

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015FL125
--------------------------	-------------

Name of Service:	Jonix Educational Services
-------------------------	----------------------------

Address of Service:	St. Benedict's & St. Mary's School, 30-68 Grange Park View, Donaghmede, Dublin 5
----------------------------	---

Eircode:	D05 FP74
-----------------	----------

Name of Registered Provider:	Nicola Hansen
-------------------------------------	---------------

Service type:	Part Time
----------------------	-----------

Date of Inspection:	11/09/2023
----------------------------	------------

No of pre-school children:	AM	4	PM	4
-----------------------------------	----	---	----	---

Address of the Early Years Inspectorate:	Early Years Inspectorate, Floor 7 Brunel Building, Heuston South Quarter, St. John's Road West, Kilmainham, Dublin 8
Inspection undertaken by:	E. Finnegan Hayes & C. Harte
Title:	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).

Conditions if applicable	Not applicable.
---------------------------------	-----------------

Description of service

Jonix educational services is a private run specialist service offering a part time service to children with an Autistic Spectrum Disorder. The service operates two sessions daily 9am-1pm and 1pm-5pm Monday-Friday from three classrooms in a school in a residential area in North Dublin. The three rooms; the classroom, group room and playroom, have different uses and are used by the children at different times of the day. The service is one of seven operated by the registered provider and caters for children aged 3-6years old. The service has an enclosed outdoor area within the school grounds.

Staffing

The registered provider employs six staff to work directly with the children in the service; one class teacher and five class tutors. Six staff were present on the day of inspection and the lead behaviour specialist also attended the service to facilitate the inspection. The registered provider does not work in the service.

Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Child Care Act 1991 (Early Years Services) Regulations 2016 define the duty of a registered provider to ensure the safety and well-being of children and to comply with these regulations. This Act also gives Tusla the authority to assess compliance with the regulations. The purpose of regulation in relation to early years services is to ensure that the care, safety, and well-being of children attending such services is upheld. Inspections of early years services are planned based on the following:

- Previous inspection history
- Any information received in relation to the service

The findings on inspection are based on:

- Information obtained through examination of documentation
- Direct observation
- Discussion with relevant staff

This inspection was unannounced and focused on the area of governance and safety. The inspections may also focus on other areas as required.

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 inspectors wish to acknowledge the cooperation of the lead behaviour specialist, 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*
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.*

(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.

(7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:

(a) the policies, procedures and statements of the service specified in Schedule 5;

Compliance Information

(1)(a)(b) The service had a designated person in charge and a named person who could deputise in their absence. A review of the roster showed that the person in charge or the deputy is on the premises at all times during the opening hours of the service.

(c) There was a clear management structure in the service and staff were aware of their role and responsibility.

(2) A review of the roster and conversation with staff showed that there are six staff employed to work in the service. The files of all six staff were reviewed.

(a)(b) Twelve written and verified references were available in relation to six staff members.

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

(d) Police vetting was available for one staff member who had lived in another country for a period of more than six months.

(4) Evidence was available to show that two staff members held 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

(7)(a) Evidence of induction and ongoing training and assessment was recorded in relation to all staff members.

Non-Compliance Information

(4) There was no evidence to show that one staff member held 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. Evidence was available to show that the qualification of three staff members was deemed by the Minister to not be equivalent to a major award in Early childhood Care and Education at Level 5 on the National Framework of Qualifications. This was a non-compliance in 2020.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(4) The minister for Children, Equality, Disability Integration and Youth is aware of our current situation with regards to our dual qualification criteria. We are also engaging the Department of Education on this matter. Our HR department continues to favour and screen for those with a qualification in Early Child Care and Education and recognition from the teaching council.

Supporting documentation submitted

No supporting documentation reviewed.

Summary Comment

The registered provider is working with the Department of Children, Equality, Disability, Integration and Youth with regard to the qualification requirement. The non-compliance under Regulation 9 remains outstanding.

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)(2) The registered provider ensured an adequate number of adults were working directly with the children and that ratios were maintained in the service. During both sessions six adults were working directly with 4 children aged 3-6years old.

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;*
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;*
- (c) details of the adult:child ratios in the service;*
- (d) the type of care or programme provided in the service;*
- (e) the facilities available;*
- (f) the opening hours and fees;*
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*
- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*

(j) details of any medication administered to a pre-school child attending the service with signed parental consent;

(k) details of any accident, injury or incident involving a pre-school child attending the service.

Compliance Information

(1)

(a) Information in relation to the name, position, qualifications, and experience of all staff members was maintained by the registered provider.

The service mission statement detailed the following information;

(b) Details of the class of service and the age profile of children for which the service is registered to provide services;

(c) Details of the adult:child ratios in the service.

(d) The type of care or programme provided in the service.

(e) The facilities available.

(f) The opening hours and fees.

(g) Nineteen of the policies, procedures and statements the service is required to maintain in accordance with Regulation 10 were available for review on the day of inspection.

(h) A daily attendance record of the children was available for review.

(i) A staff roster which contained all the necessary information was available.

(k) A sample of 12 accident/ incident reports were reviewed, all of which were completed in full.

Non-Compliance Information

(g) A staff supervision policy which is required under Regulation 10 was not available for review.

(j) Records detailing the administration of medication were not completed by the service in line with best practice or the service policy. Discussion with staff showed that medication had been administered to a child a number of times however records detailing the administration of the medication had not been completed. The service policy states that administration of medication will be recorded by the staff member and signed by the staff who witness the administration and also by the parent. Medication administration records are required to ensure staff and parents are aware of the amount of medication administered to avoid the child receiving more than the recommended dose of medication.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(g) Staff supervision policy has been provided. Jonix Policies and Procedures are reviewed when necessary. Policies and Procedures will be updated with immediate effect to include our Staff Supervision Policy.

(j) Medication was administered to a child with a specific Care Plan in place. Staff were immediately advised that any medication administered to this child, as well as other children in the service must be documented. Staff managers will continue to issue reminders and check the appropriate documents are filled out accurately as part of school checks.

Supporting documentation submitted

Documentation in relation to above has been reviewed by the inspectorate.

Summary Comment

The registered provider has addressed the non-compliance under Regulation 16.

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 service entrance was adequately secured, and staff attended the door to allow access. This prevented unauthorised persons entering the service unnoticed.
- High handles prevented children from leaving the care rooms unsupervised.
- Staff were observed conducting a risk assessment of the outdoor area in preparation for outdoor play. This prevented injury to the children by removing hazards before children accessed the area.
- Windows were adequately restricted to prevent injury from falls.
- Cleaning supplies were maintained out of reach of the children preventing possible injury to the children.

Infection Control:

- Thermostatically controlled warm water and dispensed hand soap were available to support adequate hand hygiene practices.
- Handwashing was observed to be completed before the children ate lunch which prevented cross contamination of the children's food.
- Pedal operated bins were used throughout the service for disposal of contaminated items.

Administration of Medication:

- A detailed care plan was in place for a child who had an allergy. Staff were aware of the procedure to be followed and the child's medication was easily accessible if needed.

Fire Safety:

- Staff were aware of the procedure to be followed in the event of a fire emergency.
- Fire exits were unobstructed during the inspection.

Non-Compliance Information

General Safety:

1. One ride in car in the outdoor area was broken and jagged at the side where a piece of the car had broken off the unit. The jagged edge was sharp to touch and posed a risk of injury to the children.
2. A soft blue mat in the playroom was torn at the corners which exposed the internal foam and prevented adequate cleaning. The exposed foam posed a choking hazard should the children ingest the material and also posed an infection control risk.
3. The doors on one cabinet in the playroom did not close properly into the unit. The doors stuck out in a triangular shape as they were secured together with a bolt. This created a pinch risk should the children hold the top of the doors and apply any pressure.
4. One radiator in the playroom was not adequately secured, and a pinch risk was observed where a screw was missing from the centre bracket and the radiator moved in and out along the bracket when touched.

Infection Control:

5. The children's lunches which contained perishable items such as yoghurt and ham were stored in the children's bags in the group room. This is contrary to the service policy which states that food will be stored using good food safety practices. Perishable items should be refrigerated to prevent spoiling.
6. Paper handtowels in the group room were not hygienically dispensed and water droplets were observed on the handtowels which were stored in a basket near the sink. There were no paper handtowels available in the classroom. Paper handtowels should be readily available and hygienically dispensed to limit touching of the handtowels for infection control purposes.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The car was immediately disposed of following the inspection. The teacher has been advised to ensure to complete regularly checks of furniture, equipment, and materials in the children's immediate environment.
2. The soft blue mat was immediately disposed of following the inspection. The teacher has been advised to ensure to complete regularly checks of furniture, equipment, and materials in the children's immediate environment.
3. The risk of the press door presenting as a pinch hazard has mitigated; a bolt has been fitted to secure the door. The teacher has been advised to ensure to complete regularly checks of furniture, equipment, and materials in the children's immediate environment.
4. The radiator central bracket has been replaced. The teacher has been advised to ensure to complete regularly checks of furniture, equipment, and materials in the children's immediate environment.

Infection Control:

5. The class teacher was reminded that it is necessary to check lunches on the children's arrival to school and put perishable items in the fridge.
6. The basket of paper towels has been removed and a dispenser has been put up.

Supporting documentation submitted

Photographs in relation to above have been reviewed.

Summary Comment

The registered provider has addressed the non-compliance under Regulation 23.

Part VI – Safety

Regulation 24 - Checking in and out and record of attendance

(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.

(3) A registered provider shall ensure that-

(a) no person other than-

(i) pre-school child attending the service,

(ii) a person dropping or collecting such a child,

(iii) an employee, or

(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and

(b) a daily record in writing is kept of the entry on the premises of any such person.

Compliance Information

(1) Children were greeted at the door by staff members and brought into the service. The daily attendance of the children was recorded promptly on arrival to the service.

(3)(a) Staff greeted visitors at the door to the service which was securely locked.

Non-Compliance Information

(3)(b) A record of visitors to the service was not maintained in the service. Inspectors were not asked to sign a visitor book and staff were unable to locate the visitor record when asked.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The visitor sign in sheet/clipboard has been repositioned and displayed in a location that will remind all staff to ensure visitors sign in. Management have also spoken to the teacher about the importance of this. The class teacher (person in charge) will take ownership of this.

Supporting documentation submitted

Photograph of above has been reviewed.

Summary Comment

The registered provider has addressed the non-compliance under Regulation 24.

Part VI - Safety

Regulation 25 - First aid

(1) A registered provider shall ensure that a person trained in first aid for children is, at all times, immediately available to the children attending the pre-school service.

(2) A registered provider shall ensure that a suitably equipped first aid box for children-

(a) is safely stored in an easily accessible and conspicuous position on the premises, and

(b) is available to the children attending the pre-school service at all times.

Compliance Information

(1) The registered provider ensured that a person trained in First aid response (FAR) was present and immediately available to the children during the opening hours of the service. The certificates of two staff members were reviewed.

(2) (a)(b) The registered provider ensured that a suitably equipped first aid box was easily accessible, stored safely out of reach of the children and readily available at all times.

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 was kept of fire drills which occurred on a monthly basis.
- (b) A record of the maintenance of smoke alarms was reviewed as part of the inspection. The record showed that the smoke alarms were last serviced on 30th March 2023.
- (4) A notice detailing the procedure to be followed in the event of an emergency was clearly displayed in each of the classrooms.

Non-Compliance Information

- (1)(b) The service did not have a record in relation to the maintenance of the firefighting equipment. The record was sought from the school following the inspection.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (1)(b) The certificate was obtained from the school. Monthly checks are completed to ensure all relevant certificates are up to date.

Supporting documentation submitted

The firefighting equipment maintenance certificate was reviewed.

Summary Comment

The registered provider has addressed the non-compliance under Regulation 26.