

# 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,

**Eircode:** D08 W9WF

**Name of Registered Provider:** Donna Farrell

**Service type:** Full Day, Part Time

**Date of Inspection:** 11/11/2024

<b>No of pre-school children:</b>	AM	32	PM	28
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**Address of the Early Years Inspectorate:** Early Years Inspectorate  
2<sup>nd</sup> Floor, Unit 4/5  
The Nexus Building  
Blanchardstown Corporate Park  
Ballycoolin  
Dublin 15 | D15 CF9K

**Inspection undertaken by:** T Nelson and L Jameson

**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

Whitefriars Childcare is a full day care service located in Dublin city centre and is registered to provide early childhood care and education to a maximum of 40 children aged 0 to 6 years old, Monday to Friday. The service is one of two services operated locally by the registered provider.

Whitefriars Childcare operates from the ground and basement levels of an apartment building and has five care rooms. The Baby Room (6 to 14 months old), sanitary accommodation, kitchen and office are on ground floor level. There are sleeping facilities provided in the Baby Room. On the basement level is the Wobbler Room (14 to 24 months), Toddler Room (2 to 3 years); the Pre Montessori-Room (2 years and 8 months to 4 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.

On the day of the inspection, the pre-Montessori and Montessori children were together in the Montessori room.

### Staffing

There are currently 14 staff employed by the service including the person in charge, a cook and 12 childcare staff who work directly with the children. There were 12 adults present on the day of the inspection including the person in charge, 10 childcare staff and a childcare staff member from the other service operated by the registered provider who was called to the service following the arrival of the inspectors.

The registered provider does not work 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/ health, welfare and development of child/ safety/ premises and facilities. 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),(3) (4) Management and Recruitment
- Regulation 11(1),(2) 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
- Regulation 29 Premises

A sampling process was used to assess compliance under regulation 9 Management and Recruitment. As a result, the scope of the inspection included the Wobbler, Toddler, Pre Montessori and Montessori rooms and did not include the Baby 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

This inspection was triggered as a result of information received to the inspectorate.

### 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*

*(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 has a designated person in charge and a named person who is able to deputise as required.
- (b) The person in charge and deputy person in charge were present during the inspection.
- (2) The following files were reviewed:
- The full files of eight staff who were new to the service since the last inspection dated the 7 June 2023.
  - The full file of a staff member from another service operated by the registered provider.
  - The garda vetting disclosures of 15 staff members.
- (a)(b) Twelve references which had been validated were available for six staff members from either reputable sources or previous employers.
- (c) Completed Garda vetting disclosures were available in respect of the fifteen staff members. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d) Nine 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) Nine 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

- (2)(a)(b) Evidence of written validated references were not available for the following:
- One staff member had only one reference which was not validated.
  - Two staff members had two references, neither of which were validated.
- (3) The review of documentation available demonstrated the following had not been considered prior to staff commencing within the service:
- A review of start dates showed five adults commenced employment in the service prior to a garda vetting disclosure being available. Garda vetting disclosures were dated between 4 and 14 working days after the start date of employees.
  - One staff member did not have a curriculum vitae or history of their work-related experience available.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective Action

- (2)(a)(b) All references have been followed. A further validated reference was sought for one staff member.
- (3) The service has updated their employment policy to ensure that the date of the first day on the floor is recorded instead of the first day of job accepted.

#### Preventive Actions

- (2)(a)(b) The service will ensure that all folders have the required documents for each staff member.
- (3) The service ensure they will follow their updated policy. They also commit that there is never anyone in contact with children without full vetting

#### Supporting documentation submitted

- (2)(a)(b) copies of validated references.
- (3) Evidence of updated policy.

#### Summary Comment

The inspector has reviewed the actions taken and evidence submitted. The non-compliances identified under Regulation 9 have been addressed.

### 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

The registered provider ensured the following:

- (1) On the day of inspection there were an adequate number of adults working directly with the children attending the service to meet their basic care needs. There were seven adults working directly with the 32 children attending the service on the morning of the inspection, with the person in charge and an additional staff member available to provide care when needed.

(2) The adult to child ratios were correct when the inspectors arrived unannounced to the service at 9.17am and throughout the inspection with a breakdown as follows:

- Baby room - 2 adults to 6 children aged between 6 to 14 months old.
- Wobbler room - 1 adults to 5 children aged between 1 to 2 years old.
- Toddler room - 2 adults to 10 children aged between 2 to 3 years old.
- Montessori room - 2 adults to 11 children aged between 2 years and 8 months to 4 years old.

## 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) The follow practices were observed on the day of inspection which supported the health, welfare and development of the children attending:

- The children were supported to follow their own interests, decision making was encouraged by staff who were observed to actively supervise and guide the children throughout the day. The children appeared to be happy and confident in their environment, a daily routine was evident on the day of the inspection.
- The staff were observed to use positive and respectful language on the day of inspection. The staff were observed to positively reinforce the children's achievements with praise and recognition. A child who required additional support was observed to be encouraged by staff to explore their environment, supported during activities and transitions and given freedom of choice. During sleep time, children in the Baby Room were upset. The staff were observed to soothe and comfort the children, using soft language and gentle tones of voice, interacting warmly and kindly to support the children.
- Appropriate and respectful nappy changing procedures were observed on the day of inspection. The children who were toilet trained used the toilet independently with discreet supervision provided by staff. Nappies were changed at scheduled times and more frequently when required. The staff wore clean aprons and gloves for each nappy change, while engaging in meaningful interactions with the children.
- Upon discussion with staff members, it was stated that the children received five meals per day, with a hot meal provided from an outside catering company. Staff also reported alternative meals are available for children who have additional or alternative dietary requirements.

### 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 registered provider ensured there was adequate and suitable furniture and equipment available, for example:

- The furniture and equipment in the rooms was observed to be adequate for the number of children in the rooms, it was appropriate for the age range and stage of development of the children.
- The toys and equipment were laid out on low level shelving, visible to the children in boxes which were labelled using text and imagery to indicate where things belong.
- Images of the children and their families were displayed throughout the rooms, and children had labelled coats hooks and cubbies for their belongings.
- Play materials including stacking, sorting, books, mark making, roleplay and construction were available to the children to facilitate a range of play experiences.
- There were cosy areas in the rooms where children could comfortably take a break and engage in more restful activities.

### 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 following measures were observed to safeguard children:

- Cleaning products were observed to be stored out of reach of children.
- Door handles were up high out of reach of children restricting their movement out of the care rooms.
- The stairwell had a low handrail in place for children.

##### Infection Control:

- Liquid soap and thermostatically controlled warm water was available in all sinks used by staff and children.

- Children's dirty noses and a toileting incident were observed to be tended to immediately.
- The rooms appeared clean and there was up to date cleaning check lists available.

### 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.
- Low beds and mattresses were observed to be positioned with appropriate space between them.

### Fire Safety:

- Accurate recording of the children was maintained in the daily attendance log.

### Non-Compliance Information

The registered provider did not ensure the following:

#### General Safety:

1. There was no documentation available in the care room detailing important information on the care, supervision and strategies required regarding a child who had additional care needs to ensure that the child's safety and welfare was maintained. This information should be readily available in order to provide and plan for children's safe care and development.

The following posed a potential risk of injury to the children:

2. Two ladders were observed to be propped against the wall in the hallway on the basement level.
3. A cable from the air cooler in the Toddler room was trailing and accessible to the children.

#### Infection Control:

The following increased the potential risk of infection:

4. The nappy changing mat in the on the wooden changing unit in the basement level sanitary accommodation was torn leaving the foam exposed. Effective cleaning was not possible as a result.
5. The white bin in the basement level sanitary accommodation was not foot pedal operated and required repeated hand touch of the lid.
6. There was no paper towel on the dispenser in the basement level sanitary accommodation. The roll of paper towel available required repeated hand touch.
7. Hand washing practice was not observed to support appropriate infection control. The following was observed:
  - The was no hand washing completed after two nappy changes.
  - Children for the Montessori room were not supported to hand wash using warm water after using the toilet.

8. The covering on the following furniture and equipment was torn leaving an ineffective surface for cleaning:
  - The green couch in the Toddler room.
  - The adult chair in the Baby room.
  - The cushions in the Montessori room.
9. Tape on the flooring in the Montessori rooms was peeling, leaving a build-up of a sticky residue. Effective cleaning was not possible as a result. This was identified as a non-compliance on the last inspection held on the 7 June 2023 and the preventive measures put in place failed to prevent a recurrence.
10. The removable fabric cover on the couch in the Montessori was observed to have a build-up of dirt and was stained.
11. The foam corner protector was not sealed on the sink unit in the Montessori room. These prevented adequate cleaning. This was identified as a non-compliance on the last inspection held on the 7 June 2023 and the preventive measures put in place failed to prevent a recurrence.

### Safe Sleep:

12. Children aged under two years of age were not provided with adequate sleep facilities in line with Tusla's *"Guidance for the Early Learning and Care sector on sleep provision for children under 24 months"*. Children who were under two years old were observed to sleep on mattresses placed directly on the floor.
13. There was no required paperwork available in relation to children aged under two years of age who have transitioned to a low-level bed in line with Tusla's *"Guidance for the Early Learning and Care sector on sleep provision for children under 24 months"*.
  - There were no individual sleep plans available.
  - Appropriate risk assessments detailing the potential risks to the children sleeping on low level beds were not available.

### Fire Safety:

14. 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. This was identified as a non-compliance on the last inspection held on the 7 June 2023 and the preventive measures put in place failed to prevent a recurrence.

## Action submitted by the Registered Provider

### Corrective & Preventive Action

#### General Safety:

#### Corrective Actions:

1. A care plan and information has been developed.
2. The ladders were removed from the creche that evening.
3. The cables have been secured.

#### Preventive Actions:

1. The service will ensure there is information for children who may require extra care.
2. The service will ensure ladders are not left in creche while work is underway.
3. The service has updated their daily risk assessment to include a check for this.

#### Infection Control:

#### Corrective Actions:

4. The mat has been replaced.
5. Bin was replaced with a foot pedal operated bin.
6. The Paper towel in the dispenser has been refilled.
7. The service reminded staff of the hand washing policy during monthly staff meeting, send it to each staff member to re-read it and then had everyone sign off on this.
8. The green couch in the Toddler room has been removed and replaced with a new one.  
The adult chair in the Baby room has been removed.  
The cushions in the Montessori room have been removed.
9. The tape on floor was replaced.
10. The service has bought 2 replacement covers so they can be changed.
11. The sink corner has been replaced with a different soft corner protector.

#### Preventive Actions:

4. The service has updated their daily risk assessment to include a check for this.
5. The service ensure they will only use foot pedal operated bins.
6. The service has updated their daily risk assessment to include a check for this.
7. The service will remind all staff of the policy at monthly staff meetings.
8. The service spoke to staff about ensuring all equipment is suitable for the children free from tears etc.  
and have updated their daily risk assessment to include a check for this

9. The service has updated their daily risk assessment to include a check for this and plans are in place to replace the floor of Montessori room during Christmas break.
10. The service spoke to staff about checking the sofa and have updated their daily risk assessment to include a check for this.
11. The service has updated their daily risk assessment to include a check for this.

### Safe Sleep:

#### Corrective Actions:

12. The service has decided to return to the use of cots for children under two years and will move them to beds as and when they turn two as per Tusla guidelines.
13. The service has decided to return to the use of cots for children under two years, removing the requirement for sleep plans.

#### Preventive Actions:

12. Children under two years will sleep in cots.
13. Children under two years will sleep in cots, removing the requirement for sleep plans.

### Fire Safety:

14. **Corrective Actions:** the service has added the check of the toddler window to their daily risk assessment to ensure it does not obstruct the fire exit. The window is to be replaced to a window that pulls inwards on top.

**Preventive Action:** The service has updated their daily risk assessment to include a check for this.

### Supporting documentation submitted

#### General Safety:

1. Evidence of written care plan.
2. Photographic evidence.
3. Photographic evidence. Updated risk assessment.

#### Infection Control:

4. Photographic evidence. Updated risk assessment.
5. Photographic evidence.
6. Photographic evidence. Updated risk assessment.
7. Minutes of staff meeting. Evidence of sign-off on hand washing policy
8. Photographic evidence of new couch. Updated risk assessment.
9. Photographic evidence. Updated risk assessment.
10. Photographic evidence. Updated risk assessment.

11. Photographic evidence.

**Safe Sleep:**

12. Photographic evidence.

13. No evidence submitted.

**Fire Safety:**

14. Updated risk assessment.

**Summary Comment**

The inspector has reviewed the actions taken and evidence submitted. The non-compliances identified under Regulation 23 have been addressed and will be reviewed on the next inspection.

**Part VI - Safety**

**Regulation 25 - First aid**

*(1) A registered provider shall ensure that a person trained in first aid for children is, at all times, immediately available to the children attending the pre-school service.*

*(2) A registered provider shall ensure that a suitably equipped first aid box for children-*

*(a) is safely stored in an easily accessible and conspicuous position on the premises, and*

*(b) is available to the children attending the pre-school service at all times.*

**Compliance Information**

(1) The service provided evidence that a person trained in First Aid Responder training was available at all times to the children attending the pre-school.

(2)(a) and (b) Suitably equipped first aid boxes were available and were safely stored in an easily accessible and conspicuous position on the premises.

## 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
- (e) equipped with adequate and suitable sanitary facilities.

### Compliance Information

- (a) The premises appeared to be of a sound and stable structure.
- (b) The outdoor play area was fully enclosed, and the gate was secured by an electronic lock which was managed by staff.
- (e) The sanitary facilities throughout the premises were observed to be in suitable condition.

### Non-Compliance Information

The registered provider did not ensure the following:

- (c) The temperature of care rooms exceeded the recommended ambient temperature of 18-22 °C in a care room as follows:

Room	Time	Temperature	Required Temperature
Toddler room	11.03am	23.4°C	18-22°C
	12.37pm	23.3°C	
Montessori room	12.39pm	22.9°C	

- (d) There were three holes in the wall in the Montessori room. These were accessible to the children.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective Action

- (c) The service have replaced the fans in the rooms to ensure the rooms can be cooled quicker. They have also made sure that the heating will come on at 6:30am- 8:30am instead of 6am- 9am. In the evening 1pm-2pm instead of 12pm-3pm so the rooms won't be as hot.
- (d) The holes have been filled by plaster and no longer have holes.

### Preventive Action

- (c) The service has added the check of temperature to their daily risk assessments to ensure that rooms are not over 22 degrees.
- (d) The service has updated their daily risk assessment to include a check for this.

### Supporting documentation submitted

- (c) Photographic evidence. Updated risk assessment.
- (d) photographic evidence. Updated risk assessment.

## Summary Comment

The inspector has reviewed the actions taken and evidence submitted. The non-compliances identified under Regulation 29 have been addressed.