

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2015DY201

Name of Service: St Mary's Early Years Service

Address of Service: 8-9 Henrietta Street, Bolton Street, Dublin 1

Eircode: D01 Y1R9

Name of Registered Provider: Mary McPhillips

Service type: Full Day, Part Time, Sessional

Date of Inspection: 20/09/2023

No of pre-school children:	AM	20	PM	20

Address of the Early Years Inspectorate:	Early Years Inspectorate, Floor 7 Brunel Building, Heuston South Quarter, St. John's Road West, Kilmainham, Dublin 8
Inspection undertaken by:	E. Finnegan Hayes
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

St. Mary's childcare is a community-based service run by the daughters of charity in the North inner city. The service cares for children aged 0-6years on a full day care basis from 9am-3pm Monday to Friday 45 weeks per year. The service operates from a purpose-built building to the rear of the daughters of charity building. The service is comprised of four care rooms; Sunflower, Daisy and Tulip rooms cater to children aged 2-4 years and the Buttercup room which caters to children aged 1-2years, a large activity area, kitchen and office. The Buttercup room was closed on the day of inspection. The service participates in the Early childhood Care and Education (ECCE) scheme. Two enclosed outdoor areas are available to the front of the creche building in an internal courtyard.

Staffing

The registered provider employs 14 staff to work in the service including the designated person in charge and a chef. Eleven staff including the deputy person in charge, a chef and nine early years practitioners two of whom were employed through an agency as relief workers were present on the day of inspection. Three college students were also present on the day of inspection, working directly with the children. The registered provider does not work directly with the children in the service but is present on the premises of the main building.

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 and safety. The inspection may also focus on other areas as required.

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, 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

(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*

(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)(b) The registered provider ensured there was a designated person in charge and a named person who could deputise in their absence. A review of the roster showed that the person in charge or the deputy are rostered to be on the premises during the opening hours of the service. The deputy person in charge was present in the service when the inspector arrived in the service and was present for the duration of the inspection.

(2) A review of the roster and conversation with the registered provider and deputy person in charge showed that there are currently 14 staff employed in the early years' service. Two agency staff and three students were also present on the day of inspection. The files of all staff, agency staff and students were reviewed.

(a)(b) The thirty-eight references required were available in relation to the staff and students.

(c) Garda vetting disclosures were available for sixteen staff and three students.

(d) Police vetting was available for seven staff members who had lived in a country outside of Ireland for a period of more than six months.

(4) Evidence was available to show that sixteen staff 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.

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 an adequate number of adults were available to care for the children on the day of inspection where ten staff were caring for 20 children. Three students were also available in a supernumerary position.

(2) The registered provider ensured that ratios were maintained throughout the care rooms. The following was observed;

- In the Sunflower room three staff members were caring for 7 children aged 2-4years.
- In the Daisy room three staff members were caring for 5 children aged 2-4years.
- In the Tulip room three staff members were caring for 8 children aged 2-4years.

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:

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;*
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;*
- (c) details of the adult:child ratios in the service;*
- (d) the type of care or programme provided in the service;*
- (e) the facilities available;*

(f) the opening hours and fees;

(g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;

(h) details of attendance by each pre-school child on a daily basis;

(i) details of staff rosters on a daily basis;

(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) The registered provider ensured the following information was maintained in relation to the early years' service

(a) The name, position, qualifications, and experience of all staff members was displayed in the service.

(b)(c)(d)(e) The statement of purpose and function contained the information required including details of the class of service and the age profile of children for which the service is registered to provide services, details of the adult: child ratios in the service, the type of care or programme provided in the service and the facilities available.

(f) The opening hours and fees were displayed on the parent's noticeboard.

(g) The service provided copies of all the policies, procedures and statements the service is required to maintain in accordance with Regulation 10.

(h) Daily attendance records are kept in relation to every preschool child.

(i) A staff roster was available for review.

(k) A record was maintained of accidents and incidents which occurred in the service. The records were completed in full and contained all the necessary information.

Non-Compliance Information

(j) A sample of twelve medication administration records were reviewed of these 9 were found to be incomplete and did not contain all of the necessary information. The following was observed;

- The details required to complete the first section of the forms were not completed including GP details, duration of medication and a parent signature giving consent for administration of the medication.
- A witness signature was not recorded on ten administrations.
- A parent signature/initial was not recorded on one administration.

This is not in line with the service policy or best practice.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(j) Staff have been retrained on the process and importance of completing the records in full. In order to keep in line with the policy, best practice and regulations, a fictional sample of the Administration of Medication Consent Form with all the important fields highlighted was photocopied and placed in each room to support staff when filling in the Consent Form. In the event of new staff members starting in the service, these documents will be included during induction.

Supporting documentation submitted

A sample report has been reviewed.

Summary Comment

The registered provider has addressed the non-compliance under Regulation 16.

Part V - Care of Child in Pre-school Service

Regulation 22 – Food and drink

A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.

Compliance Information

The service provides a three-week menu in line with their healthy eating policy. The menu contains a variety of meals across three meals per day; breakfast is served between 9-9:30am however this will be offered to children who arrive late, lunch is served at 11:30am followed by a snack at 2pm. On the day of inspection lunch consisted of fish fingers, beans, and mashed potatoes. Additional portions were provided to each care room and children were observed to be provided with more food on request. Water was available to the children throughout the morning and provided to the children during lunch.

Dietary requirements and parental preferences were catered to and a list of these were displayed in the kitchen for the chef for example one child is not allowed pork so will be offered an alternative such as fish. The service also operates a nut free environment to ensure the safety of children attending with nut allergies.

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 service is accessed through a main building which is staffed by a receptionist. The door to the early years' service was secured with a thumb lock which prevented unauthorised persons accessing the service and prevented the children leaving unsupervised.
- Flexes and blind cords were appropriately secured out of reach of the children.
- Daily risk assessments were displayed in the care rooms and completed to date.
- Toys and equipment used by the children was maintained in good conditions free from hazards.

Infection Control:

- Thermostatically controlled warm water, dispensed soap and paper handtowels were available to support adequate handwashing.
- Pedal operated bins were used for safe disposal of contaminated items.
- Nappy changing areas were maintained in clean condition and nappy changing mats were observed to be well maintained.
- Individual storage was available for children's items to prevent cross contamination.

Administration of Medication:

- A care plan was available for a child who required emergency medication and staff were aware of the care plan including signs of a reactions and the steps to take should a reaction occur.

Fire Safety:

- Staff were aware of both the primary and secondary fire evacuation routes.
- Fire exits were unobstructed.

Non-Compliance Information

Infection Control:

1. An empty planting box in the lower garden was observed to contain stagnant water which was accessible to the children during outdoor play. Stagnant water can harbour bacteria and pathogens which posed a risk to the children.

Action submitted by the Registered Provider

Corrective & Preventive Action

Infection Control:

2. Both planters were removed in the bottom garden and the cover that was used and observed to contain stagnant water was discarded. As stagnant water can pose risks to children the planter boxes will be placed in a completely covered area and will also be covered appropriately to ensure there is no risk regarding cat faeces, the services is currently looking into buying "Grow Tunnel Covers".

Supporting documentation submitted

Photos in relation to above have been reviewed.

Summary Comment

The registered provider has addressed the non-compliance under 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 review of First aid Response (FAR) certificates for staff members and the service roster showed that the registered provider had ensured that a staff member trained in First aid Response (FAR) was immediately available to the children during the opening hours of the service.

(2)(a)(b) A first aid box which was adequately stocked and easily accessible to the staff if required was available in the central activity area of the service. Additional first aid boxes were available in the care rooms.

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)(a) The registered provider ensured that fire drills were completed monthly and a record of each fire drill was maintained.
- (b) A record of the number, type and maintenance of both firefighting equipment and smoke alarms was available for review. The records showed that the firefighting equipment was last serviced on 22nd May 2023 while the smoke alarms were last serviced on 28th August 2023.
- (4) A notice detailing the procedures to be followed in the event of a fire emergency were clearly displayed in both the care rooms and communal areas.