

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DY198
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Name of Service:	Daughters of Charity and Family service, St. Louise's ECDS
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Address of Service:	North William Street, Dublin 1, Co. Dublin
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Eircode:	D01 W9H2
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Name of Registered Provider:	Tracey Monson
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	16/09/2024
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No of pre-school children:	AM	34	PM	21
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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:	E Hosford and Á Dunne
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

Daughters of Charity Child and Family Service is a community service which provides sessional and full day care to children aged from 2 to 6 years of age. The service is open from 8:30am to 3:30pm Monday to Friday and offers three sessions, 8:45-11:45am, 12-3pm and 8:45am to 2:30pm. The service operates from five care rooms namely, Tulip Room (2-3 years), Rose Room (2-4 years), Sunflower Room (3-4 years), Bluebell Room (3-5 years) and the Daffodil Room (3-5 years). An outdoor area is available to the rear of the building.

Staffing

The registered provider is not involved in the daily running of the service and employs 13 staff to include the designated person in charge, a cook and 11 childcare staff. On the day of inspection, the designated person in charge facilitated the inspection and provided break cover in the care rooms. Ten childcare staff to include five staff employed under the Access and Inclusion Model (AIM) scheme worked directly with the children in the morning and 7 staff worked directly with the children in the afternoon.

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.

- Regulation 9 Management and recruitment (2)(a)(b)(c)(d), (4),
- Regulation 11 Staffing Levels (1)(2)(8)(a),

- Regulation 15 Record of a Pre-School Child,
- Regulation 21 Equipment and Materials and
- Regulation 28 Insurance.

On inspection an additional non-compliance which posed a risk was identified under Regulation 23 Safeguarding health, safety and welfare of child. These findings are outlined within the relevant regulation within this report.

A sampling process was used to assess compliance under Regulation 15 Record of a Pre-School Child.

Regulation 9 Management and Recruitment and Regulation 11 Staffing levels were assessed in all care rooms.

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

An Immediate Action notice was issued to the service on the 16 September 2024 in relation to a safety concern identified under Regulation 23- Safeguarding, Health, Safety and Welfare of Child

On the 18 September 2024 the registered provider responded to the immediate action notice with the measures implemented within the service. Please see details in the body of the inspection report.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the designated person in charge, staff 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.

(6A) is inserted by S.I. No.632 of 2016 CHILD CARE ACT 1991 (EARLY YEARS SERVICES) (AMENDMENT) REGULATIONS 2016 which states; Regulation 9 of the Child Care Act 1991 (Early Years Services) Regulations (S.I. No. 221 of 2016) is amended - in paragraph (4), by the substitution of “paragraphs (5), (6) and (6A)” for “paragraphs (5) and (6)”, and (b) by the insertion of the following paragraph after paragraph (6): “

(6A) Paragraph (4) shall not apply to an employee of a registered provider where - (a) the registered provider receives funding for the employment of the employee pursuant to a scheme funded by the Minister and known as the Access and Inclusion Model, and (b) the employment of the employee is for the purpose of providing support, pursuant to the scheme referred to in subparagraph (a), for a child attending the service to enable the child to participate in the programme known as the Early Childhood Care and Education (ECCE) funding Programme.”

Compliance Information

(2) The staff files of 13 employees employed in the service were reviewed.

(a)(b) Two validated written references were available for the 12 staff employed and working in the service from recent past employers or a source other than a past employer. One written reference was available for one staff member from a past employer.

(c) Garda Vetting disclosures were available for 13 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 from one country in respect of one staff member who had resided outside of the jurisdiction for more than 6 months as an adult.

(4) On review of documentation available 12 staff members working with the children had evidence to demonstrate that they held a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications.

(6A) Five adults were employed under the Access and Inclusion Model (AIM) scheme.

Non-Compliance Information

(2)(a)(b) One validated written reference and a validation of a written reference was not available for one staff member employed within the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a)(b) In response to the non-compliances the registered provider has stated that the referees were contacted and verified. A discussion with HR has taken place regarding the taking of references to ensure they are received and verified.

Supporting documentation submitted

(2)(a)(b) Documentary evidence of corrective actions.

Summary Comment

The registered provider has addressed the non-compliance 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.

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

(a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times,

Compliance Information

(1) There were an adequate number of adults working directly with the children as there were 10 adults working with 34 children in the morning and 7 adults working with 21 children in the afternoon of the inspection.

(2) The adult to child ratios were maintained on the day of inspection as outlined below.

- Tulip Room -2 adults were caring for 6 children aged 2-3 years in the morning and 1 adult caring for 4 children in the afternoon.
- Rose Room-2 adults were caring for 7 children aged 2-4 years in the morning and 1 adult caring for 2 children in the afternoon
- Sunflower Room -2 adults were caring for 5 children aged 3-4 years in the morning and 4 children in the afternoon.
- Bluebell Room -2 adults were caring for 8 children aged 3-5 years in the morning and 1 adult caring for 4 children in the afternoon.
- Daffodil Room- 2 adults were caring for 8 children aged 3-5 years in the morning and for 7 children in the afternoon.

(8)(a) On review of the service roster and on discussion with staff there were two adults present on the premises at all times.

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.*

Compliance Information

(1)

(a) to (i)

On review of the documentation relating to a sample of 10 children’s files within the service, the required information and detail was available and complete.

Part V - Care of Child in Pre-school Service

Regulation 21 – Equipment and materials

A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.

Compliance Information

- The care rooms were spacious which enabled the children to move and explore the areas of interest and low-level shelving units independently. The furniture provided for meals and tabletop activities were appropriate for the children attending.

- Throughout the rooms natural, open ended play materials were available to the children such as play kitchens, dolls, dress up, activity areas with cars, trucks, blocks and bricks. These materials promoted the use of all the children’s senses and can provoke exploration, curiosity and creativity.
- Each child’s identity and belonging were reinforced within the service with the use of the children’s pictures along with their extended family. This can provide familiarity and comfort to children.
- The children engaged in outdoor play during the morning and afternoon session while under the supervision of adults. The area was equipped with climbing frames, balance bridge, balance bikes, scooters, dolls with buggies, a playhouse, wall activities such as chains, triangles and musical instruments, sand trays with spades, rakes and buckets. The children engaged in physical and risky play experiences which can promote dispositions such as curiosity and exploration and fundamental movement skills such as running and balance.

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.

Non-Compliance Information

General Safety:

1. The outdoor area was not secured to prevent an unauthorised adult from entering the area while the children were present. An immediate action notice was issued during the inspection with a response received from the service on the 18 September 2024 outlining the corrective and preventive actions they will undertake to reduce the potential risk to staff and children.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. In response to the Immediate Action Notice the service stated that in the interim period one staff member will be present at the gate during playtime while management procure the installation of a secure gate system. Quotes have been received and are being reviewed for installation of secure gate.

Supporting documentation submitted

General Safety:

1. Updated outdoor play policy and quote for installation of gate.

Summary Comment

The registered provider has addressed the non-compliance through the corrective and preventive action taken. However, ongoing compliance will be met on receipt of evidence confirming the installation of a secure gate in the outdoor area.

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 which expires on the 29 September 2024.