

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2015DY177

Name of Service: Rose Cottage

Address of Service: Hillside, Old Finglas Road, Dublin 11, Co. Dublin

Eircode: D11 W8W8

Name of Registered Provider: Anne McGrath

Service type: Part Time, Sessional

Date of Inspection: 23/09/2024

No of pre-school children:	AM	23	PM	7
-----------------------------------	----	----	----	---

Address of the Early Years Inspectorate:	Early Years Inspectorate 2 nd Floor, Unit 4/5 The Nexus Building Blanchardstown Corporate Park Ballycoolin Dublin 15 D15 CF9K
Inspection undertaken by:	T. Nelson and Y. Kelly
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.

Description of service

Rose Cottage is a privately owned part-time day care service located in a residential area of Dublin 11 and is registered to provide early childhood education and care to a maximum of 33 children aged 3 to 6 years old, Monday to Friday. The service also operates a sessional Early Childhood Care and Education (ECCE) programme from 9.15am to 12.15pm and opens for 38 weeks of the year in line with school term time.

Rose Cottage operates from a converted residential dwelling where the children can move freely between four care spaces available to them in the premises, these include three care rooms on the ground floor (the Front Room, the Back Room and the Kitchen Room) and one on the first floor (the Upstairs Room). There are sanitary facilities available to the children on both the ground and first floor.

A fully enclosed outdoor area is located to rear of the premises.

Staffing

There are currently four staff employed by the service including the registered provider and three childcare staff who work directly with the children. The registered provider works directly with the children and manages the oversight of the service. All four staff were present on the day 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 the area of governance/ health, welfare and development of child/ safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under:

- Regulation 9(1),(2)(a)(b)(c)(d),(4) Management and Recruitment
- Regulation 11(1),(4) Staffing Levels
- Regulation 19(1)(a) Health, Welfare and Development of child
- Regulation 23 Safeguarding the Health, Safety and Welfare of the Child
- Regulation 25 First Aid
- Regulation 26 Fire Safety Measures

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) The service had a designated person in charge and named person to deputise as required.

(b) The person in charge was present during the inspection.

(c) There was a clear management structure in place, evidenced by a display by the entrance to the service.

(2) The registered provider had completed the following checks:

(a)(b) Six validated written references were available from recent past employers or a source other than a past employer for the four files reviewed.

(c) Garda vetting disclosures had been obtained for all for all staff members employed.

However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.

(4) The four staff 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.

Non-Compliance Information

The registered provider did not ensure the following:

(2)

(a)(b) Documentation was not available to demonstrate that the two references had been checked or validated for one of the staff files reviewed.

(d) International police vetting was not available in respect of one staff member who had resided outside of the jurisdiction for more than 6 months as an adult.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

(2)(a)(b) The service contacted the reference provider and had the references verified.

(d) International vetting is now available for the adult.

Preventive Action

(2)(a)(b) The service will ensure to note references as an item to check when employing future staff.

(d) The service will ensure to note if a person has lived outside the state as an item to check when employing future staff.

Supporting documentation submitted

Photographic evidence.

Evidence of police vetting.

Summary Comment

The inspector has reviewed the corrective and preventive actions taken and evidence submitted. The non-compliances identified under Regulation 9 have been addressed.

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.

(4) Subject to paragraph (5), 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 ratio of adults to children applicable for the duration of the sessional pre-school service in respect of the children attending that service shall be the ratio specified in paragraph (3).

Compliance Information

(1) (4) On the day of inspection there were an adequate number of adults working directly with the children attending the service to meet their basic care needs. There were four staff available to the 23 children present on the morning of the inspection.

The inspectors observed that the service maintained a ratio of 1 adult to a maximum of 11 children in the 3 to 6 years old age range during the sessional programme hours while the children moved freely throughout their care spaces. Two adults were available to seven children in the afternoon.

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) The registered provider ensured each child's learning, development and well-being was facilitated through the following measures:

Basic needs:

- Children were observed to have the freedom to move freely through the premises and choose a care space and an activity of their choice. This facilitated independent decision making.

- All children were observed to access outdoor play for an extended period of time on the day of the inspection.
- Children’s behaviour was supported using positive strategies such as repetition, clear instruction, modelling and praise.
- Mealtime was observed to be a leisurely sociable experience, where children helped themselves to a selection of fruit, cheese, meat and crackers which was served on a platter in the centre of the table. This encouraged independence and choice. A choice of milk or water was served with the meal.

Supporting relationships:

- Staff reported that they used observation to become familiar with children and their interests and use this information to facilitate friendships.
- The staff interacted with the children in a respectful, warm and sensitive manner. Appropriate verbal and nonverbal communication such as low tones, eye level contact, touch and other strategies were observed.
- Children new to the service were facilitated to transition at a pace suited to their needs. A parent was observed to remain in the premises with their child for an extended period of time in order to ease this transition.
- The registered provider discussed that a key person is assigned to each of the children when children have settled into the service. This can promote familiarity.

Physical and material environment:

- The furniture and equipment throughout was observed to be adequate for the number of children. It was appropriate for the age range and stage of development of the children, and was well maintained, durable and easy to clean.
- The toys and equipment were laid out on low level shelving, visible to the children, and were grouped in themed areas of interest such as home area, mark making, construction, sensory, and library areas. Themed areas of interest facilitate children to have a more focused engagement in their play experiences.
- Each of the themed interest areas were well resourced with a wide range of props, materials and accessories accessible to the children to extend the play experience, including a range of real-life props which can promote meaningful play experiences.
- The variety of play materials and equipment available to the children facilitated a range of play experiences including creative, imaginative and language play and promoted exploration and curiosity.
- The outdoor environment was well resourced and defined into areas of interest including climbing, construction area, seating area, indoor play area, treehouse, outdoor kitchen with range of props. This

equipment facilitated scientific enquiry and the development of fundamental movement skills such as running, climbing and balance.

- A wide range and supply of books were displayed in a pleasing manner throughout the premises. This encouraged children to engage in literacy experiences.

Programme of activities:

- Daily routines were displayed with labelling with imagery and text, and this was reflected in the observed practice on the day. This can support a sense of comfort in knowing what will happen next.
- Children were invited to participate in the circle time activity in the Upstairs room with alternative activities available in the other care spaces such as painting and playdough in the Kitchen room, reading and dress up in the Back room, and free play in the Front Room.
- Songs and poems with actions were observed used through the rooms. This can facilitate language development.

A review of 'pupil profiles' showed children's strengths and weaknesses were identified following observations and plans were put in place of areas to be built on. These plans used strategies to provide f

- or positive experiences and for the children's development.

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

The registered provider ensured the following measures were in place to safeguard children attending the service:

General Safety:

- Entry to the service was managed by staff to restrict unauthorised persons from gaining access to the premises. There was a gate in place to restrict children from entering the hallway by the entrance, and the locks were out of reach to the children to prevent them exiting the service unsupervised.
- The outdoor play area was fully enclosed, and staff were observed to be positioned effectively to provide for appropriate supervision.
- The presses in the Kitchen area were observed to be locked, restricting access to potential hazardous equipment.
- Window restrictors were fitted in the Upstairs Rooms with blind cords secured throughout the premises.
- A towel was placed on the floor to soak up spills which limited slip risks during water play.

Infection Control:

- Sand and mud pits in the outdoor play area were observed to be appropriately covered.
- Children were observed to hand wash after outdoor play and before lunch.
- Thermostatically controlled warm water, liquid soap and single use hand towels were available at all wash hand basins used by the children and the staff members.

Non-Compliance Information

General Safety:

1. Garda vetting was available for a staff member. However, this vetting disclosure was not dated within the previous three years in adherence with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.
2. There was a trampoline in the outdoor area which was secured with concrete blocks. This posed a risk of injury to the children. Trampolines are not appropriate for use in an early year's service.
3. The door to the attic storage room off the Upstairs room was open and accessible to children. There was an unravelled lead from an extension lead on the floor accessible to the children. This posed a potential trip risk.
4. A child was observed to have whole grapes for their lunch. This posed a potential choking risk for children.

Fire Safety:

5. The details of the attendance of the children was not accurately recorded in the attendance book. A child who was present on the day was not recorded as present for the duration of the time they attended. Contemporaneous accurate attendance logs must be maintained to support the safe evacuation of children in an emergency.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. **Corrective action:** Renewal application was made to update Garda vetting
Preventive action: Yearly check to be made of Garda Vetting and First aid Cert.
2. **Corrective action:** The trampoline was removed.
Preventive action: The service are now aware trampolines are not suitable in an early years setting.
3. **Corrective action:** New lock was attached to storage door.
Preventive action: Staff will ensure storage rooms will remain locked.
4. **Corrective action:** Grapes are now halved.

Preventive action: Staff are aware that grapes are to be halved.

Fire Safety:

5. **Corrective action:** procedure will be to register child to role book.

Preventive action: procedure will be to register child to role book.

Supporting documentation submitted

General Safety:

1. Evidence of renewed Garda Vetting.
2. No evidence submitted.
3. Photographic evidence
4. No evidence submitted.

Fire Safety:

5. No evidence submitted.

Summary Comment

The inspector has reviewed the corrective and preventive actions taken and evidence submitted. The non-compliances identified under Regulation 23 have been addressed.

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

(2)(a) and (b) A suitably equipped first aid box was available and safely stored in an easily accessible and conspicuous position on the premises.

Non-Compliance Information

(1) Click or tap here to enter text. The registered provider did not ensure that a person trained to First Aid Responder level was available to the children attending the service. It is acknowledged that two staff members were trained in paediatric first aid.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

A course was booked to renew First Aid Responder training for the 9, 16, 23 November 2024.

Preventive Action

The service will complete yearly checks to ensure certificates are valid.

Supporting documentation submitted

No evidence submitted.

Summary Comment

Regulatory compliance remains outstanding for Regulation 25 (1) until the staff member completes the required training. This will be reviewed on the next inspection.

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) The registered provider ensured the following:

(a) A record of fire drills was available on the premises. The last drill was dated as having been carried out on the 20 June 2024, prior to the service closing for the summer months. The registered provider reported a plan is in place to have a fire drill later in the month of September.

(b) An up-to-date maintenance record was available for the smoke alarms in the premises which were maintained on the 24 June 2024.

(4) A procedure to be followed in the event of a fire was displayed in the care room.

Non-Compliance Information

(1)(b) The registered provider did not ensure an up-to-date maintenance record was available for the fire extinguishers in the premises. Documentary evidence available showed these had last been maintained in October 2022.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

The fire extinguisher was serviced.

Preventive Action

The service will check the yearly renewal date.

Supporting documentation submitted

Maintenance certificate of fire extinguisher.

Summary Comment

The inspector has reviewed the corrective and preventive action taken and evidence submitted. The non-compliance identified under Regulation 26(1)(b) has been adequately addressed.