

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DY321
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Name of Service:	Fitzkinder Day Nursery and Montessori School
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Address of Service:	Fitzkinder Day Nursery & Montessori School, 31 Upper Fitzwilliam Street, Dublin 2, Co. Dublin
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Name of Registered Provider:	Emmett Rice, Joyce Grant Rice
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Service type:	Full Day, Sessional
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Dates of Inspection:	02/05/2024
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Day 2 of Inspection:	03/05/2024
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No of pre-school children:	AM	42	PM	40
	AM	37	PM	Not applicable

Address of the Early Years Inspectorate:	Early Years Inspectorate, Floor 7 Brunel Building, Heuston South Quarter, St John's Road West, Kilmainham, Dublin 8 D08 X01F
Inspection undertaken by:	E. Griffin
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.

Description of service

Fitzkinder Day Nursery and Montessori School is a privately operated full day care service which opens 8am-6pm Monday to Friday. The service operates from a Georgian house in Dublin City Centre. The service is comprised of four care rooms; one at ground level, two on the first floor and one at basement level which is accessible by external stairs to the front and rear of the building, an office and a kitchen. The service caters for 47 children aged 1-5 years and participates in the Early Childhood Care & Education (ECCE) scheme.

Staffing

The registered provider employs eleven adults to work in the service including the person in charge. On Day 1 of Inspection, there were eight adults present working directly with the children including the person in charge and the deputy person in charge.

On Day 2 of inspection, there were nine adults present working directly with the children including the person in charge, deputy person in charge and one adult from another service operated in association with the registered providers. The two named registered providers do 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 areas of governance, health, welfare and development of child and safety. The inspection may also focus on other areas as required. The following regulations were reviewed:

Regulation 9 (1)(2)(4)-Management and Recruitment.

Regulation 11(1)(2)-Staffing Levels.

Regulation 19(1)(a)-Health, Welfare and Development of Child.

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

Regulation 28-Insurance.

Regulation 29- Premises.

As a result, the scope of the inspection included the Junior Wobbler Room, Senior Wobbler Room and Toddler Room. A sampling process was used to assess compliance under Regulation 19 and Regulation 23. However, on inspection an additional non-compliances were identified under Regulation 8 Notification of Change in Circumstances, Regulation 24 Checking in and out and record of attendance and Regulation 27 Supervision. 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

2 May 2024

An Immediate Action notice was issued to the registered providers on the day of inspection, in relation to the following non-compliances identified under Regulation 23.

Regulation 11- Staffing Levels, children's needs not met due to inadequate staffing numbers.

Regulation 23- Fire Safety, the emergency exit door was obstructed in the cot sleep room on the ground floor.

A response was received from the registered providers which mitigated the risks identified on 8 March 2024.

Please see details in the body of the report.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the person in charge, deputy person in charge, staff and children who were present on the day of the inspection.

Part II - Registration and Register

Regulation 8 - Notification of change in circumstances

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

(2) A registered provider of 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 7 days before it is proposed that the change would take effect.

(3) Where a registered provider has been unable for good and proper reason to notify the Agency within the time specified in paragraph (1) or (2), as the case may be, of a 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), the registered provider shall notify the Agency in writing of the change as soon as possible thereafter.

Non-Compliance Information

The service was found to be operating outside of its current registration status. The service is currently registered to provide care for children aged 1-5, however on inspection there was a child present who began in the service before the child turned 1 year of age. On review of attendance records, the inspector noted that there were three more children who had begun in the service before the children turned 1 years of age since January 2024.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

The registered providers have stated that the service will not be taking children prior to the child's first birthday.

Preventative Action

The service will not be taking children under 1 years of age. An email was sent to parents stating that the service is not taking children prior to the child's first birthday.

Supporting documentation submitted

- Email sent to parents the service no longer takes children under one years of age.
- Email to Tusla stating the service will no longer take children under one years of

Summary Comment

The actions taken by the registered providers in the corrective and preventive action plan submitted have addressed the non-compliance identified on 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.

Compliance Information

(1)(a) The service had a designated person in charge and a named person to deputise as needed.

(b) The designated persons in charge were present when the inspector arrived unannounced to the service.

(c) The service had a clear management structure in place and staff were aware of their own role and responsibility.

(2) A review of the roster and discussion with management and staff established that eight adults have been employed to work in the service since the last inspection in July 2023. The files of these staff were reviewed along with the file of one adult from another service operated in association with the registered providers who was present on Day 2 of the inspection. Garda vetting disclosures were also reviewed in relation to all staff currently employed in the service. A review of the roster and conversation with management showed that there are currently 12 staff employed by the service.

- (a) Eleven written and verified references were available from recent past employers.
- (b) One written and verified reference was available from a reputable source other than a past employer.
- (c) Garda vetting disclosures were available for all twelve staff members. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.
- (d) Police vetting was available for nine staff members who had lived outside of Ireland for a period of more than 6 months as an adult.
- (4) Documentation was available to show that eight adults 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) The registered providers did not ensure the following reference checks were carried out prior to the adults working in the service:

- Evidence was not available to show that one adult had a second written validated reference on file.
- Evidence was not available to show that three reference from a past employer in relation to three adults had been verified.
- Evidence was not available to show that two references from a source other than a past employer in relation to two adults had been verified.

(4) Evidence was not available to show that one adult who works directly with children 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.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

(2)(a)(b) The adult provided a second written reference and was validated. All references from a past employer have now been verified. All references from a source other than a past employer have now been verified.

(4) The adult who works directly with children held an award in Early Childhood Care and Education at Level 7 but was in a foreign language, so it was missed. The staff member has been asked to have it translated.

Preventive Action

(2)(a)(b) The service will use a reference checklist going forward.

(4) The service now requires all new staff to bring a translated qualification and ensure the future staff checklist is completed prior to starting

Supporting documentation submitted

- New Staff Checklist.
- Written references validated.
- Staff Qualification Certificate.

Summary Comment

The actions taken by the registered providers in the corrective and preventive action plan submitted have addressed the non-compliances identified on inspection.

Part III – Management and Staff

Regulation 11 - Staffing levels

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

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

Compliance Information

(2) On Day 1 there were 8 adults working with 42 children in the morning and 8 adults working with 40 children in the afternoon.

During the morning:

- In the Junior Wobbler room 10 children aged 1-2 years were cared for by 2 adults.
- In the Senior Wobbler room 8 children aged 1 ½ -2 years were cared for by 2 adults.

- In the Toddler room 10 children aged 2-3 years were cared for by 2 adults.
- In the Montessori room 14 children aged 3-5years were cared for by 2 adults.

During the afternoon:

- In the Junior Wobbler room 8 children aged 1-2 years were cared for by 2 adults.
- In the Senior Wobbler room 8 children aged 1 ½ -2 years were cared for by 2 adults.
- In the Toddler room 10 children aged 2-3 years were cared for by 2 adults.
- In the Montessori room 14 children aged 3-5years were cared for by 2 adults.

On Day 2 there were 7 adults working with 37 children in the morning.

- In the Junior Wobbler room 8 children aged 1-2 years were cared for by 2 adults.
- In the Senior Wobbler room 5 children aged 1 ½ -2 years were cared for by 1 adult.
- In the Toddler room 10 children aged 2-3 years were cared for by 2 adults.
- In the Montessori room 14 children aged 3-5years were cared for by 2 adults.

On Day 2, the person in charge and the deputy person in charge were available to cover nappies and break cover where required.

Non-Compliance Information

(1) The registered providers did not ensure an adequate number of adults were working directly with the children at all times on Day 1 of inspection. The staff available were unable to respond adequately to the care needs of the children. This is detailed under the non-compliance section of Regulation 19.

(2) Adult to child ratio were not maintained while staff were on their breaks on Day 1 of inspection. Evidenced by the following:

- At 12.57pm there was one adult caring for ten children aged between 2-3 years of age in the Toddler Care room during sleep time. This included 2 children awake and eight sleeping children on low beds. This staff member was also responsible from 12.23pm to 12.59pm for the supervision of eight sleeping children under 24 months in the Senior Wobbler room who had been left alone with the door to their care room left open.

An Immediate Action was issued to the registered providers under Regulation 23- Safeguarding health, safety and welfare of children in relation to this non-compliance. A response was received from the registered providers which mitigated the risks identified on 2 May 2024.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

Interviews were held and new staff have been hired.

Preventive Action

The service will continue to hire new staff. The job advertisement is still active.

Supporting documentation submitted

- Evidence of new staff member hired.
- CVs for new staff.
- Evidence of job advertisement.

Summary Comment

The actions taken by the registered providers in the corrective and preventive action plan submitted have addressed the non-compliances identified on inspection in relation to Regulation 11.

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:

- The service provides all meals to the children attending. On the day of inspection children were observed to eat a fruit snack of kiwi and banana at 10am followed by dinner pork and potatoes at 11:30am which is provided by an outside company. Water was observed to be provided with dinner and additional food was available for children who required more.

- Bibs were used for the younger children during meals to help maintain their personal appearance.
- Children’s drinks were available within their reach throughout the day. Each care room had a water station, and children were encouraged to take plenty of drinks.

Physical and Material Environment:

- The Junior Wobbler care room was designed with the age and stage of development taken into consideration. Clear space was available for the children to explore their environment. Children were observed to engage in free play.
- Play equipment and materials were stored on low shelving, this There was low-level this ensured the children could play in a spontaneous and independent way. There was a variety of play age and stage of development materials available; soft books, ride on toys, push along toys, sensory bottles and balls, kitchen with props, transport and cause and effect toys, for example, musical battery-operated toys. Cause and effect toys help promote joint attention, play skills and exploration.
- There we sufficient child sized tables and chairs available which allowed children to comfortably engage in mealtimes and tabletop activities.
- Cosy areas of soft floor mats or rugs with soft chairs, cushions and a variety of books for rest and relaxation were present

Supporting Relationships Around Children:

- A daily handover is completed at drop off and collection time and a written record of the children’s day was kept and shared with parents including food, sleep, and nappy changes.
- In the Junior Wobbler Cot Sleep room, the staff member was observed to use a low comforting tone when speaking to the children. When a child was observed to be crying the staff member said “hush hush now you need to relax now”.
- In the Junior Wobbler room during nappy changing procedures children were observed to be spoken to in a reassuring and friendly manner throughout the nappy changing procedure.

Non-Compliance Information

1. In the Junior Wobbler Cot Sleep room at 11.30am there was one member of staff with six children awake and four children sleeping. The staff member was unable to physically comfort all the children and one child was observed to cry from 11.18am to 11.49am until the child fell asleep. During this time the staff member was trying to get another child who was crying loudly to sleep and the two other children in cots nearby to sleep. This did not support a relaxing restful sleep environment.

2. Two children in the Toddler room who did not require a sleep were not provided with an alternative room to play at sleep time which took place between 12.23pm and 2.30pm. During this time the lighting was dimmed, and soft music was playing. This did not support the child's individual learning, development and well-being and inhibited opportunities for movement and natural play.
3. In the Junior Wobbler room one child was observed to have a wet patch on their leggings at 1.19pm. At 1.50pm this child was brought to have their nappy changed and the staff member changed the child's leggings. Children should have their nappy changed and wet clothes removed in a timely manner.
4. The outdoor equipment accessible to the children was limited and did not support a range of play experiences for example the play area contained a playhouse and a mud kitchen for which there was no supporting equipment. It is acknowledged that a sand tray, water tray, sensory tray all of which did not contain materials were available in another area which was inaccessible to the children. This non-compliance was observed on the previous inspections and the preventive action had not been maintained.
5. The children from the Junior Wobbler room, Senior Wobbler room and the Toddler room were not observed to be brought out to play on Day 1 of inspection. Children need fresh air and opportunities to play outdoors every day to ensure their social, cognitive, and gross and fine motor developmental needs are met. A similar non-compliance was observed on previous inspections and the preventive action had not been maintained.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Actions

- Extra staff are available in the cot room as required.
- Children who do not require sleep will be moved to another room or the garden during sleep time.
- Staff were informed in the staff meeting the importance of changing nappies in a timely manner.
- Sand tray, water tray and sensory tray have all been moved to the play area in the garden.
- All children now play in the garden every day.

Preventive Actions

- A second member of staff is available to help in junior wobbler cot sleep room.
- Staff are now aware the children who do not sleep need to be moved to another room during sleep time.
- The manager will keep a closer eye on staffing levels and ensure children's nappies are changed on time.
- The outdoor equipment has been added to the weekly risk assessment and will be checked by the manager.

- The children will continue playing in the garden every day.

Supporting documentation submitted

- Staff roster sample.
- Minutes of meeting.
- Risk assessment to ensure toys are safe and fit for purpose.
- Photographic evidence of garden with sand tray, water tray and sensory tray accessible to children.
- Receipt for additional toys for sensory trays and mud kitchen.
- Roster for garden.

Summary Comment

The actions taken by the registered providers in the corrective and preventive action plan submitted have addressed the non-compliances identified on inspection.

Part VI - Safety

Regulation 23 - Safeguarding health, safety and welfare of child

A registered provider shall ensure that all reasonable measures are taken to safeguard the health, safety and welfare of a pre-school child attending the service and that the environment of the service is safe.

Compliance Information

General Safety:

- Toys and equipment used by the children in the Junior Wobbler Room were observed to be well maintained and in a good state of repair.
- There were no flexes or cables observed that were accessible to the children.
- All sockets accessible to children had socket protector covers.
- Cleaning agents and medication were stored safely out of the reach to the children.

Infection Control:

- The sanitary accommodation was equipped with liquid soap, warm water, and hand drying facilities.
- Toilet rolls were hygienically dispensed.

Administration of Medication:

- A clearly written medical care plan to enable staff to identify and accurately administer treatment when required was available for one child present with prescribed medication.

Safe Sleep:

- Shoes and heavy clothing were removed from children while they slept.
- Sleep room temperatures were maintained at the required levels between 18-22 °C while children slept evidenced as by the following.
 - The cot room temperature was recorded as 19.8°C at 11.29pm while children slept.
 - The Senior Wobbler room was recorded as 21. 8°C at 12.57pm while children slept.
 - The Toddler Room was recorded at 18.8°C at 12.58am while children slept.
- The registered provider followed Tusla’s “Guidance for the Early Learning and Care sector on sleep provision for children under 24 months”. Individual sleep plans were available for eight children aged 18 to 24 months who were observed to be

Non-Compliance Information

General Safety:

1. Garda vetting was available for twelve adults. However, a vetting disclosure was not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice ‘EYI-RN12.3 Renewal of Garda Vetting’. It is acknowledged this was applied for on the day of inspection and Garda Vetting was available for 12 staff members.
2. Cots were not placed 50cm apart in the cot sleep room. The inspector measured between 7cm to 40cm distances between the ten cots. This posed a safety risk in the event of an emergency evacuation and inhibited safe sleep checks.
3. The seat on a ride on tractor toy in the outdoor play area was observed to be cracked. This posed a pinch risk.

Infection Control:

4. Nappy changing was not observed to be in line with best practice. A sample of four nappy changes were reviewed and the following was observed:
 - The four children did not have their hands washed following nappy changing.
 - One staff member was not observed to wash their hands following one nappy change.
5. The nappy disposal bins in the two nappy changing areas on the ground floor did not support hygienic practice. To dispose the used nappy the staff member had to push the nappy through a hole on the top of the bin. This posed a risk of cross infection.

6. In the Junior Wobbler room, children were observed to clean their hand before mealtimes using hand wipes and cotton wool which does not support adequate hygiene. Children should be facilitated to wash their hands under thermostatically controlled running water, with liquid soap and paper hand towels provided in line with HSPC guidance in relation to infection control protection measures.
7. In the Junior Wobbler room, a large wipeable mat was torn at the corners which exposed the foam inside. This prevented adequate cleaning of the mats and presented a risk of choking should the children ingest the foam.

Administration of Medication:

8. One of the prescribed medications for use by a specific child reviewed was out of date showing an expiry date of 01/2024. This posed a safety risk.

Safe Sleep:

The service did not follow safe sleep practices, evidenced by the following:

9. Five cots were observed with toys while children were sleeping. The service safe sleep policy states toys will be removed. This posed a choking hazard.
10. Sleep records which included the children's colour, breathing and position were not carried out every 10 minutes as per safe sleep guidelines. Evidenced by the following:
 - The staff member in the cot sleep room was not observed to carry out physical sleep checks while the inspector was present from 11.15am to 12.55pm
 - Sleep checks were not recorded contemporaneously in a sleep room the staff member was observed filling out a sleep record sheet for times that the staff member was not present for. It was confirmed with two staff members that physical sleep checks had not been carried out in the room from 12.23pm to 13.00pm.

Fire Safety:

11. The fire exit door was obstructed in the cot sleep room by two cots while children were sleeping. This posed a risk of safety in case of an emergency evacuation. An Immediate Action Notice was issued to the registered providers on Day 1 of inspection. A response was received from the registered providers on Day 2 of the inspection which mitigated the risks identified.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. Garda vetting has been obtained. The manager will ensure all Garda Vetting disclosures are within date.

2. Cots have been spaced 50cm apart. Three cots have been removed from the sleep room and three foldable cots are available to be used in the care room if needed.
3. The tractor was removed from the garden. A weekly check on the toys has been added to the weekly risk assessment.

Infection Control:

4. All nappies are now changed as per policy. This matter was discussed at staff meeting.
5. Nappy bins have been changed. These nappy bins will not be used anymore. New nappy bins have been ordered. The manager will check weekly the bins are in working order.
6. Stared washing hands in the sink. The manager will ensure that children's hands are washed in the sink.
7. The mat has been removed and new one was ordered.

Administration of Medication:

8. The medicine has been removed, and the parents have been informed and have said they are not replacing it. The medicine will be checked weekly for expiration date on the risk assessment.

Safe Sleep:

9. Toys have been removed from the cots. The manager will check on a daily basis there are no toys in the cots.
10. Sleep check sheets are being completed correctly now. The manager will check on a daily basis they are done correctly.

Fire Safety:

11. Cots have been permanently removed from fire door. The manager is aware the fire exit door cannot be blocked and discussed the matter at the staff meeting.

Supporting documentation submitted

General Safety:

- Garda vetting has been obtained. The manager will ensure all Garda Vetting disclosures are within date.
- Cots have been spaced 50cm apart. Three cots have been removed from the sleep room and three foldable cots are available to be used in the care room if needed.
- The tractor was removed from the garden. A weekly check on the toys has been added to the weekly risk assessment.

Infection Control:

- Minutes from Staff Meeting.
- Photographic evidence of three new foldable cots.

Administration of Medication:

- Minutes from Staff Meeting- Cots 50cm apart, nappy changing, hand washing, and sleep checks included.
- Signed Nappy Changing Policy.
- Photographic evidence of new pedal bins.
- Photographic evidence of new mats.
- Risk Assessment including bins and mats.

Safe Sleep:

- Minutes from Staff Meeting-Safe sleep Policy and physical sleep checks at real time included.
- Photographic evidence of cots 50cm apart.

Fire Safety:

- Minutes from Staff Meeting - Fire doors to be always clear included.
- Photographic evidence of fire exit door in cot room unobstructed.

Summary Comment

The actions taken by the registered providers in the corrective and preventive action plan submitted have addressed the non-compliances identified on inspection.

Part VI - Safety

Regulation 24 - Checking in and out and record of attendance

- (1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.*
- (3) A registered provider shall ensure that-*
- (a) no person other than-*
- (i) pre-school child attending the service,*
 - (ii) a person dropping or collecting such a child,*
 - (iii) an employee, or*
 - (iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and*
- (b) a daily record in writing is kept of the entry on the premises of any such person.*

Compliance Information

(3) There was a visitor record book available including the following information: date, person's name, their contact number, their reason for entry, the name of the person who approved access and the check in and out times. The inspector was asked to sign in on arrival on Day 1 and Day 2 of inspection.

Non-Compliance Information

(1) Children's attendance books were not maintained contemporaneously to ensure staff knew how many children were present in the care rooms. As evidenced as follows:

- In the Junior Wobbler room, there were nine children observed to be present at 1.37pm. On review of the attendance book there were 10 children marked present. The child that the inspector had observed to go home at 1.26pm had not been marked out.
- In the Montessori room, there were twelve children observed to be present at 4.48pm. On review of the attendance book there were fourteen children marked present. Staff confirmed that one child had been picked up at 4.20pm and another child had been picked up at 4.37pm had not been marked out.

(3)(b) On the day of the inspection two unaccompanied persons were observed by the inspector to be carrying out routine building checks at 11.05am. On review of the visitor book at 1.11pm the inspector noted that there was no record of either persons attendance recorded in the visitor book.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (1) Roll books are now filled out in real time. Matter was discussed at staff meeting.
- (3) All visitors are now signed are now signed in the visitor book. Matter was discussed at staff meeting.

Supporting documentation submitted

- Minutes from Staff Meeting Visitor book included.

Summary Comment

The actions submitted by the registered provider in the corrective and preventive action plan have addressed the non-compliance identified on inspection.

Part VI - Safety

Regulation 27 – Supervision

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

Non-Compliance Information

The registered providers did not ensure that preschool children attending the service were supervised at all times. This was evidenced by the following:

- (4) At 12.57pm there were eight children under 24 months sleeping on low beds into the Senior Wobbler room with no adult present. It is acknowledged that the door was left open between the Senior Wobbler room and the Toddler room and there was an adult positioned at the top of the Toddler care room in a position that they could see into the Senior Wobbler room. However, there were children in the Senior Wobbler room that were not within her line of vision. Additionally, this staff member was also caring for 10 children aged between 2-3 years of age in the Toddler room. Young children need to be adequately supervised and be visible at all times to ensure they are kept safe.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The correct ratio is now in place at sleep time. The correct ratios will be maintained at sleep time.

Supporting documentation submitted

- Staf meeting minutes.
- Sample of Staff roster

Summary Comment

The actions taken by the registered providers in the corrective and preventive action plan submitted have addressed the non-compliance identified on inspection.

Part VI - Safety

Regulation 28 - Insurance

A registered provider shall ensure that the pre-school service is adequately insured.

Compliance Information

The registered providers ensured the service was adequately insured. The insurance certificate provided for review showed cover for up to 53 children with an expiry date 27 March 2025.

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

- (b) The entrance door leading into the premises was appropriately secured to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the premises. The outdoor play area was secure with surrounding walls and securely gated reducing the risk of unauthorised access.
- (c) Natural light was provided in all care rooms. This was subsidised by artificial light as needed. Windows were opened throughout the service for ventilation and an ambient temperature of 18-22°C was maintained in the four care rooms.

Non-Compliance Information

- (d) Paint was observed to be peeling and flaking off the walls to the rear of the Montessori room.
- The area along where the tiles met the floor behind the toilets in the sanitary areas in the basement was not maintained in a clean hygienic condition and appeared mouldy.
- These non-compliances were observed on the previous inspection in July 2023 and the preventive action had not been maintained.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The basement was painted on the weekend of 15/06/2024. The manager will ensure the toilets are kept in good repair and hygiene. The manger will ensure that the service is being maintained and in good condition.

Supporting documentation submitted

- Photographic evidence of toilets.
- Photographic evidence of the basement painted.

Summary Comment

The actions taken by the registered providers in the corrective and preventive action plan submitted have addressed the non-compliances identified on inspection.