

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015FL149
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<b>Name of Service:</b>	Links Childcare
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<b>Address of Service:</b>	Station Road, Portmarnock, Co. Dublin
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<b>Eircode:</b>	D13 A212
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<b>Name of Registered Provider:</b>	Deirdre Kelly
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date of Inspection:</b>	09/08/2023
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<b>No of pre-school children:</b>	AM	43	PM	42
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, 181-189 Lakeshore Drive, Airside Business Park, Swords, Co. Dublin K67 Y5C6.
<b>Inspection undertaken by:</b>	S Taaffe and AM Coyle
<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

Links Childcare operates a total of 13 early years services, all of which are located in Dublin city and county. This service operates from 7.30am to 6.30pm each weekday and is registered to cater for a maximum of 85 pre-school children attending on a sessional, part-time and full day care basis. Pre-school children from 3 months to 6 years of age and school aged children up to 12 years of age are accommodated in the service. The service is conducted from a purpose-built 2 storey premises located in a residential setting in Portmarnock in north Co. Dublin. There are 6 care rooms provided in the service with the Baby Room, the Wobbler Room and the Toddler Room located on the ground floor and Pre-school Ash, Pre-school Oak and a room where school aged children are accommodated provided on the first floor. A fully enclosed outdoor play area is available on the premises.

### Staffing

The service employs 15 staff members including the service manager who coordinates the day-to-day operational management of the service and a full-time chef. One staff member works with the school aged children only. The regional manager was present in the service when the inspectors arrived at the service and provided assistance across all care rooms as required. A member of the company's maintenance team was present in the service during the inspection in addition to a member of the company's senior management team was present for the closing meeting at the conclusion of the inspection. The registered provider was not present in the service during the inspection.

### 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. The inspections may also focus on other areas as required.

A sampling process was used to assess compliance under Regulation 16 Record in relation to a preschool service.

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

This unannounced inspection was carried out in response to a concern received by the Early Years Inspectorate.

### Acknowledgments

The inspectors wish to acknowledge the cooperation of a member of the company's senior management team, the regional manager, person in charge, staff and children who were present on the day of the inspection.

### Part III – Management and Staff

#### Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

- (a) the service has a designated person in charge and a named person who is able to deputise as required,
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and

(2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,
- (b) consideration of references from reputable sources in the case of a person who has no past employers,
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and
- (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.

(4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

(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) The service manager was the designated person in charge of the service and there was a named person available to deputise as required.

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

A total of 17 staff files were reviewed including the file for the regional manager and maintenance person who was present in the service on the day of inspection; 15 staff members work directly with the children attending the service of which 1 staff member works with the school aged children only.

(2)(a) & (b) Thirty-four written and appropriately validated references were available.

(c) Garda vetting disclosures were available for the 17 staff members whose files were reviewed.

(d) International police vetting was available for 12 staff member who had lived outside the Irish state as an adult for more than 6 consecutive months.

(4) Documentary evidence was available to confirm that 14 of the staff members whose files were reviewed and who work directly with children in the service held an appropriate childcare qualification at Level 5 or higher on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent.

(7)(a) Written records were available which demonstrated that all staff members had been provided with the service's policies and procedures and that they had completed an induction programme in relation to practice issues. Evidence of additional training carried out in the service was also available for inspection with the most recent records indicating that training had been delivered to staff members in the service in July 2023 in relation to "counting children and the importance of it". In May 2023 documented training topics included the management of mouthed toys, hand hygiene, toilet training and relaxing play activities.

### 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 working directly with the children attending the service.

(2) The adult to child ratios were correct in the service when the inspectors arrived unannounced at 9.20am on the morning of inspection and remained so throughout the inspection. The following adult to child ratios were observed during the inspection:

- In the Baby Room there were 3 children aged between 9 months and 12 months being cared for by 1 staff member.
- In the Wobbler Room there were 9 children aged 1 year 3 months to 1 year 9 months being cared for by 2 staff members.
- In the Toddler Room there were 9 children aged 2 years 1 month to 2 years 9 months being cared for by 2 staff members
- In Pre-school Oak Room there were 15 children aged 2 years 10 months to 3 years 11 months being cared for by 3 staff members.
- In Pre-school Ash Room there were 7 pre-school children aged 3 years 6 months to 4 years 4 months and 7 school aged children being cared for by 2 staff members.
- The care room allocated to accommodate school aged children was unoccupied.

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

## 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:*

*(g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*

*(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;*

*(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.*

### Compliance Information

(1)(g) A record in writing was maintained of the policies and procedures required in accordance with Regulation 10. These were available in electronic format on the premises and, additionally, relevant policies were publicly available on the company's website.

(i) An up-to-date weekly staff roster was available and staff attendance records were maintained on a daily basis.

(k) The service had a record in writing of accidents, injuries and incidents involving children during their attendance in the service. Fourteen of these records were sampled and each included parental signatures to document that the relevant parents had been informed and were aware of any such events on the day that these had occurred.

(3) The records referred to in paragraph (1) were open to inspection as requested by the inspectors as authorised persons.

### 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) The following observations are examples of how each child's learning, development and well-being was facilitated within the daily life of the service:

#### Basic needs:

- There was a healthy eating policy in place in the service and healthy meals and snacks were prepared by the onsite chef and served to the children at regular intervals throughout the day. Mealtimes were observed to be a pleasant unhurried experience with children given plenty of time to enjoy their meals. Staff members were observed sitting with the children warmly engaging them in conversation during mealtimes. Staff members were observed sitting at the younger children's eye level, smiling and chatting with the children when feeding, providing assistance or gently encouraging the children to eat. Chopped apples, bananas and, for the older pre-school children, orange slices were served for the morning snack. Vegetarian curry with rice was served for dinner and a selection of ham, cheese, tomato and cucumber sandwiches were served for tea on the day of inspection. Throughout the care rooms the children's labelled water bottles were accessible on low level shelving for children to take if thirsty at any time.
- The children had their nappies changed regularly and in a timely manner with the staff members heard chatting warmly and singing to the children during these procedures. Children who were toilet trained were encouraged to use the toilet independently with assistance provided when required.
- The children in the Baby Room were facilitated to sleep during the morning and again after dinner whilst the children in the Wobbler Room and the Toddler room were facilitated with a scheduled sleep time after their dinner. The inspectors were informed by staff members that children who showed signs of tiredness would be facilitated to sleep if required. Rest facilities comprising of floor mats, cushions and soft toys were provided in the care rooms where some children were observed spending time relaxing during the day.

- All of the children attending the service were facilitated to play outdoors on the day of inspection. Staff members were observed applying each child's own sunscreen before going outdoors and encouraging the children to wear sun hats on the warm, sunny day when the inspection took place.

### Supporting relationships around children:

- The staff members in the service were positive in their interactions with the children. The staff members in the Baby Room, the Wobbler Room and the Toddler Room were observed sitting with the children on the floor and supporting the children's play using gentle tones and chatting to them as they played.
- In all rooms staff members were heard using positive commentary and open-ended questions as prompts to extend the children's emergent language and enhance the children's understanding of their environment and also the topics being discussed.
- Staff members frequently shared information with each other during the inspection to facilitate and support each individual child's needs, likes and routines.
- A written record of the pre-school children's meals, activities, general wellbeing and, if relevant, nappy changes and sleep was maintained for the children on a daily basis and this information was verbally shared with the parents when the children were being collected from the service.

### Physical and material environment:

- The tables and chairs provided in the service were suitable to the age and stage of the children attending the individual care rooms. Highchairs were provided for children in the Baby Room who could not yet sit unsupported and low-level wooden chairs with sides and splayed legs were provided in the Wobbler Room and Toddler Room to support children to sit stably.
- An armchair was provided in the Baby Room to facilitate staff members to sit with, cuddle and comfort the children when required throughout the day.
- Play equipment and materials were grouped to provide specific interest areas in the care rooms. These included library areas, construction areas, home areas and arts and crafts zones. In the Baby Room and Wobbler room wipeable padded floor matting and wall-mounted wooden activity frames with shatter proof mirrors, tactile shapes and hanging attachments were provided to support the children's fine and gross motor development.

- Age-appropriate play equipment to support the development of the children’s fine motor skills were provided in the care rooms. These included tactile balls, stacking toys, shape sorters, jigsaws, wooden and plastic bricks, magnets, interlocking plastic toys, threading equipment and peg boards. The children had opportunities for sensorial play activities during the inspection with playdough, sand and water provided in tray-top activity tables.
- Throughout the care rooms a suitable range of books were available and accessible to the children to support language development. Staff members were observed reading stories to children in each care room, as well as singing familiar songs and nursery rhymes to promote children’s language development.
- The service’s enclosed outdoor play area was divided by fencing into 4 separate sections. The section which adjoined the Wobbler Room and Toddler Room was surfaced with impact-absorbent material and contained a range of self-propelled wheeled toys, balls, push-along toys and a plastic playhouse. The children attending the Toddler Room enthusiastically engaged in a water play activity washing dolls in a plastic tray top table set up outdoors in this area during the inspection. The outdoor play area accessed directly from the Baby Room was surfaced with impact-absorbent material and a variety of toys including balls, cars, dolls and blocks were brought out from the care room during the inspection to facilitate the babies to engage in play outside. A large wooden climbing frame with a slide attached was located in another area which was surfaced with impact-absorbent material. The spacious fourth section had a tar-based hard surface and contained a goalpost, basketball hoop and a play kitchen.

### Non-Compliance Information

1. The play kitchens provided in the Baby Room, the Wobbler Room and the Toddler Room were insufficiently resourced with supportive play materials to support imaginary and role play experiences for the children in attendance. The play equipment provided consisted mainly of plastic food items and plastic tea sets, some of which were stored separately from the kitchen units. It is acknowledged that an order for a range of play materials had been submitted by the service to a specialist toy company on the day preceding the inspection, as evidenced in documentation reviewed by the inspectors.

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

The registered provider stated the following corrective actions and preventive actions have been undertaken:

### **Corrective Action:**

1. It is accepted that there was a deficit in the play materials for the kitchens and, as seen by the inspectors on the day of the inspection, an order had been placed the previous day for these materials. Regular checks are carried out on equipment by the manager and regional manager and it was as a result of one of these checks that the order was placed. The materials have arrived and are now *in situ* (see attached photo).

### **Preventive Action:**

1. As mentioned above, regular checks are carried out by the manager, regional manager and staff and these will continue, to ensure that orders are placed when materials are needed.

### **Supporting documentation submitted**

- Photographs showing two separate suitably equipped home areas provided in the service.

### **Summary Comment**

The non-compliance observed under Regulation 19(1)(a) has been adequately addressed.

## 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 doors and garden gates leading into the premises were appropriately secured to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the premises.
- The kitchen was located on the ground floor and was inaccessible to the children.
- The service's designated emergency exits were unobstructed.
- The outdoor area was enclosed and secure.

#### **Infection Control:**

- Thermostatically controlled warm water, liquid soap and paper towels were available at all sinks throughout the service. The children were facilitated to wash their hands before eating, after using the toilet, after nappy changing and following messy play and outdoor play.
- The service implemented effective soother management procedures. Soothers were stored in labelled personalised containers when not in use. A microwave steriliser was provided in the Baby Room. Staff members clearly described appropriate procedures for the management of soothers and mouthed toys. Labelled storage containers were provided in the care rooms for the segregation of mouthed toys after use.
- In the Baby Room, bottles of infant formula pre-prepared by parents were appropriately stored in individually named containers in the fridge.
- The premises, play equipment and materials were in a clean and hygienic condition. Up to date documented cleaning schedules were on display in each care room.

#### Administration of Medication:

- Medications were stored out of the reach of children.

#### Safe Sleep:

- All children under the age of 2 years were facilitated to sleep in one of the 11 standard sized cots provided in the sleep room.
- The safety mattresses provided on all cots were observed to be firm, clean and the correct size.
- Ten-minute sleep check observations were performed and documented on all sleeping children, noting each child's colour, position and breathing pattern at the time of each check.
- The temperature in the sleep room was monitored and recorded on a daily basis and was maintained within the safe sleep temperature range of between 16 - 20°C.

#### Non-Compliance Information

##### General Safety:

1. Cleaning products, some of which were toxic, were stored in an unlocked cupboard within reach of pre-school children in the Pre-school Oak Room.

##### Infection Control:

2. Neither best practice procedures nor the service's nappy changing policy was always adhered to as evidenced by the following:
  - A staff member in the Pre-school Oak Room was observed changing a child's nappy without wearing a protective apron or disposable gloves.

### Action submitted by the Registered Provider

The registered provider stated the following corrective actions and preventive actions have been undertaken:

#### **Corrective Action:**

1. The press in question is normally locked and the key stored outside the reach of children. However, for extra safety and to avoid any danger to a child, the cleaning materials have been moved to the general cleaning storage room in the crèche to which children have no access.
2. It is always regrettable when even one breach of the service's stringent nappy changing policy was observed on the day of inspection. The educator in question was fully re-trained on the same day as the inspection. On-going monitoring is not possible as the educator finished employment with Links Childcare soon after.

#### **Preventive Action:**

1. The checking of the content of such presses has been added to the weekly checklist for managers and will continue to be monitored.
2. Nappy changing procedures are a major focus of the service's induction programme, monthly CPD and daily monitoring. Management have found these measures to be the most successful preventive action and that a vast majority of staff are fully compliant in this area. These measures will continue.

#### **Supporting documentation submitted:**

- Photographs of the locked press and of the press door open showing it contained no chemical/dangerous materials.

### Summary Comment

The non-compliances observed under Regulation 23 have been adequately addressed.

## 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) The service maintained accurate details of all children in attendance during the inspection. The children were entered as present in roll books in each care room, with staff members observed contemporaneously recording each child's arrival and departure times throughout the day.

(3)(a)(b) A system was in place to ensure that no person other than the children's parents / guardians, employees or authorised visitors could enter the service. A visitor's book was maintained and on arrival the inspectors were requested to record their attendance on the premises and the purpose of their visit.

## Part VI - Safety

### Regulation 27 – Supervision

*A registered provider shall ensure that pre-school children attending the service are supervised at all times.*

### Compliance Information

On the day of the inspection the inspectors observed the staff members appropriately supervising the children both indoors and outdoors and also when the children were moving between spaces. Staff members described the necessity to count children on a regular basis throughout the day, particularly but not limited to before, during and after transitions from one part of the service to another, including when accessing the outdoor play area and the dining area on the ground floor. This method of counting children regularly was observed in practice during the inspection and supported staff members to accurately account for the number of children present under the daily supervision routines.

## Part VIII - Notifications and Complaints

### Regulation 32 – Complaints

- (1) A registered provider shall ensure that the complaints policy of the service specifies-
- (a) the procedure to be followed by a person for the purposes of making a complaint in relation to the service,
  - (b) the manner in which such a complaint shall be dealt with, and
  - (c) the procedures for keeping a person who makes such a complaint informed of the manner in which it is being dealt with.
- (2) A registered provider shall ensure that-
- (a) a record in writing is kept of a complaint made to the provider in respect of the pre-school service, and
  - (b) the complaint is duly dealt with in accordance with the provider's complaints policy.

### Compliance Information

- (1)(a) A complaints policy was provided for inspection which detailed the procedure a person should follow in order to make a complaint in relation to the service.
- (b) The complaints policy detailed how complaints would be dealt with by the service.
- (c) The complaints policy detailed the measures in place to keep the complainant informed, including that an outcome report would be issued by email from the company to the complainant in the event of a formal investigation.
- (2)(a)(b) A record in writing was available of a recent complaint that was made in respect of the service and the documentation available indicated that the complaint was dealt with in adherence with the service's complaints policy.