

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015FL046
<b>Name of Service:</b>	Bumblebee School Ltd
<b>Address of Service:</b>	Westbury House, St Fintan's Road, Sutton, Dublin 13
<b>Eircode:</b>	D13 H273
<b>Name of Registered Provider:</b>	Emma Crowe, Nichola Higgins
<b>Service type:</b>	Full Day, Part Time, Sessional
<b>Date of Inspection:</b>	31/01/2024
<b>Regulatory Compliance Meeting:</b>	09/04/2024
<b>Regulatory Enforcement Meeting:</b>	01/08/2024

<b>No of pre-school children:</b>	AM	53	PM	50
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Floor 7 Brunel Building, Heuston South Quarter, St. John's Road West, Kilmainham, Dublin 8
<b>Inspection undertaken by:</b>	E. Finnegan Hayes & T. Nelson
<b>Title:</b>	Early Years Inspectors

### Authority to Inspect

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

<b>Conditions if applicable</b>	<p>19<sup>th</sup> September 2024</p> <p>Regulation 23 Child Care Act 1991 (Early Years Services) Regulations 2016</p> <p>The Registered Provider will be required to comply with the following conditions.</p> <ul style="list-style-type: none"> <li>• Ensure compliance with the Tusla’s Guidance Document for the Early Learning and Care Sector on Sleep Provision for Children Under 24 Months.</li> <li>• Ensure the required adult to child ratio is maintained to supervise children while they are resting or sleeping.</li> </ul> <p>These conditions are attached for 3 months</p>
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### Description of service

Bumblebee School Ltd is a privately run service which operates from a converted residential building in the grounds of Sutton Park School in North Dublin. The service currently operates from 7:45am to 5:30pm Monday to Friday but expects to resume normal opening hours of 7:45am-6:15pm in the future. There are seven care rooms in the service. Five care rooms on the ground floor housed the Baby room catering for children aged 10-12 months, the Wobbler room catering for children aged 1-2 years, the Toddler room catering for children aged 2-3 years, Junior Montessori Room catering for children aged 2-3 years another care room which is not currently in use, along with a cot room, an office, kitchen, and necessary sanitary facilities. There were two care rooms on the first floor, Senior Montessori Room 1 catering for children aged 3-4 years and a room used for school-aged children along with sanitary facilities and a staff room. The service has four outdoor areas which are located to the front and rear of the service.

### Staffing

The registered provider employs 16 staff including the deputy person in charge, 14 early years practitioners and a cook to work in the service. There were 15 staff members present on the day of inspection including the deputy person in charge, 12 staff members working directly with the children, a floating staff member and a cook. Both registered providers attended the service on the day of inspection; one for a brief time in the morning and the other for the feedback meeting.

### 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 and premises and facilities. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under:

- Regulation 9(1)(a)(b), (2)(a)(b)(c)(d), (4) Management and Recruitment
- Regulation 11(1), (2) Staffing Levels
- Regulation 21 Equipment and Materials
- Regulation 22 Food and Drink
- Regulation 23 Safeguarding the Health, Safety and Welfare of the Child
- Regulation 26(1)(4) Fire Safety Measures
- Regulation 28 Insurance
- However, on inspection additional non-compliance was identified under Regulation 29(d) Premises. These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under Regulation 9 Management and Recruitment, Regulation 11 Staffing Levels, Regulation 21 Equipment and Materials and Regulation 23 Safeguarding the Health, Safety and Welfare of the Child and as a result, the scope of the inspection included the Baby, Wobbler, Toddler and Junior Montessori rooms and did not include the Senior Montessori room.

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

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

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

## Additional Information

A regulatory compliance meeting was held with the registered provider on 9<sup>th</sup> April 2024. The service did not adequately address non-compliances that were a significant risk under Regulation 23, and a regulatory enforcement meeting was held on the 1<sup>st</sup> August 2024. See body of report for details.

## Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered providers, 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)(b) The service had a designated person in charge and named person to deputise as required. The deputy person in charge was present in the service when the inspector arrived.

(2) A review of paperwork and conversation with the deputy person in charge showed that there are currently sixteen staff employed in the service including the deputy person in charge, thirteen early years practitioners and a cook. The files of all sixteen staff currently employed in the service were reviewed.

(a)(b) Thirty-one written and validated references were available in relation to sixteen adults.

(c) Garda vetting disclosures were available for sixteen staff members.

(d) Police vetting was available for seven adults who had lived in a country other than Ireland for a period of six months or more as an adult.

(4) Evidence was available to show that twelve staff members 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)(a)(b) A second written and verified reference was not available for one staff member. This was a non-compliance on the previous inspection in January 2023.

(4) Evidence was not available to show that three staff members 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. This was a non-compliance on the previous inspection in January 2023 with one qualification remaining outstanding on publication of the report.

### Corrective & Preventive Action submitted by the Registered Provider

#### **Corrective and Preventive Action**

(2)(a)(b) This team member no longer works in the service. We will ensure that a second reference is on file before any new team members start.

(4) One staff member no longer works in the service. One staff member qualification is on the list of approved qualifications and the third is awaiting a response from the DCEDIY. The service will ensure the qualification is on the DCEDIY list before a new team member starts.

#### **Supporting documentation submitted**

(4) A copy of a qualification highlighted on the DCEDIY list was submitted on the 9<sup>th</sup> August 2024 which corresponded to a qualification submitted.

### Summary Comment

Regulatory compliance remains outstanding for Regulation (9)(4). No evidence has been submitted that the qualification of 1 staff member has been verified by the DCEDIY.

### 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) The registered provider ensured that an adequate number of adults were working directly with the children on the day of inspection. Nine staff were caring for 35 children when the inspector arrived in the service. The person in charge was available in a supernumerary position and available to cover in rooms as needed.

(2) Ratios were maintained between 10am and 12:15pm and from 12:45pm onward on the day of inspection. The following was observed;

- In the Baby room two staff were caring for 3 children aged 10-12 months.
- In the Wobbler room three staff were caring for 8 children aged 1-2 years.
- In the Toddler room three staff were caring for 9 children aged 2-3 years.
- In the Junior Montessori room two staff were caring for 15 children aged 2-3 years.
- In the Senior Montessori room two adults were caring for 19 children aged 3-4 years old.

The deputy person in charge and a floating staff member were available in a supernumerary position and available to cover in rooms as needed.

#### Non-Compliance Information

(2) The registered provider did not ensure ratios were maintained in the Baby room and Toddler room between 12:15pm-12:45pm during staff lunchbreaks. The following was observed:

- In the Baby room two staff members were caring for 14 children aged 10months- 3years. Three staff were required based on the individual ages of the children present.
- In the Toddler room one staff member was caring for 9 children aged 2 years old. Two staff were required.

#### Corrective & Preventive Action submitted by the Registered Provider

## **Corrective Action**

Not provided.

## **Preventive Action**

The service will do its utmost best to ensure that the ratio is maintained during sleep time.

## **Supporting documentation submitted**

Not supporting documentation was provided.

## **Summary Comment**

Whilst a corrective action was not provided the preventive action has been accepted and will be reviewed at the next inspection.

## 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 registered provider ensured that an adequate supply of suitable materials and equipment were available to the children in the service. The following was observed;

- A range of toys and equipment were available in the service. These were maintained in good working order.
- Low level tables and chairs were available for use by the children in the Wobbler and Junior Montessori rooms; allowing the children to eat comfortably.
- The outdoor areas were secure and provided opportunities for a range of play experiences.

## Non-Compliance Information

1. There were no defined areas of interest in the wobbler room. For example, one low level shelving unit contained a construction toy, a garage, a box of books, a box of electronic books, a box of vehicles, a farmhouse, 6 battery operated toys while a smaller shelving unit on the opposite side of the room housed stacking cups, stacking rings and jigsaws and a box containing peg boards and pegs. A play kitchen was split in two parts and placed either side of the doorway to the outdoor area. These items were not grouped or themed in order to provide for a suitable stimulating play environment. This was a non-compliance on the previous two inspections and a referral to a quality support agency was made following the inspection in 2023 to assist the service to development this room.

2. Play equipment was not accessible to the children in the Baby, Wobbler and Junior Montessori rooms. For example, in the Wobbler room supporting equipment for the play kitchen were stored out of reach while the shelf housing the peg boards was inaccessible as the table was pushed against the shelf outside of mealtimes. Children in the baby and Junior Montessori rooms did not have access to a cosy area for rest or quiet activities.
3. The table in the Toddler room was observed to be chest height on seven of the nine children present in the room which does not provide a comfortable experience when partaking in tabletop activities or eating. One child was observed to sit on their lower leg and foot in order to prop themselves up when eating at the table. Tables should be waist height to allow children to engage in tabletop activities and mealtimes comfortably.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

1. The service moved the layout of the room to try get defined areas into the classroom. No preventive action submitted.
2. The service bought a new unit for the baby and wobbler room to allow children access to all toys. No preventive action submitted.
3. A smaller table was used after the inspection and has now been swapped to the larger table now that the children are 6 months older. We will keep an eye on this when the new children move into the room.

#### Supporting documentation submitted

No supporting documentation submitted.

#### Summary Comment

The corrective and preventive actions proposed are sufficient to address the non-compliances outlined. The regulatory requirements have been met.

### Part V - Care of Child in Pre-school Service

#### Regulation 22 – Food and drink

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

### Compliance Information

- The service had a healthy eating policy which is implemented in the service.
- The service provides all meals and snacks to the children; children were observed to eat a variety of food at regular intervals throughout the day.
- The service operates a three-week rotating menu which includes three meals and two snacks per day; Breakfast is served to children who require it as they arrive in the service, followed by a snack at 10am, dinner between 11-11:30am, lunch at 2pm and an afternoon snack at 4pm. Staff advised that additional food is available should children want more.
- Children in the wobbler room were supported to self-feed with adults on hand to offer support as required.
- Water was available in the care rooms in individually labelled beakers and provided to the children with their meals.

## 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 to the service was secure on arrival to the service which prevented unauthorised persons gaining access and prevented children leaving unsupervised. Staff were observed to attend the door to allow access.
- The garden areas were secure to prevent the children leaving the garden unsupervised.
- Cleaning supplies were stored out of reach of the children throughout the service.
- Blind cords were secured to prevent a risk to the children.
- The staircase used by the children was maintained in good condition with a low rail accessible to the children using the stairs.

#### Infection Control:

- Warm water, dispensed soap and hand towels were available throughout the service to facilitate adequate hand washing.
- Foot pedal operated bins were available in care rooms for hygienic disposal of contaminated materials.
- Nappy changing mats were maintained in good condition allowing for effective cleaning.
- Mattress protectors were used on mattresses in the cot room.

### Safe Sleep:

- Staff were observed to conduct regular checks of sleeping children every ten minutes and recorded details of the checks in line with their policy.

### Fire Safety:

- Staff were aware of the procedures to be followed in the event of a fire emergency.

### Non-Compliance Information

#### Infection Control:

1. Pools of stagnant water were observed in the play equipment in the outdoor area when children from the baby room were brought out to play which was inconsistent with the risk assessment which was available for that day which showed no observed hazards in the outdoor area. Stagnant water can harbour bacteria which could cause illness in the children.
2. A low-level couch in the Toddler room was observed to be torn which prevented adequate cleaning and posed a potential infection control risk.
3. Low beds were placed less than 50cms apart, directly touching each other, in the Toddler room which posed an infection control risk. There was ample space in the care room to place the beds further apart.

#### Safe Sleep:

4. The registered provider did not ensure that children aged under two years of age were provided with adequate sleep facilities in line with Tusla's *"Guidance for the Early Learning and Care sector on sleep provision for children under 24 months"*. The following was observed;
  - Eight children aged 13-23 months old from the Wobbler room were observed to sleep on low level beds at nap time. A mattress with a minimum 6cms depth is required to ensure the children's comfort.
  - No individual care plans were available. Permission slips signed by the parent were available for seven of the eight children. Individual care plans are required to be completed in collaboration with the parents to ensure the needs of the children are appropriately met.

- Appropriate risk assessments detailing the potential risks to the children sleeping on low level beds were not available. While risk assessments were available for six of the eight children these detailed a risk to the child if they were to sleep in the cot with one risk assessment stating that the child needed someone with them and assistance to fall asleep as a risk. Detailed risk assessments must be carried out in line with the guidance detailing both the identified risk to the child from sleeping in a cot but also the risk posed when the child sleeps in equipment other than a cot.
5. Risk assessments were not completed for two children aged 16-18 months old who were asleep on a low-level bed while parental permission was not available for one of the children.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

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

1. The registered providers have spoken to the team members regarding checking the play equipment before the children go to the garden. Management will carry out spot checks.
2. A new couch has been ordered. Management will carry out spot checks.
3. Beds have rearranged the toddler room to allow for the 50cm gap. Management will carry out spot checks.

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

4. The service carry out risk assessments and will ensure that they have signed permission for all children (under 2) before they sleep on the beds. Following the regulatory enforcement meeting held on the 1<sup>st</sup> of August the registered provided stated that the service will purchase 5 sleep beds and a further 5 before the year end for 10 children under 2 years of age who require them.

#### Supporting documentation submitted

##### 06/08/2024

A copy of a completed risk assessment and a copy of Bumblebee Sleep Time permission sheet.

##### 12/08/2024

Order acknowledgement for 8 cocoon style beds for children under 2 years of age.

##### 06/09/2024

Chart of sleep arrangements for children attending the service submitted, 6 babies are provided with cots in the cot room, children in the Wobbler room provided with a foldable cot or cot bed to sleep in, and 4 children attending the Toddler room under the age of 2 to be provided with cot beds until their second birthday.

**19/09/2024**

A template of an updated sleep care plan was submitted.

### Summary Comment

The corrective and preventive actions proposed for points 1, 2, 3 and 5 are sufficient to address the non-compliances outlined.

Regulatory compliance for point 4 remains outstanding. An older version of the sleep plan made reference to supervision. No reference regarding supervision in that the adult to child ratio will be maintained while children are resting/sleeping is documented on the updated sleep plan submitted. This regulation will be reviewed at the next inspection.

## 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 firefighting equipment and smoke alarms in the premises.*

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

### Compliance Information

(1)(a) The registered provider ensured that a record of fire drills was maintained in the service. Detailed records showed that fire drills are completely monthly, and the most recent fire drill took place on the 16th January 2024.

(b) A record of the number, type and maintenance record of firefighting equipment and smoke alarms was reviewed. The record showed that the firefighting equipment was last serviced on 19<sup>th</sup> July 2024. Inspectors observed the smoke alarms being serviced on the day of inspection.

(4) Fire evacuation plans were displayed throughout the service in care rooms and communal areas.

## Part VI - Safety

### Regulation 28 - Insurance

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

#### Compliance Information

The registered provider ensured that the service was adequately insured for the children in attendance.

## Part VII - Premises and Space Requirements

### Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-*  
*(d) cleaned, maintained and repaired, as required*

#### Non-Compliance Information

(d) The registered provider did not ensure the service was adequately cleaned and maintained. Some examples include;

1. Paint on the walls and skirting boards was observed to be peeling, flaking and chipped throughout the service.
2. A large hole was present in the wall of the sanitary area between the Wobbler and Toddler rooms at a level accessible to the children.
3. Light fixtures in a number of the care rooms and sanitary areas required cleaning.
4. Radiator covers in the Baby and Toddler rooms were broken and unstable

#### Corrective & Preventive Action submitted by the Registered Provider

##### Corrective Actions

- (d)
1. The service have painted the Wobbler, toddler and both Junior Montessori rooms. The baby room will be painted on 16<sup>th</sup> March and we have plans in place to paint the rest of the building.
  2. Maintenance have been scheduled to hole in nappy unit.
  3. The electrician has cleaned all light fittings.
  4. Maintenance has been scheduled to fix the radiators covers.

##### Preventive Action

The service have a maintenance list in the kitchen to record any items that need fixing and will do a walk around the creche to keep on top things.

##### Supporting documentation submitted

Photo in relation to point 2 and 4 was received and reviewed.

#### Summary Comment

# Early Years Inspectorate Regulatory Report Pre School

The corrective and preventive actions taken have addressed the non-compliances identified on inspection.