 2023 and 9th of October, two adults working directly with 18 children (aged between 3 to 5 years) between 12pm and 1pm when 3 adults were required for this number and age profile of children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1)(2) Additional staff member employed to maintain ratios between 12pm and 1pm.

Supporting documentation submitted

(1)(2) Copy of the staff roster submitted.

Summary Comment

Under regulation 11, the non-compliances outlined above has been addressed through the corrective and preventive actions taken.

Part IV – Information and Records

Regulation 15 – Record of pre-school child

(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:

- (a) the name and date of birth of the child;*
- (b) the date on which the child first attended the service;*
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
- (e) authorisation for the collection of the child;*
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
- (g) the name and telephone number of the child’s registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.*

Non-Compliance Information

1. No record for one preschool child was available on the day of inspection.

The following was not available on the day for one child.

- (a) No name and date of birth of the child.
- (b) No date on which the child first attended the service.
- (d) No name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service.
- (e) authorisation for the collection of the child.
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention.
- (g) the name and telephone number of the child’s registered medical practitioner.
- (h) record of immunisations, if any, received by the child.
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.

2. The records of the available 19 pre-school children were reviewed; the signature of the registered provider was not present on the 19 available registration forms and 8 records were found to be incomplete as follows:

The following details were not completed on some of the registration forms.

- (a) The name and date of birth of the child was not completed on 2 forms.
- (b) The date on which the child first attended was not completed on 6 forms.
- (e) Authorisation for whom has permission to collect the child was not completed on 2 forms.
- (f) Details of any illness, disability, allergy or special need of the child, together with all information relevant to the provision of special care or attention was not completed on 1 form.
- (g) The name and telephone number of the child's registered medical practitioner was not completed on 1 form.
- (h) record of immunisations, if any, received by the child was not completed on 1 form.
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency was not completed on 1 form

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. The service has completed the registration detail of the child with relevant information completed.
2. All registration forms have been signed and are on file.

The service will ensure to follow up with parents and get the registration forms returned promptly and place on file.

Supporting documentation submitted

1. Photographic Evidence submitted.
2. No evidence submitted.

Summary Comment

Under regulation 15, the non-compliances outlined above have been addressed through the corrective and preventive actions taken.

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:

- (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)(j) The service had a record to detail any medication which may be administered to the pre-school children attending the service as no medicine had been administered since the last inspection on the 4 of November 2021.

(1)(k) The service had a record to detail any accident, injury or incident involving a pre-school child attending the service. One accident incident record was reviewed and was completed in full of all required details.

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)

- On the day of inspection, the inspector observed the children having a morning snack at 10.30am and lunch at 11.15am. The children brought their own lunches consisting of sandwiches, crackers, vegetables, fruit and yogurts.
- Drinks provided from home were available to the children throughout the session.
- Mealtimes were held in a relaxed and comfortable atmosphere in the care room. The registered provider and the staff member were observed to support the children during mealtimes.

- The children were observed to have freedom of movement during play, both indoor and outdoor with a variety of opportunities of play developing their gross and fine motor skills.

Supporting relationships around children:

- Respectful and positive interactions were observed between adults and children. The atmosphere in the service was relaxed and the registered provider and the staff member were familiar with the children and could read their cues.
- The service had a dog present which provided comfort and support to the children.
- The service's communication with parents is completed by text messages.

Physical and Material Environment

- The layout of the care room promoted independent access to activities, equipment and materials, children's toys and equipment were accessible for children to choose their own work.
- There was a sufficient number of low tables and chairs to accommodate children whilst they played and ate in each care room.
- Age-appropriate play materials in defined areas of interest were available in the care room to include:
 - Home corner areas (kitchens with supporting play food and utensils),
 - Construction areas (plastic bricks, large nuts and bolts, clicks, stickies and cubes),
 - Small world play (trains and train tracks, dolls house and furniture, small play people, cement truck, digger and fire truck),
 - Tabletop activities (wooden puzzles and jigsaws, peg and peg boards, plastic face making activity, threading),
 - Age-appropriate materials of the Montessori learning approach were available in the care room.
 - A couch was present for relaxation and rest when required by the children.
- The enclosed outdoor play area consisted of a concrete surface. The children had access to; a slide, two playhouses, a basketball net, one ride on trike, three ride in cars and two large sand pits.

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 external door was secure with an electric bell for entry , to prevent a child from exiting the service unsupervised and to prevent an unauthorised person from entering the building.
- In the outdoor area to the rear of the house, water pipes were covered in grey foam reducing the risk if injury to children.
- The outdoor area was secure with high walls and a locked gate.

Infection Control:

- Children’s lunches brought from home were refrigerated on their arrival into the service.
- Handwashing facilities for hand hygiene included liquid soap, and paper towels.
- Lidded bins were provided for the disposal of wastepaper in the sanitary facility and in the care room.
- Childrens hands were washed before morning snack at 10.30am and lunch at 11.15am.
- The inspector observed the registered provider and staff member ensuring that daily cleaning was undertaken during the morning where tables were cleaned before and after lunch time and at the end of the session when the children had gone home.

Non-Compliance Information

General Safety:

1. The kitchen area was accessible to the children throughout the inspection. In the kitchen, the press under the sink and the drawer containing a sharp knife were unlocked and accessible to children, posing a risk of injury. The inspector observed the following:
 - at 11.40am, one child entered the kitchen to put lunch rubbish into a bin bag.
 - at 11.49 am one child entered the kitchen area, switched on the dishwasher machine and pressed the washing machine buttons.
 - at 12.00pm, one child entered the kitchen area looking for tissues, walked around and then left the kitchen area.

2. The attendance books did not accurately reflect the children or staff present in the care room. This posed a risk to the safe evacuation of children in the event of an emergency. For example.

- No attendance record was completed for one child who was present from 9am to 10.45am.
- No attendance record was completed for one child who was present from 9am to 1pm.

Infection Control:

3. There was no warm water present in the service, this does not promote effective handwashing.

Fire Safety:

4. On discussion with the registered provider, it was confirmed that no fire drills had been completed in the service since September 2023. It is acknowledged that the registered provider submitted evidence of a fire drill which was completed on 10th of November 2023. It is recommended that fire drills are completed every month, this promotes fire safety awareness

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The service has secured a room divider to prevent children entering the kitchen area. The divider remains in place during preschool hours 9am to 1pm.
2. All children in the service are now entered into the roll book on arrival and departure from the service.

Infection Control:

3. The water temperature has been regulated at 38°C maximum and water temperature is checked daily in the morning.

Fire Safety:

4. A written record is now available for fire drills and the service carry out a fire drill every month.

Supporting documentation submitted

General Safety:

1. Photographic Evidence submitted.
2. Photographic Evidence submitted

Infection Control:

3. Photographic Evidence submitted

Fire Safety:

4. Photographic Evidence submitted

Summary Comment

Under Regulation 23, the non-compliances outlined above have been addressed through preventive and corrective actions taken.

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 one adult trained in First Aid Response was available at all times to the children attending the pre-school.
- (2) (a) and (b) A suitably equipped first aid box was available and were safely stored in an easily accessible and conspicuous position in each classroom.

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.

Compliance Information

- (1)(b) A record of the number, type and maintenance was available for the firefighting equipment in the premises.
- (4) The fire drill procedure was displayed on the wall of the premises and observed by the Inspector.

Non-Compliance Information

- (1)(a) No written record was available of fire drills that took place in the service.
- (b) A record of the number, type and maintenance was not available for the smoke alarms in the premises.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (1)(a) A written record is now available for fire drills and the service carry out a fire drill every month.
- (b) The smoke alarm maintenance was completed 10th April 2024.

Supporting documentation submitted

- (1)(a) Photographic evidence supplied.
- (b) Photographic evidence submitted

Summary Comment

Under Regulation 26, the non-compliances outlined above have been addressed through the corrective and preventive actions taken.