

TUSLA PRE- REGISTRATION REGULATORY INSPECTION REPORT

Inspection Due to a Proposed Change of Circumstances

Tusla I.D:	TU2015FL203
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Name of Service	Magic Years Creche & Montessori School
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Address of Service:	Beechlawn House, Clonsilla Road, Dublin 15, D15 WK81
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Email Address:	Info@magicyears.ie
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Name of Registered Provider:	Mary Hale
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Type of Proposed Service:	Full Day Care	<input checked="" type="checkbox"/>	Part-Time	<input type="checkbox"/>	Sessional	<input type="checkbox"/>
	Drop-In	<input type="checkbox"/>	Childminding	<input type="checkbox"/>	Temporary	<input type="checkbox"/>

Proposed change:	The service proposes to: <ul style="list-style-type: none"> Increase the number of children cared for by 15; from 45 to 60, following the opening of an additional care room.
Proposed Number of Children:	60
Recommended Change Following Inspection:	Increase in children that can be accommodated from 45 to 60 with the addition of care room.
Registered change:	Change in number of children that can be accommodated from 45 to 60

Date of Inspection:	2	4	0	7	2	0	2	3
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Inspection undertaken by:	T. Nelson
Title:	Early Years Inspector

Tusla Early Years Inspectorate Address:	2 nd Floor, Unit 4/5, The Nexus Building Blanchardstown Corporate Park, Ballycoolin Dublin 15 D15 CF9K
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Rationale for Inspection:
Proposed Change of Circumstance

Note: For Office use only, to be completed by Registration Office

Registration Status:	Registered Full Day Care Service for 60 Children
Date of Registration	27 th September 2023

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Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(D) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

Description of Service	The service provides full day care, part-time and sessional care to children aged from 0 to 6 years. The service operates from Monday to Friday, 7.30am to 6.15pm and delivers the Early Childhood Care and Education (ECCE) Programme on a sessional basis from 9.00am to 12.00pm during term time.
Premises	The childcare service operates from a two-story detached premises in Dublin 15. The care rooms include a Nursery (6 to 18 months), a Senior Wobbler Room (18 months to 2 years 6 months), Playschool Room (2 years 6 months to 3 years 6 months) on the ground floor and the proposed additional care room is a Preschool Room (3 – 6 years) on the first floor. A cot room, nappy changing facilities and sanitary accommodation are located on the ground floor, with further sanitary accommodation for staff and children, an office and a staff kitchen on the first floor. There is a fully enclosed outdoor to the rear and side of the premises accessed from the Nursery, Senior Wobbler and Playschool Rooms.
Staffing	The service employs up to 12 staff, 10 staff to work directly with the children, a relief staff member, and the person in charge who manages the oversight of the service and provides cover where needed across the rooms.
Methodology	The inspection was an announced inspection to assess compliance with the Childcare Act 1991 (Early Years Services) Regulations 2016 and Childcare Act 1991 (Early Years Services) (Amendment) Regulations 2016. The Inspection focused on regulations under the following themes; Governance, Health, Welfare and Development of the child, Safety and Premises. The findings on inspection based on information obtained through examination of documentation, direct observation, and discussion with relevant staff are documented in the inspection report and taken into consideration when making a decision in relation to registering the change in circumstance. 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.
Acknowledgements	The Inspector wishes to acknowledge the cooperation of the person in charge, staff and children who were present on the day of the inspection.

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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.

Requirement met:

The requirement has been met.

(1)(a) The service has a designated person in charge and a named staff member is available to deputise as required.

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.

Requirement met:

The requirement has been met.

(1) The person in charge stated that an adequate number of adults works directly with the children attending the service. It is proposed that there will be up to 12 adults caring for up to 60 full time children.

Part V - Care of Child in Pre-school Service

Regulation 20 - Facilities for Rest and Play

(1) Subject to this Regulation, a registered provider shall ensure that—

(a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child to play indoors and, where required by these Regulations, outdoors, during the day, and

(b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

(3) A registered provider of a full day care service, a part-time day care service or a childminding service, other than such a service to which paragraph (2) applies, shall ensure that—

(a) a suitable, safe and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises.

Requirement met:

The requirement has been met.

(1)(a) The proposed care room will provide adequate and suitable facilities for the children to play indoors and the layout will allow for children to move freely throughout the space, with some defined areas of interest in the room. There is an adequate supply of toys and resources available with toys and equipment stored on low-level shelving

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	<p>accessible to the children. There is a cosy area available for children to take a break from activities and rest.</p> <p>(b) There are adequate and suitable facilities for a pre-school child to rest during the day if required. Sleep mats are available which can be laid out in the care rooms to accommodate rest or sleep for children over two years. An appropriate supply of bed linen is available.</p> <p>(3)(a) The children have access to a large, enclosed garden area to the side of the premises for the older children, and an enclosed soft surface outdoor area for the younger children to play freely. There is a range of ride on cars, climbing frames and playhouses available for the children in the outdoor play spaces.</p>
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Part V - Care of Child in Pre-school Service

Regulation 22 – Food and Drink

A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.

Requirement met:

The requirement has been met.

The service will provide breakfast, a morning snack, and a hot meal for dinner which is prepared by an external catering company and parents will provide an afternoon snack. Drinks will be freely available throughout the day.

There is a three-week menu plan available and alternative meals are available for those who require them. A healthy eating policy is available for staff and parents.

A fridge is available in the proposed care room to store any perishable food required during the day.

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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.

Requirement met:	<p>The requirement was partially met.</p> <ul style="list-style-type: none"> • The main entrance door to the premises is monitored and managed by staff to prevent a child from exiting unsupervised and restrict unauthorised access. • The garden exits are secured with locks up high out of reach of the children. • The window openings of the service are positioned at a high level and restrictors are installed on all first-floor windows. • Low presses under the sink units have locks on the doors preventing the children access. • Emergency exits are clearly indicated and are unobstructed. • Shelving and storage units are stable and secure. • Finger pinch protectors are in place on internal doors. • Liquid soap, paper towels and thermostatically controlled warm water is available in the children’s sanitary accommodation. • Logs are maintained where a sleeping child’s colour, breathing and position are checked every ten minutes.
Requirement not met:	<p>General Safety:</p> <ol style="list-style-type: none"> 1. The staff toilet is accessible to the children. Cleaning products stored in there pose a risk to the children.
Response from Provider:	A coded lock is to be fitted to the staff toilet by the 8 th September 2023.
Summary Comment:	<p>This requirement has been met.</p> <p>Evidence of this was submitted on the 19 September 2023.</p>

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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.

Requirement met:

The requirement is met.

- (1) Evidence is available that three staff members trained to First Aid Response Level are available to the children attending the service.
- (2)(a)(b) A suitably equipped first aid box is readily available on the ground and first floor of 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.

Requirement met:

This requirement is met.

- (1)(a) There is a record available to record fire drills that take place in the service, with the last fire drill completed on 17th July 2023.
- (b) A written record is available to demonstrate the firefighting equipment was maintained on the 16th November 2022 and smoke alarms were maintained on the 23rd April 2023.
- (4) There is a notice displayed in the proposed care room of the procedures to be followed in the event of a fire and fire assembly point notices are visible to identify the fire assembly points.

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Part VI – Safety

Regulation 28 – Insurance

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

Requirement met:

The requirement has been met.

An insurance quotation was submitted to the registration team prior to this inspection. The registered provider must ensure that adequate insurance is in place prior to the commencement of the change. The change approval is contingent on the registered providers compliance with Regulation 28.

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.*

Requirement met:

The requirement has been partially met.

- (a) The premises appears to be of a sound and stable structure.
- (b) The entrance door to the service is secured adequately to prevent children from exiting unsupervised and unauthorised persons from gaining access. The outdoor areas are fully enclosed.
- (c)
 - Windows provide natural lighting to all the care rooms. The natural light can be augmented with artificial ceiling lighting as required. Ceiling lights are fitted with protective covers and recessed into the ceiling.
 - Heating is provided through wall mounted thermostatically controlled radiators. The temperature of the care rooms on the day of the inspection was maintained between 18 and 22°C.
 - The sanitary rooms are fitted with mechanical ventilation systems.
- (d) The rooms are clean, maintained and in good repair. There is a cleaning schedule available to ensure regular cleaning of the rooms.
- (e) There is adequate sanitary accommodation available for the proposed increase in children. There are 2 toilets and 2 hand wash basins available for the children who are proposed to attend the care room.

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Requirement not met:	(e) <ol style="list-style-type: none"> The staff sanitary facilities are not sufficient to provide for the proposed number of staff. There is one staff toilet available for up to 12 staff. The requirement is 1 toilet for every 8 adults. There are no doors to the toilet cubicles in the children's sanitary accommodation that is to be used by the children attending the proposed additional care room. This does not provide for privacy for the children.
Response from Provider:	<ol style="list-style-type: none"> The registered provider intends to install an additional staff toilet on the ground floor. This timeframe for this work to be completed is the 8th September 2023. The registered provider will install doors to the toilet cubicles. The timeframe for this work is the 5th September 2023.
Summary Comment:	<p>The requirement is met.</p> <p>Following a review of evidence submitted to the Inspectorate, the registered provider has completed the outstanding works.</p>

Part VII – Premises and Space Requirements

Regulation 30 – Minimum Space Requirements

- (1) Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.
- (2) A registered provider of a full day care service or a part-time day care service shall ensure that the minimum amount of clear floor space specified in column (3) of Schedule 7 opposite a particular reference number specified in column (1) of that Schedule in respect of the age range of children specified in column (2) thereof at that reference number is available for each child in that age range attending the service.
- (4) Where a registered provider contemporaneously provides—
- a sessional pre-school service, and
 - a full day care service or a part-time day care service, or both, the minimum clear floor space applicable for the duration of the sessional preschool service in respect of the children attending that service shall be the floor space specified in paragraph (3).

Requirement met:	<p>The requirement is met.</p> <p>(1) There is adequate clear floor space available in the premises for the work, play and movement of the up to 60 children to attend the proposed pre-school service on a full-time basis based on the age profiles in (2) below. A total of 148m² is available.</p> <p>Adequate floor space is available for the work, play and movement for 15 children proposing to attend the new pre-school room.</p>
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(2) The amount of clear floor space available in the service is demonstrated in the table below for children to attend on a sessional basis, part time or full day care basis.

	Room 1 Nursery 6-18 mths	Room 2 Senior Wobblers 18mths-2yrs 6mths	Room 3 Playschool 2yrs 6mths-3yrs 6 mths	Room 4 Preschool 3-6 yrs
Floor area available	25.97 m ²	36.73 m ²	45.92 m ²	39.15 m ²
Numbers of children according to age range	0-1 years= 7 or 1-2 years= 9	1-2 years= 13 or 2-3 years= 16	2-3 years= 20 or 3-6 years= 20	3-6 years= 17 Approval sought for 15

The new pre-school room with an area of approximately 39.15 m² ensures that the minimum amount of clear floor space in respect of the proposed age range is available for an increased number of 15 children.

The registered provider is obliged to ensure that the space available for each child in each care room is at all times in accordance with the requirements of this regulation.

(4)(a)(b)

As part of the proposed registered capacity, in a contemporaneous situation a minimum of 1.818 square metres is available in the new pre-school room for the 15 children proposing to attend on a sessional, part time and full day care basis is available.