

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015FL064				
Name of Service:	Child's Play Creche				
Address of Service:	Rolestown Hall, Rolestown, Swords, Co. Dublin				
Eircode:	K67 TF10				
Name of Registered Provider:	Fiona Kavanagh				
Service type:	Full Day, Part Time, Sessional				
Date of Inspection:	12/04/2023				
No of pre-school children:	<table border="1"> <tr> <td>AM</td> <td>7</td> <td>PM</td> <td>7</td> </tr> </table>	AM	7	PM	7
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Address of the Early Years Inspectorate:	Early Years Inspectorate, 181-189 Lakeshore Drive, Airside Business Park, Swords, Co. Dublin K67 Y5C6.				
Inspection undertaken by:	S. Taaffe				
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
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Description of service

Child's Play Creche is a privately-owned early years service which has been in operation since 2006. The service is conducted from a community hall located in a small village setting in rural north county Dublin. Child's Play Creche is registered to cater for a maximum of 26 pre-school children aged 2 – 6 years of age attending on a sessional, part-time and full day care basis. School age childcare is also provided for children up to 6th class in primary school. The service operates within one large care room which can be divided into two separate rooms by folding partition doors. A separate room known as "The Den" adjoins the main care room. A fully enclosed play area is located to the side and rear of the premises and is accessed directly from the main care room.

Staffing

The registered provider and four staff members work directly with the pre-school children in the service. One of these four staff members is employed as the service manager and assumes the role of person in charge in the absence of the registered provider. A further staff member is employed to solely work with the school aged children and to clean 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 focused on an examination of compliance under regulations 9, 11, 15, 19, 20, 23, 25 and 26. however, on inspection additional non-compliances which posed significant risk was identified under Regulations 16 and 30. These findings are outlined within the relevant regulations within this report.

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

An immediate action notice was issued to the registered provider following the inspection as no staff member employed in the service held in-date First Aid Response (FAR) training. A prompt response was received from the registered provider within 24 hours confirming that all staff members have been enrolled in FAR training, scheduled to take place in May 2023.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the person in charge, staff member 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 manager was the designated person in charge of the service on the day of the inspection. The inspector was informed that the registered provider and/or the service manager work directly with the children in the service on a daily basis.

(b) The service manager was present and in charge of the service when the inspector arrived unannounced to the service at 9.30am on the morning of the inspection.

The files maintained for the registered provider and the 5 staff members employed in the service were reviewed and the following documentation was available:

(2)(a) and (b) Two written references were available for the registered provider and two written, validated references were available for 4 of the 5 staff members employed. In respect of one staff member, 1 written, validated reference and 1 written reference were available.

- (a) Seven references were from past employers.
 - (b) Five references were from sources other than a past employer.
 - (c) Garda vetting disclosures were available for the registered provider and for the 5 staff members employed in the service.
 - (d) On review of the staff files, international police vetting was available for 1 staff member who had resided outside of the Irish jurisdiction for more than 6 consecutive months as an adult.
- (4) The registered provider and 4 of the 5 staff members work directly with children in the service, all of whom held appropriate childcare qualifications at Level 5 - 8 on the National Framework of Qualifications.

Non-Compliance Information

(2)(a) &(b) One of the two written references available for a staff member who had commenced employment since the last inspection, provided from a past employer, was not validated.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action and Preventive Action

2)(a) &(b) Staff members in question reference have now been validated.

Supporting documentation submitted

Validated written reference for one staff member.

Summary Comment

The evidence submitted by the registered provider in relation to regulation 9 – Management and recruitment has been reviewed and accepted.

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) On the day of inspection there was an adequate number of staff members working directly with the children attending the service.

(2) The adult to child ratio was correct in the service when the inspector arrived unannounced and remained so throughout the inspection.

The following adult to child ratios were observed during the inspection:

- There were 7 pre-school children aged 3 - 4 years and 6 school aged children being cared for by 2 staff members.

(8)(a) The registered provider ensured that 2 adults were present on the premises at all times, verified by the staff roster maintained at the service.

Part IV – Information and Records

Regulation 15 – Record of pre-school child

(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:

- (a) the name and date of birth of the child;
- (b) the date on which the child first attended the service;
- (c) the date on which the child ceased to attend the service;
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;
- (e) authorisation for the collection of the child;
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;
- (g) the name and telephone number of the child's registered medical practitioner;
- (h) record of immunisations, if any, received by the child;
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.

Compliance Information

(1) Registration forms were available for 19 of the 23 pre-school children who attend the service. The available 19 registration forms were appropriately completed with the required information as specified in sub-sections (a) to (i) in this regulation.

Non-Compliance Information

(1) Registration forms were not available for 4 pre-school children who attend the service. Therefore, the service did not have sufficient documented details available for these children including a record of the person(s) authorised to collect the children from the service, information as to whether the children had allergies or not, a record of the children's immunisations, or written parental consent for the children to receive medical treatment in the event of an emergency.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action and Preventive Action

(1) Four enrolment forms not in the ECCE folder on the day, manager has information updated. They have been put back in ECCE folder.

Supporting documentation submitted

Photos of enrolment forms provided.

Summary Comment

The evidence submitted by the registered provider in relation to regulation 15 – Record of pre-school child has been reviewed and accepted.

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;

Compliance Information

(1) The information detailed in sub-section (1)(a) of this regulation were maintained in the registered provider's file and in 3 of the 5 staff members files available in the service.

Non-Compliance Information

(1) In respect of 2 staff members, there was no recorded history of past employment and relevant experience available for inspection. Therefore, it was not possible to determine whether the available references had been obtained from their most recent employers or whether police vetting from other jurisdictions was required, in accordance with Regulation 9(2)(a), (b) and (d).

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action and Preventive Action

(1) Two employees have had their staff information updated to include to their CV's.

Supporting documentation submitted

Copy of curriculum vitae for 2 staff members

Summary Comment

The evidence submitted by the registered provider in relation to regulation 16 – Record in relation to pre-school service has been reviewed and accepted.

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-

(a) each child's learning, development and well-being is facilitated within the daily life of the pre-school service through the provision of the appropriate activities, interaction, materials and equipment, having regard to the age and stage of development of the child

Compliance Information

(1)(a) Each child's learning, development and well-being was facilitated in the service in relation to the following:

Basic needs:

- The two staff members engaged warmly and positively with the children throughout the inspection and demonstrated that they knew the children well, recognising their individual interests and preferences.
- Parents provide the children's snacks. These included sandwiches, bread rolls with ham and cheese, rice cakes, cheese, crackers yogurts, fruit, and drinks. A stock of breadsticks, rice cakes and fruit were supplied by the registered provider and available in the kitchen if required. The children's water bottles were available within their reach, should they feel thirsty at any stage. The staff members chatted with the children during snack time, encouraging conversation and promoting a relaxed atmosphere. A hot meal was not provided. The inspector was informed, and the attendance records showed that this year children were present in the service on a sessional and part-time basis and not on a full day care basis.
- The staff members were observed to be responsive to the children's cues when they needed to use the toilet. On the day of the inspection there were no nappies as all the children were toilet trained.
- No child slept during the inspection and the inspector was informed that generally no child currently in attendance avails of a daytime nap.
- On two occasions during the inspection the children were afforded the opportunity for a change of environment in the well-resourced outdoor play area and were dressed appropriately prior to going outside.
- The staff members were observed supporting the children's choice when they chose to change or opt out of activities. For example, when the staff members facilitated a game during which the children were invited to place their hands into a pre-filled bag, touch an item such as a toy elephant, plastic building block or piece of fruit, and guess what it was before removing it from the bag, two children chose and were readily facilitated to engage in an alternative play option.

Supporting relationships around children:

- Staff members greeted children and parents individually on arrival, spending time conversing and sharing information in a friendly way.
- The children were observed to engage and interact comfortably with the two staff members, using their names in conversations and play, and the staff members were observed responding to the children in an interested and positive manner.
- The staff members were frequently heard making reference to the children's siblings, parents, grandparents and pets by name which nurtured links with family and home.
- The children appeared confident and relaxed in their environment and were observed naturally forming small groups and engaging in a range of tabletop and floor play activities during the inspection.
- The staff members positively encouraged and praised the children in relation to kind actions, sharing, taking turns and saying please and thank you which promoted an ethos of friendship and collaboration.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

(1) Subject to this regulation, a registered provider shall ensure that-

(a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child 19 to play indoors and, where required by these Regulations, outdoors, during the day, and

(b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

(3) A registered provider of a full day care service, a part-time day care service or a childminding service, other than such a service to which paragraph (2) applies, shall ensure that-

(a) a suitable, safe and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises,

Compliance Information

(1)(a) The main care room was spacious and facilitated children's free movement. The care room and the Den contained an adequate range of play materials and equipment laid out in defined interest areas to facilitate play opportunities for the children in attendance.

The interest areas included a home corner and shop area, an arts and crafts area, a construction zone and a reading and relaxation area, all of which were suitably resourced to facilitate the children to engage in play and activity and support their learning and development. A garage area contained two spiral car tracks and a broad range of cars and trucks. The play materials were stored on low-level shelving which were accessible to the pre-school children. The premises was brightly decorated with the children's arts and crafts on display. A plentiful number of books were available in the library area of the main care room and in the Den which supported children's language development and provided choice. A shelving unit in the Den contained a range of play materials and board games suitable for school aged children.

(b) A suitably resourced rest area equipped with floor mats and cushions was provided in the main care room for the children to use as a place for rest and relaxation, should they wish to do so during the day. A couch and soft furnishings were provided in the Den. A number of sleep mats were available which the inspector was informed would be set up in the Den in the event that a child required sleep in the service.

(3)(a) The fully enclosed outdoor play area located to the rear of the premises was accessed directly from the care room and surfaced in artificial grass. A lean-to open-fronted structure facilitated outdoor play under shelter and the inspector was informed that children engaged in outdoor play on a daily basis. A range of suitable equipment including a well-resourced large wooden outdoor kitchen, sit-on self-propel cars, scooters and tricycles, two low level plastic slides and large rubber and plastic blocks were provided to support play experiences in the outdoor play area. Two water trays were provided beneath wall-mounted reservoirs and taps which the children were observed using with great enthusiasm. A large well-resourced sand table was provided beneath the lean-to structure. A locked wooden shed was provided for the storage of additional outdoor play equipment. The service has access to the community hall adjacent to the main care room for energetic play, particularly on persistently rainy days. Play materials available in the hall included hula hoops, skittles, space hoppers, balls, goals, plastic cones and sponge matting.

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 external and internal doors were appropriately secured to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the service. The door in place between the main care room and the adjoining community hall was secured to prevent the children from accessing this area unsupervised.
- The outdoor play area was gated and secured with walls and fencing to prevent a child gaining unsupervised access to a roadway or other source of danger.
- Cleaning agents were stored safely out of the reach of children on high shelving and in locked cupboards.
- A safety gate was in place, making the kitchen inaccessible to the children.
- The service's designated emergency exits were unobstructed.

Infection Control:

- The children were facilitated to wash their hands before eating, after using the toilet, and following messy play and outdoor play.
- The premises and play materials were in a clean and hygienic condition.
- Up to date documented cleaning schedules were on display in the service.

Administration of Medication:

- Medications were stored out of the reach of children. No children were observed having medication administered on the day of inspection.

Safe Sleep:

- Sleep mats were provided should a child wish to sleep in the service. The staff members were able to describe safe sleep practices.

Non-Compliance Information

Infection Control:

1. Thermostatically controlled warm water was not available for hand washing at the wash hand basins in the children's sanitary accommodation. The water temperature felt cold to touch. Cold water does not allow for effective hand hygiene for pre-school children.

2. The paper hand towels in the service including in the sanitary accommodation were not hygienically dispensed. The rolls of paper were stored loosely on surfaces and were subjected to repeated handling; this was inadequate for infection control purposes.
3. Children's snack food, some of which contained meat and dairy produce, were stored in the children's bags at room temperature on the day of inspection rather than in the fridge that was available. This increased the risk of bacteria multiplying to levels which could result in food contamination.

Action submitted by the Registered Provider

Corrective Action & Preventive Action

Infection Control:

1. The heat system was not working when staff returned to the creche after the bank holiday weekend on the 11/04/2023. The pump for the heating system has since been replaced and the heating system is back working and hot water is now available for handwashing.
2. A hand dryer is available in the bathroom and handtowels are provided. A new hand towel dispenser has been fitted in the bathroom.
3. Staff have been reminded of the importance of food being stored in the fridge at our staff meeting held on the 17/04/2023. The routine changed as it was Easter mid-term. Staff have been reminded to store all lunch boxes in the fridge at all times.

Supporting documentation submitted

Infection Control:

Invoice for repair of water pump in service.
Photograph of wall mounted paper towel holder.

Summary Comment

The evidence submitted by the registered provider in relation to regulation 23 - Safeguarding health, safety and welfare of child has been reviewed and accepted.

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.

Non-Compliance Information

(1) A person appropriately trained in first aid for children was not available at all times to the children attending the service as required by this regulation. No staff member employed held in-date First Aid Response (FAR) training.

(2)(a) and (b) The first aid supplies in the service, stored in a wall-mounted cabinet in the kitchen, were insufficient in number and range. The supplies provided consisted of 3 eye pads, 2 wound dressings and 1 pack of absorbent pads, all of which were out of date. The remaining supplies were limited to 1 plaster, 3 dressing pads, 4 triangular bandages and 1 small stretch bandage.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action and Preventive Action

(2)(a) and (b) First Aid box has been fully restocked.

Supporting documentation submitted

Receipt for purchase of first aid box was provided.

Letter confirming booking of first aid training.

Summary Comment

An immediate action notice was issued to the registered provider following the inspection as no staff member employed in the service held in-date First Aid Response (FAR) training. A prompt response was received from the registered provider within 24 hours confirming that all staff members have been enrolled in FAR training, scheduled to take place in May 2023.

The evidence submitted by the registered provider in relation to regulation 25 - First aid has been reviewed and accepted.

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.
- (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 kept of fire drills that took place on the premises. The last fire drill was recorded as having taken place on 03/04/2023.
- (4) A notice of the procedures to be followed in the event of a fire was conspicuously displayed in the premises.

Non-Compliance Information

- (1)(b) (1)(b) There was no official maintenance record of firefighting equipment and smoke alarms available for inspection in the premises.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action and Preventive Action

- (1)(b) The fire system and smoke alarms were inspected and serviced on the 21/02/2023 and a record was logged by the engineer on the day in the service manual. The service manual is always on the premises. Manager has requested a fire safety certificate from the company who look after the fire system.

Supporting documentation submitted

Maintenance record for the maintenance of the fire extinguishers and smoke alarms

Summary Comment

The evidence submitted by the registered provider in relation 26 - Fire safety measures to regulation has been reviewed and accepted.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-

(b) safe and secure,

(c) kept adequately lit, heated and ventilated

Compliance Information

(b) The premises appeared safe, and the front door and side gate were found to be appropriately secured to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the early years service. The outdoor play area was fully enclosed by the walls of the premises, high walls, and gated fencing.

Non-Compliance Information

(c) The ambient temperature in the care room and in the sanitary accommodation was below the optimum care room temperature of 18-22°C, with the temperature maintained between 14.6 – 15.5°C for the duration of the inspection. The inspector was informed that the heating system had broken down the previous day. It is acknowledged that two portable electric heaters were in use as a temporary measure, but these did not achieve adequate heating in the premises.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action and Preventive Action

(c) The heat system was not working when staff returned to the creche after the bank holiday weekend on the 11/04/2023. The pump for the heating system has since been replaced and the heating system is back working and hot water is now available for handwashing.

Supporting documentation submitted

Receipt for the replacement of the heating pump.

Summary Comment

The evidence submitted by the registered provider in relation 29 - Premises to regulation has been reviewed and accepted.