

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DY241
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Name of Service:	The Marist Creche
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Address of Service:	Marist Primary School, Clogher Road, Crumlin, Dublin 12, Co. Dublin
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Eircode:	D12 YP98
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Name of Registered Provider:	Ann Wrynn
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Service type:	Sessional
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Date of Inspection:	27/09/2024
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No of pre-school children:	AM	22	PM	22
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Address of the Early Years Inspectorate:	1st floor Trinity Building, IDA Business Park, Southern Cross Road, Bray, Co. Wicklow
Inspection undertaken by:	Sarah Quigley
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
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Description of service

The Marist Creche is a not for profit early years service which was established in 1999. Sessional care and education are currently provided to preschool children aged 2 to 6 years through a play based curriculum. The service is open from 9:00 – 12:00 and from 11:20 – 13:00 each weekday on a school calendar basis. The premises is located to the rear of the Marist Primary School in a residential area of Crumlin. Two care rooms are available in a purpose built pre-fabricated building which also has sanitary accommodation.

Staffing

The service currently employs 5 staff members, including an adult who performs administrative duties. The registered provider does not work directly in the service.

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/ information and records/ health, welfare and development of child/ and safety. The inspection may also focus on other areas as required.

A sampling process was used to assess compliance under regulation 15 and Regulation 16.

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

(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

- (2) Documentation was reviewed in respect of the 2 adults who had commenced employment in the service since Regulation 9(2) was last inspected on the 26th May 2021. Records relating to 9(2)(c) were reviewed for all 5 adults employed to work in the service. The following records were available:
- (c) Garda vetting disclosures had been obtained for each of the 5 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 as outlined under Regulation 23.
 - (d) Not applicable, the adults did not require international vetting.
- (4) One of the adults held a relevant major award in Early Childhood Care and Education on the National Framework of Qualifications.

Non-Compliance Information

- (2) The registered provider did not ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children as follows:
- (a) (b)

There were no references available for the 2 adults employed since the last inspection of the service on the 26th May 2024.
- (3) A review of documentation evidenced the registered provider had not taken the required steps as outlined in Regulation 9(2)(a)(b) to ensure that new recruits were suitable and competent before allowing them access to children, as detailed above.
- (4) There was no evidence available to show that 1 of the adults who were working directly with the children held a relevant major award in Early Childhood Care and Education on the National Framework of Qualifications.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (2)(a)(b)(3)
- References are now available and have been validated.
- (4)
- The new recruit is attending college to complete qualifications.
- A checklist has now been put in the front of each file.

Supporting documentation submitted

Supporting documentation was submitted and reviewed by the inspector.

Summary Comment

The regulatory requirement has been met.

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.

(3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 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) therefore at that reference number is satisfied.

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

(c) a registered provider of a sessional pre-school service shall ensure that, where the person in charge operates the service single-handedly, a second person familiar with the operation of the service and in a position to provide assistance to the person in charge in operating the service is, at all times, within close distance of the service and available to attend the service to assist the person in charge in the event of an emergency.

Compliance Information

- (1) An adequate number of adults were working directly with the pre-school children attending the service during the inspection.
- (3) The registered provider ensured that the minimum ratio of adults to children was maintained in the service on the day of inspection. There were 22 children present in the service being supervised by 5 adults during the inspection.
- (8) (c) Not applicable, the service is not operated single-handedly.

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.

Non-Compliance Information

A sample of 12 records of preschool children maintained in the service were reviewed by the inspector to assess compliance. The documentation reviewed evidenced that the records did not detail all of the required information outlined under Regulation 15(1)(a) to (i) as detailed follows:

- (c) The 12 records did not contain details of the date on which a child would cease to attend the service.
- (f) Two of the records did not contain details of any illness, disability, allergy or special need a child may have.
- (i) Two of the records did not contain written parental consent for appropriate medical treatment of the child in the event of an emergency.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

A ceased date has been added to the service forms so this can be recorded. The records have all been reviewed and now contain all of the necessary information.

Supporting documentation submitted

Supporting documentation was submitted and reviewed by the inspector.

Summary Comment

The regulatory requirement has been met.

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:

- (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)
- (h) Documentation reviewed evidenced that children’s attendance was being accurately recorded in each care room.
 - (i) A staffing roster was available in the service and was reflective of the staff members present throughout the inspection.
 - (j) Records of medication which had been administered to children in the service were not available as medication had not been provided to a child. Documentation was available in the service to record such details of administration if required, including parental signatures.
 - (k) Records of accidents and incidents which had occurred in the service were available. A sample of the documentation was reviewed and contained all of the necessary details.

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

Suitable and appropriate care practices were observed throughout the inspection, as evidenced by the following;

The adults interacted with the children in a warm and caring manner and children were observed to be visibly content and engaged in their activities throughout the inspection. Children moved freely around the care room choosing play materials and activities and playing alone, in groups, and with staff members as desired. Staff supported children in their chosen activities and used prompts to extend play and learning. Adults were observed using soft tones and respectful language during all interactions which reflected in the calm, sociable atmosphere of the service. The adults were observed to be responsive to each child's individual needs during the inspection. Children who became upset were comforted promptly by staff who also intervened quickly to resolve minor conflicts between peers.

Lunches were provided by the parents/guardians of the children in attendance and staff reported a healthy eating policy is shared at the beginning of the year. Staff sat engaged with the children during lunch which created a sociable atmosphere. Children all accessed the toilets independently throughout the inspection and staff provided assistance to children when required. Staff encouraged handwashing at regular intervals and prompted children to be independent in cleaning their noses. Independence was also encouraged throughout the morning at clean up times and preparation for lunch. The children all accessed the outdoor play environment during the inspection and were dressed appropriate to the weather.

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

The inspector found by observation of practice, review of documentation, discussion with the registered provider, and inspection of the premises that the following steps to safeguard children attending:

General Safety:

The entrance door into the building was adequately secured to ensure the safety of the children within and to avoid unauthorised persons gaining access or children exiting unsupervised. The toys and play equipment observed in use by the children on the day of inspection were safe and in good working order. Cleaning products and hazardous materials were stored securely out of reach of the children.

Infection Control:

An infection control policy was in place to inform practice. Waste was managed appropriately with the use of pedal-operated, lidded bins throughout the service. The children were supported to wash their hands at regular intervals including after using the toilet and before lunch. Schedules were in place and maintained to ensure the service, equipment and materials are regularly cleaned. Staff members outlined appropriate exclusion periods for adults and children with infectious illnesses were implemented in the service as per the policy.

Fire Safety:

The designated fire escape routes were clearly indicated and free from obstruction on the day of inspection. Staff members adequately outlined the evacuation procedures in place in the event of a fire and stated that fire drills are practiced regularly on a monthly basis.

Non-Compliance Information

General Safety:

1. 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. One staff member working in the service did not have a Garda Vetting disclosure which was dated within the last 3 years.
2. An electrical cable was hanging from a shelf to a low level socket in reach of the children on the day of inspection which may pose a risk of strangulation to a child.

Administration of Medication:

A number of risks were identified relation to medication administration on the day of inspection which may pose a risk of harm to a child and were at variance with the policies and procedures in place in the service as follows:

3. There was no documented care plan in place for a child enrolled to attend the service who required emergency medication for a serious condition. The designated person in charge was unaware of the correct medication the child required. A review of documentation also evidenced that no pre-consent or written instruction for administration had been obtained by the service to administer the emergency medication to the child if required.

This posed a risk of the child not receiving emergency medication in a timely manner or the incorrect administration of the medication to the child.

4. Staff members were unaware of the policy and associated procedures in place in the service for the administration of medication when asked by the inspector. Staff were also unaware what documentation, if any, was in use in the service to record both the administration of medication and written consent from parents/guardians.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. Updated vetting has been applied for and review list is now at the front to track dates of vetting.
2. The electrical cable has been removed and secured out of reach of children. A weekly risk assessment will be completed.

Administration of Medication:

3. A care plan is now in place for the child which has been created with the parents. Staff have all been trained on how to use the medication and on the training plan.
4. All staff have reviewed the relevant policies.

Policies will be reviewed annually and new staff induction will be prioritised.

Supporting documentation submitted

Supporting documentation was submitted and reviewed by the inspector.

Summary Comment

The regulatory requirement has been met.

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)(b)
A suitably equipped first aid box was observed to be immediately accessible to the children within the service and was stored in a conspicuous location on the day of inspection.

Non-Compliance Information

(1)
An adult trained in First Aid Responder (FAR) training was not available to the children during the inspection. It is acknowledged that an adult with paediatric first aid training was available in the primary school if required.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Staff are booked into the relevant first aid training. A record of when FAR expired will be monitored.

Supporting documentation submitted

Supporting documentation was submitted and reviewed by the inspector.

Summary Comment

The regulatory requirement has been met.

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) A written record was available detailing fire drills that had taken place in the service. The record showed that the last fire drill had taken place on the 15th January 2024.
 - (b) There was a record to show that the firefighting equipment had been serviced in October 2023 and the smoke alarm system had been serviced in November 2023.
- (4) The procedures to be followed during a fire drill and in the event of a fire were displayed in a conspicuous location within the service.