

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DY234				
Name of Service:	Willow Tree Creche				
Address of Service:	St Kevin's Boys Secondary School, Ballygall Rd East, Dublin 11, Co. Dublin				
Eircode:	D11 DW40				
Name of Registered Provider:	John O'Neill				
Service type:	Full Day, Part Time, Sessional				
Date of Inspection:	23/10/2023				
No of pre-school children:	<table border="1"> <tr> <td>AM</td> <td>19</td> <td>PM</td> <td>9</td> </tr> </table>	AM	19	PM	9
AM	19	PM	9		
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 E. Griffin				
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

Willow Tree Creche is a full day care service located in Dublin 11 and is registered to provide early childhood care and education to a maximum of 60 children aged 1 to 5 years Monday to Friday from 8.30am-4.30pm. The service is one of three services operated by the registered provider. The service also operates a part-time session from 8.30am to 12.30pm, and two Early Childhood Care and Education (ECCE) programme sessional services from 9.00am – 12.00pm and 12.30pm-3.30pm.

Willow Tree Creche operates from a single storey premises in the grounds of a local school. There are three care rooms to include the Nursery room (1 to 2 years old), the Toddler room (2 to 3 years old) and the Preschool room (2 years and 8 months to 4 years old). There is a cot room located off the Nursery. There are sanitary facilities and a nappy changing room located off the Nursery and Toddler rooms, and further sanitary facilities located directly off the Preschool room. The staff room, office and kitchen are located off the main reception area. A fully enclosed outdoor area is located to front of the premises

Staffing

There are currently thirteen staff employed by the service including the person in charge and five childcare staff who work directly with the children, a cook, an administration worker and two staff employed under the Community Employment (CE) programme who are supernumerary and undergoing training. There are two Community Employment (CE) programme staff working as caretakers and one working in the kitchen in the afternoon. The registered provider does not work in the service.

There were fourteen adults present on the day of the inspection, including the thirteen staff members and a student.

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),(8), Staffing Levels
- Regulation 19(1)(b) Health, Welfare and Development of child
- Regulation 21 Equipment and Materials
- Regulation 23 Safeguarding the Health, Safety and Welfare of the Child
- Regulation 25 First Aid

However, on inspection additional non-compliances were identified under Regulations 27 and 29. These findings are outlined within the relevant regulations within this report.

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 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.

(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.

(2) The files of fifteen adults were reviewed, including the thirteen staff who work in the service, a Community Employment (CE) Supervisor and a student who was present on the day.

The registered provider had completed the following checks:

- (a) Ten validated written references were available from recent past employers.
- (b) Twenty validated written references were available from a source other than a past employer.
- (c) Completed Garda vetting disclosures were available in respect of the fifteen adults.

(d) There was documentary evidence available that one adult had lived outside of the state for six months or more as an adult and had international police vetting from that state available for inspection.

(4) The six 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.

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).

(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 with the children attending the service to tend to their care needs.

(4) The adult to child ratios were correct when the inspectors arrived unannounced to the service and throughout the inspection. Six staff were allocated to work directly with the 19 children who were present on the day of the inspection with a breakdown as follows:

- Nursery room - 1 adult to 4 children aged between 1-2 years old.
- Toddler room - 2 adults to 5 children aged between 2-3 years old.
- Preschool room - 3 adults to 10 children aged between 2 years 8 months - 4 years old.

(8)(a) There was a minimum of two adults on the premises throughout the inspection. The review of the staff roster provided for a minimum of two adults to be on the premises during the service's operational hours.

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-

(b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.

Compliance Information

(1)(b) Appropriate and suitable care practices were observed, as evidenced by the following:

- Care practices such as mealtimes, nappy changing and toileting were observed to be timely and pleasant experiences for the children. Documentary evidence showed meals provided were regular and varied.
- Daily routines were displayed and reflected the practice in the rooms. These were visual and displayed at a low level for the children to engage with. Visual routines provide for predictability and comfort for young children.
- Information on the child's care such as diet and toileting were shared with parents via conversations at drop off and collection. Staff reported information such as updates on the service is also shared via letter which is handed periodically to parents at collection in order to ensure all parents have received the relevant information.
- 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. These strategies can facilitate emotional and social development in young children.
- Children had the freedom to choose their own play experiences and activities, and adult-led group activities such as recall time were timed at a pace to suit the age and stage of development of the children.
- There was a rest area available in the care rooms should a children require to take a break from activities and staff reported there were sleep mats available should a child need to sleep. No children were observed to sleep on the day of the inspection.

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 furniture and equipment in the indoor environments were observed to be well maintained, durable and easy to clean, and suitable for the age and stage of the children in the rooms.
- There was a variety of play materials and equipment available to the children according to their age and stage of development, to include: arts and crafts materials, home areas with associated props; range of jigsaws; range of construction toys; sorting and stacking toys; range of toys for transporting such as cars and trains with tracks, small world play toys and sensory play materials.
- The toys and equipment were laid out in themed activity areas which facilitated focused play experiences.
- Equipment was labelled with imagery to signal where equipment is kept. This facilitated independent choice and decision making in children’s play.
- The outdoor space consisted of a playground woodchip surface and fully enclosed fence overlooking the school yard. Equipment included two slides, a climbing wall, tyres, gutters for pouring, four rockers, ride on tricycles, ride on cars, planting box mud kitchen and an outdoor sink. There was a bench for rest time under the tree and seven log seats in a circle so children could sit and socialise. Children were observed enjoying outdoor play on the day of inspection.

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 ensured there was adequate and suitable food and drinks available. For example:

- Food offered throughout the day included breakfast on arrival at 8.30am, a hot meal at 11.30am, a further helping of dinner was served at 1.00pm, and a snack at 3.00pm. On the day of the inspection the children were offered mashed potatoes, beans and fish fingers for lunch followed by a fruit salad of banana, apples, pears strawberries and oranges. Additional portions were available.
- Children were given jobs such as giving out plates or cutlery and suitable utensils were available to suit the age and stage of the children. The children were served from serving bowls and were asked how much food they would like. This facilitated a child led experience.
- Mealtime was observed to be a sociable occasion for the children, where the children engaged in conversation with their peers and ate their meal at a pace suited to them.
- Drinking water was freely available in the care rooms throughout the day, and drinks were served at mealtime.

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:

- Door handles were up high out of reach of children to prevent them exiting a room unsupervised.
- The service met the necessary safety requirements in respect of the indoor environment, toys and equipment and the safe storage of cleaning agents and hazardous equipment.
- A record was maintained of accidents and incidents that occur in the setting.
- Blind cords were secured.
- The outdoor play area was fully enclosed to prevent children from exiting the outdoor play area unsupervised.

Infection Control:

- The premises were maintained in a clean and hygienic condition and documented up to date cleaning records were available.
- 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.
- Staff were observed supporting children to hand wash before and after mealtime.

Fire Safety:

- Fire exits were unobstructed, and there was a sign to indicate the fire assembly point.
- Child and staff attendance was accurately recorded which supported the safe evacuation in the case of an emergency.

Non-Compliance Information

General Safety:

1. There was a pest control box with the words 'do not touch' accessible to the children in an unlocked press in the Preschool room. This posed a risk of poisoning or skin irritation to the children.

Infection Control:

The following increased the potential risk of infection and cross contamination:

2. Nappy changing practices were not observed to be consistently in line with appropriate infection control practice or the service policy on nappy changing. For example:
 - An adult did not remove their gloves to wash the child's hands.
 - There was repeated touch of the lid of the pedal operated nappy disposal unit.
 - An adult did not wash their hands after nappy changing.
 - Disposable aprons were not consistently worn during nappy changes.
 - The nappy changing area was not cleaned thoroughly after use, there was a build-up of dust under the nappy mat.

Administration of Medication:

3. The administration of medication was not sufficient to support effective safe practice. There was no written care plan available for children who required a specific type of medication.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. A child proof lock was installed on the press.

Infection Control:

2. A newly amended nappy changing procedure and policy was developed and staff were updated on these procedures.

Administration of Medication:

3. Care plans were developed in consultation with parents. These will be laminated and displayed on wall of room.

Supporting documentation submitted

General Safety:

1. Photographic evidence.

Infection Control:

2. Updated nappy changing policy.

Administration of Medication:

3. Copies of care plans.

Summary Comment

The inspector had reviewed the actions and evidence submitted. The non-compliances identified on inspection 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 was safely stored in an easily accessible and conspicuous position on the premises.

Non-Compliance Information

(1) A review of the staff roster demonstrated that a person trained to First Aid Responder level was not available to the children attending the service at all times during the operational hours of the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

A staff member who holds a First Aid response certificate will relocate to the creche from another service operated by the registered provider until an additional member of staff can access training. A review of staff First Aid training will be done on a 6-month timescale instead of yearly, to ensure no certificates will lapse.

Supporting documentation submitted

Evidence of relocated staff members First Aid Responder level certificate.

Summary Comment

The inspector had reviewed the action and evidence submitted. The non-compliance identified on inspection under Regulation 25 has been addressed.

Part VI – Safety

Regulation 27 – Supervision

A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Non-Compliance Information

The registered provider did not ensure that children attending the service were under the supervision of a qualified staff member at all times. Two adults who did not have a relevant qualification were observed doing nappy changes without a qualified staff member present.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

All staff without the relevant qualification have been reminded that under no circumstances have they to change nappies going forward. The Nappy Changing Policy has been amended to include that only qualified staff can change nappies. This policy will be shared with staff on the service non-contact day on 1st December.

Supporting documentation submitted

Updated nappy change policy.

Summary Comment

The inspector had reviewed the actions and evidence submitted. The non-compliance identified on inspection under Regulation 27 has been addressed.

Part VII - Premises and Space Requirements

Regulation 29 – Premises

A registered provider shall ensure that the premises of the service are-

- (a) of sound and stable structure,*
- (b) safe and secure,*
- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*

Compliance Information

- (a) On visual inspection, the premises appeared to be of sound and stable structure.
- (b) The premises appeared to be safe and secure, for example:
- The entrance to the service was securely locked on arrival to the service which prevented unauthorised persons gaining access and also prevented children leaving unsupervised. Entry and exit to and from the building was managed by staff.
 - All exits were clearly marked with emergency lighting and were unobstructed.

Non-Compliance Information

(c) The temperature in the nappy changing room exceeded the recommended ambient temperature of 18-22 °C in a care room. A temperature of 27°C was recorded by the inspector at 10.35am. It is acknowledged there was a window open in the room.

This was reported to the person in charge and the heater in the room was turned off. The inspector took a second reading and recorded a temperature of 25°C at 11.40am.

High room temperatures created an uncomfortable space for young children.

- (d) The following was not maintained or repaired, as required:
- The paint on the wall by the sofa in the Toddler room was observed peeling which prevented adequate cleaning of the area.
 - The fencing in the outdoor area by the yard was broken which posed a risk of injury for the children.
 - The bench in the outdoor play areas was in a state of disrepair with paint chipped and peeling in places.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(c) A thermometer has been put in place in the area to monitor the temperature. The Daily Plan sheets have been amended to include checking the temperature at 3 intervals during the day to ensure it stays between 18-22 °C. See photograph and new daily sheet attached.

(d)
The wall has been painted. The visual Daily Routine has been placed out of reach of children so that they cannot pull them from the wall causing the paint to peel.

A contractor has been hired to mend the fence, with completion due mid-December. Inspection of fence has been included in the Daily Outdoor Risk Assessment

The bench has been repainted. Inspection of the bench has been included in the Daily Outdoor Risk Assessment

Supporting documentation submitted

(c) Photographic evidence of thermometer, copy of updated plan referencing temperature checks.

(d) Photographic evidence, copy of updated risk assessment.

Summary Comment

The inspector had reviewed the actions and evidence submitted. The non-compliances identified on inspection under Regulation 29 have been addressed.