

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015FL201
<b>Name of Service:</b>	Luttrellstown Tots
<b>Address of Service:</b>	42 Luttrellstown Drive, Castleknock, Dublin 15, Co. Dublin
<b>Eircode:</b>	D15 V8E2
<b>Name of Registered Provider:</b>	Margaret Brown
<b>Service type:</b>	Sessional
<b>Date(s) of Inspection:</b>	18/05/2023
<b>No of pre-school children:</b>	AM 7
<b>Address of the Early Years Inspectorate:</b>	Brunel Building Heuston Quarter Military Rd., Dublin 8
<b>Inspection undertaken by:</b>	A. Bradshaw
<b>Title:</b>	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).

### Description of service

Luttrellstown Tots was established in 2001. The service offers a sessional pre-school service for children aged between 3 to 6 years, from 9am-12.30pm, Monday to Friday weekdays catering for up to 11 children. The service is located to the rear of the registered providers house and consists of a care room cordoned off from the registered provider's kitchen and living space. A separate entrance with a secure door leads to the care room door and to the outdoor area.

### Staffing

The registered provider was present on the day of inspection with an emergency person on call if necessary. The registered provider has a level 6 major award in Early Childhood Care and Education on the National framework of Qualifications (NFQ) and also has Montessori qualifications.

### 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 an examination of compliance under Regulation 9:(1(a)(b)(c), (2)(a)(b)(c), (4), Regulation 11;(1) (3) (8)(c), Regulation 15(1), Regulation 16(1), Regulation 24; (1)(3), Regulation 25, Regulation 26, Regulation 28 and Regulation 29. These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under Regulation 16 - Details of any accident, injury or incident involving a preschool child attending the service, Regulation 24 - Checking in and out and record of attendance, Regulation 25 - First aid, Regulation 26 - Fire Safety, Regulation 28 - Insurance, Regulation 29 - Premises. Regulation 9 - Management and Recruitment was assessed in relation to all adults in the service, Regulation 15 - records of a preschool child was assessed in relation to all the children's files, and Regulation 11- Staffing Levels was assessed in relation to all children in attendance.

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, 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.

(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)(b) The registered provider is the designated person in charge and was present in the service when the inspector arrived and remained there for the duration of the inspection.
- (2) On the day of inspection, the following records were available for the registered provider and emergency contact staff:
- (a)(b) The following references were available from a past employer:
- One emergency contact had 2 written references from a past employer.
  - Two staff members had 4 validated written reference from reputable source.

(c) Garda vetting disclosures were available for 3 adults.

(d) Documents available showed that no adults required police vetting.

(4) Evidence was available to show that the registered provider who worked directly with the children held at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework.

### 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.*

*(8) Without prejudice to paragraphs (2) to (7)-*

*(c) a registered provider of a sessional pre-school service shall ensure that, where the person in charge operates the service single-handedly, a second person familiar with the operation of the service and in a position to provide assistance to the person in charge in operating the service is, at all times, within close distance of the service and available to attend the service to assist the person in charge in the event of an emergency.*

#### Compliance Information

(1) There were 7 preschool children being cared for by the registered provider on the morning of inspection.

(3) Ratios were maintained during the inspection. The registered provider was caring for 7 children aged between 3 and 5 years.

(8) (c) The registered provider, has an arrangement in place for a second person who is familiar with the service to be available in an emergency situation.

### Part IV – Information and Records

#### Regulation 15 – Record of pre-school child

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

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

#### Compliance Information

(1) Ten child records forms were sampled and included the following:

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

### 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;*
- (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 records in relation to the following were maintained as required. The following details were available to the inspector on the day:

- (a) Information relevant to the emergency contacts for the service were maintained.
- (b)(c)(d)(e) The policy folder included detailed information which included the type of service, the age profile of children for which the service is registered to provide services, details of the adult: child ratios in the service, the type of care or programme provided in the service and the facilities available.
- (f) The service fee policy which was present in the policy folder.

- (g) The service maintained the policies, procedures and statements required in accordance with Regulation 10.
- (h) A copy of the attendance records was available for the inspector in the morning.
- (j) There was a medication book available if required, however there were no entries. The registered provider verbally confirmed that children do not attend the service if they are unwell.
- (k) Three accident and incident records were available. These were observed to have all the necessary information and completed with parental signatures.

### 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) On the day of inspection there was evidence that the children's attendance (checking in and out) was recorded on a daily basis.
- (3) (a)(b) The registered provider had a visitors' book on the morning of inspection with the date, name, time of entry and exit, reason for visit and the signature of the person admitting the visitor.

### 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) Evidence was available to show that the registered provider who worked directly with the children held a valid First Aid Responder (FAR) certificate.

(2)(a)(b) A suitably equipped first aid box was stored safely in a dedicated First Aid box in the care room; visible and easily accessible to staff at all times as needed.

### 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 monthly fire drills was available in the service. The record showed that the last fire drill took place on 2<sup>nd</sup> of May 2023.

(b) A record detailing the number, type and maintenance record of firefighting equipment and smoke alarms in the premises was available on the premises. The record showed that the firefighting equipment and smoke alarm system was last serviced in October 2022.

(4) A notice of the procedures to be followed in the event of a fire emergency was available in the care room of the service.

### Part VI - Safety

#### Regulation 28 - Insurance

*A registered provider shall ensure that the pre-school service is adequately insured.*

#### Compliance Information

The registered provider ensured an up-to-date insurance certificate was available and was suitable for the number of children and type of session provided. The insurance was dated 28 March 2023 to 27 March 2024 and was available on the day of inspection.

### Part VII - Premises and Space Requirements

#### Regulation 29 - Premises

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

- (a) of sound and stable structure,*
- (b) safe and secure,*
- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

#### Compliance Information

(a)-(e) On the day of inspection, the gate to the service was locked once all the children had arrived into the premises, and the exit doors were secure which prevented unauthorised entry or exit.

The premises were noted to be well maintained with up-to-date cleaning records and risk assessments. The care room was bright and airy, the windows were open, and the room was at an ambient temperature of 20.7°C at 10.16am. The sanitary facilities were adjacent to care room, with one toilet and one hand wash hand basin available to the children.