

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DY322		
Name of Service:	Brighton Day Care		
Address of Service:	11 Brighton Road, Rathgar, Dublin 6, Co. Dublin		
Eircode:	D06 F224		
Name of Registered Provider:	Emma Shepard-MacDonnell		
Service type:	Full Day, Part Time, Sessional		
Date(s) of Inspection:	06/08/2024		
No of pre-school children:	AM	67	PM 63
Address of the Early Years Inspectorate:	The Early Years Inspectorate, Tusla, Child and Family Agency, Loughlinstown Health Centre, Loughlinstown drive, County Dublin		
Inspection undertaken by:	Olivia Quill and Sarah Quigley		
Title:	Early Years Inspectors		
Authority to Inspect			
The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).			
Conditions if applicable	Not applicable		

Description of service

Brighton Day Care is privately owned and has been operated by the current registered provider since 2019. The early years service is registered to provide full day care, part-time and sessional care, for children aged 0-6 years. The service currently operates from 8.00am to 6.00pm Monday to Friday. The service operates from an adapted period domestic dwelling in a residential area of Rathgar Dublin south city. There is a large garden area located to the rear of the building which the children have access to play. On the day of inspection care was delivered across eleven rooms; there was one internal sleep room located adjacent to the baby room.

Staffing

There are twenty-seven adults employed in the service including the registered provider. On the day of inspection twenty-two adults worked directly with the children.

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.

This inspection focused on an examination of compliance under the following regulations:

9 (1)(a)(b), (2)(a) - (d), (4) Management and Recruitment,

11(1), (2), (8)(a) Staffing Levels,

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

23 Safeguarding, Health, Safety and Welfare of Child

25 (1), (2) (a), (b) First Aid

26 (1), (a), (b) and (4) Fire Safety Measures

however, on inspection additional non-compliance was identified under Regulation 22 Food and drink. These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under regulation 19(1)(a) Health, Welfare and Development of Child and 23 Safeguarding, Health, Safety and Welfare of Child. As a result, the scope of inspection for these Regulations included the Wobbler, Toddler 1, Pre-Montessori and Junior Montessori rooms.

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 inspectors wish to acknowledge the cooperation of the registered provider, person in charge, staff and children who were present on the day of the inspection.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

- (a) the service has a designated person in charge and a named person who is able to deputise as required,*
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and*

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

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,*
- (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) There was a designated person in charge and named persons to deputise as required.
 - (b) The designated person in charge was present at all times during the inspection.
- (2) The inspection included a review of files for new adults employed in the service since the last inspection on the 21 November 2023 and included a review of Garda vetting disclosures for all staff employed to work in the service.
- (a) There were four written validated references available from previous employers for the two newly employed adults.

(c) Garda Vetting from the National Vetting Bureau of the Garda Síochána was available for all adults employed in the service. Twenty-four of these were dated within the previous three years.

(4) There was evidence available to demonstrate the two adults had attained at least a major award in Early Childhood Care and Education.

Non-Compliance Information

(2)

(d) The required police vetting was not available for two adults who had lived in another state for a period of longer than six consecutive months as adults.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)

(d) Police vetting has been obtained for two new staff members. The Manager is now aware of the type of police vetting required and will make sure this is obtained before staff commence employment in the service.

Supporting documentation submitted

Copies of completed Police vetting submitted.

Summary Comment

Supporting evidence was submitted in keeping with the actions submitted. The Regulatory requirement has been met.

Part III – Management and Staff

Regulation 11 - Staffing levels

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

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

(8) Without prejudice to paragraphs (2) to (7)-

(a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times,

Compliance Information

(1) An adequate number of adults were working directly with the children at all times during the inspection.

(2) The minimum ratio of adults to children for full day care services was adhered to at all times during the inspection. There were sixty-seven children attending the service being supervised by twenty two adults on the day of inspection.

(8)(a) There were two adults on the premises at all times.

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)

The registered provider ensured that each child's learning, development and well-being was facilitated within the daily life of the pre-school. The routine in the service was observed to be child-led, and children were observed to be engaged in their play. There was a calm atmosphere in the service. Staff displayed warmth and sensitivity during their interactions with the children. The staff demonstrated a good awareness of the needs of each child in their care and responded to children's cues promptly. Staff sat with the children at mealtime and younger children were encouraged to feed themselves and additional support was provided as required. Drinking water was freely available in all care rooms.

Older children were observed to use the toilet independently while younger children's nappies were changed as needed and staff were observed engaging warmly with the children when providing this care.

Care rooms were arranged into defined areas of interest providing children with the freedom to play and explore. Designated areas of interest included a home corner, construction area, art and messy play, sand tables, sensory play, a quiet area with books, tabletop activities and musical instruments. The care rooms were adequately resourced with a variety of suitable developmental play materials. The materials were observed to be accessible to the children on low level shelving. Suitable rest areas were provided in all care rooms. The Baby and Wobbler rooms had matted areas for crawling and floor play. Adult seating was available for adults to sit and hold infants when bottle feeding or comforting.

There was a secure outdoor area to the rear of the premises which had a variety of equipment available for the children. Separate areas were available for the younger children from the Baby and Wobbler rooms.

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.

Non-Compliance Information

The registered provider did not ensure adequate food was provided for children who were attending for Full Day Care. Children attending on a full day care basis attend between 8.00am and 6.00pm each day. The service provided a pre-prepared hot meal between 11.30 am-12.30pm. At 2pm children were given a meal provided by parents including for example sandwiches, fruit, and yoghurt. Staff reported no other meals or snacks are provided.

This is at variance with the Food and Nutrition Guidelines for Preschool services which recommends children are offered food every three hours and are offered 2 meals and 2 snacks whilst attending full day care. Children in Full Day Care that is, for more than five hours, should be offered at least two meals and two snacks.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The creche provides dinner. Parents provide all snacks in the creche. The registered provider has asked all parents to provide extra snacks to be given in the morning and afternoon. Children are now offered a snack in the

morning and in late afternoon. Parents are now providing more snacks that will be spaced out during the day.
Parents are now providing more snacks that will be spaced out during the day.

Supporting documentation submitted

Written records.

Summary Comment

Supporting evidence was submitted in keeping with the actions submitted. The Regulatory requirement has been met.

Part VI - Safety

Regulation 23 - Safeguarding health, safety and welfare of child

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

Compliance Information

General Safety:

- The entrance door to the service was adequately secured to ensure the safety of the children within and to avoid unauthorised persons accessing the service or children exiting unsupervised.
- Cleaning agents and medicines were stored safely out of reach of children.
- All storage facilities were inaccessible to children.
- The toys and play equipment observed in use by the children on the day of inspection were safe and in good working order.
- Handrails were provided on the staircase and safety gates were in use.

Infection Control:

- Liquid soap, warm water and paper towels were available to facilitate hand washing. Staff were observed to carry out hand washing as appropriate.
- A system was in place for effective sterilisation and storage of soothers.
- Waste was managed appropriately with the use of pedal bins throughout the service.
- Individual bed linen was provided for the children. Staff stated that all bed linen is stored separately and laundered once per week or as required.

Administration of Medication:

- Staff demonstrated an awareness of the steps to take to ensure any medication administered to children is done safely. This included having a second staff member present to check the correct procedure is followed.
- Records were kept of medications given to children attending the service. These included parental/guardian consent, the name of the medicine, time and dose given, the staff member's signature and the signature of the second adult who witnessed the administration.

Safe Sleep:

- Children were physically monitored while sleeping and sleep checks were documented every ten minutes. Discussion with staff demonstrated that staff were familiar with safe sleep guidelines.
- Staff used additional air conditioning units at sleep time to maintain the required temperature.

Fire Safety:

- Fire exits were clearly marked and unobstructed.

Non-Compliance Information

General Safety:

The following safety issues identified posed potential injury risks to children.

1. In the Pre-Montessori room there was no window opening restrictor on the window. The window was wide open and accessible to the children.
2. In the Wobbler room a cupboard beneath the sink was broken and hanging on the hinge.
3. In Montessori 1 room there was a lead from a phone charger on a window ledge and a wire hanging from a stereo behind the dress up within of the children.
4. In Montessori 3 a charger lead was within reach of children, hanging out of an extension lead on the counter in the room.
5. A wooden fence in the garden was loose and when moved nails were exposed.
6. Garda vetting disclosures available for three adults were not dated within the previous three years in adherence with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'

Infection Control:

7. Nappy changing practice observed was inconsistent. Used gloves were not removed prior to dressing children and it was noted the correct nappy changing procedure was not displayed in all sanitary areas in the service posing an infection control risk.
8. In the Wobbler room and Junior Montessori rooms children's hands were not washed prior to eating their lunch posing an infection control risk.
9. In the Pre Montessori room the food provided by parents for the afternoon was not stored in the refrigerator. These snacks included yogurts, cheese and cold meats. The temperature in the care room was 23.5 degrees Celsius during the morning posing a potential risk of food poisoning.
10. In the Wobbler and Junior Montessori room the covering on the child size sofas were torn and could not be cleaned effectively.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. Restrictors has now been placed on the windows in the Pre-Montessori Rooms. Staff will check weekly that all restrictors are working properly.
2. The Wobbler-Room cupboard has now been repaired. This will be checked daily. Staff will check all the presses weekly to ensure there is no broken hinges.
3. The phone charger from Montessori room has been removed. We have informed staff that their phone charger must be kept in the staff room. The stereo has been removed from the dress-up area.
4. The tablet lead has been relocated to a box where the charger lead will be contained in the box. The registered provider has informed all staff to keep tablets when charging up away from a level that children can reach and to plug out all chargers when they are not in use.

5. The wooden fence has now been repaired. Staff will do weekly safety-checks on the garden fence to ensure that nothing is loose or needing repair.

6. Re-Vetting has been done for the three adults. The registered provider will check our Garda Vetting dates to ensure that they have been applied for in the last three years and re-vet as needed.

Infection Control:

7. We have retrained all our staff on the nappy changing procedure. We have displayed the correct nappy changing procedure in all the sanitary areas. Staff will have on-going training for the nappy changing procedure.

8. The registered provider has informed all staff members procedures for infection control. They have been informed that all children must wash their hands before having any meals. All children's hands are washed before all meals in wobbler room and junior Montessori and all staff have been retrained in the importance of infection control.

9. In the Pre-Montessori room all snacks are now put into the fridge first thing in the morning on arrival. We will do ongoing training. We had a meeting with the pre-Montessori new teachers on the importance that food must be placed on the fridge when the children arrive in the morning for food safety. This is now being done every day.

10. The wobbler room and Junior Montessori sofas have been replaced. Staff will check our sofas regularly to ensure there is no areas that are torn. They will be immediately replaced if they are in any way torn.

Supporting documentation submitted

General Safety:

Written and photographic evidence.

Infection Control:

Written and photographic evidence.

Summary Comment

Supporting evidence was submitted in keeping with the actions submitted under Regulation 23 General Safety and Infection Control. The Regulatory requirement has been met.

Part VI - Safety

Regulation 25 - First aid

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

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

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

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

Compliance Information

(1) All staff were trained in first aid for children and were immediately available at all times on the day of inspection. Two staff caring for the children had up to date First Aid responder training certificates valid until the 3 October 2025.

(2)(a), (b) A suitably equipped first aid boxes were safely stored, easily accessible and available to the children attending the pre-school at all times.

Part VI - Safety

Regulation 26 - Fire safety measures

(1) A registered provider shall ensure that a record in writing is kept of-

(a) any fire drill that takes place in the premises, and

(b) the number, type and maintenance record of fire fighting equipment and smoke alarms in the premises.

(4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.

Compliance Information

(1)(a) A written record was available detailing monthly fire drills that had taken place in the service. The last fire drill had been recorded as undertaken on the 04 July 2024.

(b) The number, type and maintenance record of firefighting equipment and smoke alarms on the premises was available. The maintenance records for the fire equipment and smoke alarm were dated as being completed in June 2024.

(4) The procedures to be followed during a fire drill and in the event of a fire were displayed in a conspicuous location within the service.