

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DY273				
Name of Service:	TCD Day Nursery				
Address of Service:	House 49-50, Trinity College Dublin, College Green, Dublin 2,				
Name of Registered Provider:	Orla Cunningham				
Service type:	Full Day				
Date of Inspection:	03/07/2023				
No of pre-school children:	<table border="1"> <tr> <td>AM</td> <td>24</td> <td>PM</td> <td>29</td> </tr> </table>	AM	24	PM	29
AM	24	PM	29		

Address of the Early Years Inspectorate:	Early Years Inspectorate, Floor 7 Brunel Building, Heuston South Quarter, St. John's Road West, Kilmainham, Dublin 8
Inspection undertaken by:	E. Finnegan Hayes
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

TCD Day Nursery is a community run full day care service which opens 8am-6pm Monday-Friday during the school term and 8am-5:30pm during the summer months. The service operates from the ground floor of a converted building on the grounds of Trinity college campus providing Early Education and Care to the children of teachers and students attending the college. The service is comprised of five care rooms, a kitchen, staff room and an office. The service caters for 52 children aged 0-6years.

Staffing

The registered provider employs 19 staff to work in the service including the person in charge and a cook. Fourteen staff were present on the day of inspection; twelve of whom were working directly with the children in the service. The registered provider does not work directly with the children 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 an examination of compliance under Regulation 9; (1)(a)(b), (2)(a)(b)(c)(d), (4), Regulation 11; (1), (2), Regulation 19; (1)(a), Regulation 20; (1)(a), (3)(a), Regulation 22, Regulation 23, Regulation 27, and Regulation 29. The findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under;

Regulation 19- Health, Welfare and Development of child,

Regulation 20- Facilities for rest and play,

Regulation 22-Food & Drink,

Regulation 23- Safeguarding Health, Safety and Welfare of Child,

Regulation 27- Supervision,

Regulation 29- Premises.

Sampling under Regulation 19 and Regulation 23 included the Wobbler and Playgroup room.

Regulation 9 - Management and Recruitment was assessed in relation to all staff working in the service and

Regulation 11- Staffing Levels were assessed in relation to all children in attendance.

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 person in charge, staff and children who were present on the day of the inspection.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

- (a) the service has a designated person in charge and a named person who is able to deputise as required,
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.

(2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,
- (b) consideration of references from reputable sources in the case of a person who has no past employers,
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and
- (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.

(4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

(6) Paragraph (4) shall not apply before 1 September 2021 to a person who-

- (a) has signed a declaration on or before 30 June 2016 to the effect that he or she intends to retire from employment in a pre-school service before 1 September 2021, and
- (b) is in possession of a letter from the Minister confirming that paragraph (4) shall not apply to him or her before that date.

Compliance Information

(1)(a) The registered provider ensured that there is a designated person in charge in the service and a named person who is able to deputise as required.

(b) The designated person in charge was present on the premises when the inspectors arrived in the service unannounced and was present for the duration of the inspection.

(c) A review of documentation and conversation with staff showed a clear management structure within the service.

(2) A review of the roster and conversation with staff showed that there are 18 staff currently employed in the service including the person in charge. On the day of inspection two staff from an agency were also present and working directly with the children. The files of all 20 staff were reviewed.

(a) Twenty-five written and verified references from a past employer were available in relation to 18 staff members.

(b) Fifteen written and verified references were available from a source other than a past employer in relation to 13 staff members.

(c) Garda vetting disclosures were available for 20 staff members.

(d) Police vetting was available in relation to 8 staff members who had lived outside of the state for a period of 6 months or more as an adult.

(4) Evidence was available to show that 19 staff members including the chef 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.

(6)(a)(b) One staff member was in receipt of a letter date 4th January 2022 which allowed them to work directly with the children under the Grandfathering clause until no later than 31st August 2023. The service manager advised that this person has completed their training and is now in receipt of a relevant qualification.

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) The registered provider ensured an adequate number of children were working directly with the children on the day of inspection when 29 children were being cared for by 13 adults.

(2) Ratios were maintained throughout the inspection. The following was observed;

- In the Baby room 3 children aged under 13 months old were being cared for by 2 adults.
- In the Wobbler room 7 children aged 13-20 months old were being cared for by 2 adults.
- In the Toddler room 6 children aged 20-30 months old were being cared for by 2 adults.
- In the Playgroup room 7 children aged 2-3 years were being cared for by 2 adults.
- In the Montessori room 6 children aged 3.5-5 years old were being cared for by 1 adult.

Three additional staff and the person in charge and deputy person in charge were available to cover breaks and assist in rooms as required.

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

(1)(a) Basic needs:

- Mealtimes were a relaxed social occasion with staff available to offer support where required.
- Bibs were used to protect the clothes of younger children while eating.
- Highchairs were used appropriately to feed younger children and did not restrict the children's movement for longer than the time needed for the child to eat.
- Nappy changing was completed on a set schedule three times daily and as need to ensure the comfort of the child.
- Children were unrestricted in moving around the room and were free to leave the table when they finished eating or during activities when they were not interested in engaging.

Physical and Material environment:

- Toys and materials in the wobbler room were neatly organised in boxes with labels which supported children to identify play items and extend their play.
- Child sized tables and chairs allowed the children to engage in mealtimes and tabletop activities comfortably.
- Children's art was displayed in all care rooms.
- The children had access to an enclosed outdoor area which was observed to be used frequently on the day of inspection. The outdoor area had a range of toys and equipment to promote a range of play experiences.

Supporting relationships:

- Staff used low tones when speaking to the children while staff in the wobbler room were observed to engage in activities with the children singing songs and chatting to the children while sitting on the floor with them.
- Photos displays which showed the children's families and activities in the service promoted the children's sense of identity and belonging.

- Adult seating provided a comfortable place for adults to sit while comforting children and allowed staff to engage comfortably in activities and mealtimes with the children.

Non-Compliance Information

1. Some toys and equipment in the Wobbler room was not within easy access of the children throughout the day, for example one shelving unit in the Wobbler room was turned toward the wall limiting the children's access to the toys and equipment on the shelf including large blocks, musical instruments, and magnetic drawing boards. Dolls and home corner accessories such as small sweeping brushes were observed to be stored on the top of a shelf and radiator cover above the height of the children making them inaccessible.
2. The Playgroup room was observed to have excess equipment which was observed to restrict movement in the room. Staff advised that they were previously in a bigger room. Eight children are currently registered to attend the room however three large tables each of which could seat six children were observed in the room; one of which restricted access to an art shelf. Rooms should be laid out in such a way as to allow children to move freely between activities and should be appropriate to the number of children attending the care room.
3. Some toys in the garden were observed to be stored on a high window ledge while the playgroup room were in the garden. One child was observed to pull a plastic bowl off the window ledge and a wooden block that was in the bowl fell onto the child's head. The child was observed rubbing their head and saying ouch. Toys should be stored in an easily accessible way to ensure children can access them without adult support.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. The shelving unit has been turned round so the equipment is within easy reach. All toys have been made accessible to the children. All staff have been reminded that all equipment must always be accessible.
2. Excess equipment has been removed. This allows for easy access and a better flow of the room. All staff have been reminded that the room must allow for children to move freely between activities.
3. The equipment is stored at a height which is accessible for the children. All staff have been reminded to keep all equipment at an accessible height for the children.

Supporting documentation submitted

Documentation in relation to above has been reviewed by the inspectorate.

Summary Comment

The registered provider has addressed the non-compliances identified under Regulation 19.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

(1) Subject to this regulation, a registered provider shall ensure that-

(a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child 19 to play indoors and, where required by these Regulations, outdoors, during the day, and

(b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

(3) A registered provider of a full day care service, a part-time day care service or a childminding service, other than such a service to which paragraph (2) applies, shall ensure that-

(a) a suitable, safe and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises

Compliance Information

(1)(a) Care rooms were observed to have a range of toys and equipment appropriate to the ages and stage of development of the children in each room. Children were unrestricted in moving around the rooms and accessing play experiences.

(b) Cosy areas in the care rooms offered the children a space to rest during the day to take a break from activities. Sleep areas which were fitted with a suitable number of cots and sleep mats were available for the children within three of the care rooms; the Baby room, Wobbler room, Toddler room while the Playgroup room had a storage area for mats which were used to facilitate sleep.

(3)(a) A suitably secured outdoor area was available on the premises. A rota was available to facilitate all rooms accessing the area each day.

Part V - Care of Child in Pre-school Service

Regulation 22 – Food and drink

A registered provider shall ensure that adequate and suitable, nutritious, and varied food and drink is available for each pre-school child attending the pre-school service.

Compliance Information

- The service has a healthy eating policy and a menu offering a range of food. The hot meal was provided by an external catering company and was heated and delivered to the care rooms by the cook.
- The Healthy eating policy sets out the following mealtimes in the service;
 - Mid-morning snack-10am-11am
 - Dinner- times vary per room between 10:30-12:30pm with the youngest children being served first.
 - Afternoon snack- 2:30-3:30pm with the youngest children being served first.
- A snack table was available throughout the day in the Toddler room, Playgroup room and Montessori room. The snack table contained a variety of food including a selection of fruit, crackers, breadsticks, and cheese twists. Additional items were observed to be added to the table throughout the day. This allows children to access food as required in line with their own individual needs.
- Water was available to the children throughout the day and milk was observed to be served to the children with dinner.

Non-Compliance Information

1. The meals provided to the children in the Wobbler room were not in line with the Healthy eating policy. The policy stated that children in the Wobbler room would receive a mid-morning snack at 10am followed by dinner at 11am and an afternoon snack at 2pm. Staff in the wobbler room stated that the mid-morning snack is not provided to children in the Wobbler room to ensure they eat their dinner. Due to their young age and limited communication children in the Wobbler room may not be able to communicate hunger and as such should be provided with snacks and meals at regular intervals and in line with the service policy to avoid them becoming hungry.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. Children in the Wobbler Room have a snack at 9:30am to keep in line with the policies of the Day Nursery. The policy has changed the Wobbler snack to 9:30am. All staff have been reminded of the Day Nursery policies and procedures in relation to food and drink.

Supporting documentation submitted

Documentation in relation to above has been reviewed by the inspectorate.

Summary Comment

The registered provider has addressed the non-compliance under Regulation 22.

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 entrance to the service was secure on arrival and staff attended the door to allow access. This prevented unauthorised persons entering the premises.
- Care room and exit doors were adequately secured to prevent children leaving the rooms or service unsupervised.
- Cleaning products were stored appropriately out of reach of the children.
- Flexes were appropriately secured to prevent injury.

Infection Control:

- Windows were open throughout the service for ventilation.
- Soothers were stored in individually labelled boxes and staff were familiar with the process for cleaning and sterilisation of soothers.
- Cleaning records were displayed in the care rooms and were completed to date.
- Creams belonging to children and used for nappy changing were clearly labelled and stored in the child's individual storage boxes to avoid them being used on other children in error.

Safe sleep:

- Staff were aware of safe sleep procedures. A staff member in the baby room explained how they ensure a safe sleeping environment; monitoring the room temperature, removing additional clothing before sleep and the use of cellular blankets.
- The cots and mats used for sleeping children were observed to be in good condition free from hazards.

- Air conditioning units were used to maintain an ambient temperature in all the cot rooms throughout the service.

Fire Safety:

- Fire exits were unobstructed on the day of inspection.
- Fire evacuation plans were displayed throughout the service in care rooms and communal areas.
- Attendance was observed to be recorded promptly as children arrived at the care rooms on the day of inspection.

Non-Compliance Information

General Safety:

1. The water in the Playgroup room sink was not thermostatically controlled at a maximum of 43°C. The water temperature was recorded at 46.9°C at 11:58am and children were observed using the sink unaccompanied at dinner time. This posed a risk of scalding.

Infection Control:

2. Handwashing following nappy changing was inconsistent across the service and not in line with best practice or the service policy for example in one care room a staff member was observed to wipe the children's hands with wet tissue while another staff member used a facecloth to wipe the children's hands; soap was not observed to be used in either instance. In a second room children were not observed to wash their hands following nappy changing.
3. Aprons were not observed to be used for all nappy changes in line with the service policy. This posed a risk of cross infection.

Administration of Medication:

4. A written care plan was not available for one child who required emergency medication. This could impede the children receiving the appropriate treatment in the event of an emergency.

Safe Sleep:

5. An ambient temperature of 16-20°C was not maintained in the Toddler care room where one child aged 2 years was sleeping. The temperature was recorded to be 21.4°C at 12:52pm while one child was asleep in the room.
6. The lighting in the cot room within the Wobbler care room was not conducive to conducting physical checks of sleeping children. Staff advised they have to bend over the cots and place their hand in front of the children's face to assess breathing due to the lighting being too dark.

Fire Safety:

7. A cot which was used for storage in the Wobbler “Bedroom” was not 50cms from the foot of another cot in the centre of the room which hindered the ability to move between cots. This may impede the safe evacuation of children from the room in an emergency.
8. One staff member was not recorded on the roster. There was no other record of staff attendance in the service as staff do not sign into work which posed a risk in relation to the safe evacuation of staff in the event of a fire emergency.

Corrective & Preventive Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The thermostatically controlled sink temperature has been lowered to under 43°C. The temperatures of the sinks will be checked on a weekly basis and recorded.

Infection Control:

2. Staff have been reminded of the policy and procedure in relation to children having their hands washed after their nappy has been changed. Nappy changing policy is now on the wall of all changing areas.
3. Staff have been reminded of the policy and procedure in relation to changing their apron during nappy changing. Nappy changing policy is now on the wall of all changing areas.

Administration of Medication:

4. A written care plan is now in place for the child for the use of their prescribed medication. The care plan is accessible in the care room for the use in an emergency.

Safe Sleep:

5. A new calibrated thermometer has been purchased to ensure the temperature in the room is accurate. The temperature of the room will be checked using the calibrated thermometer.
6. A new light has been purchased and installed in the Wobbler sleep room assist with sleep checks. The new light is used every day in the sleep room to ensure staff can observe the children better.

Fire Safety:

7. The vacant cot has been removed from the room to facilitate safe evacuation. The cot will not be returned to the room to prevent any issues with safe evacuation.
8. All staff have been added to the roster. The roster will be checked by the manager each week to ensure that all staff are included.

Supporting documentation submitted

Documentation in relation to above has been reviewed by the inspectorate.

Summary Comment

The registered provider has addressed the non-compliances identified under Regulation 23.

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

Supervision was adequate throughout the inspection. The care rooms are fitted with low shelving and furniture to avoid blind spots and an adequate number of staff were available working directly with the children to maintain supervision during transitions and busy periods.

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 sound and stable structure with no visible issues observed.
- (b)
 - The service appeared safe and secure. Doors and windows were appropriately secured.
- (c)
 - Natural lighting which was supplemented by artificial lighting was provided throughout the service.
 - Windows were observed to be opened in all care rooms to provide ventilation throughout the day.

- Mechanical ventilation was present and appeared to be working in all sanitary areas in the service. No malodour was observed.

- (d)
- The service was observed to be well maintained and appeared clean throughout. Sanitary areas had been redone recently and were observed to be freshly painted and tiled.

- (e)
- Sanitary areas were contained within each care room for use by that room only. This ensured adequate facilities were available for the number of children attending the service.
 - Toilets and wash hand basins were a suitable size for the children attending to use independently.
 - Nappy changing units were sturdy and of a suitable size for the children in each care room which allowed for comfort during nappy changing.

Non-Compliance Information

(d) The flooring in the outdoor area was observed to be in poor condition and needs repair. Large gaps were observed between pieces of the soft flooring, and it was lifting in places. The person in charge advised that the garden is scheduled to be redone in the coming weeks.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(d) The garden covering will be replaced in the Autumn as we are waiting for confirmation of tender and start date.

Supporting documentation submitted

Documentation in relation to above has been reviewed by the inspectorate.

Summary Comment

The registered provider has a plan in place to address the identified non-compliance under Regulation 29 (d), regulatory compliance remains outstanding until the work has been completed.