

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DY189
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Name of Service:	St. Brigid's Day Nursery
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Address of Service:	Mountjoy Square Park North, Dublin 1, Co. Dublin
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Eircode:	D01 RY94
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Name of Registered Provider:	Deirdre Lee
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Service type:	Full Day
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Date of Inspection:	05/09/2024
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No of pre-school children:	AM	26	PM	N/A
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Address of the Early Years Inspectorate:	Early Years Inspectorate Tusla Child and Family Agency Floor 7 Brunel building Heuston South Quarter Dublin 8 D08 X01F
Inspection undertaken by:	E. Griffin and C. Harte
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

St. Brigid's Day Nursery, based in Dublin city centre, provides a service to children aged between 2 – 6 years old. The service is located in a purpose-built building in the grounds of a local park. The service participates in the Early Childhood Care and Education scheme (ECCE) and provides a full time, part time and a sessional service to children aged from 2 to 6 years of age from 9am to 3pm Monday. There are five care rooms: a large room for the Junior Preschool children (2-3 years), The Daisy room (2 ½ -3 years), The Daffodil room (3-5 years), The Snowdrop Room (3-5 years) and the Sunflower Room (3-5 years). Four of these care rooms have their own sectioned off sheltered outdoor play area which led onto a large enclosed open outdoor play area onsite. There is a reception area, an administration office and a kitchen for the preparation of meals for the children. There are also two sanitary accommodations available. Children transitioning into the service attended the Junior Preschool and the Daily room one for a one hour settling in period time between 9-10am. The Junior Preschool and the Daisy room remained closed for the day after the twenty-three new children went home after the settling in period.

Staffing

There are seventeen adults employed to work in the service including the registered provider who works in the service in a supernumerary capacity as the person in charge, the deputy person in charge, ten childcare staff and two adults who are employed through the Access and Inclusion scheme. There are also three ancillary staff including one cook, one assistant cook and one maintenance person. On the day of the inspection the registered provider, deputy person in charge, eight childcare staff, one adult employed through the Access and Inclusion scheme and the three ancillary staff were present.

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

The unannounced inspection focused on an examination of compliance under The Child Care Act 1991 (Early Years Services) Regulations 2016.

The inspection focused on an examination of compliance under:

Regulation 9 Management and recruitment (1)(a)(b)(c), (2)(a)(b)(c)(d), (3) and (4),

Regulation 11 Staffing Levels (1) and (2),

Regulation 15 Record of a Pre-School Child (1)(a)(b)(c)(d)(e)(f)(g)(h) and (i).

Regulation 19 (1)(a)-Health, Welfare and Development of Child,

Regulation 23 Safeguarding Health, Safety and Welfare of child,

Regulation 25 First Aid (1) and (2)(a)(b),

Regulation 26 Fire Safety measures (1)(a)(b) and (4).

Regulation 28 Insurance.

During the inspection the inspection team observed practice in the Daffodil Room (Senior Preschool), the Snowdrop Room (Senior Preschool) and the Sunflower Room (Senior Preschool) and carried out a sampling process to assess compliance under Regulation 15, 19 and 23. Regulation 11 was assessed to include all care rooms in operation on the day of inspection.

The 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.*

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(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 a named person to deputise as needed.
- (b) The designated person in charge was present when the inspector arrived unannounced to the service.
- (c) The service had a clear management structure in the service and staff were aware of their own role and responsibility.
- (2) A review of the roster and conversation with management showed that there are currently seventeen staff employed to work in the service including the registered provider. The files of all staff were reviewed.
- (a) Eleven written and verified references were available from recent past employers.
- (b) Twenty-three written and verified references were available from a reputable source other than a past employer.
- (c) Garda vetting disclosures were available for all seventeen staff members. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d) International Police vetting was available for four staff members who had lived outside of the state for six months or more as an adult.
- (4) Evidence was available to show that the registered provider and fourteen adults who worked directly with the children held 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.

Non-Compliance Information

- (2)(d) International Police Vetting was not available for two staff members who had lived outside of the state for six months or more as an adult.
- (3) Evidence showed that the procedures specified in paragraph (2) was not carried out in respect of one adult being allowed access to or contact with a child attending the pre-school service. Evidenced by the following:
- One adult did not have two of the written references validated before commencement in the service
 - Two adults who had lived outside of the state for six months or more as an adult did not have their International Police Vetting.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

- (2)(d) The two staff members have made many attempts over the years to obtain police clearance. Since the inspection, both staff members have made contact via email with the relevant embassies to try obtaining police clearance.

(3) Numerous attempts were made to have this staff members reference validated before they commenced employment. The references were from overseas and there was a major time difference. Attempts were made and recorded while after the employee commenced employment and eventually, they were validated.

Preventive Action

(2)(d) The registered provider has stated the service will continue to adhere to our Recruitment Policy.

(3) The service will adhere to our Recruitment Policy and ensure references are validated before a staff member commences employment.

Supporting documentation submitted

- Copy of application form sent to one embassy.
- Copy of email sent to other embassy.
- The Recruitment Policy.

Summary Comment

The corrective and preventive actions taken have addressed the non-compliances identified for Regulation (9)(3). While it is acknowledged that efforts have been made to obtain International Police Clearance for two staff members, however, Regulation (9)(2)(d) remains outstanding until the International Police Clearance has been obtained and maintained on file by 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.

(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 were an adequate number of adults working directly with the children attending the service. On the morning of the inspection there were four staff working directly with children aged from 2-5 years of age. In addition, the two designated persons in charge were available to provide support to the care rooms when required during the inspection.

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;*
- (c) the date on which the child ceased to attend 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.*

(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-

- (c) an authorised person.*

Compliance Information

(1) A sample of twenty children’s files were reviewed as part of the inspection. This included ten hard copy records of children who attended the service in 2023/2024 preschool year and had returned for their second preschool year and ten electronic records of children who recently began in the service on 2 September 2024. The registered provider ensured that the information required under (a)-(g) was maintained for each child. However, the registered provider did not ensure files that the information required under (h)-(i) were maintained for each child as outlined below in the non-compliance section.

(3)(c) Records were open to inspection by an authorised person. All records requested by the inspector were available for review.

Non-Compliance Information

(1) The registered provider did not ensure files that the information required under (h)-(i) were maintained for each child. Evidenced by the following:

- One child who began in the service in March 2024 did not have their children’s registration record completed. Part (1)(h) record of immunisations, if any, received by the child had been left blank.

- There was no written parental consent part (1)(i) for appropriate medical treatment of the child in the event of an emergency on any of the ten new children’s registration records. It is acknowledged the service had recently moved all new children’s registrations on to a new electronic format system and the registered provider explained to the inspection team how this had been an oversight during the process.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

(1)(h) The parent had verbally communicated to the Manager that the child had received all their immunisations however the child received them in a different country and was meant to bring the immunisations book in to preschool to record them. The parent has now completed the immunisation section of the enrolment form.

(1)(i) The following morning all new parents who were in attendance completed a paper version of our Medical Consent Section. By Tuesday 10 September 2024 all Medical Consent sections were complete.

Preventive Action

(1)(h) Manager and Deputy Manager will sign off on enrolment forms to ensure we are not missing any information.

(1)(i) The service has created an online Medical Consent section on the new electronic format system which the service will use from September 2025.

Supporting documentation submitted

- Email from the Registered Provider stating parent to complete incomplete section on 09/09/24.
- Email from the Registered Provider stating all medical consent sections were completed on 10/09/24.

Summary Comment

The corrective and preventive actions taken have addressed the non-compliances identified for Regulation 15.

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.

Compliance Information

(1) (a) The following observations are examples on how each child's learning, development and well-being was observed being facilitated during the inspection:

Basic Needs:

- The service provided a hot meal prepared on site for the children at 11.30am. Different dietary requirements were catered for, and additional food was observed to be available, for example, at dinnertime pasta, sausage and sauce was served, an alternative food option was available. Drink options of water and milk were available.
- Staff were observed interacting with children using soft tones and modelling language in a supportive and reassuring manner. This modelled positive interactions.
- Staff were respectful of the children, for example a staff member was observed asking a child if it was okay to take a photography of their work before taking a photograph.

Physical and Material Environment:

- The layout of the care rooms had a range of equipment to support children's learning and development stored in photographic labelled boxes and low shelves. This included art supplies readily available for the children to use, home areas with play kitchens with supporting equipment, construction toys, jigsaws and wooden puzzles, sorting and stacking toys; toys for transporting such as cars trucks and a garage and sensory materials including playdough, sand, water, rice, leaves and cones.
- There were cosy areas available in each room including soft rugs, cushions and books for rest and relaxation.

- The presence of Family wall displays, birthday time displays, children's artwork and children had their own personalised coat hooks. In addition, there were photographs of children on their first day. This demonstrated a sense of identity and belonging for the children.
- There were daily visual timetables and there was a photograph of the hot meal of the day displayed in each room to allow the children to be informed.
- The weekly curriculum plan was on display in the care rooms. Staff discussed how this plan included parent's suggestions and the children's emerging interests.
- An outdoor play area was available for the children to play. The equipment and toys available included a climbing wall, mud outdoor kitchen, a large slide, tunnels, sand, water, ride on equipment such as car, bikes and scooters and bench areas for rest and relaxation were present.

Supporting relationships around children:

- Staff were responsive to the actions of the children, for example when the children were playing in the outdoor play area staff were observed to offer guidance and praised the children for sharing.
- The service used an electronic application to communicate with parents and update them on their child's activities. The inspector observed staff greeting parents at collection time and updating parents verbally on their child's day in the service.
- Transitions were observed to be well managed; children engaged well with tidying up, putting items away independently and waiting their turn to wash their hands before dinner time.
- The settling in of new children was supported by the service. Staff discussed how new children are on a reduced timetable for the first few weeks to ensure each child has time to transition from home to the preschool service.
- Staff were observed sitting with children during dinner time. This facilitated snack time to be a social occasion for children to engage with peers and staff.

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 entrance door leading into the premises was appropriately secured and is monitored to prevent children from exiting unsupervised and to restrict unauthorised persons from gaining access to the premises.
- The outdoor play area was secure reducing the risk of unauthorised access.
- The kitchen was not accessible to the children and the door remained closed throughout the inspection.
- Toys and equipment used by the children were observed to be well maintained and in a good state of repair.
- The radiators had protective radiator covers.
- There were no flexes or cables observed that were accessible to the children.
- Cleaning agents were stored safely out of the reach to the children.

Infection Control:

- The sanitary accommodation was equipped with warm running water, liquid soap, and hand drying facilities. Children and staff were observed to wash their hands throughout the inspection, including before meals, after outdoor play and after toileting.
- Pedal bins were evident within the care rooms and sanitary area.
- The premises was observed to be in a clean and hygienic condition.

Administration of Medication:

- Medication was stored safely out of the reach to the children.

Fire Safety:

- On the day of inspection, it was observed that all emergency exit doors were clear from obstruction. This ensured the safe effective evacuation of children and staff in the event of an emergency evacuation

Non-Compliance Information

Fire Safety:

1. The attendance of one child present in the service was not recorded on the electronic application used to record children's attendance. A staff member stated to the inspector that this application is used in the event of emergency evacuation to account for the children.

Action submitted by the Registered Provider

Corrective & Preventive Action

Fire Safety:

Corrective Action

The child was added to the electronic register immediately on the day of inspection. This was the services third day using the new electronic register as our attendance record and was an oversight by management.

Preventive Action

All staff are asked to confirm that all new children have been added to their Room on the electronic register. It has been communicated to staff at a team meeting that they must also ensure all their children are on their Room List and it must be communicated to management immediately if a child is missing from their list.

Supporting documentation submitted

Fire Safety:

No supporting documentation submitted.

Summary Comment

The corrective and preventive actions taken have addressed the non-compliance identified for Regulation 23.

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) A person trained in First Aid Responder (FAR) certification was available to the children on the day of inspection. There was evidence that two adults had certification in First Aid Response.

(2)(a) and (b) A first aid box was suitably equipped, accessible and available to the adults caring for the children attending.

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.

(2) The record referred to in paragraph (1) shall be open to inspection by-

(c) an authorised person.

(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) Documentation was available to demonstrate that fire drills were practiced monthly. The last fire drill took place on 18 July 2024. No fire drill took place in August as the service was closed for this month.

(b) The number, type and maintenance record of the firefighting equipment was up to date. Fire extinguishers were last serviced on 17 July 2024 and the smoke detection system on 30 August 2024.

(2) Records were open to inspection by an authorised person. All records requested by the inspector were available for review.

(4) A procedure to be followed in the event of a fire was on display in prominent positions at the premises.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The service had adequate insurance for a maximum of 60 children attending the service on a full day care basis with an expiry date of 27 March 2025.