

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015FL046
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<b>Name of Service:</b>	Bumblebee School Ltd
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<b>Address of Service:</b>	Westbury House, St Fintan's Road, Sutton, Dublin 13
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<b>Eircode:</b>	D13 H273
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<b>Name of Registered Provider:</b>	Emma Crowe, Nichola Higgins
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date of Inspection:</b>	04/11/2024
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<b>No of pre-school children:</b>	AM	45	PM	44
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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>	Not applicable.
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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 11-13 months, the Wobbler room catering for children aged 1.5-2 years, the Toddler room catering for children aged 2-3 years, Junior Montessori Room catering for children aged 3-4 years, a sleep room for use by the Toddlers, along with a cot room, an office, kitchen, and necessary sanitary facilities. There were two care rooms on the first floor, Senior Montessori Room 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 18 staff including the registered provider, deputy person in charge, 15 early years practitioners and a cook to work in the service. There were 15 staff members present on the day of inspection including the registered provider, deputy person in charge, 12 staff members working directly with the children, and a cook.

### 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, safety and premises and facilities. The inspection also reviewed conditions that were attached to the registration of the service in September 2024. See additional information section for details.

A sampling process was used to assess compliance under regulation 9 Management and Recruitment, Regulation 21 Equipment and Materials, Regulation 23 Safeguarding the Health, Safety and Welfare of child and Regulation 29 Premises. As a result, the scope of the inspection included the Baby room, Wobbler room and Toddler room only.

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

Conditions pursuant to section 58D of the act: Regulation 23 Child Care Act 1991 (Early Years Services) Regulations 2016 were attached to the services registration on the 19 September 2024. The Registered Provider was required to comply with the following conditions.

- Ensure compliance with the Tusla's Guidance Document for the Early Learning and Care Sector on Sleep Provision for Children Under 24 Months.
- Ensure the required adult to child ratio is maintained to supervise children while they are resting or sleeping.

See Regulation 23 for details of compliance/non-compliance.

### Acknowledgments

The inspectors wish 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.
- (3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.
- (4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

#### Compliance Information

- (1) (a)(b) The service had a designated person in charge and named person to deputise as required. The person in charge and deputy person in charge were present in the service when the inspectors arrived.
- (2) A review of paperwork and conversation with the registered provider showed that seven new staff have commenced employment in the service since the last inspection in January 2024. The files of all seven staff

were reviewed along with the file of the registered provider who was on leave at the time of the last inspection. A qualification for one staff member was reviewed which was outstanding since the last inspection, a review of the service records showed that two staff for whom qualifications were outstanding have ceased employment in the service.

- (a) (b) Fifteen written and validated references were available in relation to eight adults.
- (c) Garda vetting disclosures had been obtained for eight adults employed in the service. The service has also adhered to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years.
- (d) Police vetting was available for six 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 eight 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. This includes one qualification which remained outstanding on the previous inspection in January 2024.

### Non-Compliance Information

- (2) (a)(b) A second written and verified reference was not available for one staff member. It is acknowledged that a duplicate of the first reference was in the file in place of a 2<sup>nd</sup> reference.
- (3) The registered provider did not ensure the checks required under (2) were conducted before the start date of all employees for example;
- A review of start dates and attendance records showed that six of the seven new staff commenced employment working directly with the children before the registered provider had obtained Garda vetting disclosures. Garda vetting disclosures were dated between 3 and 23 calendar days after the start date of employees.
- (4) There was no evidence to show that one staff member who commenced employment in recent months 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. The staff member is currently undertaking a qualification and commenced employment during year one of the course.

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

#### Corrective and Preventive Action

- (2) (a)(b) We will ensure that a second reference is on file before any new team members start.
- (3) We will ensure that Irish vetting is on file before any new team members start.
- (4) The staff member will apply to the department for approval. We will ensure any new team members qualification is on approved list before they start.

#### Supporting documentation submitted

- (2) Copy of verified reference received.
- (3) No evidence submitted
- (4) No evidence submitted

### Summary Comment

The registered provider has addressed the non-compliance under (2)(a)(b) and (3). The non-compliance under (4) has not been addressed and will remain outstanding. The registered provider is required to provide evidence of approval of the qualification from 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. Twelve staff were caring for 45 children when the inspectors arrived in the service. The registered provider and person in charge were available in a supernumerary position to cover in rooms as needed.
- (2) Ratios were maintained at all times on the day of inspection including when children were sleeping. The following was observed;

- In the Baby room two staff were caring for 3 children aged 11-13 months.
- In the Wobbler room three staff were caring for 4 children aged 1.5-2 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 14 children aged 2.5-4 years.
- In the Senior Montessori room two adults were caring for 15 children aged 3-4 years old.

The registered provider and person in charge were observed to cover in the care rooms during lunch breaks to maintain ratios.

### 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;

- Care rooms were stocked with a range of play equipment to support play experiences. Toys and materials were accessible on low level shelving which allowed children to access them independently and supported spontaneous play.
- A selection of books was available to support children’s language development.
- Cosy areas were available in the care rooms to provide children a comfortable place to rest or engage in quiet activities.
- Toys and equipment were maintained in good working order.
- Low level tables and chairs were available for use by the children which allowed them to engage in tabletop activities and meals comfortably.
- The outdoor areas were secure and provided opportunities for a variety of play experiences.

### 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.
- Low level presses and tall shelving units were adequately secured.
- 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 and dispensed soap were available throughout the service to facilitate adequate hand washing.
- Soothers were stored in individual labelled containers.
- Foot pedal operated bins were available in care rooms for hygienic disposal of contaminated materials.

##### Safe Sleep:

- Appropriate sleep equipment was observed to be used for children in line with Tusla's *"Guidance for the Early Learning and Care sector on sleep provision for children under 24 months"*.
- 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

##### General safety:

1. A small electrical heater was observed to be turned on and placed on the floor of the Toddler sleep room within reach of the children. This posed a potential risk of injury.

### Infection Control:

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. This was observed on inspection in January 2024 and has not been rectified in line with the corrective actions provided by the registered provider.
3. Two mattresses used in the cot room did not have mattress covers and were not wipeable preventing easy cleaning and posed an infection control risk.
4. A swing bin was present in the nappy changing area off the baby room which posed an infection control risk. Pedal operated lidded bins are required for safe disposal of contaminated items such as used tissues and baby wipes.
5. Handtowels were not hygienically dispensed in the sanitary area located in the outdoor area which posed an infection control risk.

### Safe Sleep:

6. The registered provider did not ensure adequate completion of the required paperwork in relation to children aged under two years of age who have transitioned to a low-level bed 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;
  - Individual sleep care plans were available for seven children under 2 years old who had transitioned to a low-level bed however the plan did not clearly identify how the service established that the children were developmentally ready to move from a cot to a low-level bed in line with the guidance. The supporting evidence detailed included "is over 15 months" or "has been sleeping on a low-level stackable bed for some time". Children should only be considered for transition to a low-level bed once the service has identified clear developmental markers that suggest the child is developmentally ready to transition.
  - Appropriate risk assessments detailing the potential risks to the children sleeping on low level beds were not available. While risk assessments were available for three of the seven children these did not detail any identified hazards or risks to the children while sleeping in a low bed but rather noted crying and waking other children 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.

- Risk assessments were not completed for four children aged 19-23 months old who were asleep on a low-level bed. Risk assessments for the sleep rooms were available but had not been updated since September 2020. Detailed risk assessments are required to ensure the safety of the children in line with the service's risk management policy.
7. Two mattresses were observed in a cot where a child aged 11 months was observed sleeping. This brought the distance from the top of the mattress and the rail of the cot to 40cm. A distance of 50cm between the mattress and rail of the cot is required for safety purposes.

### Fire Safety:

8. A designated fire door in the Toddler sleep room was partially blocked by a low-level bed which may have impeded the safe evacuation of the children in the event of a fire emergency. It is acknowledged that the bed was moved before the child fell asleep at nap time when the issue was raised with the registered provider.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### General Safety:

1. We are currently upgrading all radiators in the building which will be thermostat controlled which will eliminate the need for the plug-in heaters. We have advised staff to place the heater out of reach of the sleeping children.
2. The couch has been removed and a replacement cover has been ordered, in the meantime we have ordered wipeable foam squares. Management will do a monthly spot check on the rooms to ensure this doesn't happen again.

#### Infection Control:

3. Extra mattress covers have been ordered. We have done a memo to the staff in the baby & wobbler room to ensure that the mattress has a wipeable protective cover when making changing the laundry.
4. A new bin was purchased for baby room nappy changing facility. Management will do a monthly spot check on the rooms to ensure this doesn't happen again.
5. A new dispenser was purchased for the outdoor toilet. Management will do a monthly spot check on the rooms to ensure this doesn't happen again.

#### Safe Sleep:

6. We have now this paperwork in place for all our children. Going forward we will ensure this paperwork is completed correctly.
7. The double mattress has since been removed. The staff in the Baby room will ensure this does not happen again.

**Fire Safety:**

8. The bed was moved once the issue was raised. The staff in the toddler room will ensure this does not happen again.

**Supporting documentation submitted**

Bin invoice and care room risk assessment received.

**Summary Comment**

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

**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*

**Compliance Information**

The registered provider ensured the following;

- (d) The care rooms and sanitary areas appeared clean.

**Non-Compliance Information**

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

1. Plaster and paint on the wall in the Wobbler room was observed to be peeling and flaking. This posed a potential risk of injury as children could access the broken plaster and may ingest the material. It is acknowledged that the building is currently undergoing investigation for a water leak.
2. Radiator covers in the Wobbler room were loose, unstable and not adequately secured to the wall to prevent tipping which posed a risk of injury to the children.

These were noted as non-compliances in the inspection in January 2024.

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

**Corrective and Preventive Action**

1. Work is being carried out to fix a leak on the 30<sup>th</sup> November. The plaster and paint will be redone following this.
2. New radiator covers will be placed following the work on the leak being completed.

**Supporting documentation submitted**

No information submitted.

**Summary Comment**

The corrective and preventive actions proposed by the registered provider are sufficient to address the non-compliance under Regulation 29.