

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DY173
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Name of Service:	Queen B's Creche, Montessori and Afterschool
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Address of Service:	Lock Keepers Walk, Royal Canal Park, Ratoath Road, Dublin 15, Co. Dublin
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Name of Registered Provider:	Bernadette Hill
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Service type:	Full Day
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Date of Inspection:	22/05/2023
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No of pre-school children:	AM	37	PM	31
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Address of the Early Years Inspectorate:	Early Years Inspectorate, 180-189 Lakeshore Drive, Airside Business Park, Swords, Co. Dublin
Inspection undertaken by:	M. McDonnell and T. Nelson
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).

Conditions if applicable	Not applicable.
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Description of service

Queen B's Crèche, Montessori and Afterschool service provides a full day, part time, sessional service to children aged 0 to 6 years old. The service operates from 7.30am to 6.30pm Monday to Friday. The registered provider has a registered school age service at the premises, which is currently not in operation.

Staffing

The registered provider works in the service in a supernumerary capacity. The registered provider employs 15 staff members of which 12 staff members work directly with the children; two work as cleaners and there is an onsite cook. The registered provider had employed five new staff members since the last inspection in May 2022. Two of these staff members were employed to work directly with the children and three were ancillary staff.

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 inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9 – 9 (1)(a)(b)(c), 9 (2)(a)(b)(c)(d), 9(3), 9(4), 9(6), 9(7), 19(b), 19(3), 23, 27, 29 and 32. These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under Regulation 9 - management and recruitment, 9 (1)(a)(b)(c), 9 (2)(a)(b)(c)(d), 9(3), 9(4), 9(6), 9(7) Regulation 19 – Health, Welfare and Development of a Child, Regulation 23 – Safeguarding Health, Safety and Welfare of a child and Regulation 27 – Supervision, Regulation 29 – Premises and Regulation 32 -Complaints. Regulation 11- staffing levels was assessed in all care rooms that were in operation on the day of inspection.

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.

Additional Information

The inspection was triggered following the receipt of information received by the Inspectorate.

An Immediate Action Notice (IAN) was issued on the day of inspection in relation to Regulation 23. An Immediate action Notice in relation to Regulation 9(c) was issued on 23 May 2023. An appropriate response to both IAN's was received on the 23 May 2023.

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

The inspectors reviewed the five new staff members files who had commenced in the service since the last inspection of 11 May 2022. All staff members files were reviewed for Garda Vetting.

(2)(a) Of the 10 references required the registered provider had 5 written and validated references required from a past employer.

(b) Of the 10 references required for the new staff members the registered provider had 2 written and validated references required from a source other than a previous employer.

(c) A Garda vetting disclosure was available for five new staff members in the service. A Garda vetting disclosure was available for 9 other staff members

(d) On the inspector's review of the files there was documentation to show that four new staff members did not require international police vetting.

(4) There was evidence that the two staff member who worked directly with the children held a major award in Early Childhood Care and Education above Level 5 on the National Qualifications Framework or deemed by the Minister to be equivalent.

Non-Compliance Information

(1)(a) On the inspector's unannounced arrival there was no defined person in charge in place.

(b) A review of documentation demonstrated that the person in charge was not available on the premises at all times.

(c) Inspectors' discussions with staff and a review of documentation demonstrated that there was no clearly defined management structure in the service should the person in charge be unavailable.

(2)(a)(b) Of the 10 written and validated references the registered provider did not have 3 written and validated references required from a previous employer or source other than a previous employer.

(c) An Immediate Action Notice was issued as a staff member did not have a Garda Vetting disclosure available on the day of inspection.

(d) On the review of the files there was no documentation to demonstrate if one staff member required international police vetting.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1)(a)(b)(c) The registered provider submitted a defined management structure to the inspectorate. As the preventive action the registered provider stated that a management structure has been placed in the service and a member of staff assigned to the position of management when manager is unavailable.

(2)(a)(b) The registered provider submitted written and validated references. The registered provider stated as a preventive action that written and validated references from previous employers or from a reputable source must be included in the staff members staff file.

(2)(c) The registered provider responded to the immediate action notice and the staff member with no Garda Vetting, was no longer allowed to work on the premises with the children until Garda Vetting was approved. The registered provider stated as a preventive action no person should be in contact with the children or working on the premises unless Garda vetting has been approved and presented to the registered provider.

(2)(d) The registered provider stated that police vetting must be in persons file if required from another country alongside Garda Vetting and persons must not work on the premises until these documents are provided to the service provider. A C.V. will be obtained for all new staff.

Supporting documentation submitted

Garda vetting

Written and validated references

Curriculum Vitae

Summary Comment

The actions submitted by the registered provider in the corrective and preventive action plan have addressed the non-compliances identified on inspection.

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 there was an adequate number of staff working with the children at all times.

(2) The following ratios were observed on the day of inspection.

- Baby Room – there were 3 adults working directly with 6 children aged 1-2 years old.
- Pre-Montessori Room – there were 3 adults working directly with 13 children aged 2-3 years old and 3 children aged 1-2 years old.
- Montessori Room – there was 3 adults working directly with 15 children aged 3-5 years old.

There were further staff available to support break cover, nappy changing and assistance during sleep.

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-

(b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.

(3) A registered provider shall ensure that no practices that are disrespectful, degrading, exploitive, intimidating, emotionally or physically harmful or neglectful are carried out in respect of a pre-school child whilst attending the service.

Compliance Information

(1) (b) The inspectors observed ~~staff employ~~ appropriate care practices during the inspection. The following was observed;

- Children’s independence was supported in regard to toilet training. Staff spoke about the communication with parents throughout the training process. On the day staff reacted immediately when children showed signs of needing the toilet and children were provided with help at this time.
- Children’s nappies were changed both on a regular basis and as required.
- On the day of inspection, the inspectors observed only children in the Baby room using highchairs. These were used for the duration of meals and staff were observed to remove the children once they had finished their meal or snack.
- On the day of the inspection, inspectors observed staff attending to children who showed signs of being upset were given comfort. For example, a child who was upset over a toy was give cuddles in the Pre-Montessori room.

(3) The registered provider had a positive behaviour management policy in place. Staff were observed to reflect the policy in their interactions with children. Minor disagreements between children were dealt with in a calm and kind manner by staff.

Non-Compliance Information

1. The registered provider had not ensured that care plans, for individual children as required, were available to outline children’s strengths, challenges and clearly identifiable goals to support children’s individual development.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider stated that the documentation was in the folder of the child regarding the care plan which was submitted. As a preventive action the registered provider stated that a care plan will be put in place for individual children as required to outline children’s strengths, challenges and to set targets and goals to support the child’s individual development. This will be supported by the AIMS co-ordinator.

Supporting documentation submitted

Inclusion plan.

Note to parents.

Transition plan.

Summary Comment

The actions submitted by the registered provider in the corrective and preventive action plan have addressed the non-compliance identified on inspection.

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 inspectors observed that blind cords were secure and inaccessible to the children.
- Communal areas were clear and uncluttered.
- Cleaning products were securely stored and inaccessible to the pre-school children.

Infection Control:

- Children were observed to wash their hands at appropriate times, which included after playing outside, visiting the sanitary facilities and blowing their own nose.
- Records kept by the service and discussions with staff on the day demonstrated that food was not reheated.

Safe Sleep:

- Children were provided with appropriate sleep facilities. Children under 2 were provided with a cot and an appropriate assessment was in place for one child observed sleeping on a low bed. Children under 2 were provided with cellular blankets during sleep.
- The temperature of the cot room was maintained between 16 and 20°C whilst children slept. Staff were aware of the correct temperature and there were temperature recording devices available with temperature being recorded by staff on the sleep record.

Non-Compliance Information

General Safety:

1. The inspector's observed a risk of scalding from the water in the sink in the Montessori care room. The inspector's recorded the temperature at 11.50am as 53°C. At 3.00pm this temperature was again recorded at 53°C. An Immediate Action Notice was issued on the day of inspection.

Safe Sleep:

2. A contemporaneous note of the sleep checks was not observed on the day to ensure an accurate record of a child's breathing, position and colour was maintained. At 1.13pm two children, aged 17 to 19 months old, 10 minutes observations had not been recorded since 12.50pm for one child and 12.55 for another.

Fire Safety:

3. The registered provider did not ensure attendance records supported safe evacuation in the event of a fire. A child was recorded into the attendance registered for two rooms.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The registered provider responded to the immediate action notice and the plumber rectified the temperature on the temperature gauge on the water tank. Evidence was submitted to inspector. As a preventive action the registered provider stated that the water temperature must be no higher than 43°C and sink must not be used if water is above this temperature. Regular checks of the temperature gauge are to be carried out by the plumber.

Safe Sleep:

2. The registered provider stated that management reiterated to the staff the importance of continuance 10 minute checks to get accurate recordings of the children's breathing, position, colour. As a preventive action the registered provider stated that sleep checks will be done at 10 minute intervals, staff must record this on paper after every check and not at a later stage.

Fire Safety:

3. The registered provider stated that a child's name must not be in 2 separate attendance books as this is a fire safety issue. If a settling period is happening from 1 room to another for a child the child's name must not be signed into 2 attendance books. Until the child has made complete transition from 1 room to another the child must be signed into 1 attendance book.

Supporting documentation submitted

General Safety:

Photograph of temperature check notice to staff.

Soft Settling in attendance record

Summary Comment

The actions submitted by the registered provider in the corrective and preventive action plan have addressed the non-compliances identified on inspection. They will be reviewed on the next inspection.

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

The inspectors observed appropriate supervision on the day of inspection, in relation to sleep, play and personal care routines. The inspector observed the following examples;

- There were five children asleep in the baby sleep area and a staff member completed 10 minute checks.
- Children who were toilet training in the Pre-Montessori Room were supervised when they needed to come in from the garden area to use the sanitary facilities.
- Children in the Baby Room had the opportunity to choose to play indoors or outdoors and were supervised at these times.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-

- (b) safe and secure*
- (c) kept adequately lit, heated and ventilated*

Compliance Information

(b) The entrance to the service was secure. A buzzer and keypad system was in operation and staff members provided access to inspectors and parents on the day of inspection. This supported the authorised entrance and exit to the service by children and adults.

(c) The temperature of the rooms was maintained between 18 and 22°C. Staff were aware of the correct temperature and actions to take should the temperature of the rooms rise. For example, on the day of inspection the doors in the Baby Room were left open to the outside garden and the temperature was recorded as 21.4°C.

Part VIII - Notifications and Complaints

Regulation 32 – Complaints

(1) A registered provider shall ensure that the complaints policy of the service specifies-

- (a) the procedure to be followed by a person for the purposes of making a complaint in relation to the service,*
- (b) the manner in which such a complaint shall be dealt with, and*
- (c) the procedures for keeping a person who makes such a complaint informed of the manner in which it is being dealt with.*

(2) A registered provider shall ensure that-

- (a) a record in writing is kept of a complaint made to the provider in respect of the pre-school service, and*
- (b) the complaint is duly dealt with in accordance with the provider's complaints policy.*

(3) A record in writing referred to in paragraph (2)(a) shall-

- (a) include the nature of the complaint and the manner in which the complaint was dealt with, and*
- (b) be open to inspection on the premises by an authorised person.*

Compliance Information

(1) (a) The service had a complaints policy in place. This policy detailed the procedure a person should follow to make the complaint. The policy included steps such as contacting the registered provider, who could if required, access someone who was not involved in the complaint to deal with the complaint.

(b) The process of making an informal or formal complaint was outlined, as was how these would be dealt with.

(c) The policy detailed timelines and how the complainant would be kept informed.

(2) The registered provider had a copy of a complaints made and these had been dealt with in line with the service's policy.

(3) (a) The record of complaint contained details in regard the method of complaint and how the complaint was dealt with by the registered provider.

(b) The record of complaint was available on the day of inspection.