

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2015DY231

Name of Service: Tots & Co. Childcare

Address of Service: Beaumont Hospital, Beaumont, Dublin 9

Eircode: D09 FY94

Name of Registered Provider: Rima Macken

Service type: Full Day, Part Time, Sessional

Date of Inspection: 15/01/2025

No of pre-school children:	AM	44	PM	31

Address of the Early Years Inspectorate:	Early Years Inspectorate, Floor 7 Brunel Building, Heuston South Quarter, St John's Road West, Kilmainham, Dublin 8 D08 X01F
Inspection undertaken by:	E. Griffin 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

Description of service

Tots & Co. Childcare is one of a two services operated by the registered provider and has been in operation since 1996. The service provides care for children aged between 0 – 6 years old, on a full day care, part time and sessional basis and participates in the Early Childhood Care and Education (ECCE) scheme. The service is also registered to operate an afterschool service and operates daily from 7:30am to 6.15pm Monday-Friday. The service is located on the Beaumont Hospital campus in Dublin. There is a Baby room for children aged 0 - 1 year old; the Tweenie room for children aged 1-2 years old; the Toddler room for children aged 2-3 years old; the Junior Montessori Room for children aged 3-4 years old and the Senior Montessori room for children aged 3-6 years old. The Front Room which is used by the Junior Montessori room at mealtimes and in the afternoons. There is a cot room and a dedicated kitchen. There are two outdoor play areas one for the younger children and one for the older children.

Staffing

The registered provider works in the service in a supernumerary capacity and employs eighteen staff. This includes a person in charge, a deputy person in charge, thirteen childcare staff and three ancillary staff: a cook, assistant cook and the bus driver. The person in charge, the deputy person in charge and 12 staff working directly with the children, one school aged childcare assistant and the three ancillary staff were present during the inspection. The registered provider was not present on the day of 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 areas of governance, health, welfare and development of child and safety. The inspection may also focus on other areas as required. The following regulations were reviewed:

Regulation 9 (1)(2)(3) and (4)-Management and Recruitment.

Regulation 11(1)(2) Staffing Levels.

Regulation 16(1) Record in Relation to the Pre-School Service.

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

Regulation 23 Safeguarding the Health, Safety, and Welfare of Child.

Regulation 28 Insurance.

A sampling process was used to assess compliance under: Regulation 16, Regulation 19 and Regulation 23. As a result, the scope of the inspection included the Baby Room, the Tweenie Room, the Toddler Room and the Junior Montessori Room.

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 under Regulation 23 to the registered provider on the day of inspection in relation to a safety concern identified. A response was received on 16 January 2025 which mitigated the risk identified. Please see details in the body of the report.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the person in charge, deputy 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*
- (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) A review of the staff roster showed that a designated person is on the premises at all times during the opening hours of the service.
 - (c) The service had a clear management structure and staff were aware of their own role and responsibilities.
- (2) A review of the roster and conversation with the management showed that the registered provider currently employs 18 adults. The full staff files of 18 adults were reviewed.
- (a) Twenty-six written and verified references were available from past employers.
 - (b) Nine written and verified references were available from a source other than a past employer.
 - (c) Garda Vetting disclosures had been obtained for all eighteen adults. 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.
 - (d) Police vetting was available in respect of fifteen adults who had lived in a country other than Ireland for longer than six months as an adult.
- (4) Documentation was available to show that the fourteen adults who work 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 by the Department of Children, Equality, Disability, Integration and Youth.

Non-Compliance Information

- (2) (a) Evidence was not available to show that one adult had a second written validated reference on file.
- (3) The registered provider did not ensure the following checks were carried out prior to one adult working in the service:
- Documentary evidence available indicated that one staff member had commenced employment within the service prior to receipt of Garda Vetting.
 - One staff member did not have the second reference validated before they commenced employment.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

- (2) (a) Management was unable to get validation of this reference and therefore reverted to another employer where the employee had been recently employed. The manager verified the reference on the phone and the employer issued a written reference in July 2024.
- (3) The employee commenced induction in the service on the 08/07/24 to meet the management and the team and was present in the office completing paperwork. The employee was given a walk around of the premises and was supervised at all times in the presence of the manager or senior staff member. The Garda Vetting disclosure came in the following day.

Preventive Action

- (2) (a) Management seeks references during our interview process and have them validated upon the new staff members starting. Management will ensure to fill the validation form correctly and accurately and to seek alternatives when the referees provided are not available.
- (3) Garda Vetting is obtained prior to a new employees start date and submitted following a successful interview.

Supporting documentation submitted

- Documentary evidence of one written reference.
- Documentary evidence of validation form.

Summary Comment

The corrective and preventive actions taken by the registered provider are sufficient to address the non-compliances identified under Regulation 9.

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) There was an adequate number of adults working directly with the children as follows: There were eleven adults working with 44 children during the morning and eight adults working with 31 children during the afternoon.

(2) The correct adult/child ratio was maintained in the service throughout the inspection as follows:

During the morning:

- The Baby Room – 2 adults were caring for 3 children aged 10 months to 12 months.
- The Tweenie Room–2 adults were caring for 9 children aged 1 to 2 years old.
- The Toddler Room–2 adults were caring for 9 children aged 2 to 3 years old.
- Junior Montessori Room –2 adults were caring for 9 children aged 2 ½ to 4 years old.
- Senior Montessori Room – 3 adults were caring for 14 children aged 3 to 5 years old.

During the afternoon:

- The Baby Room –2 adults were caring for 3 children aged 10 months to 12 months.
- The Tweenie Room–2 adults were caring for 9 children aged 1 to 2 years old.
- The Toddler Room–2 adults were caring for 9 children aged 2 to 3 years old.
- Junior Montessori and Senior Montessori Room joined together for the afternoon session–2 adults were caring for 10 children aged 3 to 4 years old.

In addition, the person in charge, deputy person in charge and a floater staff member were available to provide support to the care rooms when required.

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.*

(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.

Compliance Information

- (1) The registered provider ensured that there was a record kept in writing of the following information in relation to the service:
- (a) The name, position, qualification, and experience of the person in charge and adults working were available for review.
 - (b) Details of the class of service and the age profile of children for which the service is registered were available in the parent handbook.
 - (c) Details of the adult to child ratios in the service were available in the parent handbook.
 - (d) The type of care or programme provided in the service was available in the parent handbook.
 - (e) The facilities available were available in the parent handbook and in the policies and procedures book.
 - (f) The opening hours and fees were displayed on the noticeboard in the hallway for the attention parents/guardians.
 - (g) The required policies, procedures and statements of the service were available in digital format on request. The person in charge confirmed that these are shared with parents/guardians via electronic communication.
 - (h) Details of attendance by each pre-school child were stored in the children attendance roll book and an electronic register.
 - (i) The registered provider ensured that there was an accurate record of the staff roster containing the details of the staff rostered on the day of inspection.

- (j) Ten administration of medication records were reviewed, and all information was completed in full.
 - (k) Fifteen accident and incident records were reviewed, and all information was completed in full.
- (3) Records were open to inspection by an authorised person. All records requested by the inspection team were available for review.

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) Basic Needs:**
- At morning snack time children were observed to be offered fruit consisting of orange, apple, melon and banana. The service also provided a hot meal option for children which was prepared on site. Different dietary requirements were catered for, for example, at dinnertime lamb Couscous as served at 11.30am an alternative vegetarian Couscous was available and extra portions were offered. Water was available throughout the day in each care room and milk was offered as an alternative drink to the children at mealtimes.
 - There were cosy areas with a soft mat, cushions and books for rest and relaxation present in each of the care rooms. In addition, the two outdoor play areas had tables and chairs present for the children to sit and rest during outdoor play time.
 - Each room had a visual daily routine on display and staff were observed to give children verbal reminders in advance from moving from one activity to the next activity. This provided the children with a sense of stability, security, and predictability.
 - Identity and belonging were promoted throughout the service. For example, there was a 'Family Wall' display, a 'Birthday Time' display, and the children's artwork was displayed throughout the care rooms in the service. In addition, children had their own coat hooks labelled with their name.

Supporting Relationships Around Children:

- Language used by staff was observed to be kind and supportive. For example, during nappy changing procedures the children were observed to be invited to get their nappy changed and to be spoken to in a reassuring and friendly manner throughout the nappy changing procedure.
- Children were encouraged by staff to explore their environment and given freedom of choice in their daily routine.
- Staff were observed to sit with the children during mealtimes and activities, engaging in meaningful interactions and offering support where required.
- Language, literacy and movement were supported in the care rooms through discussion, action songs and stories.
- There was evidence that equipment and materials were provided based on children's individual needs and emergent interests. In the Toddler room, staff showed the early years inspector photographs of an ice play activity done the week previous. Staff discussed how the children had been curious about ice and snow in the cold weather. Following this conversation staff planned an ice activity with the children.
- Staff discussed how they support children with the transition from home to the service by offering a settling-in period and working in collaboration with parents.
- The service used an electronic application to communicate with parents and update them on their child's day including activities, mealtimes and toileting. In addition, the person in charge discussed how staff chat informally with parents at arrival and collection times.

Equipment and Materials:

- The furniture provided in the care rooms were low level and suitable to the needs of the children. There were appropriate chairs, highchairs and tables for feeding in the care rooms to facilitate the children to eat comfortably and independently.
- The care rooms in the service were designed with the age and stage of development having been taken into consideration and equipment and materials were visible and accessible enabling the children to independently access their choice of activity. In the baby room the materials were positioned to encourage curiosity and exploration. There were push along toys and pull along toys available which promoted movement and play experiences. The layout of the Tweenie Room, the Toddler Room and the Junior Montessori Room encouraged spontaneous, and interactive play.
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- Equipment and materials were stored in photographic labelled boxes and on low shelves to include; aprons and table covers for art and water play, home areas with play kitchens with supporting equipment and play food, range of construction toys to include jigsaws and wooden puzzles, wooden building blocks, plastic building bricks, stickle bricks, sorting and stacking toys; toys for transporting such as cars and trains; dress up clothes for role play, dolls clothes, dolls bed and dolls pushchair. Montessori materials supporting the areas of practical life, sensorial, language, maths and culture were also present in the Junior Montessori room
- There were two outdoor play areas on the premises which had a soft surface and provided opportunities for children to play a range of games and activities to support gross motor development. In one outdoor play area which was used by the younger children from the Wobblers, Tweenies and Toddlers rooms there was a wooden structure with a bridge and a slide, ride on toys, push along toys, seesaw toys, sensory tray, transport vehicles and a mud kitchen with props. In the other outdoor play area, which was used by the older children there was a wooden structure with a bridge and slide, tyres, trikes, bikes, scooters, large playhouse, blackboard and a mud kitchen with real life materials such as pots and pans. The children were observed to play in this area during the inspection. This supported their social, cognitive, and gross and fine motor 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

General Safety:

- The entrance door leading into the premises was appropriately secured and monitored by staff to prevent children from exiting unsupervised and to restrict unauthorised persons from gaining access to the premises.
- The outdoor play areas were securely gated reducing the risk of children from exiting unsupervised and to restrict unauthorised persons from gaining access to this area.
- The kitchen was not accessible to the children and the door remained closed throughout the inspection.
- The care room doors had finger guards on them which enabled the doors to be closed safely.
- 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 children were observed to be familiar with the routine to wash their hands before eating, after outdoor play and after using the toilet and getting their nappies changed.
- Foot pedal operated bins were available in the care rooms and sanitary areas to allow hygienic disposal of contaminated materials.
- The premises was observed to be in a clean and hygienic condition.
- Individual bed linen was used for the sleeping children and staff were familiar with the washing schedule. In addition, there were waterproof mattress covers on all cots.
- Cots and floor mats were placed 50cm apart.
- Soothers were stored safely, and staff in the baby room were knowledgeable on how to wash and sterilise soothers and mouthed toys between use.
- Windows in the care rooms were observed to be open which allowed for circulation of air and reduced the risk of cross infection.

Administration of Medication:

- The service had individual care plans to identify the medication requirements and procedures in place for children who had specific medical conditions. Through discussion with staff, it was evident that staff were familiar and aware of the procedures to follow as per each care plan.

Safe Sleep:

- Children under two years of aged were provided with a cot for sleeping.
- An ambient temperature of 16-20°C was maintained in the baby cot room for children under 1 year old. The temperature of the baby cot room was recorded at 18.4°C while children aged between 9 months and fourteen months slept at 11.17am.
- Children over two years of aged were provided with their own individual sleep mat. The temperature in the toddler room was recorded at 18.5°C at 12pm while children slept.
- Staff maintained a record of the children that slept, to include their colour, breathing and position every 10 minutes.

Fire Safety:

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

Non-Compliance Information

General Safety:

- The hot water in the wash hand basin of the baby nappy changing room did not have thermostatically controlled water; the temperature was recorded as 56.6°C at 10.23 pm, exceeding the allowable maximum temperature of 43°C. It is acknowledged that the person in charge stated that children of this age group were not left alone to wash hands and were always held by staff to do so. However, water of this temperature posed a risk of scalding, and an Immediate Action Notice was issued on the day of the inspection. The person in charge addressed the non-compliance on 16 January 2025.
- Garda vetting was available for eighteen adults. However, one of these vetting disclosures was not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

Infection Control:

- Two foam cushions were observed to be torn with exposed foam in the Tweenie room leaving an ineffective surface for cleaning. This posed a risk of cross infection.
- There was an art trolley observed to be stored in the sanitary accommodation off the Tweenie room. This posed a risk of cross infection.

Action submitted by the Registered Provider

General Safety:

Corrective Action

1. This issue was reported and raised with Technical Services Department (TSD) of Beaumont Hospital on 15/01/25 at 15:05pm. All staff were notified that there is an issue with water being too hot in the baby room, so everyone is aware to be careful when washing babies' hands. The rooms were provided with water thermometers for staff to check the water temperature as part of their daily risk assessment and record it on their daily checklist form. TSD team called out 16/01/25 at 14:00pm, to inspect the taps and advised that the tap needed to be changed. TSD will schedule a time to complete the work once the parts arrive.
2. Garda vetting was reapplied for on the day of the inspection and has been received.

Preventive Action

1. Management is implementing daily checklists and providing water thermometers for staff members to check the water temperature in all rooms to prevent this happening again. Hospital TSD will be notified as soon as possible of the faulty thermostats. Management will reinforce with staff to follow correct policies and procedures by going through each of them during our monthly staff meeting.
2. Management have created a Garda Vetting Check List to always stay up to date with all employees Garda Vetting.

Infection Control:

Corrective Action

3. All torn cushions were removed straight away and replaced with new soft furniture. Staff were reminded about daily risk assessments at the staff meeting and importance of checking all toys, materials and equipment.
4. The materials were removed straight away.

Preventive Action

3. Staff were reminded that they are obliged to report any hazards to management and that those forms available and were given to them during induction training.
4. Management provided clear guidelines and instructions to staff members on proper storage practices and infection control policies during a recent staff meeting.

Supporting documentation submitted

General Safety:

1. Documentary evidence of issue raised with Technical Services Department of Beaumont Hospital and staff notification. Photographic evidence of water temperatures and new tap with correct water temperature.

2. Photographic evidence of Garda Vetting application, up to date Garda Vetting and Garda Vetting Check list.

Infection Control:

3. Photographic evidence of new soft furniture.
4. Photographic evidence of the open-ended materials removed.

Summary Comment

The corrective and preventive actions taken by the registered provider are sufficient to address the non-compliances identified under Regulation 23.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The registered provider ensured the service was insured. The insurance certificate provided for review showed yearly cover for the number of children it is registered for and had a commencement date of 6 December 2024.