

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DY261		
Name of Service:	Whitefriars Childcare Ltd		
Address of Service:	Alexandra Walk, Whitefriar Street, Dublin 8, Co. Dublin		
Eircode:	D08 W9WF		
Name of Registered Provider:	Donna Farrell		
Service type:	Full Day, Part Time		
Date(s) of Inspection:	07/06/2023		
No of pre-school children:	AM	27	PM 25
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		
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

Whitefriars Childcare is one of two services operated by the registered provider and is a full day care service located in Dublin City Centre. The service is registered to provide early childhood care and education to a maximum of 40 children aged 0 to 5 years Monday to Friday from 8.00am to 6.00pm.

Whitefriars Childcare operates from the ground and basement floors of a retail building with five care rooms to include the Baby Room (6 to 14 months), sanitary accommodation, kitchen and office on ground floor level. There are sleeping facilities provided in the Baby Room. On the basement floor is the Wobbler Room (15 to 21 months) and Toddler Room (2 to 3 years); the Pre-Montessori Room (2 to 3 years) and Montessori Room (3 to 4 years) which are conjoined rooms. There is further sanitary accommodation on this level. A fully enclosed outdoor area is available on the ground floor, and an enclosed sheltered area directly accessible from the Wobbler Room on the basement floor.

Staffing

The service employs fourteen staff including the person in charge who manages the oversight of the service and provides cover where needed across the rooms, twelve staff who work directly with the children and a cook. The fourteen staff members and the registered provider who does not work in the service were present on the day of the 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 area of governance/ health, welfare and development of child/ safety/ premises and facilities. The inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9(1)(2)(a)(b)(c)(d)(4); 11(1)(2)(8); 16(1)(h)(i)(k), 19(1)(a), 23, 27 and 31. However, on inspection additional non-compliances were identified under Regulations 8, 25 and 29. These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under the following:

- Regulation 16(1)(h)(j)(k) – Record in relation to Preschool children
- Regulation 19 (1)(a)-Health, Welfare and Development of child
- Regulation 23 – Safeguarding Health, Safety and Welfare of Child

As a result, the scope of the inspection included the Wobbler, Toddler, Pre-Montessori and Montessori rooms and did not include the Baby room. Regulation 9 - Management and Recruitment was assessed in relation to all adults working in the service and Regulation 11 – Staffing was inspected across all rooms.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

Additional Information

The inspection was triggered as a result of the statutory notification of an incident received from the service on the 1st June 2023.

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 II - Registration and Register

Regulation 8 - Notification of change in circumstances

(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.

Non-Compliance Information

(1) The registered provider did not notify the agency of the change of the person in charge in the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The service have applied for change of person in charge through Tulsa on the 20th of June and again on the 28th of June.

Supporting documentation submitted

Evidence of submission for change in circumstance.

Summary Comment

The inspector has reviewed the corrective action taken and evidence submitted. The registration department approved the CIC application on the 21/07/2023, the non-compliance identified under Regulation 8(1) has been addressed.

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,*

(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.

The files of fourteen staff were reviewed. The registered provider had completed the following checks:

(2)

(a) Twenty-two validated written references were available from recent past employers.
 (b) Six validated written references were available from a source other than a past employer.
 (c) Completed Garda vetting disclosures were available in respect of the fourteen staff members.
 (d) Six adults who had lived outside of the state for six months or more as an adult had international police vetting from that state available for inspection.

(4) Twelve of the thirteen 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.

Non-Compliance Information

(4) There was no documentary evidence available to confirm that one staff member who worked directly with the children attending the service 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.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The service has applied to the relevant department to assess if the modules completed meet the minimum qualification requirement.

Supporting documentation submitted

Copy of an email to relevant department.

Summary Comment

The inspector has reviewed the corrective action taken and evidence submitted. The non-compliance identified under Regulation 9(4) remains outstanding and will be reviewed on the next inspection.

Part III – Management and Staff

Regulation 11 - Staffing levels

(1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.

(2) Subject to paragraphs (4) and (5), a registered provider of a full day care service or a part-time day care service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 1 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) thereof at that reference number is satisfied.

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

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

Compliance Information

(1) There were an adequate number of adults working directly with the children as there were 13 adults working with 27 children in the morning, and 10 adults working with 25 children in the afternoon.

(2) The correct adult/child ratio was maintained in the service throughout the inspection at all times.

The adult child ratios during the morning was maintained as follows;

- Baby Room - 2 adults to 4 children aged between 10 to 14 months.
- Wobbler Room - 2 adults to 5 children aged between 15 to 21 months.
- Toddler Room - 2 adults to 5 children aged between 2 -3 years.

- Pre-Montessori Room - 1 adult to 4 children aged between 2 to 3 years.
- Montessori Room – 2 adults to 9 children aged between 3 to 4 years.

(8)(a) There was a minimum of two adults on the premises throughout the inspection. The staff roster provided for a minimum of two adults to be on the premises at all times of opening.

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;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

Compliance Information

- (1)
- (h) Attendance records detailing the arrival and departure of the children on a daily basis were maintained.
 - (i) A record was maintained of the staff roster which was reflective of the staff present on the day.
 - (k) The registered provider maintained a record with full details of the accidents, injuries and incidents involving preschool children.

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:

- Children were provided with regular and adequate meals and drinks throughout the day. Dinner was prepared by an external catering company, and snacks and an evening meal were prepared in the onsite kitchen. Staff discussed how alternative diets were provided for. Children were supported to self-feed, and the mealtime experience was at a pace to suit the needs of the children.
- Nappy changing and toileting was completed at regular intervals and as needed to meet the needs of the child. Staff were observed to engage with children in a respectful manner during nappy changes.
- The children had the freedom to move throughout their care rooms. All children were observed to access the outdoor play area on at least one occasion in the day.

Supporting Relationships:

- Staff were observed to be warm and kind in their interactions with the children. A child who was new to the service was observed to be comforted when upset.
- Staff were observed to provide alternative activities to children who didn't wish to participate in a singing activity.

The Physical and Material Environment:

- The furniture and equipment available was suitable to the age and stage of the children in the rooms.
- There was images of the children and their families displayed throughout the rooms and on their coat hooks in the hallway, this facilitated a sense of welcome and belonging for the children.
- Equipment was stored on low level shelving and was accessible to the children. This allowed for independent decision making in their choice of play activity.

Non-Compliance Information

(1)(a)

1. Sleep was not observed to be led by the needs of the child in the Toddler Room. Two children were observed to fall asleep on the lap of two staff members at 11.34am. Staff stated that low beds would be brought to the room at 11.50am. The two children were observed to be moved on two occasions to other staff members causing them to be disturbed from their sleep. They were observed to be unsettled and crying whilst trying to sleep. At 12.01 pm they were settled to sleep on their low bed.
2. The layout of the Pre Montessori and the Montessori Rooms was disorganised and lacked planning, which can limit a child's ability to engage and focus on their play experiences in a meaningful way. For example:
 - Equipment and materials were not consistently grouped in defined interest areas which limited a focused environment for children.
 - There was not consistent labelling which can provide comfort to children in knowing where things go.
 - Books and equipment were not displayed in a pleasing manner which can limit the possibility for the child to engage with the materials.
 - Jigsaws were stored in bags with no visual guide to support children make the jigsaw. This limited the play value of the equipment.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. The service will ensure sleep will always be child led and have beds available earlier and as soon as needed by the children.
Preventive Action: Continue to always ensure that sleep is always led by the children and have beds available as soon as needed.
2. The rooms have been reorganised to better suit the children's needs. They have been grouped into areas of interest and labelled. Books and equipment are better displayed so they can engage the children better. Jigsaws are better stored and now have visual guides.
Preventive Action: the service will continue to plan better layouts for the rooms and change the layout of our rooms every couple of months.

Supporting documentation submitted

1. No evidence submitted.
2. Photographic evidence.

Summary Comment

The inspector has reviewed the corrective and preventive actions taken. The non-compliances have been addressed and will be reviewed on the next inspection.

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 kitchen was inaccessible to the children in the day of the inspection.
- A record was maintained of accidents and incidents that occurred in the setting.
- The outdoor area of the premises was fully enclosed and secured.

Infection Control:

- The premises appeared to be in a clean and hygienic condition and documented up to date cleaning records were available and displayed in the premises.
- Liquid soap and single use hand towels were available at all wash hand basins used by the children and the staff members.
- Children had individual bed linen which was stored in labelled bags.
- A staff member was observed to change a nappy which supported appropriate infection control practices and was in line with the service nappy changing policy.

Administration of Medication:

- Care plans were available for the use of ongoing medication, and staff were aware of how to administer the medication.
- Individual, labelled sun creams were available for the children, detailing the child's name and the date on which the cream was opened.

Safe Sleep:

- A log was maintained where the temperature of the room and the colour, breathing and position of sleeping children was checked every 10 minutes.

Non-Compliance Information

General Safety:

1. The following hazardous items were accessible to the children and posed a risk:
 - A bottle of cleaning spray on the sink in the Montessori Room.
 - An air freshener in the basement floor sanitary accommodation.
2. There was a trailing flex which posed a risk of injury to the children:
 - From the air cooler in the Montessori room.
 - From the radio on the shelf in the Pre-Montessori room.
3. The tall shelving unit in the Pre-Montessori room was unsecured and unstable, this posed a risk of injury to the children.
4. There was a small trampoline in the outdoor area off the Wobbler Room. This posed a risk of injury to the children. Trampolines are not appropriate for use in an early year's service.

Infection Control:

The following increased the potential risk of infection:

5. Tape on the flooring in the Montessori and Pre-Montessori Rooms was peeling away, making an ineffective surface for cleaning.
6. The worktop at the side of the unit was not sealed and the foam corner protector of the unit was not sealed on the sink unit in the Montessori room. These prevented adequate cleaning.
7. There was a rolled-up towel on the floor behind the toilet in the basement floor sanitary accommodation. There was a risk of contamination should the children access this.

Safe Sleep:

8. Low beds were observed to be placed less than 50cms apart. This can increase the spread of infection and can restrict access for staff to tend to sleeping children.

Fire Safety:

9. The fire exit from the basement floor was restricted when the window from the Toddler Room was opened. The window was adjacent to the exit and opened onto the opening space of the fire exit. This potentially restricted the safe evacuation of children in an emergency.

10. The details of the attendance of a child in the Toddler room was not recorded in the attendance book. Contemporaneous accurate attendance logs must be maintained to support the safe evacuation of children in an emergency.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The bottles of spray have been put on high shelves so they can't be touched by children. The service will ensure that bottles are stored correctly.
2. The wires from the radio and air cooler have been pulled up so they never hang and are not able to be touched by children. The service will keep wires pulled so they don't hang again.
3. The tall unit has been screwed to the wall. The service will ensure all shelves are bolted to the walls.
4. The trampoline in the wobbler room has been removed. Trampolines will not be allowed in the creche again.

Infection Control:

5. Tape on the floor of the Montessori room has been replaced and the service will ensure the tape is changed every few weeks.
6. The worktop of the unit has been sealed and the foam corner protector replaced, the service will ensure the side unit is always sealed by refreshing it every few weeks.
7. The toilet has been fixed and rolled up towel removed. The service will check the back of toilets to make sure there are no leaks.

Safe Sleep:

8. Low beds have been rearranged to ensure that they are 50cms apart. The service will continue to lie the beds out in a way that ensures there is always 50cms between beds.

Fire Safety:

9. The fire door has been flipped so that it opens the other way and is not affected by window.
10. Checks will be done on every room-attendance book to ensure all children have been added to the books. Ensure that every child is added to attendance books in each room to ensure attendance records are accurate in case of emergency.

Supporting documentation submitted

General Safety:

1. No evidence submitted.
2. Photographic evidence submitted.
3. Photographic evidence submitted.
4. Photographic evidence submitted.

Infection Control:

5. Photographic evidence submitted.
6. Photographic evidence submitted.
7. Photographic evidence submitted.

Safe Sleep:

8. Photographic evidence submitted.

Fire Safety:

9. Photographic evidence submitted.
10. Photographic evidence submitted.

Summary Comment

The inspector has reviewed the corrective and preventive actions taken and evidence submitted. The non-compliances identified 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)(b) Suitably equipped first aid boxes were available and were safely stored in an easily accessible and conspicuous position on the premises.

Non-Compliance Information

(1) The registered provider did not ensure that a person trained to First Aid Responder level was available to the children attending the service. It is acknowledged that four staff members were trained in paediatric first aid.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Eight members of staff are provisionally booked for First Aid Responder training. The dates have been set over three days for the 21st, 22nd and the 28th of October 2023.

Supporting documentation submitted

Email evidence submitted.

Summary Comment

The inspector has reviewed the corrective action taken and evidence submitted. The non-compliance identified under Regulation 25 remains outstanding until FAR training is completed in October. This regulation will be reviewed on the next inspection.

Part VI - Safety

Regulation 27 – Supervision

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

Compliance Information

- The children were observed to be appropriately supervised while using the sanitary accommodation on the basement floor.
- The children were observed to be appropriately supervised in the hallway while on the way to and from the outdoor play area.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

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

- (b) safe and secure,*
- (d) cleaned, maintained and repaired, as required,*

Compliance Information

(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 prevented children leaving unsupervised. Entry and exit to and from the premises was managed by an electronic lock system.

Non-Compliance Information

(d) The wooden boards encasing the pipes behind the two toilets in the sanitary accommodation on the basement floor were pulled away from the wall. The wood was damaged and swollen in places.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The wooden boards behind the toilets have been replaced. The service will continue to check behind toilets to ensure there are no leaks that cause the wood to rot.

Supporting documentation submitted

Photographic evidence submitted.

Summary Comment

The inspector has reviewed the action and evidence submitted. The non-compliance identified under Regulation 29 has been addressed.

Part VIII - Notifications and Complaints

Regulation 31 - Notification of incidents

A registered provider shall notify the Agency in writing within 3 working days of becoming aware of any of the following incidents occurring in the preschool service:

(d) a serious injury to a pre-school child while attending the service that requires immediate medical treatment by a registered medical practitioner whether in a hospital or otherwise;

Non-Compliance Information

(d) The registered provider did not notify the Agency in writing within 3 working days of an incident that occurred in the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The service did notify the agency, but it was outside of the required timeframe.

Preventive action: Ensure that any serious accidents that happen in the creche will be notified in writing to Tulsa within the required timeframe.

Supporting documentation submitted

No evidence submitted.

Summary Comment

The inspector has reviewed the corrective and preventive action submitted. The non-compliance identified under Regulation 31 has been addressed.