

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DY272
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Name of Service:	Cherryorchard Community Childcare Service Ltd
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Address of Service:	Croftwood Crescent, Cherry Orchard, Dublin 10, Co. Dublin
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Name of Registered Provider:	William Mangan
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Service type:	Full Day, Part Time, Sessional
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Dates of Inspection:	23/10/2023
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Date 2 of Inspection:	24/10/2023
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No of pre-school children:	AM	69	PM	55
Day 2	AM	67	PM	67

Address of the Early Years Inspectorate:	1st floor Trinity Building, IDA Business Park, Southern Cross Road, Bray, Co. Wicklow
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Inspection undertaken by:	Sarah Quigley & Olivia Quill
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Title:	Early Years Inspectors
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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

Cherryorchard Community Childcare is a community based not for profit early years' service based in a residential area of Cherry Orchard, South County Dublin. The service currently provides sessional, part-time and full day care to pre-school children aged six months to six years of age. School aged care is also provided. The hours of operation are between 08:30hrs and 17:00hrs each weekday. The service is a purpose-built, single storey facility with ten care rooms and one designated sleep room. There were two enclosed outdoor play spaces available to the children. One in an internal courtyard in the service and a second to the rear of the premises.

Staffing

There are 32 adults currently employed to work in the service including the designated person in charge, an adult who performs administrative duties and acts as the deputising person in charge, two cooks, two cleaners and 26 adults who work directly with the children. On the first day of inspection 29 adults were present, 24 of whom worked directly with the children including two adults on a work placement programme. On the second day of inspection 26 adults were present, 21 of whom worked directly with the children including two adults on a work placement programme. 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/ safety/ premises and facilities. The inspection may also focus on other areas as required.

A sampling process was used to assess compliance under regulation 19. As a result, the scope of the inspection included the Baby room, the Wobbler room, the Toddler 1 room, and the Toddler 2 room.

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

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

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

Additional Information

An immediate action notice was issued to the registered provider following the first day of inspection on the 23rd October 2023 in relation to Regulation 23, general safety. A response was received by the registered provider on the 24th October 2023 which adequately addressed the risk identified. The measures implemented to mitigate the risk identified were assessed on the second day of inspection.

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

(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 assessed under Regulation 9 for all 32 adults currently employed to work in the service and two adults currently engaged in a work placement programme within the service. The following records were available for the 32 adults:

(a) (b)

The registered provider demonstrated that they had verified the references obtained from two sources for 30 of the adults.

(c) A Garda vetting disclosure was available from The National Vetting Bureau for the 32 adults.

(d) International police vetting was available for one of the adults who had lived outside the state for a period exceeding six months as an adult.

(4) There was evidence that 24 of the adults had attained at least a major award in Early Childhood Care and Education at Level 5 on the National Framework for Qualifications, or a qualification deemed to be equivalent. One adult who did not have the required qualification was in possession of a letter of eligibility to practice from the minister, and 7 adults did not require a qualification.

Non-Compliance Information

- (2)
- (a)(b)
- One of the references on file for a staff member had not been appropriately verified.
 - The second reference on file for one staff member was not appropriate as it was from a personal acquaintance.
- (3) The inspection of documentation pertaining to Regulation 9(3) was limited to two adults who had commenced employment in the service following the last date of inspection on the 28th September 2022. The documentation reviewed evidenced that procedures outlined under Regulation 9(2) had not been carried out prior to the adults commencing employment in the service as follows:
- References obtained in respect of the two adults had not been appropriately verified prior to the adults commencing employment in the service.
- (4) Documentation was not available to evidence that two of the adults had attained at least a major award in Early Childhood Care and Education at Level 5 on the National Framework for Qualifications, or a qualification deemed to be equivalent.

The corrective and preventive actions submitted following the last inspection of the service did not prevent the re-occurrence of the non-compliance identified under Regulation 9(2)(a)(b).

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (2)(a)(b)
- The reference in question has now been verified. An alternative second reference has been obtained and verified for the other adult. A new staff file checklist is in place which will ensure all necessary documents are in place prior to an adult commencing employment in the service.
- (3)
- The new staff file checklist will ensure this does not happen again. The checklist will be signed by staff and double checked by two members of the management team before the staff member starts.
- (4)
- The qualifications have now been submitted. The new checklist will ensure this does not re-occur.

Supporting documentation submitted

Supporting documentation was submitted and reviewed by the early years 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.

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

Compliance Information

- (1) An adequate number of adults were working directly with the pre-school children attending the service during the inspection.
- (2) The registered provider ensured that the minimum ratio of adults to children was maintained in the service on the day of inspection. There were 69 children present in the service on the first day of inspection being supervised by 24 adults and 67 children present in the service on the second day being supervised by 21 adults. The designated person in charge provided relief cover as required.

Part IV – Information and Records

Regulation 16 – Record in relation to pre-school service

(1) A registered provider shall ensure that a record in writing is kept of the following information in relation to the service:

(h) details of attendance by each pre-school child on a daily basis;

(j) details of any medication administered to a pre-school child attending the service with signed parental consent;

Compliance Information

(h) Accurate attendance records were in place in the service for all children in attendance of each day of inspection.

Non-Compliance Information

(j) A sample of medication records were reviewed during the inspection. A record in writing was not available in the service detailing that parental consent had been obtained prior to medication being administered to four children in the service.

The corrective and preventive actions submitted following the last inspection of the service did not prevent the re-occurrence of the non-compliance identified under Regulation 16(1)(j).

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

All forms have now been signed by the parents for medication that was not anti-febrile. Parents are always called prior to the administration of anti-febrile medicines and there is signed consent on children's registration forms for this also. A new medication form is in place and all staff have been appropriately retrained.

Supporting documentation submitted

Supporting documentation was submitted and reviewed by the early years inspector.

Summary Comment

The regulatory requirement has been met. The actions outlined will be assessed on the next inspection of the service.

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, and

Compliance Information

The inspectors observed some appropriate care practices in place in the service during the inspection.

Children were observed using the toilet independently as required, and staff promptly changed children's nappies when required. Staff engaged warmly with the children, demonstrating kindness and affection during all interactions observed by the inspectors. Staff availed of opportunities for one on one conversations with the children when engaged in personal care and demonstrated an awareness of the individual care needs of the children in their allocated rooms. The routine and play experiences in the service were observed to be child-led and children were observed to be content in their play-based activities throughout the inspection. Staff encouraged children to be independent in the classroom and assist with activities such as cleaning up following play and preparing for mealtimes.

Younger children were provided with bibs during mealtimes and self-feeding was encouraged in all age groups. Staff sat with children during mealtimes engaged in conversations and assisted children where required which created a sociable atmosphere. Children attending the Baby room were placed to sleep in line with their individual care needs. Younger babies were held during bottle feeding. Staff provided comfort to children where required when going to sleep, offering reassurance sitting beside them and speaking softly. Rest areas were available in each of the care rooms for children to take time away from the group if desired.

Non-Compliance Information

Some practices were observed which did not promote the health and well being of the children in attendance as follows:

1. The individual sleep needs of a child aged 1 year attending the Wobbler room were not met on the first day of inspection. The child was observed in the garden at 11:05am asleep on a staff members shoulder. The child was taken inside for dinner and became upset and distressed crying and refusing food. The child remained upset in the care room until 11:42am when staff put the child to sleep at the designated sleep time.

2. Drinking water was not readily available to the children attending the Baby room at all times on the first day of inspection. Children were not offered drinks of water until after their dinner at 11:30am.
3. A number of children were observed drinking juice from baby bottles on the day of inspection which can cause teeth to be exposed to high sugar content for long periods posing a risk of tooth decay.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. An individual care plan is now in place for this child, cots were available at this time. Staff have been re-trained in the services safe sleep policy to ensure individual children's needs are always met.
2. All babies have their own labelled beakers in the kitchenette. Staff have been re-trained, and the presence of water station has been added to the managers daily checklist.
3. Juice has been banned from the service and correspondence has been issued to all parents explaining the reasoning behind this. Staff have all been re-trained, the food and nutrition policy has been updated and added to the parent's pack which they must sign and return.

Supporting documentation submitted

Supporting documentation was submitted and reviewed by the early years inspector.

Summary Comment

The actions outlined as stated by the registered provider will address the non-compliances. These actions will be assessed on the next inspection of the service. The regulatory requirement has been met.

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

General Safety:

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 were stored securely out of reach of the children.

Infection Control:

Waste was managed appropriately with the use of pedal-operated, lidded bins throughout the service. Schedules were in place and maintained to ensure the service, equipment and materials are regularly cleaned. Staff stated appropriate exclusion periods for adults and children with infectious illnesses were implemented in the service as per the policy.

Safe Sleep:

Sleep logs were maintained in the dedicated sleep room and the younger care rooms, and individual children's observations recorded room temperature, breathing, colour, and position every ten minutes. The temperature of the rooms where children slept were maintained at the required temperature ranges.

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 side entrance to the service was unlocked and accessible on the day of the inspection from the road outside posing a risk of unauthorised access. The side entrance led directly into one of the outdoor play areas where doors into four of the care rooms were unlocked.

An immediate action notice was issued following the first day of inspection. It is acknowledged that the risk identified had been address and the gate secured when the inspectors arrived on the second day of inspection.

2. A blind cord in the Toddler 2 room was hanging unsecured on the day of inspection and in reach of the children in attendance posing a risk of injury to a child.
3. A review of accident and incident forms on the day of inspection did not evidence that children's parents had been informed of a number of incidents that had occurred in the service whereby children had banged their heads. This may negatively affect the continuity of care provided to the child at home and pose a risk of harm.
4. A trailing electrical cable was observed in the designated sleep room in reach of a child in one of the cots posing a risk of injury.

The corrective and preventive actions submitted by the registered provider following the last inspection of the service did not prevent the re-occurrence of the non-compliances identified under points 1 and 2.

Infection Control:

The infection control practices observed in the service were at variance with the associated policies in place and posed a risk of cross contamination and gastrointestinal illness as follows:

5. Children's hands were not routinely washed following nappy changing and after outdoor play.
6. Staff members were observed assisting in food preparation and feeding children at meal times with no handwashing beforehand.
7. During nappy changing, staff members were observed re-dressing children wearing the soiled gloves used during the nappy change.
8. Paper towels used for hand drying were not appropriately stored in dispensers. Staff members were observed handling large rolls of paper towels, at times without handwashing themselves, to break pieces off for children to hand dry.
9. Blankets and mattresses with used sheets on them were all stored folded on top of one another and stacked together between uses which is ineffective for infection control purposes. Staff stated that the blankets and sheets are stored like this daily and washed once per week.
10. The lacquered surfacing on the wooden units surrounding the handwash sinks in the Toddler 1 and Toddler 2 were heavily worn exposing unfinished wood. Accumulations of dirt and debris were noted in crevices where the laminate surface did not meet the sink which could not be effectively cleaned.

The corrective and preventive actions submitted by the registered provider following the last inspection of the service did not prevent the re-occurrence of the non-compliances identified under points 7 and 9.

Administration of Medication:

A sample of medication records reviewed on the day of inspection were incomplete and at variance with the policy in place in the service. This posed a risk of harm or overdose to the children receiving the medication as follows:

11. There was no evidence that pre-consent had been obtained for the administration of medications to children in the service, both prescribed and non-prescription, on number of records reviewed by the inspectors.
12. During discussions with the inspectors, some staff members demonstrated they were unaware of the procedures outlined in the medication administration policy in place in the service.
13. There was no evidence available to show that parents had been informed that prescribed and non-prescription medications had been administered to their child in the service on a number of the records reviewed.

Safe Sleep:

A number of practices observed on the day of inspection were at variance with the safe sleep policy in place in the service, and were not in line with safe sleep guidelines for the prevention of sudden infant death syndrome (SIDS), and posed a potential risk of harm to children as follows;

14. An infant aged 8 months was observed sleeping in a bouncer from 11:59am to 12:32pm on the day of inspection. Two standard cots were not in use and available at this time.
15. Two children aged 16 months and 18 months were observed sleeping with large fleece throws as blankets on the day of inspection.
16. Three children aged under two years were observed sleeping on flat mats on the floor on the day of inspection where a standard cot or a specified floor bed is required.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. A combination lock was purchased and put on to access gate, the code was shared with all staff. The fire evacuation procedure was updated to include opening the lock during evacuation.
2. The blind cord has been secured to the wall. Staff training took place and staff were reminded to record and risks and maintenance requirements to ensure they are rectified as a matter of urgency.

3. All accident forms have now been signed. The service had been calling parents to inform them of any accidents or incidents. Staff will now write onto the forms that the parent has been contacted and by whom. The accident books will now be added to the managers daily check to ensure all forms are signed and recorded appropriately.
4. The radio has been removed from the room. The service spoke to all staff about the importance of reporting risks on the daily risk assessment forms, this was discussed in detail at a staff meeting. A maintenance list is kept in the office to ensure any risks are rectified urgently.

Infection Control:

5. Staff were re-trained on the handwashing and nappy changing policies. Handwashing signs were updated in all bathrooms. Managers will conduct spot checks for the next three months to ensure procedures are being followed. This has been added to the managers daily checklist.
6. Staff were re-trained in the food preparation policy. Staff do not wear gloves they instead wash their hands as per the policy. If gloves are worn, handwashing will take place before and after they are put on. Managers will conduct spot checks for the next three months to ensure procedures are being followed. This has been added to the managers daily checklist.
7. Staff members have been re-trained on the nappy changing policy. New clearer signs with the nappy changing steps detailed have been displayed. Managers will conduct spot checks for the next three months to ensure procedures are being followed. This has been added to the managers daily checklist.
8. The correct rolls of paper towel have been ordered to be placed in the dispensers.
9. Individual bags have been purchased for the sheets. Mattresses will now be stripped and re-dressed daily. Sleep mats will be stored in the wardrobe on separate shelves. Stripped bedding will now be stored daily in individually labelled bags.
10. New sinks have been ordered for the six care rooms and will be installed in December. They are made from stainless steel and will eliminate and laminated or wood surfaces.

Administration of Medication:

11. Parents signed permission for medicine forms for all children that have been on medication. New medicine forms are in place and all staff have been re-trained.
12. All staff have been re-trained on the medicine policy. A new form is in place and the permission for medicine and medicine administration are now on the same form to avoid confusion.
13. See point 11 above as the same actions apply.

Safe Sleep:

14. Staff in the baby room were spoken to and bouncers will no longer be used for sleep at any time. Staff were re-trained on the safe sleep policy.
15. Staff in the Wobbler room were spoken to about removing comfort blankets once children are settled, this was also communicated with the parents of the children in the room. Staff were re-trained on the safe sleep policy.
16. These children all had risk assessments in place which were completed with management, parents, and carers. These children are now sleeping in cots. The safe sleep policy has been updated accordingly and shared with staff on the staff training evening.

Supporting documentation submitted

Supporting documentation was submitted and reviewed by the early years inspector.

Summary Comment

The actions outlined as stated will address the non-compliances identified. These actions will be assessed on the next inspection of the service. 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

(1)

An adult trained in First Aid Responder (FAR) training was available in the service at all times during the opening hours of the service on the day of inspection.

(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.

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 21st September 2023.
 - (b) There was a record to show that the firefighting equipment had been serviced in December 2022 and the smoke alarm system had been serviced in October 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.