

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DY387
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<b>Name of Service:</b>	Babes in the Wood Creche
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<b>Address of Service:</b>	Cedar Brook Walk, Cherry Orchard, Dublin 10, Co. Dublin
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<b>Eircode:</b>	D10 W297
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<b>Name of Registered Provider:</b>	Maria Sobczyk
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<b>Service type:</b>	Full Day
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<b>Date of Inspection:</b>	04/07/2023
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<b>No of pre-school children:</b>	AM	51	PM	47
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<b>Address of the Early Years Inspectorate:</b>	2 <sup>nd</sup> Floor, Carysfort House, Carysfort Avenue, Blackrock, Co Dublin
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<b>Inspection undertaken by:</b>	L. Magee & S. Quigley
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<b>Title:</b>	Early Years Inspectors
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### 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).

<b>Conditions if applicable</b>	Not Applicable
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### Description of service

Babes in the Wood is located in a single storey purpose-built building, in an urban setting of Cherry Orchard, Dublin 10. Full-time, part time and sessional care is provided to children aged 0 to 6 years. The service is registered to run from 7.30am to 6.30pm, Monday to Friday. There are 5 preschool rooms and a dedicated sleep room. A large enclosed outdoor play area is available to the children to the rear of the building.

### Staffing

The service employs 19 staff members. This includes the designated person in charge, deputy person in charge, 14 childcare employees, and a chef. On 4 July 2023, there were 16 adults working directly with the children. The registered provider does not work in the service.

### 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/. The inspections may also focus on other areas as required.

A sampling process was used to assess compliance under regulation 9 - Management and Recruitment, 11 – Staffing Levels, 19 – Health, welfare and development of child, 23 - Safeguarding Health, Safety and Welfare of child, 25 – First Aid and 26 Fire Safety Measures. As a result, the scope of the inspection included the Baby room, Wobbly 1, Wobbly 2, and Preschool rooms.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

## Additional Information

5 July 2023

An Immediate Action Notice was sent to the registered provider under Regulation 23- Safeguarding health, safety and welfare of child regarding increased room temperatures while the children are sleeping.

6 July 2023

The service submitted a response which when implemented will be deemed suitable to address these concerns.

## Acknowledgments

The inspectors wish to acknowledge the cooperation of the persons 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 staff files of all nineteen staff were reviewed as part of the inspection process and for the purpose of assessing compliance with this regulation.
- (a) Twenty-eight validated references were available from past employers.
- (b) Ten validated references from a source other than a past employer were available.
- (c) Garda vetting had been carried out in respect of all members of staff and relevant documents were held on file.
- (d) Police vetting had been carried out in respect of four members of staff who had lived outside the state.
- (4) Eighteen staff who worked directly with the children held recognised qualifications in early childhood care and education at levels 5 and 6 on the national qualifications framework or a qualification deemed equivalent by the Minister of the Department of Children, Equality, Disability, Integration and Youth.

### 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.*

#### Compliance Information

(1) There were an adequate number of adults working directly with the children attending the service. On the day of inspection there were sixteen adults working directly with fifty-one pre-school children.

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

### 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)

Appropriate and suitable care practices were observed on the day of inspection as evidenced below:

The children were observed enjoying nutritious food regularly. A hot meal was given to the children attending on a fulltime or part time basis. Children who attended for the sessional service brought in a light lunch. Water was offered with food and was always available to the children in the rooms. Bibs were provided for the younger children to protect their clothes while eating. Extra food was available on request.

The children's nappies were changed regularly, and the older children were supervised using the toilet. The adults supervised the children as they washed their hands. The children removed their outer clothes and shoes prior to

sleep time. Child led sleep was observed in the Baby room. The children in Wobbly 1 and Wobbly 2 slept after their dinner. Soft furnishings were provided to facilitate children to rest during the day when required.

All children played outside on the day of inspection. There were separate outdoor areas with artificial grass coverings which were easily accessible from the preschool rooms. One small area was designated for use by the children from the Baby room and appropriate play equipment was provided. The other area contained a variety of play equipment and materials including a climbing frame, sand tables and ride-on toys. Staff demonstrated warmth and sensitivity in their interactions with the children. They communicated with the children using soft and gentle tones and promptly comforting children when they became upset.

### 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/exit door was secure to avoid unauthorised persons accessing the service or children exiting unsupervised. All cleaning agents and medicines were stored safely out of reach of the children. Heavy furniture was secured to prevent tipping and injury. Emergency exits were kept clear at all times during the inspection.

##### Infection Control:

The children were observed washing their hands after using the toilet, outdoor play and before eating. The sanitary facility was equipped with warm water, liquid soap and disposable paper towels. Completed cleaning schedules were in place demonstrating the daily and weekly procedures taken by the service.

##### Safe Sleep:

The service had a safe sleep policy. The sleeping children's colour, breathing and position were observed and recorded every 10 minutes on the day of inspection.

### Non-Compliance Information

#### General Safety:

1. In the outdoor area used by the Baby room, nettles and weeds were observed in reach of the children. This could cause skin irritation or an injury to a child.

#### Infection Control:

2. Sengenic bins were in use in the sanitary areas of the service. These bins are not recommended as there are a significant number of surfaces touched by the person disposing of the nappy and this is an infection control concern.

3. The low-lying beds in Wobbly 2 were positioned alongside each other and not the recommended 50 centimetres apart which poses a risk to cross infection.

#### Administration of Medication:

4. Five medicine administration forms were reviewed in the Baby room. There was no witness signature on these forms as to the medication given to these children. One of the forms was not signed by an adult who administered the medication.

#### Safe Sleep:

The temperatures recorded while the children were sleeping did not adhere to the services safe sleep policy, which states the temperature of the sleep rooms should be always maintained between 16-20°C when the children are sleeping. This measure is in line with safe sleep guidelines outlined by the Health Service Executive (HSE) in the document -Safe Sleep Guidelines -May 2022.

1. The room temperature at 1.30pm was 22.8 °C in the Cot room, while three children under 12 months and one child over 12 months were sleeping. The room thermometer was measuring 20.7 °C. Following discussion with staff, a mobile air conditioning unit was brought into the room which reduced the temperature to 20.8°C.
2. In Wobbly 1 while seven children over 12 months were sleeping, the temperature was measuring 21 °C. The air conditioning unit was on at the time. The room thermometer was measuring 19 °C.
3. In Wobbly 2 while thirteen children were sleeping, the room temperature was measuring 22.4°C at 1.20pm. The room thermometer was measuring 20.4 °C. The air conditioning unit was on at the time.

High room temperatures while the children were sleeping was a non-compliance on the last inspection (22 August 2022).

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

##### **General Safety:**

1. All weeds and nettles have been removed from garden by roots and will be checked at all times. Risk assessment sheets are checked daily by one of the managers.

##### **Infection Control:**

2. New pedal bins has been supplied in the Baby room, Wobbly 1 and Wobbly 2 rooms. These are pedal operated bins. The bag is changed regularly. All staff members have been advised to use these new pedal operated bins.

Bins are checked every week to make sure that working properly.

3. Furniture in the Wobbly 2 room has been rearranged to make a 50 cm space between beds. Staff members working in Wobbly 2 have been informed to keep 50 cm space between beds at all times during sleep time.

Managers are checking space between beds- daily.

##### **Administration of Medication:**

4. Staff members have been reminded that each time medicine is given it has to be signed and witnessed by another staff member. Checking medicine books is added to daily check list.

##### **Safe Sleep:**

An Immediate Action Notice was issued to the registered provider on 5 July 2023 to address these concerns. A response was received on 6 July 2023 which was deemed suitable.

(1-3)

Air condition units are now switched on from early morning ensuring that temperatures stay low aiming at the lower degrees of 16 or 18. Thermometers will be calibrated every six months. Wall and hand thermometers are being used ensuring that the temperature is low at all times particularly in the cot room alongside wobbly 1 and wobbly 2. Staff members can also feel when temperatures rise so they have been reminded that action needs to take place at all times when temperature rises. Managers checking daily temperature in the rooms prior and during sleep time. Plan to install air-condition unit in the cot room before summer 2024.

#### Supporting documentation submitted

Supporting documentation was submitted and reviewed by the early years inspector.

### Summary Comment

The non-compliances appear to have been addressed by the registered provider. This regulation will be reassessed on the next inspection.

### 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)

A person trained as a First Aid Responder (FAR) was immediately available to the children at all times.

(2)

(a) The first aid box was adequately stored in an easily accessible and conspicuous location within the service as required.

(b) A first aid box was always available to the adults and children in the service.

### 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.*

*(2) The record referred to in paragraph (1) shall be open to inspection by-*

*(a) a parent or guardian of a pre-school child attending or proposing to attend the pre-school service,*

*(b) an employee, and*

*(c) an authorised person.*

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

## Compliance Information

- (1)
- (a) A written record was available detailing fire drills that had taken place in the service. A fire drill last took place in the service on 11 June 2023.
- (b) There was an annual record to show that the firefighting equipment had been serviced in December 2022.
- (4) The procedures to be followed during a fire drill and in the event of a fire were displayed in a conspicuous location within the service

## Non-Compliance Information

- (1) (b) On the day of inspection, there was no record of the maintenance of the fire detection and alarm system.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

Fire detections has been checked by certified Fire Alarm Company dated 6<sup>th</sup> July 2023. The appointments with Fire Safety maintenance company have been scheduled.

### Supporting documentation submitted

Supporting documentation was submitted and reviewed by the early years inspector.

## Summary Comment

The non-compliance identified has been addressed. The regulatory requirement has been met.