

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015FL078		
<b>Name of Service:</b>	Creative Days Preschool		
<b>Address of Service:</b>	26a Baskin Cottages, Baskin Lane, Swords, Co. Dublin		
<b>Eircode:</b>	K67 TD34		
<b>Name of Registered Provider:</b>	Rachel Oglesby		
<b>Service type:</b>	Sessional		
<b>Date of Inspection:</b>	11/04/2024		
<b>No of pre-school children:</b>	AM	18	PM N/A
<b>Address of the Early Years Inspectorate:</b>	180-189 Lakeshore Drive, Airside Business Park, Swords, Co Dublin K67 Y5C6		
<b>Inspection undertaken by:</b>	AM Coyle		
<b>Title:</b>	Early Years Inspector		
<b>Authority to Inspect</b>			
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		

### Description of service

Creative Days Preschool is a sessional early years' service and is one of 2 early years services owned and operated by the registered provider, both services are in north Dublin. Creative Days Preschool operates from a purpose-built premises which is located to the rear of the registered provider's family home, there are 2 care rooms including one large preschool room and an adjoining 'planning room'. The service operates from 09:15am to 12:15 pm Monday to Friday and participates in the Early Childhood Care and Education scheme (ECCE). The service has a particular emphasis on outdoor play with a large outdoor area available to the children immediately adjacent to the service.

### Staffing

The registered provider employs 5 staff members including a service manager who coordinates the day to day running of the service in addition to working directly with the children on a daily basis. Two staff members are employed in the service to reduce the adult to child ratio and if necessary to work with children with additional needs, posts which are funded by the Minister as part of the Access and Inclusion Model scheme.

### 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 regulations 8, 9, 11, 19, 23, 25, and 26; These findings are outlined within the relevant regulation 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.

## Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, person in charge, staff and children who were present on the day of the inspection.

### Part II - Registration and Register

#### Regulation 8 - Notification of change in circumstances

*(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.*

*(3) Where a registered provider has been unable for good and proper reason to notify the Agency within the time specified in paragraph (1) or (2), as the case may be, of a change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2), the registered provider shall notify the Agency in writing of the change as soon as possible thereafter.*

#### Non-Compliance Information

(1) The registered provider failed to notify the Early Years Inspectorate of a change in circumstances in relation to the following as per the schedule 4 Form for Notification of Change in Circumstances:

- The name of the designated person in charge of this service did not correlate to the name detailed on the National Register.

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

##### Corrective and Preventive Action

(1) Notification of change of circumstance has been approved by Tusla for change of person in charge on the 10/05/24.

#### Summary Comment

The change in circumstances form submitted by the registered provider has been approved, the regulatory requirement for regulation 8 - Notification of change in circumstances has been addressed.

### 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.

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

The files for 6 staff members including the registered provider and 5 staff members who work directly with the children were reviewed.

(2)(a) &(b) Two written, validated references were available for the 6 staff members.

(c) Garda vetting disclosures were available for the 6 staff members. Garda vetting disclosures had been obtained for all staff. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.

(d) International police vetting was available for the 2 staff members who had resided outside of the Irish jurisdiction for more than 6 consecutive months as adults.

(4) All 6 staff members whose files were reviewed and who work directly with children in the service, and each held appropriate childcare qualifications on the National Framework of Qualifications, or a qualification deemed by the Minister to be equivalent.

## 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.*

*(3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 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) therefore at that reference number is satisfied.*

### Compliance Information

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

(3) 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 18 pre-school children aged 3 years 5 months to 5 years being cared for by 3 staff members.

### 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, and

#### Compliance Information

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

#### Basic needs:

- On the inspector's arrival to the service, the children were engaged in meaningful play-based activities in the 2 care rooms and in the outdoor play area. The Early years practitioners were present and joining in with the children's play, providing encouraging and nurturing interactions to children and supporting them to locate and set up materials to extend their play. The children were comfortable and confident to make choices about their learning, and the practitioners were responsive to the children's ideas and requests.
- Parents of the children provide food for snack time. The children had their lunch in 2 groups and referred to the lunch table as the 'restaurant'. The early years practitioners sat with the children engaging them in conversation whilst they enjoyed their lunch providing help and support to the children as needed. Lunch time was observed to be a social occasion with the practitioners sitting at the tables and engaging the children in conversation thus creating a social and relaxed atmosphere.
- The children were observed to be mostly independent in their toileting needs with the practitioners providing assistance as required, practitioners were observed to be responsive to the children's cues, should they need to use the toilet, with discreet supervision and assistance provided to the children when required.
- The 'planning' room located adjacent to the main preschool room was furnished with a low-level couch with soft lighting, this area facilitated the children in taking a break from activities as the chose throughout the morning.
- The personal care needs of the children were attended to promptly by the practitioners with the children reminded to wash their hands when necessary. Aprons were available for messy play activities and children were supported in putting their coats on independently before they went outside.

- All of the children present on the day of inspection enjoyed time in the well-resourced outdoor play area located directly outside the care room.

### Supporting relationships around children:

- The 3 early years practitioners were consistent in their interactions with the children, providing regular praise and encouragement, asking open ended questions to give the children opportunity to express themselves and their feelings and ensuring that each child in the session was happy and engaged in activity. Children were also spoken about with positivity, and the practitioner's demonstrated awareness and understanding about children who needed additional help and support to participate in their preschool experience in a meaningful way. These practices and attitudes support children to feel safe, secure and respected.
- The children appeared confident and relaxed in their environment and were observed naturally forming small groups and engaging in a range of activities in both the indoor and the outdoor environment during the inspection.
- There was a relaxed and calm atmosphere between the early year's practitioners in the service, the practitioners were observed to communicate well with each other regarding the children's needs, this supports the provision of consistent care for children.
- The Early years practitioners were observed taking the opportunities to interact with parents at collection time and update them on their children's day in the service.

### 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 service was equipped with adequate and suitable furniture and play equipment and materials to meet the needs of the children as evidenced in the following examples:

- In both the main care room and the planning room the play materials and equipment were stored and readily accessible on low level shelving to promote the children's choice and independence when

selecting their play opportunities. The children in the service demonstrated familiarity in navigating their environment to access the toys and play resources they chose to play with.

- A range of interest areas were provided across both care rooms, a home area in the main care room included 2 play kitchens 1 of which was located within a pretend house, a range of play crockery, a dolls highchair, baby care items and play materials for the children to play 'shop' all of which provided the children with the opportunity to extend their imaginary play experiences. Additionally, a wide range of transport toys, farm toys, construction resources, jigsaws and small world resources were provided for the children to use. Art resources including paints, pencils and crayons were provided and available for the children to take and use as they chose. A selection of dress up costumes and hats were available to the children in the planning room alongside a dressing table with hair care accessories for the children to use as well as a musical area with instruments and a compact disc player and a range of musical instruments. A large fish tank housing a variety of fish facilitated the children to engage with and develop an understanding of the natural world.
- A wide selection of books was provided alongside the rest area in the planning room and the children's language development was further enhanced through conversation, storytelling and singing.
- A large well resourced outdoor area immediately outside the care room provided the children with the option for outdoor play. All the children in the service enjoyed time outside in 2 groups on the day of inspection. A large mud kitchen with pots, pans, a decommissioned microwave and cooking utensils provided the children with the opportunity to extend their imaginary play experience. A large container of water, digging areas including sand and clay were provided for the children to enjoy sensorial play. A large wall mounted art easel provided the opportunity for painting outside in addition to a wall mounted blackboard and a board for use with markers. Tree stumps beneath large trees to the side of the garden with long lengths of piping further enhanced the children's chance for exploration. The inspector was informed that the children enjoyed collecting eggs from the hen coup in the garden. A covered gazebo provided an alternative learning environment for the children alongside a shed which contained a wide selection of supportive play materials. The children had suitable outdoor clothing available to them to enable them to enjoy being outside regardless of the weather.

## 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:

- Access to the service was through a gate to the side of the registered provider's home. This gate was securely closed on the inspector's arrival to the service with a further internal gate provided to enter the early years' service. The area was secured to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the service.
- Cleaning agents were stored safely out of the reach of children on high shelving and in locked cupboards.
- The service's designated emergency exits were unobstructed.

##### Infection Control:

- There was a supply of liquid soap and paper towel at each hand-wash basin.
- Adequate handwashing practices were observed during the inspection.
- The children's lunches which they brought with them for home and contained perishable items were stored in the fridge until the children required them.

##### Administration of Medication:

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

#### Non-Compliance Information

##### General Safety:

1. The fire extinguisher was stored on top of a large dolls house which could cause the doll's house to topple over and cause an injury.

##### Infection Control:

2. The water at the wash hand basins in both of the children's bathrooms and at the low-level sink in the care room was cold which does not support effective handwashing.

## Corrective and Preventive Action submitted by the Registered Provider

### Corrective Action

#### General Safety:

1. On the day of inspection one of the services fire extinguishers was stored on top of a large dolls house. This has been reattached to the wall where it had been pulled off by a child the day before. It is now safely stored back on the bracket fitted on the wall.

#### Infection Control:

2. On the day of inspection there was no hot water in the service as a child had left the hot water tap on which caused an airlock in the system. A plumber fixed this problem and installed push down taps which no longer can be left running, to avoid this problem recurring.

### Preventive Action

#### General Safety:

1. All staff have been reminded that no items should be stored on the Dolls house to avoid risk of items falling on children playing.

### Supporting documentation submitted

Photograph of fire extinguisher repositioned on wall.

Receipt from plumber for works undertaken.

### 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.*

## Compliance Information

(1) A person trained in first aid including first aid responder (FAR) training was immediately available to the children attending the pre-school service as evidenced in the staff roster and the in-date FAR certification provided for inspection.

(2)(a) and (b) The first aid boxes were suitably equipped and safely stored in readily accessible positions on the premises, out of the reach of children.

## 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) A record was maintained of all fire drills which had been completed in the service. The records indicated that the most recent fire drill was conducted in January 2024.

(b) A record was kept of the number, type, and maintenance of the firefighting equipment in the premises. The fire extinguishers were certified as having been serviced on 03/10 2023.

(4) Notices of the procedures to be followed in the event of a fire were conspicuously displayed in the premises.

## Non-Compliance Information

(1)(a) The fire drills are not conducted on a regular basis in the service to familiarise the staff and children with the fire evacuation routine. The last documented fire drill conducted in the service was in January 2024.

(b) A record was not available of the number, type, and maintenance of the smoke alarms in the premises.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective Action

(1)(a) Fire Drills will be conducted monthly to familiarise the staff and children with fire evacuation routine.

(b) A record was not available of the number, type, and maintenance of smoke alarms in the premises on the day of inspection. All fire equipment including the services fire alarms were serviced on 3/10/23 and are serviced annually. On the day of the inspection the staff had available a Certificate which they believed was representative of the fire equipment service. On closer inspection we now realise that the smoke alarms service was omitted on this Certificate.

### Preventive Action

(1)(a) All staff have reviewed our Health & Safety Policy which includes Fire Safety. A reminder alarm has been set on their school phone to remind staff to conduct fire drills monthly.

(b) Manager has now printed out the relevant document of receipt for fire alarm service and will ensure going forward that both documents are printed annually,

### Supporting documentation submitted

Maintenance record for smoke alarms.

## Summary Comment

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