

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2015DY384

Name of Service: Daughters of Charity, Tír na nÓg Early Childhood Development Service

Address of Service: Cameron Hall, Cameron Street, Cork Street, Dublin 8, Co. Dublin

Eircode: D08 NVX0

Name of Registered Provider: Tracey Monson

Service type: Part Time, Sessional

Date(s) of Inspection: 01/11/2024

No of pre-school children:	AM	27	PM	15
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Address of the Early Years Inspectorate: Early Years Inspectorate
2nd Floor, Unit 4/5
The Nexus Building
Blanchardstown Corporate Park
Ballycoolin
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Inspection undertaken by: C. Kerrigan

Title: Early Years Inspector

Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

Conditions if applicable Not applicable.

Description of service

The Daughters of Charity Tír na nÓg Early Childhood Development Service is a community service which provides sessional and part time daycare to children aged between 2 years and 6 years of age.

The service operates from 08:45 to 15:15 Monday to Friday, with three sessions offered: 08:45-11:45, 09:00-14:00 and 12:30 to 15:00pm.

The service is located in the urban area of Dublin 8 and operates from the ground floor of an apartment complex.

The service consists of three care rooms, a ballroom, an office, a kitchen, with an enclosed outdoor area situated to the rear of the premises

The care rooms were named; The Giraffe room, The Monkey room and The Lion room.

Staffing

The registered provider employs 7 staff, to include the designated person in charge, 5 childcare staff and a cleaner. The registered provider does not work in the service.

On the day of the inspection the designated person in charge facilitated the inspection, facilitated meals and provided relief in the care rooms. Five childcare staff along with a student 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, safety, premises and facilities. The inspection may also focus on other areas as required.

The Inspection focused on examination of compliance under the following Regulations:

- Regulation 9 Management and Recruitment – (1)(a)(b)(2)(a)(b)(c)(d)(3)(4).
- Regulation 11 Staffing Levels (1)(3)(8) (c)
- Regulation 16 (a)(d)(e)(f)(h)(i)(k).
- Regulation 19(b).
- Regulation 23.
- Regulation 25(1)(2)(a)(b).
- Regulation 27 Supervision.
- Regulation 28.

however, on inspection additional non-compliance which posed a risk was identified under

- Regulation 31

A sampling process was used to assess compliance under regulation:

- Regulation 16(1)(k) Records in relation to the Preschool Service
- Regulation 23 Safeguarding the Health, Safety and Welfare of the Child.

As a result, the scope of the inspection included The Giraffe room, The Monkey room and the Lion 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.

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.

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.*

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

Compliance Information

- (1)
- (a) The service has a designated person in charge and a named person who can deputise as required.
- (b) The designated person in charge was present at all times throughout the inspection.
- (2) The files of 8 staff members employed and on placement within the service were reviewed.
- (a) The registered provider ensured that there were 13 written and validated references from past employers available for 6 staff who work directly with the children.
- (b) The registered provider ensured that there were 3 written and validated references from a reputable source were available for 2 members of staff.
- (c) The registered provider ensured that Garda vetting disclosures had been obtained for the 8 adults working within the service. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d) Police vetting was not required as no member of staff had lived outside the jurisdiction for a period no longer than six consecutive months.
- (4) The registered provider ensured that 6 members of staff who worked directly with the children attending the service held at least a major award in Early Childhood Care and education at a minimum Level 5 on the National Qualification Framework.

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 person in charge and 5 staff members were available to 27 children on the day of inspection.

(2) The minimum ratio of adult to children was maintained throughout the inspection and this was verified by the staff sign in records available. The adult to child ratios were maintained as follows:

- The Giraffe Room: 2 adults were providing direct care to 8 children aged 3 years to 4 years of age.
- The Monkey Room: 1 adult was providing direct care to 7 children aged 3 years to 4 years of age.
- The Lion Room (group 1): 1 adult was providing direct care to 6 children aged 3 years to 3 years and 11 months of age. A student on work experience placement was present in this room.
- The Lion Room (group 2): 1 adult providing direct care to 6 children aged 3 years to 3 years and 10 months of age.

(8)(a) The register provider ensured that there was a minimum of 2 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:

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;*
- (d) the type of care or programme provided in the service;*
- (e) the facilities available;*
- (f) the opening hours and fees;*
- (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.*

Compliance Information

(1)

(a) A written record was available within the service for each member of staff outlining name, position, qualification and level of experience.

(e) Details of facilities within the service was displayed on a wall in the entranceway.

(f) The opening hours and fees were displayed on a wall in the hallway.

(h) Details of children’s attendance were recorded daily in books kept within each care room.

(i) Staff rosters were printed and available for review on the day of inspection.

Non-Compliance Information

(k) A sample of 10 accident and incident records were reviewed; the following was missing from 8 of these forms.

- The parent’s signature, acknowledging the incident was missing from 2 forms.
- Identifying information such as a child’s date of birth and surname was missing from 7 forms.
- The date of incident was missing from 1 form.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The service has stated that all accident and incident reports have been updated with the relevant information. One parent signed the form acknowledging the incident in the wrong place. The service has stated that at their team meeting the person in charge brought the accident and incident book along and spoke to the team about the importance of completing the form correctly. A staff member has been appointed to check the book once a month.

Supporting documentation submitted

No documentation has been submitted.

Summary Comment

The corrective and preventive actions taken by the registered provider are sufficient to address the non-compliance identified under Regulation 16.

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-

(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

(1)

(b)

- The service provided lunch with snacks at regular intervals throughout the day. Hot meals were supplied from an external company, which followed a weekly meal plan, which can be altered by the service, the menu plan was displayed on the wall in the hallway. The Healthy Eating Policy was implemented and reflected in the food provided, children’s cultural and dietary requirements were supported, for example, Halal food options were given to children to support their cultural food choices.
- Mealtime was used to promote the children’s independence, exploration and self-regulation, as children self-served food, poured milk and cleaned up. Staff facilitated this in a non-intrusive manner, assisting when required, adding to a relaxed and social atmosphere.
- Drinking water was available and accessible to children.
- Dental care was promoted within the service, with children undertaking dental hygiene after mealtimes.
- Nappy changing was undertaken in a respectful and engaging manner. With staff members talking in calm and soothing tones, respecting the child within the process. Children were supported to use the toilet independently and encouraged to wash their hands afterwards.
- All children had access to a partially covered outdoor area on a scheduled basis and wore clothes appropriate to the weather. The outdoor area was equipped with a range of gross motor and sensory promoting materials to include: a slide, climbing wall, mud kitchens, ride on scooters, cars and mark making equipment. The area was well stocked to meet the developmental needs of each individual child.

Throughout the service the staff promoted an atmosphere of consideration, empathy and respect in their interactions with all children. For example,

- In the Lion room staff members lay on the floor playing with the various toys children had chosen, calling them by name and identifying individual interests about their play.
- In the Monkey room, a staff member fostered a culture of inclusivity and turn taking by allowing children speak about their achievements during a recap of the day activity. Whilst being mindful of those children who were shy and struggled with speaking out.
- In the Giraffe room staff members demonstrated calm and supportive care towards the children, as evidenced in their tone and supporting the children’s choices during activities.

Non-Compliance Information

1. A staff member was unable to meet the demands of the children in her care and required additional support. For example, the staff member recognised that a child had soiled their nappy but had to focus her attention on a child who did not wish to play outdoors, who was crying and attempting to climb back into the service through the care room window. It is acknowledged that the student present sought assistance from the person in charge, however assistance was sought after 15 minutes.
2. At 10:53 a child was noted to have come out of the toilet in a state of undress. The toilet door was propped open for supervision purposes, however this door opened directly onto the main corridor area, of which parents' and visitors traverse, this could lead the child to be exposed to other persons in an undignified manner.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. The service states that an AIM worker has been employed by the service to assist the staff member in that group and a cover staff member has been employed who will take up her role in January. Staff have been supplied with new phones, and they will have them on their person in the garden so they can ring the person in charge if they require assistance.
2. The service stated that the person in charge spoke with the child in question's mother and asked her to speak to her child about dressing herself correctly before leaving the bathroom, the child in question will be supervised always while using the bathroom.

Supporting documentation submitted

Photographic evidence submitted of three mobile phones.

Summary Comment

The corrective and preventive actions taken by the registered provider will address the non-compliances identified under Regulation 19(1)(b).

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:

- Upon the unannounced arrival of the inspector to the service the entrance door was found to be securely locked. Access was gained via a magnetic release door system of which staff have control. Restricting unauthorised access by unknown persons.
- All hazardous materials or sharp objects were stored out of reach of the children in locked presses or inaccessible on high shelving.
- The Outdoor area to the rear of the premises was secured with a wooden fence and locked gate.
- Risk assessments were completed daily and documented in each room.

Infection Control:

- Adequate handwashing facilities were available in the sanitary area and each care room. Handwashing was maintained with the availability of thermostatically controlled water, along with liquid soap and paper hand towels.
- Nappy changing facilities were available to the children with the procedure of nappy changing occurring in a thorough and hygienic manner, thus reducing cross contamination.
- Foot pedal operated lidded bins were utilised in each room to safely dispose of waste material.

Administration of Medication:

- Medication was not given during the inspection. A record was available for the safe administration of medication and staff were able to outline the procedure for the administration of medication if required, which reflected the services Policy on medication management.

Fire Safety:

- Fire exits were unobstructed.
- Fire escape maps were visible across the service with staff outlining fire drill procedures if required.

Non-Compliance Information

General Safety:

1. The internal gate at the main door was not consistently secured throughout the inspection. It is acknowledged that the main door was securely locked on the day of inspection, however due to the location of the release switch to the main door if the internal gate was not closed securely there was a risk that a child could exit the service. The exit of the service led directly onto a busy junction.
2. The kitchen door was unsecured and accessible to children. It is noted that the door was closed during the inspection however it was not locked and could be pushed open. This posed a potential for children to be exposed to hazardous materials and equipment if unsupervised.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The service has stated that a message was sent to all parents reminding them the importance of securing the internal gate every time they enter and exit the building and the person in charge can now monitor the gate as the person in charge is no longer required to facilitate meals as a cook has now been employed. The service stated that arrangements have been made with the company who installed the release button to come and move the release button up 8 inches higher.
2. The service has stated that a cook has now been employed so the kitchen is no longer unattended while they are there. A latch has been fitted to the kitchen door so the kitchen can be secured while the cook is not here.

Supporting documentation submitted

General Safety:

1. No evidence has been submitted
2. Photographic evidence has been submitted.

Summary Comment

The corrective and preventive actions taken by the registered provider are sufficient to address the non-compliances identified under Regulation 23.

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) Two staff members present held a certification in first aid response (FAR) and were available to the children during the operational hours of the service. There were 2 persons trained in First Aid to include FAR immediately available to children attending the service.

(2)

(a) A first aid box was safely stored in an easily accessible and conspicuous position within each room.

(b) The first aid box was readily available to the adults caring for the children attending the pre-school service.

Part VI – Safety

Regulation 27 – Supervision

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

Non-Compliance Information.

The registered provider did not ensure that preschool children attending the service were supervised at all times.

This was evidenced in the following ways:

- On review of the accident and incident book an incident occurred where a child was noted to have exited the service gaining access to the main road.
- Between 11:23 and 11:26 a child aged 3 years went to the toilet unsupervised; they left the outdoor area alone, past the unlocked kitchen, through 2 doors, one of which was a fire door to the sanitary area. There was no communication to other staff to monitor or help this child if needed. This posed a risk to this child's safety as they were unsupervised by sight or sound at this time.

While it is acknowledged that the adult to child ratio was maintained, additional support and assistance should be available to staff, with a clearer method of communication needed to ensure child safety.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The service stated that reminders were sent out to parents regarding door safety. At inductions this was discussed with new parents. New signs on door reminding parents.

The service stated that children are supervised going to the bathroom as staff now have mobile phones so they can contact the person in charge to assist.

The service has stated that following the incident of child exiting the front door a staff member is placed at the door of the ball pool room (where incident occurred from) during transition periods when parents are entering and exiting the building. Signs reminding parents are replaced on a regular basis to keep them noticeable. When they are familiar signs, people stop noticing.

The service states that the registered provider have two new staff members employed. One AIM staff member for that group and one cover staff.

Supporting documentation submitted

No evidence submitted.

Summary Comment

The corrective and preventive actions taken by the registered provider are sufficient to address the non-compliances identified under Regulation 27.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The registered provider has ensured that insurance has commenced on the 30th of September 2024 with an expiry date of 29th of September 2025.

Part VIII - Notifications and Complaints

Regulation 31 - Notification of incidents

A registered provider shall notify the Agency in writing within 3 working days of becoming aware of any of the following incidents occurring in the preschool service:

(e) an incident in respect of which a pre-school child attending the service goes missing while attending the service.

Non-Compliance Information

(e)
The registered provider did not notify the Early Years Inspectorate in writing of a child who exited the service on the 17th of June 2024.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The service states that initially they appealed this decision but were unsuccessful. The registered provider and service have discussed this issue as a team within Tir na nOg and at our senior management level (SMT). This decision has opened our eyes to what constitutes a reportable incident. SMT did not feel this incident did meet the threshold, they have met to discuss what actions they would take if a similar situation arose in the future. Firstly, it has made them look at the actual issue of the child exiting the building and preventative action is discussed previously in relation to this. The Registered Provider and service have also agreed that in future if the situation is not black or white they will contact the inspectorate so they can be advised of the appropriate action. This will be in relation to Tir na nÓg and other centres under the DOCCFS.

As above, advice will be sought in the future where reporting an incident is unclear.

To prevent it happening in the future, all of management have been informed of the decision regarding our appeal and instructed to seek advice in the future.

Early Years Inspectorate Regulatory Report

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The senior manager overseeing the other 5 early years centres within our organisation, will ensure that any new manager / acting manager or staff member is clear on our future protocol.

Summary Comment

The corrective and preventive action proposed by the registered provider is accepted.