

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DY306
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Name of Service:	Daoine Beaga
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Address of Service:	Christchurch, Rathgar Complex, Rathgar Road, Dublin 6.
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Eircode:	DO6 CF63
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Name of Registered Provider:	Máirín Ní Fheidh
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Service type:	Sessional
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Date of Inspection:	28/11/2024
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No of pre-school children:	AM	10	PM	N/A
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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:	C. Harte & 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.
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Description of service

Daoine Beaga is a private sessional service which has been in operation since 2003. The service offers a bilingual curriculum moving between English and Irish. The service is registered to care for up to ten children aged between 3-6 years old. The service is open thirty-eight weeks of the year Tuesday-Friday 9:30am-1:00pm. Daoine Beaga offers the Ealy Childhood Care and Education scheme.

The service is based in Christchurch parish centre. It has a designated care room and the use of a large hall. The service has access to a grassed outdoor area at the back of the building.

Staffing

The registered provider provides direct care to the pre-school children attending and employs one staff member. Both 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 and safety. 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), (4) Management and Recruitment.
- Regulation 11(1),(3) Staffing Levels.

- Regulation 15(1),(3)(c) Record of a Pre-school Child.
- Regulation 16(1)(h)(i)(j)(k), (3) Records in relation to the Preschool Service.
- Regulation 19(1)(b)
- Regulation 21 Equipment and Materials.
- Regulation 23 Safeguarding the Health, Safety and Welfare of the Child.
- Regulation 25 First Aid.
- Regulation 26 Fire Safety Measures

However, on inspection additional non-compliances which posed a risk were identified under Regulation 8. These findings are outlined within the relevant regulations within this report.

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

Immediate action notices were issued to the registered provider on the day of the inspection in relation to concerns identified under Regulation 23, Safeguarding the Health, Welfare and Development of child. A response which adequately addressed the concerns were received on 2 December 2024. See body of report for details.

An additional immediate action notice was issued to the registered provider on 2 December 2024 in relation to concerns under Regulation 23- Safeguarding the Health, Welfare and Development of child. These findings are listed under Regulation 25 - First Aid. A response which adequately addressed the concerns was received on 3 December 2024. See body of report for details.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, 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 service was found to be operating outside of its registration status which detailed the age profile of children attending the service from 3-5 years old. On the day of the inspection a child under 3 years was attending the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

The child is no longer attending the service.

Preventive Action

A staff meeting was held to discuss the age profile of the service. Going forward all staff will ensure that any child who registers with Daoine Beaga is within the correct age profile.

Supporting documentation submitted

- None submitted.

Summary Comment

The non-compliance identified under Regulation 8 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, 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.*

(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.
- (2)(c) Garda vetting disclosures had been obtained for both staff members employed. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

Non-Compliance Information

There were no staff files available on the premises the day of the inspection. As a result, the registered provider did not ensure there was documentary evidence available of the following:

(2)(a) consideration of references from past employers.

(b) consideration of references from a reputable source.

(d) There was no documentary evidence available to establish whether one staff member had required police vetting.

(4) There was no evidence that the adults working directly with preschool children 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 Action

All staff files were immediately returned to the Primary care room. All staff files /documents are now on the premises and available for inspection.

Preventive Action

There was an unforeseen situation which caused disruption. All staff are to ensure that if any disruption were to arise in the future, we would not remove our files from the premises. Since returning to the care room all relevant files and documents for the service are stored in a new location that should not require being moved under any circumstances. This will mean that all relevant documents will be available upon inspection in the future.

Supporting documentation submitted

- Photographic evidence of Garda Vetting disclosures.

Summary Comment

The corrective and preventive action taken by the registered provider should address the non-compliances. This will be reviewed on 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.

(3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) therefore at that reference number is satisfied.

Compliance Information

(1)(3) On the day of the inspection there were an adequate number of adults working directly with the children. There were two adults available to 10 children aged between 2 years 6 months - 5 years old when the inspectors arrived unannounced to the service.

Part IV – Information and Records

Regulation 15 – Record of pre-school child

(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:

- (a) the name and date of birth of the child;*
- (b) the date on which the child first attended the service;*
- (c) the date on which the child ceased to attend the service;*
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
- (e) authorisation for the collection of the child;*
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
- (g) the name and telephone number of the child's registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.*

(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-
(c) an authorised person.

Non-Compliance Information

(1) The registered provider did not ensure that a record in writing was maintained for children attending the service that contained the information under 1 (a) to (i) above.

(3)(c) On the day of the inspection a record in writing was not available on the premises for review by the inspectors.

On inspection in 2021 and 2019 the service did not have records available in writing on the premises and was found noncompliant under Regulation 15(1)(a),(b),(c),(d),(e),(f),(g),(h),(i). The preventive actions outlined by the Registered Provider have not been maintained.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

Immediately returned all files to the primary care room.

These files include all written records of children - each child has a written record book including all the information listed in Reg 15 (1) (a),(b),(c),(d),(e),(f),(g),(h),(i). These files are stored in a new location on the premises and ready and available for inspection.

Preventive Action

There was an unforeseen situation which caused disruption. All staff are to ensure that if any disruption were to arise in the future, we would not remove our files from the premises. Since returning to the care room all relevant files and documents for the service are stored in a new location that should not require being moved under any circumstances. This will mean that all relevant documents will be available upon inspection in the future.

Supporting documentation submitted

- Photographic evidence of record books and storage.

Summary Comment

The corrective and preventive action taken by the registered provider should address the non-compliances. This will be reviewed on next inspection.

Part IV – Information and Records

Regulation 16 – Record in relation to pre-school service

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

- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.

Non-Compliance Information

(1) The registered provider did not ensure the following records were maintained:

- (h) There were no attendance records detailing the arrival and departure of children on a daily basis.
- (i) There was no staff roster available.
- (j) The registered provider did not ensure a record in writing with signed parental consent for the administration of medication was available.
- (k) The registered provider did not ensure a record in writing of accidents or injuries with parental signature confirming they have been informed was maintained.

(3) On the day of the inspection the records referred to in paragraph 1 were not available for review by the inspectors.

On inspection in 2021 and 2019 the service did not have records available in writing on the premises and was found noncompliant under Regulation 16(1) (h),(i)

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

All documentation was returned to the primary care room available for inspection. Including necessary documents under Regulation 16 (1)(h)(i)(j)(k).

Preventive Action

There was an unforeseen situation which caused disruption. All staff are to ensure that if any disruption were to arise in the future, we would not remove our files from the premises. Since returning to the care room all relevant files and documents for the service are stored in a new location that should not require being moved under any circumstances. This will mean that all relevant documents will be available upon inspection in the future.

Supporting documentation submitted

- Photographic evidence of record books and storage.

Summary Comment

The corrective and preventive action taken by the registered provider should address the non-compliances. This will be reviewed on next inspection.

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 following practices were observed to be in place to support the children attending:

- Staff members engaged in conversations with the children during lunch time.
- Children were encouraged to be independent when getting their own lunch bags and opening food packages, with plenty of time given to enjoy their meal.
- The children had freedom of movement in the hall, their gross motor skills were supported through movement and dancing games.
- Staff were observed to model the Irish language for the children by using some words through conversation and the labelling of items, children were encouraged to use Irish words during activities. A staff member used positive language to praise a child for their effort to discuss using the toilet in Irish.
- Staff discussed upcoming events with children providing the children with a sense of understanding for their routine.

Non-Compliance Information

1. Strategies used by staff to resolve a conflict between children was not in line with the services behaviour management policy.

A staff member was observed to separate a child from the group following a dispute with their peer by placing them on an adult sized chair on the opposite side of the hall. The service policy details a six-step approach for dealing with conflict resolution and time to one side with the support of an adult for children experiencing serious behaviour issues, neither approach was implemented in line with service policy on the day. After being separated from the group between 12.00pm to 12.03pm a staff member offered the child a book. The child was observed to show signs of discomfort in the situation by turning and fidgeting on the adult chair. The child did not engage with any resources during this time and was not in the company of a staff member or their peers. The child was brought back to their group of peers by an adult at 12.05pm.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

We have revised and continue to practice the six steps in our policy on managing behaviour.

Preventive Action

A staff meeting took place where all staff revised the six steps on the managing behaviour policy, we continue to revise and practice these steps daily.

Supporting documentation submitted

- Documentary evidence.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 19 has been addressed.

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

- Child sized tables and chairs were present in the hall and observed to be adequate for the number of children attending. They were appropriate for the age range and stage of development of the children and were well maintained, durable and easy to clean.

Non-Compliance Information

1. The registered provider did not ensure there was adequate equipment and materials accessible to the children. On the day of inspection, the main care room was not available, and the children had access to the hall. The hall had insufficient resources available for the children to follow their own interest and provide for free choice in play with opportunity for extend play experiences.

The following was observed:

- Resources were brought to the hall in intervals and did not remain available throughout the inspection. For example, books were brought following lunch time but were not available earlier in the morning.
- Resources provided were adult led and did not allow for the children's choice.
- The space was poorly planned and did not include defined play spaces.
- When the inspectors arrived to the service the equipment available to the children was inadequate for the 10 children present and included four ride on toys, four soft foldable mats and four large foam cubes.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

The service has since returned to our primary care room where the children have access to adequate equipment and materials accessible to them at all times. The children now have sufficient resources available to them catching their interest and providing plenty of free choice play throughout the morning.

Preventive Action

A staff meeting was held to discuss the outcome of the inspection. The service will ensure that an adequate amount of equipment and materials are present and accessible to children at all times.

Supporting documentation submitted

- Documentary evidence.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 21 has been addressed.

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:

- Cleaning agents were stored out of reach of children.
- There were no cables or flexes observed in reach of children.

Infection Control:

- Soap was hygienically dispensed.
- A foot pedal bin was present in the sanitary area.
- A cleaning record for the sanitary area was displayed and completed up to date.

Non-Compliance Information

General Safety:

1. The premises was not secure as the inspectors observed unauthorised persons repeatedly access the care space for the children. For example:
 - At 10.31am a member of the public accessed the hall and left a pram.
 - At 10.37am a member of the public accessed the hall and left a pram.
 - At 11.13am a member of the public accessed the hall to inquire about services.
 - At 11.24am a member of the public accessed the hall to collect a pram.
 - At 11.25am a member of the public entered the hall and then left with no clear purpose for entry.
 - At 11.51 two members of the public accessed the hall to collect prams.

An immediate action notice was issued.
2. Hot water in the sanitary area accessed by children was in excess of 50°C and posed a risk of scalding. At 11.36am the water temperature for one sink was 55.3°C. An immediate action notice was issued.

3. The following items were accessible to children in the hall and posed a risk of injury:
 - Prams left in the hall by members of the public contained personal belongings.
 - Stacks of adult sized chairs were present and posed a risk they could topple on a preschool child.
 - A large foldable table and a hand truck/ trolley used for moving heavy objects which children were observed to climb on.
4. The outdoor area contained a section of overgrown nettles which posed a risk of injury.
5. A dismantled plastic playhouse was present in the outdoor area. One piece had a large crack with sharp edges which posed a risk of injury.

Infection Control:

6. On the day of the inspection children's lunches containing perishable food items such as ham, cheese and yogurt were stored in their bags and not refrigerated. Perishable food must be stored in a refrigerator or cool place at temperatures between 0-5°C as there is a risk of contamination.
7. Children's hands were not washed before eating this posed an infection control risk and is not in line with service policy.

Fire Safety:

8. There was no record of attendance for the children present in the service on the day of the inspection. This posed a potential risk of hindering safe evacuation of the premises in the event of an emergency.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. **Corrective and preventive action:** Water temperatures were reduced from the default temperature setting. This was confirmed by the centre rentals manager.
2. **Corrective and preventive action:** There was increased footfall on the day of inspection due to the relocation of services and equipment to the building. Access to the building is via electronic fob system with all users maintained on a data base or through an intercom system. The front door of the building is kept closed and admittance is either through use of an issued fob or the intercom system.

3. **Corrective action:** The service has returned to the primary care room. The room is secure, and no unauthorised persons can enter. This removes the risk of buggies with persons belongings being present or stacks of chairs and other unwanted storage being present.

Preventive action: A staff meeting was held. The service will ensure that there is no risk of injury in the care room.

4. **Corrective action:** The service immediately informed the building maintenance manager of this issue.

Preventive action: A staff meeting was held. The service will ensure that regular checks on the outdoor area will be completed and building maintenance communications will be regular going forward.

5. **Corrective action:** The playhouse was removed.

Preventive action: A staff meeting was held. The service will ensure all equipment in the outdoor area is safe in the future.

Infection Control:

6. **Corrective action:** The service has returned to the primary care room and therefore the children and staff now have access to the refrigerator, this allows the children to store their lunches safely each day.

Preventive action: A staff meeting was held. The service will resume as normal, and lunches will continue to be stored safely in the refrigerator each day as discussed in great detail at our staff meeting following the inspection.

7. **Corrective action:** The service has returned to the primary care room - here the children are familiar with their daily routine and form a line. We then all go to the toilets to wash our hands before their lunch.

Preventive action: Hand washing is encouraged throughout the morning not just at lunch. We have signs displayed and a song called “nigh do lamha” (wash your hands) to encourage the children to wash their hands.

Fire Safety:

8. **Corrective action:** All files, documents records including attendance records have been returned to the service and are now on the premises available for inspection and ready to use in event of fire safety for attendance checks.

Preventive action: All files including attendance records of children will remain on the premises and not be removed. This was discussed in detail at a staff meeting to ensure files and records will stay on the premises and not be removed for any reason.

The service has also re-organised all files including attendance records to a new location within the primary care room. Which will also ensure they will not need to be removed for storage or any other reason at all. This space will only be used for file keeping.

Supporting documentation submitted

General Safety:

- Correspondence with centre rentals manger.
- Photographic evidence.

Infection Control:

- Photographic evidence

Fire Safety:

- Photographic evidence.

Summary Comment

The inspector has reviewed the actions 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 stored safely out of reach of children, readily available and easily accessible if required at any time.

Non-Compliance Information

- (1) The registered provider did not ensure that a person trained in first aid was available to the children during the opening hours of the service. An immediate action notice was issued.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider is booked to attend a First Aid Responder training course.

Supporting documentation submitted

- Booking confirmation for FAR course.

Summary Comment

The non-compliance identified under Regulation 25 remains outstanding until the training course has been completed and evidence of certification received. This will be reviewed on the next 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.

Compliance Information

- (1) (a) A record was maintained of all fire drills which occurred in the service. The record showed that fire drills are conducted on a monthly basis. The last fire drill took place on 8th October 2024.
- (b) A record of the number, type and maintenance record of firefighting equipment and smoke alarms in the premises was available. The certificates reviewed showed that the firefighting equipment had been serviced on 16th April 2024 while the smoke alarms had been serviced on 25th November 2024.