

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2015FL023

Name of Service: Barnardos Early Years' Service Mulhuddart

Address of Service: Church Road, Mulhuddart, Dublin 15, Co. Dublin

Eircode: D15 T886

Name of Registered Provider: Martin Hannigan

Service type: Part Time

Date of Inspection: 24/06/2024

No of pre-school children:	AM	12	PM
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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
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

Barnardos Early Years Service is located in Mulhuddart Village in Dublin 15. It is a community based early years' service established in 2010. It is located on the ground floor of a mixed-use building. It provides part time care to children from 2 to 6 years from 9am to 13.15pm, Monday to Thursday. However, the service is currently operating from 9.15am to 1pm Monday to Thursday. The premises consists of 2 care rooms – the Junior Group room and the Tusmaith Preschool room with two sanitary facilities available, one assigned to each room, a sensory room and an art room. The service has an enclosed outdoor play area to the front of the service and which can be accessed from the Tusmaith Preschool room.

Staffing

The registered provider employs 15 staff to work in the service to include the designated person in charge, deputy designated person in charge, seven childcare staff, one staff employed under the Access Inclusion Model (AIM), a project worker, a bus driver, a receptionist, a cook and an auxiliary staff member. On the day of inspection there were 13 adults working in the service to include the designated person in charge, deputy designated person in charge seven childcare staff, one staff employed under the Access Inclusion Model (AIM), a project worker, a bus driver and a receptionist. 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/ premises and facilities. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under the regulations.

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

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

Regulation 21 Equipment and Materials

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

Regulation 25 First Aid

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

A sampling process was used to assess compliance under Regulation 23 - Safeguarding, Health, Safety and Welfare of child and Regulation 11- Staffing Levels was assessed across all of the rooms.

The scope of the inspection included the following rooms – Junior Group room, Tusmaith Preschool room, the Sensory Room and the Art 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 designated 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.

(6A) is inserted by S.I. No.632 of 2016 CHILD CARE ACT 1991 (EARLY YEARS SERVICES) (AMENDMENT)

REGULATIONS 2016 which states; Regulation 9 of the Child Care Act 1991 (Early Years Services) Regulations (S.I. No. 221 of 2016) is amended - in paragraph (4), by the substitution of “paragraphs (5), (6) and (6A)” for “paragraphs (5) and (6)”, and (b) by the insertion of the following paragraph after paragraph (6): “

(6A) Paragraph (4) shall not apply to an employee of a registered provider where - (a) the registered provider receives funding for the employment of the employee pursuant to a scheme funded by the Minister and known as the Access and Inclusion Model, and (b) the employment of the employee is for the purpose of providing support, pursuant to the scheme referred to in subparagraph (a), for a child attending the service to enable the child to participate in the programme known as the Early Childhood Care and Education (ECCE) funding Programme.”

Compliance Information

(2) During the Inspection, the files of 15 adults were reviewed.

(a) Two written validated references were available for nine adults from a past employer.

One written validated reference was available for five adults from a past employer.

(b) Two written validated references were available for one adult from a source other than from a past employer.

One written validated reference was available for four adults from a source other than from a past employer.

(c) Garda vetting disclosures had been obtained for 15 adults. The service also demonstrated compliance, with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

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

(4) Documentation was available to show that nine adults who worked directly with children attending the service held at least a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications or a qualification deemed eligible by the Department of Children and Youth Affairs.

Non-Compliance Information

(2) (b) One written reference available for one adult from a source other than from a past employer, was not validated.

(d) Police vetting was not available for one adult who had lived outside the State for longer than six months as an adult.

(4) One staff member employed within the service did not have evidence to confirm they held a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(b) The Service has a comprehensive recruitment policy and uses this to guide all recruitment processes.

One reference check was not validated at the time the reference was taken up. This reference has now been signed and back dated by the person who took up the reference and confirmation email from referee confirming the reference has been received. The Service have put recruitment on the services Managers Meeting for discussion as a means of refreshing the information.

(d) Staff member who didn't have police vetting on file for her time living abroad immediately applied for a National Police Certificate. This was received on 17 July 2024 and is now on file. Managers to follow recruitment policy regarding vetting of staff. Recruitment requested as an agenda item at the services next Managers Meeting.

(4) The staff member has achieved a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications. This issue has been put on the agenda item at the services next Managers Meeting.

Supporting documentation submitted

(2)(b) Copy of Recruitment Policy, a Job Description the validated reference and support documentation submitted.

(d) Police vetting for the one adult submitted.

(4) Copy of Evidence for completion of Qualification submitted.

Summary Comment

The non-compliances outlined above, under Regulation 9, have been addressed.

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) There was an adequate number of adults working directly with the children as follows :

There were 8 adults working with 12 children in the morning.

(2) The correct adult/child ratio was maintained in the service throughout the inspection as follows:

Junior Group Room - 2 adult to 4 children aged from 2 years 6 months to 3 years,

Preschool room - 6 Adults to 8 children aged 3 years to 5 years,

(8)(a) The designated person in charge ensured there was 2 adults present on the premises at all times.

Part V - Care of Child in Pre-school Service

Regulation 21 – Equipment and materials

A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.

Compliance Information

- The rooms were bright and inviting play spaces.
- The toys, equipment and play materials were easily accessible and visible to the children, this nurtured children’s independence, ability to make decisions, enabling exploration and develop their play opportunities.
- 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. For example : Home areas with play kitchen with supporting equipment and play food, Shop area with supporting equipment, dolls, dolls clothes, dolls cots, dolls pram, range of construction toys to include wooden puzzles, jigsaws, plastic bricks, building blocks, magnetics: toys for transporting such as cars, trucks, diggers, garages, trains and train tracks; small world play toys of dolls house with supporting equipment, small character people, animals and dinosaurs; for sensory play, playdough with supporting equipment, tables with water, sand or rice and supporting equipment; for imaginary play dress up clothes, doctors sets , area set up as restaurant with equipment, musical instruments: for arts and crafts – mark making materials, glue, stencils, scissors, paper and blackboards with chalk, art easels; large climbing hexagon frame for gross motor development ; all equipment was directly accessible to the children.
- 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.
- Displays of pictures of the children who were attending with their families were displayed on the walls in each care room in the service which supported children’s identity and belonging.
- Cosy areas with a wigwam, couches, blankets, soft rugs and cushions for rest and relaxation were present.

The care rooms in the service were designed with the age and stage of development having been taken into consideration. Children were observed to take part in free play and group work for example in the Tusmaith preschool room, children were observed engaged in water play with supporting equipment in the care room and in the outdoor play area, read books with staff and play on the climbing frame outdoors with support from the staff in the care rooms.

- The enclosed outdoor play area was available for the children which consisted of one area with a combination of a soft artificial surface and a concrete surface. The equipment and toys available included climbing frame with a slide and a climbing wall, a sand pit with equipment, a water table with equipment, a pit with bark with trucks and diggers, a mud kitchen, a playhouse, trikes, balance bikes, seesaws/rockers, slides, providing learning opportunities for the children.

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:

- A weekly roster reflected the staff present in the service.
- Attendance records demonstrated that children were recorded into the service and in their rooms.
- The internal doors were secured to prevent a child from exiting or unauthorised adults moving through the service unsupervised.
- The kitchen area was inaccessible to the children throughout the inspection.

Infection Control:

- The service was maintained in a clean and hygienic condition throughout, with the premises and equipment observed to be visually clean.
- Handwashing facilities for hand hygiene included liquid soap, and paper towels and thermostatically controlled warm.
- Lidded pedal bins were provided for the disposal of waste in the care rooms and in the sanitary facilities.
- The service and care rooms were well ventilated with open windows and doors.
- All nappy changing materials were stored in sealed clear plastic boxes in the sanitary facilities.

Non-Compliance Information

General Safety:

1. On the inspectors unannounced arrival at the service at 9.45am, the gate of the services outdoor play area was open and not secured to restrict unauthorised persons from gaining access to the premises and to prevent children from exiting the service unsupervised. It is acknowledged that a staff member closed it immediately, following discussion with the inspector.
2. In Tusmaith Preschool room, the temperature of the room was not maintained within the recommended temperatures of 18 to 22 °C. The temperature recorded was 23 °C at 10.40am. It is acknowledged that it was a warm day and staff had ensured that the care room door was open.
3. In the sensory room, a trailing flex of a phone wire was observed to be accessible to children, leading to a risk of injury.
4. In the outdoor play area, the following was observed to be damaged:
 - Corners of two square shaped planter boxes were cracked with exposed screws, posing a risk of injury.
 - Side of one round planter pot was cracked down the side of the pot, posing a risk of injury.
 - A crack was present in the artificial surface behind the climbing frame posing a trip hazard.

Infection Control:

5. Two hand touch Nappy disposal systems were in use in the service, one present in the junior group sanitary facility and one present in the Tusmaith preschool room sanitary facility, this equipment is at variance with best practice guidelines and public health recommendations issued in 2022.
6. In the Sensory room, the corners of three blue cuboid shaped cushions were observed to be torn and therefore not washable or wipeable for effective cleaning, leading to poor infection control.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The procedures for entrance through the garden gate have been reviewed and changed. The children are now entering through the main reception area. Parents were informed in person of the changes and a text sent as a reminder of the change. Parents of new and returning parents all received a letter in relation to September 2024 that outlines main reception entrance area for children.

Staff have been instructed to ensure the garden gate is closed at all times.

2. Staff are now doing daily checks of the temperature in the room. If room is too warm / cold the temperature is adjusted. Daily checks in place and adjusted accordingly.
3. The trailing flex of a phone wire has been covered and the service will ensure all wires/ flexes are secure and covered.
4. In the Outdoor area:
 - Cracked planters have been replaced with new wood ensuring no exposed nails. Plant boxes will continue to be monitored in the garden area.
 - The service is aware of the crack in the artificial surface and it is currently being addressed by the facilities manager who is seeking quotes to address these issues in the playground. Facilities Manager is ensuring the cracked artificial surface will be repaired by a reputable agent.

Infection Control:

5. Nappy bin has been replaced and is in place for nappies.
6. The three cushions have been removed from the area and going forward, cushions will be monitored for fraying and removed immediately.

Supporting documentation submitted

General Safety:

1. Text informing parents of changes in procedure and letter to parents of new and returning children that outlines entrance area submitted.
2. Photographic Evidence submitted.
3. Photographic Evidence submitted.
4. Photographic Evidence and email from facilities manager submitted.

Infection Control:

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

Summary Comment

Under Regulation 23, non-compliances number 1, 2, 3, 4 - relating to the cracks in the planter pots, 5 and 6, outlined above, have been addressed. Non-compliance number 4 - relating to the cracks in the artificial surface remains outstanding and will be reviewed 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) The service provided evidence that two adults trained in First Aid Response were available at all times to the children attending the pre-school.
- (2) (a) and (b) Suitably equipped first aid boxes were available and were safely stored in an easily accessible and conspicuous position in each care room and in the sanitary facility of the Junior Group room.