

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DY332
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Name of Service:	YMCA Childcare
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Address of Service:	YMCA Childcare, 53 Aungier Street, Dublin 2, Co. Dublin
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Eircode:	D02 CH96
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Name of Registered Provider:	Stuart Buchanan
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	25/11/2024
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No of pre-school children:	AM	82	PM	68
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Child and Family Agency Unit 4&5 Nexus Building Block 6A, Blanchardstown Corporate Park, Dublin 15
Inspection undertaken by:	Á Dunne, T Nelson
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

YMCA Childcare established in 1991, is operated as a social enterprise by YMCA to support services for young people, in Dublin 2. The YMCA is a registered Charity. This service provides full day care, part-time and sessional care to pre-school children from 0-6 years. The service is registered to operate from 7.45 am-6.15pm but currently is operating from 7.45 am to 5.30pm. The service participates in the Early Childhood Care and Education Programme (ECCE). The service has 6 care rooms: Room 1 - Part time ECCE room (2 years 8 months to 5 years), Room 2 - Preschool room (2 years 8 months to 5 years), Room 3 - the Toddler room (2 to 3 years), Room 4 - the Baby room (7 months to 15 months), Room 5 - the Tiny Tot room (14 months to 2 years) and Room 7 - Preschool room (3 to 5 years). The service has one sleep room with eight cots. There is one enclosed outdoor area, a studio and a large sports hall enabling daily access to open space. A school age service is also provided in Room 1 and Room 6 from 2.30pm to 5.30pm.

Staffing

On the day of Inspection, the person in charge, childcare and school age supervisor, 25 childcare staff, one parttime staff employed under the Access and inclusion Model, four students, two kitchen staff, one fitness manager, one maintenance person and one receptionist were present. The registered provider was not present in the service on the day of inspection but attended the feedback meeting remotely at 5.10pm.

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 regulations as follows:

Regulation 9 Management and recruitment (2)(a)(b)(c)(d), (3) (4) (7)(a)

Regulation 11 Staffing Levels (1)(4)

Regulation 16 Records in Relation to Preschool Service (1)(h)(i)(k)(3)

Regulation 19 Health Welfare and Development of a Child (1)(a)(3)

Regulation 23 Safeguarding Health, Safety and Welfare of the child

Regulation 27 Supervision

Regulation 32 Complaints (1)(a)(b)(c), (2)(a)(b)

However, on inspection additional non-compliances which posed a risk were identified under

Regulation 29 Premises (b)(c)(e).

These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under Regulation 16 Records in Relation to Preschool Service and Regulation 23 Safeguarding Health, Safety and Welfare of child.

As a result, the scope of the inspection included Room 5 and Room 7. It did not include Room 1, Room 2, Room 3, Room 4 or Room 6.

Regulation 11 Staffing Levels were assessed across all rooms of the service during the inspection.

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

This inspection was triggered by information received by the inspectorate.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the person in charge, staff and children who were present in the service and the registered provider who was present remotely for the feedback meeting on the day of the inspection.

Part III – Management and Staff

Regulation 9 – Management and recruitment

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

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

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

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

(7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:

- (a) the policies, procedures and statements of the service specified in Schedule 5;*
- (b) Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act, and*
- (c) these Regulations.*

Compliance Information

(2) The files of six staff members and six students who were new to the service since the last inspection held on the 1 August 2024 were reviewed. The registered provider had completed the following checks:

(a) Two validated written references were available for three adults and one validated written reference were available for six adults from a past employer

(b) Two validated written references were available for three adults and one validated written reference was available for six adults from a source other than a past employer

(c) Garda vetting disclosures were available for twelve adults. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) Police vetting was available for the nine adults who had lived outside the State for longer than six months as an adult.

(3) Evidence was available to demonstrate that the procedures specified in paragraph (2) were carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(4) Documentation was available to show that the three 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 and Youth Affairs.

(7)(a)(b)(c) The service ensured staff were appropriately supervised and were provided with appropriate information and training in line with the service policies on recruitment and ongoing support and supervision. The following was observed:

- A record of an induction was maintained for all new staff members, of which two were reviewed, where staff declare they have read and understand the appropriate policies and procedures to include governance, settling in, safe sleep, nappy changing, accidents and incidents, behaviour management, child and adult protection, safeguarding statement and key worker policies. Though discussion with the inspectors new staff stated that they had received adequate training and information for their role.
- A record was maintained for each staff member of the following: a one-month check in meeting, a 12-week supervision meeting, a 6-month probation and an annual appraisal. A sample of each of these documents were reviewed.
- Documentary evidence available showed six new staff and six students had completed online safeguarding children training.

- Documentary evidence was available to show that staff had attended or received training on topics and policies which included safe sleep, outings, positive behaviour management and the role of mandated persons in child protection.
- It is acknowledged documented evidence was available for review to demonstrate that the last staff training meeting was held on the 29 October 2024, with confirmation from the person in charge that two staff training days occur each year and staff meetings are held every two months.

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.

(4) Subject to paragraph (5), where a registered provider contemporaneously provides-

(a) a sessional pre-school service, and

(b) a full day care service or a part-time day care service, or both, the minimum ratio of adults to children applicable for the duration of the sessional pre-school service in respect of the children attending that service shall be the ratio specified in paragraph (3).

Compliance Information

(1) On the day of inspection, there were an adequate number of adults working directly with the children attending the service, for example:

There were 29 adults available to 82 children in attendance when the inspectors arrived unannounced to the service at 9.22am and in the afternoon at 15.09pm, 21 adults were available to 68 children.

(4) (a)(b) The minimum adult to child ratio was maintained throughout the inspection, as follows:

Room Name	Age profile	Morning	Afternoon
Room 1	2 year 8 months to 5 years	4 adults to 12 children	Closed
Room 2	2 year 8 months to 5 years	5 adults to 13 children	5 adults to 16 children
Room 3	2 to 3 years	5 adults with 12 children	5 adults to 12 children
Room 4	7 months to 15 months	4 adults to 8 children	4 adults to 8 children
Room 5	14 months to 2 years	5 adults with 15 children	4 adults with 14 children

Room 7	3 years to 5 years	4 adults to 22 children	3 adults to 18 children
Total	(0-6 years)	27 adults with 82 children	21 adults with 68 children

with two additional childcare staff present in the morning, as floats to support breaks.

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;*
- (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.

Compliance Information

(1) The registered provider ensured the following:

- (h) Attendance records detailing the arrival and departure of the children on a daily basis were maintained on an electronic application.
- (i) A record was maintained of the staff roster which was reflective of the staff present on the day.

(3) Retrospective records were requested and were made available for review.

Non-Compliance Information

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

- (k) On review of 20 accident and incident records available, the following information was not recorded:
 - o The date of the parent's signature was not recorded on six forms.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

(1)(k) The day after the inspection all room leaders were asked to review their accident and incident forms and make sure they were all up to date before the Christmas closure on 20th December 2024.

Management also held a staff meeting on 12th December 2024 and went through all feedback, again reminding staff about accident and incidents. The Accident and Incident policy was also emailed out to all staff and sent around the rooms to be read and then signed by staff to acknowledge they have read and understood it.

Preventive Action

Full review of accident and incident policy.

Roll out of digitised form including digitised signature via electronic application - pilot underway in Baby Room with a view to full implementation from 1st February 2025.

Children's files to be reviewed on a monthly basis by management to ensure all forms are up to date.

Supporting documentation submitted

(1)(k) Accident / Incident Policy, signed evidence of training of staff and sample completed accident / incident form on the electronic application.

Summary Comment

Under Regulation 16, the non-compliance outlined above has been addressed.

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

(3) A registered provider shall ensure that no practices that are disrespectful, degrading, exploitive, intimidating, emotionally or physically harmful or neglectful are carried out in respect of a pre-school child whilst attending the service.

Compliance Information

(1)(a)

Basic Needs:

- The service provided meals and snacks at regular intervals. On the day of the Inspection, the inspector observed snack at 10.00am of crackers with fruit smoothie, dinner at 11.30am of tomato pasta, snack was between 1.30pm and 2.00pm on waking from sleep and tea was observed at 3.09pm as beans on toast. Water was available and accessible should a child require a drink, at mealtimes and throughout the day. Additional servings were available for the children, and staff confirmed that alternative food was provided for children with special dietary requirements.
- Mealtimes were held in a relaxed and comfortable atmosphere in each care room. Staff were observed to support the children during mealtimes.
- Children were provided with appropriate cutlery to support their independence during mealtimes.

Supporting relationships:

- Staff were observed to have respectful, warm and responsive interactions with the children through the use of soft tones and positive non-verbal communication strategies such as eye contact and being at the children's level.
- In Room 7, staff were observed to be engaged with and sit with the children during mealtimes and play time, and having positive interactions during play activities of jigsaws, wooden puzzles, pegs with peg boards, sensory play at the sand pit with pinecones, sand and dinosaurs and with Montessori materials. They were responsive to the children and were observed to give them choices regarding their play activities.
- Staff members supported each other in the provision of care to the children.
- The service communicated with parents through the use of an electronic application, emails and phone calls and update them on their child's day at pick up time.

Physical Environment and Materials:

- Room 5 and Room 7 were laid out with a range of materials and toys that were suitable to the age and stage of development of the children. Equipment was accessible and children were able to explore and develop their play opportunities.
- The sports hall, the studio and the outdoor play area were available for the children, with equipment and materials present providing a variety of opportunities to develop their fine and gross motor skills, which

provided learning opportunities for the children. The inspectors observed the children from Room 2 dancing in the Studio and children from Room 5 and room 7 playing running then freeze in the sports hall.

(3)

- Staff were observed engaging with the children in a positive and relaxed manner. Children were guided with clear instructions with reinforcement and encouragement given when required. Any minor disputes between the children were dealt with fairly by staff who gave explanations and explained boundaries to the children.
- No practices that were deemed disrespectful, harmful or neglectful were observed during the inspection in the care rooms inspected.

Non-Compliance Information

Basic Needs:

1. In the sanitary facility of Room 7, at 11.24am, the door of the toilet cubicle was not closed over, to ensure the dignity of a child was protected while a child was visiting the toilet.

Physical Environment and Materials:

2. In Room 5, at 9.39am, 10.32am and 3.14pm, shelving units were turned to the wall, leaving play equipment and materials inaccessible to children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Basic Needs:

1. A follow up discussion with room leader by childcare manager was completed on the 26 November 2024. Issue addressed under 'Health, Welfare and Development' at full staff meeting on 12 December 2024 - staff reminded of importance of ensuring dignity of the child while toileting. The toileting policy was reissued to staff.

Physical Environment and materials:

2. A follow up discussion with room leader by childcare manager was completed on 26th November 2024. Issue addressed under 'Health and Safety' at full staff meeting on 12 December 2024 - staff reminded of importance of resources and materials being accessible at all times.
Training on revised Aistear curriculum scheduled for all staff on 6 May 2025 - to include specific focus on 'Play & Hands on Experience'.

Supporting documentation submitted

1. Staff meeting 12 December 2024 Agenda and meeting notes, Toileting policy and signed evidence of training of staff.
2. Staff meeting 12 December 2024 Agenda and meeting notes, photographic evidence of shelf units positioned correctly.

Summary Comment

The non-compliances outlined above under Regulation 19, have 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:

- Access to the service building was via the front door is monitored by reception staff employed by the service. For entry to the service, a secure door was present, which operates on a keypad system / door release system, preventing unauthorised access into the service and unauthorised exit from the service.
- The kitchen area was inaccessible to the children throughout the day of inspection.
- Emergency exits in the service were clear and unobstructed.

Infection Control:

- The service was maintained in a clean and hygienic condition throughout, with the premises and equipment observed to be visually clean.
- Children were observed to wash their hands after toilet visits, before lunch and after activities.
- Handwashing facilities for hand hygiene included liquid soap and paper towels.
- Lidded pedal operated bins were available for disposal of contaminated items in the three care rooms and in the Sanitary facilities.

Safe Sleep:

- Staff maintained 10-minute sleep checks to include their colour, breathing and position while 14 children slept in the Room 7.
- Temperatures of the cot room, Room 5 and Room 7 at sleep were maintained between the recommended ambient sleep temperatures of 18°C to 22°C for children over one years old.

- Low beds were positioned 50cm apart at sleep time.

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

The registered provider ensured that children attending the service were supervised at all times, for example, when children moved to sports hall and studio for additional play opportunities, children were supervised by staff and adult to child ratios were maintained.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-

- (b) safe and secure,*
- (c) kept adequately lit, heated and ventilated*
- (e) equipped with adequate and suitable sanitary facilities.*

Non-Compliance Information

(b)

1. In Room 5, a trailing flex of a lamp was accessible to the children, leading to a risk of injury.

It is acknowledged that the inspector, removed the trailing flex and light to reduce the risk to children.

(c)

2. There was no working mechanical ventilation or windows present or available in the nappy changing area off the Baby room, to extract stale air. This was a non-compliance on previous inspection on 1 August 2024 and the corrective action taken had not been sustained.

3. In Room 5, a ceiling light was flickering for the duration of the inspection, which was irritating and distracting for children.

(e)

4. Thermostatically controlled warm water, was not available as follows, the temperature of the water was recorded at:

Wash Hand basin	Temperature	Time
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Nappy changing sanitary facility off Room 5	44.7 °C	10.19am
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exceeding the recommended temperature of 43°C maximum and a potential risk of scalding a child.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (b)
1. A follow up discussion with room Leader by childcare manager was completed on 26th November 2024. Issue addressed under ‘Health and Safety’ at full staff meeting on 12 December 2024. Organisational Health & Safety Policy reissued to staff; Relevant risk assessment revised.
- (c)
2. Corrective maintenance works completed - new ducted mechanical extractor fan installed and set to come on when the room in use. Childcare management advised to inform maintenance team the fan should stop working so unit can be repaired or replaced.
 3. Maintenance team were informed of faulty light via reporting doc on day after the inspection. The faulty light bulbs were replaced by maintenance team & lights tested to confirm now working correctly. Issue of timely reporting of maintenance issues addressed under ‘Health and Safety’ at full staff meeting on 12th December 2024.
- (e)
4. Maintenance team informed of water temperature issued via reporting doc on day after the inspection 26 November 2024. Thermostatic controls revised by maintenance team - subsequent testing of tap has shown temperatures well below 43°C max. A follow up discussion with Room Leader by Childcare Manager was completed on 26 November 2024. Issue of daily checks of water temperatures and timely reporting of maintenance issues addressed under ‘Health and Safety’ at full staff meeting on 12th December 2024.

Supporting documentation submitted

- (b) 1. Agenda & meeting notes for staff meeting held 12 December 2024.
- (c) 2. Photographic evidence of vent installed in Baby Room Nappy changing area.
3. Photographic evidence, maintenance report and Agenda & meeting notes for staff meeting held 12 December 2024.
 4. Maintenance report and Photographic evidence of water temperatures measuring less than 43°C and Agenda & meeting notes for staff meeting held 12 December 2024.

Summary Comment

Under Regulation 29, the non-compliances outlined above have been addressed

Part VIII - Notifications and Complaints

Regulation 32 – Complaints

- (1) A registered provider shall ensure that the complaints policy of the service specifies-*
- (a) the procedure to be followed by a person for the purposes of making a complaint in relation to the service,*
 - (b) the manner in which such a complaint shall be dealt with, and*
 - (c) the procedures for keeping a person who makes such a complaint informed of the manner in which it is being dealt with.*
- (2) A registered provider shall ensure that-*
- (a) a record in writing is kept of a complaint made to the provider in respect of the pre-school service, and*
 - (b) the complaint is duly dealt with in accordance with the provider's complaints policy.*

Compliance Information

- (1)(a)(b)(c) There was a complaints policy available detailing the procedures to be followed for making a complaint, the manner in how the service deals with a complaint, and the procedures for keeping the complainant informed of this process.
- (2)
- (a) The service had a record in writing of complaints made in respect of the service.
 - (b) The service had documentary evidence to demonstrate that any complaints received were dealt with according to the service complaints policy.