

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2015DY342

Name of Service: School St & Thomas Court Bawn FRC L

Address of Service: School Street, Pimlico, Dublin 8, Co. Dublin

Eircode: D08 VWE2

Name of Registered Provider: Fintan Brunkard

Service type: Full Day, Part Time, Sessional

Date of Inspection: 10/06/2024

No of pre-school children:	AM	43	PM	40
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Child and Family Agency, Second Floor, Unit 4&5 Nexus Building, Block 6A, Blanchardstown Corporate Park, Dublin 15
Inspection undertaken by:	Á Dunne and C Harte
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

School Street and Thomas Court Bawn Family Resource Centre is a community service which is situated in an urban area in Dublin 2. The Service operates from 8.15am to 5.30pm Monday to Friday. It offers full-day, part-time and sessional childcare to children aged from 0 to 5 years of age. The service participates in the Early Childhood Care and Education (ECCE) scheme. The service operates from a purpose built premises which has five care rooms. The care rooms are; Baby Room, Wobbler Room on the ground floor and Toddler Room 1, Toddler Room ECCE and Pre-school Room on the first floor. There is a designated sleep room adjacent to Baby Room with seven standard cots, a kitchen, an office and a play therapy room. Two enclosed outdoor play areas are located one to the rear of the service and one to the side of the service accessed by the Baby room.

Staffing

The Registered Provider who is the service manager employs 21 staff to work in the service to include, the person in charge, 17 childcare staff, one staff employed under the Access Inclusion Model (AIM) and one staff employed under a Community Employment (CE) scheme and a cook. On the day of Inspection, 15 staff were present to include the registered provider, person in charge, 10 childcare staff, one staff employed under the Access inclusion Model and one staff employed under the Community Employment Scheme and the auxiliary staff member as the cook.

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/ safety/ premises and facilities. 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), (4), (6A)

Regulation 11 Staffing Levels (1)(2)(8)(a).

Regulation 16 Record in relation to Pre- School Service (h), (i), (j), (k).

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

Regulation 22 Food and Drink.

Regulation 23 Safeguarding Health, Safety and Welfare of child.

Regulation 26 Fire Safety

A sampling process was used to assess compliance under Regulation 16 - Record in relation to Pre- School Service (h), (j), (k), Regulation 19 - Health Welfare and Development of the child and Regulation 23 Safeguarding Health, Safety and Welfare of child.

The scope of the inspection included all rooms to include the Baby room, the Wobbler room, the Toddler 1 room, the Toddler ECCE room and the Preschool room.

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

10/06/24

An Immediate Action notice was issued to the service in relation to the following:

Regulation 23 - Safeguarding, Health, Safety and Welfare of child.

The water in the wash hand basin in the Baby room changing room was not thermostatically controlled. Please see details in the body of the report.

11/06/24

The registered provider responded addressing the non-compliance.

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

(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

(2) The registered provider does not work directly with the children and employees 21 staff members. The files of 21 staff members were reviewed.

- (a) Two written and validated references were available for four staff members from a past employer.
One written and validated reference was available for three staff members from a past employer.
- (b) Two written and validated references were available for 13 staff members from a source other than from a past employer.
One written and validated reference was available for three staff members from a source other than from a past employer.
- (c) Garda vetting disclosures had been obtained for 21 staff members. 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 three staff members who had lived outside of Ireland for a period of more than 6 months.
- (4) Evidence was available to show that 21 staff members who worked directly with the 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.

Non-Compliance Information

- (2) (a)(b) Two written references were not available for one staff member.
- (d) Police vetting was not available for one adult who had lived outside the state for longer than six months as an adult. It is acknowledged that documentary evidence was available to demonstrate that reasonable measures had been taken to try to attain the police vetting for the one adult.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (2)(a)(b) The staff member in question has procured 2 written references. The service has been implementing routine folder checks. Folder of this staff member was not checked due to being absent since February 2023. All new members of staff are subject to the folder review check list since 2023.
- (d) A reasonable attempt was made to obtain police clearance for this staff member but due to valid circumstances outside of the staff members control it cannot be processed.

Supporting documentation submitted

- (2)(a)(b) References x 2 submitted.
- (d) Evidence of reasonable efforts to attain the required Police vetting.

Summary Comment

Under regulation 9, non-compliance (2)(a)(b) as outlined above have been addressed. Regulation (9)(2)(d) remains outstanding but the actions taken and rationale why the vetting cannot be obtained have been accepted.

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) The registered provider ensured that there were an adequate number of adults working directly with the children attending the service.

On the morning of the inspection there were 12 adults working directly with 43 children aged between birth to 6 years and on the afternoon of the inspection there were 11 adults working with 40 children aged from birth to 6 years.

(2) The minimum ratio of adults to children was maintained during the inspection as the table below demonstrates.

Room Name	Age profile	Morning	Afternoon
Baby room	6 months – 1 year 6 months	2 Adults with 6 children	2 adults with 5 children
Wobbler room	1-year 6months -3 years	3 adults with 13 children	3 adults with 12 children
Toddler 1 room	2 years to 3 years	3 adults with 8 children	2 adults with 8 children
Toddler ECCE room	3 years to 4 years	2 adults with 9 children	2 adults with 9 children

Preschool room	4 years to 5 years	2 adults with 7 children	2 adults with 6 children
Total	(0-6 years)	12 adults with 43 children	11 adults with 40 children.

The designated person in charge was available in a supernumerary capacity and covered in rooms as required.
(8)(a) On review of the service roster it was observed that two adults were on the premises during the operation of the service.

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.

Compliance Information

- (h) Staff recorded the daily attendance of each child to the service on an electronic application.
- (i) The service maintained a weekly staff roster to reflect the staff present in the service and their planned breaks.
- (j) A review of ten medication administration records for medication administered to children in the service, were completed in line with regulation.

Non-Compliance Information

- (k) On review of 20 accident and incident forms information was missing as follows:
 - The surname of the child was missing on one form.
 - Date of birth of the child was missing on one form.
 - The signature of the parent was missing from one form.
 - The date of the parent’s signature was missing from eight forms.
 - The signature and date of signature of manager was missing on three forms.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(k) Forms founds to be missing information have been corrected. All accident and incident forms from each week will be reviewed by the person in Charge on Friday to ensure all required information is present.

Supporting documentation submitted

None submitted

Summary Comment

The non-compliance outlined above, under Regulation 16 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

Compliance Information

(1)(a) Basic Needs:

- Mealtimes observed were relaxed and sociable events, with children given time to sit at low tables appropriate to their ages. Children were encouraged to self-feed, but staff were on hand to help as required, supporting independence and wellbeing.
- In the Baby and Wobbler rooms, highchairs were used for mealtimes and children were removed from the highchairs in a timely manner when each child was finished their meal.
- Nappy changing and toilet visits were completed at set times and as needed to ensure each child's comfort and in accordance with the Service Policy and Procedure.
- The transitions between activities such as nappy changes, sleep time and mealtimes were observed to be calm and relaxed with staff available to care for the individual needs of the children.
- Children from all care rooms were observed to enjoy outdoor play during the inspection, in the outdoor area to the rear of the service, and the children in the Baby room enjoyed outdoor play in the outdoor area to the side of the service.

Physical and Material Environment:

- The furniture provided in each care room was low level and suitable to the needs and age of the children. There were sufficient number of low tables and chairs to accommodate children whilst they played and ate in each care room.
- Cosy areas with soft mats and cushions for rest and relaxation were present in each care room.
- The care rooms 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 displayed to enable the children to explore and develop their play opportunities. For example : Home areas with play kitchen with supporting equipment and play food, range of construction toys to include wooden puzzles, jigsaws, plastic bricks, building blocks, shape sorters ; toys for transporting such as cars and trucks; small world play toys of small people / characters, dolls, dolls prams, animals and dinosaurs; sensory play table with balls, lentils , pasta; table top activities pegs and peg boards, threading .
- Two outdoor play areas were available for the children. One outdoor area was off the Baby room used by the Baby room had a soft artificial surface with a climbing cube, see saws, ride on car and playhouse. The second outdoor area to the rear of the service was used by the other care rooms had an artificial grass surface. The equipment and toys available included a climbing frame, slides, rocking horses, scooters, ride on bikes, a seesaw, footballs, goal, hula hoops and an outdoor kitchen providing learning opportunities for the children.

Programme of activities:

- In the Baby room, appropriate themes and curriculum folder with planned activities was present and available to staff.

Non-Compliance Information

1. In the Baby room,
 - battery toys were not working for example dinosaur, ball on stand, piggy bank, spinning top and play piano, reducing the learning development of the toys for the children.
 - Suitable and age-appropriate chairs to accompany a table, were not available for the children to carry out tabletop activities and games.
2. In the Wobbler room,
 - the low-level chairs were stacked and inaccessible to the children after mealtimes, limiting the tabletop play opportunities, despite the children being of an age and stage of development to enjoy sitting at a table for an activity.
 - The Family wall was positioned too high on the wall for children to see the pictures present.

3. In Toddler 1 room,

- The books in the library were in poor condition, for example –torn books with missing front covers reducing the interest in and the use of books for language development.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. In the Baby room, toys have been replaced with batteries and battery access has been moved to reception for easier access to batteries and can be replaced when required. The layout of the baby room has been changed and during support and supervision the children’s needs and developmental stage will be assessed to ensure the furniture and classroom equipment is appropriate.
2. In the Wobbler room, chairs will always be placed around the table going forward and the family wall has been repositioned. During support and supervision, the children’s needs and developmental stage will be assessed to ensure the furniture and classroom equipment is appropriate.
3. In the Toddler room, the books have been replenished.

Supporting documentation submitted

1. Photographic Evidence and risk assessment submitted.
2. Photographic Evidence and Risk assessment submitted
3. Photographic Evidence submitted

Summary Comment

Under Regulation 19, the non- compliances outlined above have been addressed.

Part V - Care of Child in Pre-school Service

Regulation 22 – Food and drink

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

Compliance Information

- The service had a three-week menu on display on the front door and visible to parents.
- The service provided meals and snacks at regular intervals: Breakfast at 9.30am, Dinner at 11.30am, afternoon snack between 1.30 and 2pm, tea at 3pm. The inspectors observed; dinner at 11.30am of Spaghetti Bolognese with pasta of lumpy consistency suited to the age and stage of development of the children in each care room. Different dietary requirements were catered for if required and additional food was observed to be available. All food was prepared in the kitchen of the service.

- Water was available in each care room for the children to drink.
- The children were given support and supervision when self-feeding.

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:

- On the inspectors unannounced arrival at the service, the main door was secure with access monitored and controlled by staff to restrict unauthorised persons from gaining access to the premises and to prevent children from exiting the service unsupervised.
- A weekly roster reflected the staff present in the service.
- The kitchen was not accessible to the preschool children during the service operating hours.

Infection Control:

- Handwashing facilities for hand hygiene included liquid soap, and paper towels.
- Soothers used within the service were stored in individually labelled boxes and staff confirmed that soothers were cleaned daily and the storage boxes cleaned weekly, which reduced the potential risk of cross infection.
- Childrens individual bedding was stored in Individual Labelled bags which reduced the potential risk of cross infection.

Safe Sleep:

- Seven Cots, three folding cots and seven low beds with individual bedding were available to the children who required sleep and the cot room was darkened to provide for a restful environment.
- Cots were positioned 50 cms apart, as per best practice guidelines to reduce the potential risk of cross infection.
- While children slept, the temperature of the cot room was recorded as follows:

Room	Temperature	Time
Cot room	19.5 ° C	at 11.09am
	19.7 ° C	at 12.23pm

This is between the recommended temperature of 18-22 °C for children over the age of one year.

- Children were provided with cellular blankets for sleep.
- Shoes and clothing were removed from children at sleep time.
- Staff were observed to physically check sleeping children and complete ten-minute sleep checks while the children slept which included each child's colour, breathing and position. The temperature of the care room was also recorded.

Non-Compliance Information

General Safety:

1. Thermostatically controlled warm water was not available for example,

Room	Temperature of Water recorded	Time
Baby changing room	52.8 ° C IAN Issued	at 11.20am
Preschool room Sanitary facility	44.5 ° C	at 11.17am

this exceeds the recommended hot water temperature of 43°C maximum, which posed a risk to the safety of children. An Immediate Action Notice (IAN) was issued and response from the registered provider received.

2. In the Baby room, the attendance of a child settling from 9.30 to 10.30am was not recorded in the service attendance record. This reduced the effective evacuation in the event of an emergency.
3. In the Preschool room, a cleaning agent was accessible to children, leading to a risk of injury.
4. In the Sanitary area of the Toddler 1 and Toddler ECCE rooms, the mechanical vents in each toilet cubicle were observed to have heavy dust and dirt gathered in them, leading to a safety risk.

Infection Control:

5. In the Baby room, the correct hand washing technique was not practised for the children, on discussion with staff they confirmed that baby wipes were used to wash hands before meals and after outdoor play, this is not an effective method for hand washing, leading to poor infection control. This was a non-compliance on inspection 9 February 2023. The corrective action had not been sustained.
6. In the Wobbler and Preschool sanitary facilities, the paper towel roll was not stored in a dispenser and observed to be sitting out on the counter, making it difficult for the children to access, leading to poor infection control.

7. The service was observed to be visibly dirty, increasing the risk of cross infection, the following was observed –
- In the Toddler 1 room and the Toddler ECCE room, the cosy corner area couches and soft mats were visibly dirty with heavy stains.
 - In the Preschool sanitary facility, the walls and floor were observed to be visibly dirty.
 - In The Wobbler room, the canopy over the cosy area was visibly dirty with dust.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The registered provider replaced the thermostatic mixing valve.
2. The child onboarding check list has been updated.
3. Cleaning product area has been outlined. This is an area where cleaning products should be stored; this area is out of reach of children. Risk assessment has been updated.
4. The vents have been cleaned using a Hoover. The service has purchased a handheld hover so this task can be easily done.

Infection Control:

5. A new tap head with hose attachment has been installed. The new tap makes the hand washing process more manageable for staff. All staff have been updated on hand washing policy within the baby room.
6. The service has purchased a dispenser so paper towels can be stored and dispensed appropriately. The service will hold a meeting to review infection control and have updated their risk assessments
7. The risk assessment has been updated to include cleaning procedures.

Supporting documentation submitted

General Safety:

1. Copy of receipt of purchase of valve and evidence demonstrating the water temperature measured below the 43°C after works completed. Water temperature checks have been added to the risk assessment.
2. Copy of child onboarding checklist submitted.
3. Copy of Risk Assessment submitted.
4. Copy of Risk Assessment submitted.

Infection Control:

5. Photographic Evidence submitted.
6. Photographic Evidence submitted.

7. Copy of Risk Assessment submitted.

Summary Comment

The non- compliances outlined above under Regulation 23, have been addressed.

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 of the fire drills completed in the service. The last fire drill was completed 13 May 2024.

(b) A record was available of the number, type, and maintenance of the firefighting equipment which were last serviced 10 April 2024.

(4) A notice of the procedures to be followed in the event of a fire was conspicuously displayed on the premises

Non-Compliance Information

(1)(b) An in-date record of annual maintenance of smoke alarms in the premises was not available. The smoke alarms in the premises were last serviced on the 17 April 2023, leading to a risk of safety.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1)(b) Smoke alarm service provider was contacted. They apologised for missing two inspections and performed a full-service 3 July 2024. Fire log to be checked quarterly by person in charge.

Supporting documentation submitted

(1)(b) Email from Fire maintenance company and fire maintenance certificate.

Summary Comment

Under Regulation 26, the non- compliance outlined above, has been addressed.