

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DY367
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Name of Service:	Little Scholars
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Address of Service:	70 St. Mary's Park, Walkinstown, Dublin 12, Co. Dublin
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Eircode:	D12 TDX6
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Name of Registered Provider:	Edelle Phillips
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	01/12/2024
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No of pre-school children:	AM	38	PM	29
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Address of the Early Years Inspectorate:	The Brunel Building, Heuston South Quarter, St. John's Road West, Dublin 8
Inspection undertaken by:	R. Brien
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
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Description of service

Little Scholars is registered to provide full day, part time and sessional care for children from 1 to 6 years.

The service is registered to operate from 08:00 to 17:30, Monday to Friday. During the inspection, the service was operating from 07:45 to 17:30. A sessional service is provided from 09:00 to 12:00. The service also offers school age care.

The service is located in an adapted retail premises over two levels in a residential area of south county Dublin.

There are three care rooms. The Baby room caters for children aged 11 months to 1 year. The Pre-Montessori room caters for children aged 1 to 3 years and the Montessori room caters for children aged 2 to 4 years.

The service has a dedicated cot room. A fully enclosed outdoor play space is available to the rear of the premises.

Staffing

The service currently employs 10 staff including a manager. There were seven staff working directly with the children on the day of inspection. The service also employs a housekeeper and a school age staff member. The registered provider works directly in the service and was present during the inspection.

Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Child Care Act 1991 (Early Years Services) Regulations 2016 define the duty of a registered provider to ensure the safety and well-being of children and to comply with these regulations. This Act also gives Tusla the authority to assess compliance with the regulations. The purpose of regulation in relation to early years services is to ensure that the care, safety, and well-being of children attending such services is upheld. Inspections of early years services are planned based on the following:

- Previous inspection history
- Any information received in relation to the service

The findings on inspection are based on:

- Information obtained through examination of documentation
- Direct observation
- Discussion with relevant staff

This inspection was unannounced and focused on the area of governance/records/ health, welfare and development of child/ safety and premises. The inspection may also focus on other areas as required.

Part II - Registration and Register

The inspection focused on an examination of compliance under the following Regulations:

Regulation 8 - Notification of change in circumstances

9(1)(a)(b) (2)(a)-(d) (3) (4) Management and Recruitment

(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.

30 Minimum Space Requirements.

However, on inspection additional non-compliance which posed a risk was identified under Regulations 8 Notification of Change in Circumstances and 20(1)(b) Facilities for Rest and Play.

A sampling process was used to assess compliance under regulations 16(j)(k) Record in relation to Pre-school Service.

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.

Acknowledgments

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

Non-Compliance Information

(3)

The registered provider did not notify the Agency in writing of the following changes;

1. The number of children the service can accommodate at one time.

The service is registered to provide care to a maximum of 36 children, however on the morning of inspection there were 38 children present.

2. The age range of children in the service.

The service is registered to cater for children from 1-6 years. On the day of inspection, there were two children aged 11 months present.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. We have been engaging with the necessary departments since the inspection in order to correct the non-compliance. There was an issue with a fire report, which we are getting sorted now. It was an error in the registration which we are applying to change.
2. The children have since turned one. These two children where both registered with our old previous manager who has now left the service. The owner of the service has raised this issue with current manager, and this will not happen again.

Supporting documentation submitted

Written evidence was presented to demonstrate the corrective and preventive actions submitted by the registered provider.

Summary Comment

The corrective and preventive actions as stated by the registered provider relating to point 1 are still in process and as a result do address the non-compliance.

The corrective and preventive actions as stated by the registered provider relating to point 2 have been deemed to address this non-compliance.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

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

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

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

(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.

Compliance Information

(1)(a)(b)

The service had a designated person in charge and a named person to deputise as required who were both on the premises throughout the inspection.

(2)

The files of 12 adults were reviewed as part of the inspection. This included seven staff members who had commenced working in the service since the last inspection on 24 February 2022 and two students who were

present on the day of inspection. Documentation was reviewed in respect of these adults and met regulatory requirements as follows:

(a)(b)

Of the 24 written and validated references that were required, 14 were available from a past employer and 3 were available from a reputable source.

(c)

Garda vetting disclosures from the National Vetting Bureau of An Garda Síochána were available for the 12 adults. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(4)

Records were available evidencing that eight staff members who were employed to work directly with the children held the required qualification or equivalent.

Non-Compliance Information

(2)(a)(b)

There was no second reference available for two adults.

(2)(d)

Police vetting was not available for one adult who had lived outside the State for a period of longer than 6 consecutive months.

(3)

The registered provider did not take appropriate measures to ensure that all adults were suitable to work in an early years service prior to their commencement as outlined below:

- There was no evidence available to demonstrate that five references in respect of four adults had been validated by the registered provider before the adults commenced working in the service.
- Two references in respect of two adults were not validated prior to the adults commencing employment. One adult commenced working in the service on 26 September 2022 and references had been validated

on 24 October 2022 and 25 October 2022. A second adult commenced working in the service on 17 June 2024 and the references had been validated on 20 June 2024 and 06 September 2024.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a)(b)

Two reference validations for both adults.

(2)(d)

We have received the outstanding police vetting.

(3)

We have updated our recruitment policy to make sure references are checked before new staff begin and to make sure international police vetting is completed on international employees.

Supporting documentation submitted

Written evidence was presented to demonstrate the corrective and preventive actions submitted by the registered provider.

Summary Comment

The corrective and preventive actions as stated by the registered provider have been deemed to address these non-compliances.

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.

(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).

(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)(4)

The minimum ratio of adults to children for full day care services and services that contemporaneously provide a sessional and full day care service were adhered to at all times during the inspection. There were 38 children attending the service being supervised by 7 adults on the day of inspection.

(8)(a)

There were at least two adults on the premises at all times.

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. for a period of 5 years from the date on which the person to whom the document or record.

Compliance Information

- (h)
Details of the attendance of each child in the service were recorded at the time of entering and leaving the service.
- (i)
The staff roster was available and reflected the adults working in the service on the day of inspection.
- (j)
A sample of 10 medication administration records were reviewed. These records were signed by staff and parents and were completed appropriately.
- (k)
A sample of 10 accident and incidents records were reviewed. These records were signed by staff and parents and were completed appropriately.

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

(b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.

Compliance Information

The service had a healthy eating policy in place and all meals are provided by the service. The service had a weekly meal plan which detailed a range of nutritious meals and snacks served to children at regular intervals throughout the day. Dinner was served at 11:50. Drinking water was accessible to children throughout the inspection and children were given a drink with their meals.

Staff were observed asking children who had finished their meal if they wanted more. Additional servings of dinner were available and were provided to all children who requested more. Children were encouraged to feed themselves and staff supported younger children who needed assistance with their dinner.

Children were given responsibility appropriate to their age and were encouraged and supported to be independent. The inspector observed children cleaning up after their play and older children were observed using the toilet independently. Younger children's nappies were changed regularly and staff were observed engaging warmly with children when providing this care. Staff provided an appropriate level of supervision whilst supporting the children's independence during play and lunch time.

There was a designated nap time for younger children attending the Baby and Pre-Montessori rooms who required a nap.

The service had a key person system in place. Staff displayed warmth and sensitivity during all interactions with the children throughout the inspection. Staff demonstrated a good awareness of the needs of each child in their care and responded to children's cues promptly. Staff were observed to use distraction, gentle tones and praise when promoting positive behaviour in line with the service's behaviour policy. The atmosphere in the service appeared calm and relaxed.

The staff described how they communicate with parents daily about their child using an online application detailing information on food, sleep, nappy changes and activities and at arrival and collection time. Staff were observed to work well as a team, frequently communicating with each other in relation to the daily routine and children's needs.

The care rooms were arranged into areas of interest including arts and crafts materials, small world toys, construction toys, rest areas with books and sensory play materials providing children with the freedom to play and explore. The care rooms provided a range of developmentally appropriate play experiences for the children and were adequately resourced with a variety of materials. Children's photos and birthday displays were displayed in the care rooms.

The environments were laid out to support the children's independence. Play materials were observed to be accessible to the children on low level shelving. Low level tables and chairs were available in the care rooms.

A fully enclosed outdoor play area was located to the rear of the premises and had an artificial grass surface. The area was resourced with a range of developmentally appropriate play equipment.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

(1) Subject to this regulation, a registered provider shall ensure that-

(b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

Non-Compliance Information

(1)(b)

Appropriate rest facilities were not provided for all children aged under 2 years in the Baby room. The registered provider confirmed that a child, aged 19 months, sleeps on a low stackable bed. This bed was not fitted with a firm, flat, waterproof and breathable mattress.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Waterproof mattresses were bought and a foldup cot. We have implemented this in the risk assessment for the cot room.

Supporting documentation submitted

Written and photographic evidence was presented to demonstrate the corrective and preventive actions submitted by the registered provider.

Summary Comment

The corrective and preventive actions as stated by the registered provider have been deemed to address this non-compliance. 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.
- Hand sanitisers, medicines and cleaning agents were stored safely out of reach of children.
- All storage facilities were inaccessible to children.
- All blind cords were secured.

Infection Control:

- Liquid soap, warm water and paper towels were available to facilitate hand washing. Children in the Pre-Montessori and Montessori rooms were supported to wash their hands at regular intervals including after using the toilet and before meals.
- Children's nappies were changed in line with the service's nappy changing policy to reduce the risk of the spread of infection.
- A system was in place for effective sterilisation of soothers.
- Individual bed linen was provided for the children in the Baby and Pre-Montessori rooms. Staff stated that all bed linen is laundered weekly or as required.

Administration of Medication:

- Staff demonstrated, through discussion, that they were familiar with the procedures and practices in place for the administration of medication in line with the services policy on medication administration.

- On the day of inspection, a child required anti-febrile medication, staff were observed to follow procedures and practices in line with safe administration of medication.

Safe Sleep:

- Discussion with staff demonstrated that staff were familiar with safe sleep guidelines.
- Children were physically monitored while sleeping and sleep checks were documented every ten minutes.
- A member of staff was present in the sleep room while children were sleeping.

Fire Safety:

- All fire exits were clear of obstruction.

Non-Compliance Information

General Safety:

1. In the Montessori room, a fan unit was observed stored on top of a radiator with a trailing cable posing a risk of tipping and injury to a child.
2. In the Pre-Montessori room, the plastic sink in the toy kitchen was cracked with a sharp edge exposed posing a risk of injury to a child.

Infection Control:

3. The handwashing practices observed were inconsistent during the inspection and at variance with the policy in place in the service. In the Baby room, children's hands were not washed before dinner posing a risk of the transmission of infection.
4. One of the cot mattresses did not have a waterproof cover posing a risk of the spread of infection as it could not be adequately cleaned and disinfected.

Administration of Medication:

5. Practices in place for children attending the service requiring medication were at variance with the service policy, posing a potential risk to the health and safety of children. Medication for one child in the Pre-Montessori room was not stored in its original packaging and was not clearly labelled. This medication was stored in the child's bag within reach of children and was not labelled with the child's name or individual dosage requirements.

Safe Sleep:

6. There was no individual sleep plan in place for the one child aged 19 months in the Baby room who sleeps on a low stackable bed.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. We have moved the fan from on top of the radiator and taped the wires to the skirting. The fan has been put on the ground and staff have been told it needs to stay there with wires taped.
2. The plastic kitchen sink has been removed. Manager discussed risk assessment form with staff.

Infection Control:

3. Staff in the Wobbler room have been spoken to in regards to handwashing, even though the babies just had their nappies changed so therefore hands washed, we advised staff they have to be brought back out to wash their hands before dinner.
4. A waterproof cot mattress was bought for the cot and a fold up cot.

Administration of Medication:

5. An asthma safety care plan was put in place. The inhaler was brought in in the original packaging and is kept in a box out of reach of children. The parent has confirmed this child has no official diagnosis of asthma and has no care plan at home. We have invested in an asthma care plan pack for this child and any future children that may have trouble with their breathing.

Safe Sleep:

6. The 19-month-old baby now has a cot and waterproof mattress.

Supporting documentation submitted

General Safety:

1. Photographic evidence was presented to demonstrate the corrective and preventive actions submitted by the registered provider.
2. Photographic evidence was presented to demonstrate the corrective and preventive actions submitted by the registered provider.

Infection Control:

3. No supporting evidence submitted.

4. Photographic evidence was presented to demonstrate the corrective and preventive actions submitted by the registered provider.

Administration of Medication:

5. Photographic evidence was presented to demonstrate the corrective and preventive actions submitted by the registered provider.

Safe Sleep:

6. Photographic evidence was presented to demonstrate the corrective and preventive actions submitted by the registered provider.

Summary Comment

The corrective and preventive actions as stated by the registered provider have been deemed to address these non-compliances. The Regulatory requirement has been met.

Part VII - Premises and Space Requirements

Regulation 30 - Minimum space requirements

(1) Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.

(2) A registered provider of a full day care service or a part-time day care service shall ensure that the minimum amount of clear floor space specified in column (3) of Schedule 7 opposite a particular reference number specified in column (1) of that Schedule in respect of the age range of children specified in column (2) thereof at that reference number is available for each child in that age range attending the service.

(4) 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 clear floor space applicable for the duration of the sessional preschool service in respect of the children attending that service shall be the floor space specified in paragraph (3).

(6) Subject to paragraph (7), a registered provider of a sessional pre-school service shall ensure that there are no more than 22 children in a room in the service at any time.

Compliance Information

(1)(2)(4)(6)

As detailed under Regulation 8, the service is registered to provide care to a maximum of 36 children, however on inspection, 38 children were present. As a result, the three care rooms were measured to determine if adequate clear floor space was available to the children in attendance.

Adequate clear floor space was available for the work, play and movement of 40 children attending on a full day care basis as demonstrated below:

Room Name	Proposed number of children and type of service	Age of children	Space required m ²	Space available m ²
Baby Room	5 Full Day Care	1-2 years	14m ²	14.45m ²
Pre-Montessori Room	16 Full Day Care	2-3 years	30.55m ²	37.88m ²
Montessori Room	19 Full Day Care or 22 Sessional Care	3-6 years	43.7m ²	43.35m ²