

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015FL197
Name of Service:	Lollipops Centre Limited
Address of Service:	34 Clonsilla Road, Dublin 15, Co. Dublin
Eircode:	D15 C638
Name of Registered Provider:	Jackie Walsh
Service type:	Sessional
Date of Inspection:	10/05/2024
Regulatory Compliance Meeting:	02/07/2024

No of pre-school children:	AM	34
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Address of the Early Years Inspectorate:	Early Years Inspectorate 2 nd Floor, Unit 4/5 The Nexus Building Blanchardstown Corporate Park Ballycoolin Dublin 15 D15 CF9K
Inspection undertaken by:	T. Nelson
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.

Description of service

Lollipops Centre Ltd. is a sessional service located in a residential area of Dublin 15 and is registered to provide early childhood care and education to a maximum of 44 children aged 2 to 6 years old, Monday to Friday. The service operates two Early Childhood Care and Education (ECCE) programme sessional services; from 9.00am to 12.00 pm and 9.15am to 12.15pm. The service is also registered to provide school age childcare.

Lollipops Centre Ltd. operates from a converted residential premises, and has two care rooms, the 9.00am room, and 9.15am room. There are sanitary facilities available for children and staff, an office and a kitchen. There is a fully enclosed outdoor area located to rear of the premises.

Staffing

There are currently six staff employed by the registered provider, who does not work in the service. Present on the day of the inspection was the deputy person in charge and three staff who work directly with the children. The registered provider arrived throughout the course of 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 unannounced inspection focused on the area of governance/ health, welfare and development of child/ safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under:

- Regulation 9(1),(2)(a)(b)(c)(d), (4) Management and Recruitment
- Regulation 11(1),(3) Staffing Levels
- Regulation 16(1) Records in relation to the Preschool Service
- Regulation 23 Safeguarding the Health, Safety and Welfare of the Child
- Regulation 25 First Aid
- Regulation 26 Fire Safety Measures

A sampling process was used to assess compliance under regulation 16(1)(h)(i)(j)(k).

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

A regulatory compliance meeting was held on the 2 July 2024 as a Corrective and Preventive Action response had not been received to the inspectorate to rectify non-compliances identified on inspection.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, deputy 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.

Non-Compliance Information

(1) The registered provider did not notify the agency of the change of the person in charge in the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The service commit to submitting a change in circumstance form.

The service commit to this process in the future should any changes in circumstances occur.

Supporting documentation submitted

Photographs of a completed change in circumstance application form.

Summary Comment

Regulatory compliance remains outstanding for Regulation 8(1) as the change in circumstance form has not been submitted by the registered provider to the registration department.

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.

Compliance Information

(1)(a) The service had a designated person in charge and named person to deputise as required.

(b) The deputy person in charge was present during the inspection.

(c) There was a clear management structure in place, and staff reported being aware of this.

(2) A review of the roster, and discussion with management showed that six staff work in the pre-school service.

The files of these six staff were reviewed, and the registered provider had completed the following checks:

(a)(b) Ten validated written references were available from recent past employers or a source other than a past employer.

(c) Garda vetting disclosures had been obtained for all six files reviewed. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) There was documentary evidence available that showed that none of the staff had lived outside of the state for six months or more as an adult.

(3) Documentary evidence available showed that all of the checks outlined in (2) had been carried out prior to any of the staff having contact with the children in the service.

(4) Four staff who worked directly with children attending the service held at least a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications or a qualification deemed eligible by the Department of Children, Equality, Disability, Integration and Youth Affairs.

Non-Compliance Information

(2)(a) Two references that were available for a staff member from a recent employer had not been verified.

(4) The registered provider did not ensure that one employee working directly with children attending the service held at least a major award in Early Childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed eligible by the Department of Children, Equality, Disability, Integration and Youth Affairs.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

(2)(a) The service contacted the previous employer and verified the references.

(4) Corrective Action: the staff member is not currently working in the service and will complete the required training prior to returning to work.

Preventive Action

(2)(a) The service commit to verifying all references.

(4) no action submitted.

Supporting documentation submitted

(2)(a) Evidence of validation.

(4) No evidence submitted.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliances identified under Regulation 9 have been addressed and will be reviewed on the next inspection

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 were an adequate number of adults working directly with the children attending the service. There were four adults available to the 34 children.

(3) The adult to child ratios were correct when the inspector arrived unannounced to the service at 9.00am and throughout the inspection. The adult child ratios were maintained as follows;

- 9.00am room - 2 adults to 17 children aged between 3-6 years old.
- 9.15am room - 2 adults to 17 children aged between 3-6 years 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) The registered provider ensured that a record in writing was kept of the following information in relation to the service:

(a) Details of the name, position, qualifications, and experience of the person in charge and of every other employee were maintained within the staff files and a record was available in the hallway for parents.

(b) (c) (d) (e) (f) A folder was available in the hallway containing the statement of purpose and function of the service. This outlined the class of service; the age profile of children for which the service is registered to provide; the adult: child ratios; the type of care or programme provided; the facilities available within the service; and the opening hours and fees.

(g) The registered provider maintained all of the policies required in accordance with Regulation 10.

(h) Attendance records detailing the arrival and departure of the children on a daily basis were maintained.

(i) A record was maintained of the staff roster.

(j) A log to record the administration of medication was available, however the staff reported that no medication is administered in the service.

(k) Following a review of a sample of 10 records, the registered provider ensured a full record in writing was maintained for accident and incidents.

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

The following measures were in place to safeguard the children:

General Safety:

- Entry and exit to service was managed and monitored by staff, with an electronic door release system in place to restrict unauthorised persons from gaining access to the premises and to prevent children from exiting the service unsupervised.
- Internal doors had handles up high out of reach of children, and the kitchen was inaccessible to the children on the day of the inspection.
- Radiators in the care rooms were appropriately covered.
- All windows had restrictors fitted, and blind cords were observed to be secured.
- All furniture and equipment were observed to be safe for the age range of the children attending, with tall units and play equipment indoors and outdoors secured. A staff member was observed to remove a damaged toy from the care room.
- Staff were observed to cut up whole grapes which had been sent for snack for a child.
- All cleaning agents and sharp equipment were stored out of reach of the children on high shelves.
- The outdoor play area was fully enclosed.

Infection Control:

- The premises were in a clean and hygienic condition and documented up to date cleaning records were available and displayed in the premises.
- Liquid soap and hygienically dispensed paper hand towels were available at all wash hand basins used by the children and the staff members.
- Staff were observed supporting children to hand wash after outdoor play and before snack time.

Fire Safety:

- Up to date attendance logs were maintained to accurately record the number of children present.
- Emergency exits were unobstructed.

Non-Compliance Information

The registered provider did not ensure the following:

Infection Control:

1. Childrens snacks which were observed to contain perishable food items such as colds meats and dairy products were not refrigerated. This increased the potential risk of infection to young children.

Fire Safety:

2. Fire evacuation drills were not adequately frequent to support children to be familiar with safe evacuation procedures. The most recent fire drill was recorded as the 23 February 2024. This posed a risk to the safe evacuation of children in an emergency.

Action submitted by the Registered Provider

Corrective & Preventive Action

Infection Control:

1. **Corrective action:** the service has ordered 2 fridges for each ecce room to arrive in time before ecce starts again in September, so all perishable items will be refrigerated.
Preventive action: all perishable items will be stored correctly and safely.

Fire Safety:

2. **Corrective action:** the service submitted evidence that a fire drill was completed in May, June and July.
Preventive action: no action submitted.

Supporting documentation submitted

Infection Control:

1. No documentation submitted.

Fire Safety:

2. Evidence of recent fire drills.

Summary Comment

The inspector has reviewed the actions taken and evidence submitted. The non-compliances identified under Regulation 23 have been addressed.

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 service provided evidence that a person trained in First Aid Responder training was available at all times to the children attending the pre-school.

(2)(a) and (b) A suitably equipped first aid box was available and safely stored in an easily accessible and conspicuous position on the premises.

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 record of fire drills was available on the premises.

(b) An up-to-date maintenance record was available for the Fire extinguishers which were serviced on the 16 April 2024.

(4) A procedure to be followed in the event of a fire was on display in each of the care rooms and in the hallway.

Non-Compliance Information

(1)(b) There was no documentary evidence available that the smoke alarms had been recently maintained. The record available was dated September 2020.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The service submitted evidence that the smoke alarm system was maintained on the 23 May 2024.

The service commit to maintaining a record of the maintenance of the smoke alarm system.

Supporting documentation submitted

Copy of maintenance certificate.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 26 has been addressed.