

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015FL208		
Name of Service:	Mary Doyle's Creche		
Address of Service:	6 Upper Carrickhill Road, Portmarnock, Co. Dublin		
Eircode:	D13 RX20		
Name of Registered Provider:	Mary Doyle		
Service type:	Full Day		
Date of Inspection:	05/07/2023		
No of pre-school children:	AM	12	PM 13
Address of the Early Years Inspectorate:	180-189 Lakeshore Drive, Airside Business Park, Swords, Co Dublin K67 Y5C6		
Inspection undertaken by:	AM Coyle		
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

Mary Doyle's Creche is a full day care service located in Portmarnock, Co Dublin which is registered to accommodate 16 children aged 0 to 6 years from 07:30am to 6pm Monday to Friday. The service operates from 3 care rooms with a separate sleep room, sanitary facilities and kitchen adjoining the registered providers private residence and has its own separate entrance to the side of the service. An enclosed outdoor area is located to the rear of the service.

Staffing

The service employs 4 staff members including the registered provider who works directly with the children attending the service. A relief staff member is available when required.

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 premises and facilities. The inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9,11,15, 16, 19, 23,24,25 and 26. These findings are outlined within the relevant regulations within this report.

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

An immediate action notice was issued to the registered provider on the 05/07/2023 in relation to the unavailability of Garda vetting disclosures for 1 staff member in the service. A response was received from the service confirming that the staff member would not be present in the service until Garda vetting was available.

An immediate action notice was issued to the registered provider on the 05/07/2023 as there was no staff member present or working in the service who held in-date First Aid Response (FAR) training or any type of first aid training. A response was received from the registered provider confirming that 2 staff members have been enrolled in FAR training, scheduled to take place in September 2023.

Acknowledgments

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

(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 registered provider was the designated person in charge of the service and there was a named person available to deputise as required.

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

The files for 5 staff including the registered provider were reviewed, all staff members work directly with the children attending the service. One staff member is currently on statutory leave and one staff member is available in the service in a relief capacity.

(2)(a) &(b) Seven written and appropriately validated references were available.

(c) Garda vetting disclosures were available for the registered provider and 3 staff members whose files were reviewed.

(d) International police vetting was available for 1 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 4 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.

Non-Compliance Information

(2)(a) &(b) Two written references that were available for one staff member had not been validated with the person who provided the reference.

One reference that was provided for one staff member was not obtained from an appropriate source.

(c) Garda vetting disclosures were not available for 1 staff member who was working directly with the children. An immediate action notice was issued to the registered provider which was appropriately responded to.

(4) Documentary evidence was not available to confirm that 1 staff member whose files was reviewed and who was working 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.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

(2)(a) Written references have been validated.

(b) A new reference from an appropriate source has been filed and validated.

(c) Garda vetting has since been sourced. The staff member left the premises until the garda vetting disclosure was sourced. It had been sent to the wrong email address.

(4) Staff member has been enrolled in QQI level 5 in childcare.

Preventive Action

All staff files have been updated and a new filing system implemented with clear requirements for all new staff members. Extra staff members have now been updated on references and garda vetting requirements, along with clear information regarding qualifications. Now if the manager is off another member of staff can fulfil this role. The list of requirements and recurrent training needs has been printed and is filed with the staff files and new starter documents.

Supporting documentation submitted

Three validated written references.

Garda vetting for one staff member.

E mail confirming that staff member has enrolled in a Level 5 course in Childcare.

Summary Comment

The registered provider has submitted the outstanding references and Garda Vetting however as the staff member who did not have a qualification in childcare available has not yet achieved 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 the regulatory requirement for 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.

(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) During the period of inspection there was an adequate number of adults working directly with the children attending the pre-school children.
- (2) On the day of inspection, the adult to child ratios was correct with 2 and at times 3 adults working with 12 children aged 1 year 2 months to 5 years.
- (8) (a) The registered provider ensured that 2 adults were present in the service at all times. This was confirmed by the staff roster.

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) Registration forms were available for all of the pre-school children in attendance in the service. The available registration forms were appropriately completed with the required information as specified in sub-sections (a) to (i) in this regulation.

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:

(i) details of staff rosters on a daily basis;

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

Compliance Information

(k) A written record was maintained in the service of any accident, injury or incident involving a pre-school child attending the service.

Non-Compliance Information

(i) The staff roster did not reflect the staff present on the day of inspection. The staff member who was working in the service on the afternoon of inspection was not included on the staff roster.

The staff members did not sign into the service on a daily basis. The staff sign in records were last completed on the 24/05/2023.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

(i) Staff Attendance Record is now up to date.

Preventive Action

Staff members are now responsible for themselves regarding signing in. A new software system has been implemented where staff now will electronically sign in and out and apply for annual leave and days off through an app which is connected to a portal.

Supporting documentation submitted

Evidence of staff sign in received.

Summary Comment

The evidence submitted by the registered provider in relation to regulation 16 – Record in relation to pre-school service has been reviewed and accepted.

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 service:

Basic needs:

- The children bring all their meals and snacks with them from home. Mealtimes were unhurried and the children were given plenty of time to enjoy their meals and snacks, the staff members sat with the children engaging them in conversation whilst encouraging them to eat and provided assistance as required. The staff members sat in front of the younger children who were fed in highchairs warmly engaging with the children at their eye level.
- The children's nappies were changed promptly as required. Staff members were observed chatting to the children throughout the process and using the time as an opportunity for one-to-one interactions with the children. The children who were toilet trained were encouraged to be independent in using the toilet with support provided as required.
- The younger children were placed to sleep in the sleep room directly located off room 3 when they exhibited signs of tiredness and if their sleep time coincided with mealtimes, they were provided with their meals afterwards.
- The day of inspection was sunny and sun cream was applied to the children as required. The children's water bottles were available should they require a drink at any time.

Supporting relationships:

- Parents and children were observed being warmly welcomed on arrival to the service and the staff members spent time conversing and sharing information in a welcoming and friendly way.
- Staff members used distraction and problem-solving techniques to good effect to prevent the escalation of any minor issues that took place between the children.

- The atmosphere between the staff members and children was relaxed and calm and the children were observed to seek out staff members for guidance and support as they required it.

Physical and material environment:

- The play resources and materials that were available in the service were stored on low level accessible shelving enabling the children to take and return materials as they chose. A home area with play crockery and a dolls cradle was available to the children, a dolls house with play figures, a transport area which included cars, a play garage and train tracks was provided in addition to reading resources and a range of jigsaws, tabletop and small world materials.
- The children enjoyed time in the outdoor area on the day of inspection and the door between the outdoor area and the service was left open to allow the children to choose whether they wanted to spend time in either the outdoor space or in the care rooms. The outdoor area was surfaced with grass, a playhouse, small see saw, push and pull along toys were available for the children to use. The space also provided the children with the opportunity for running and free movement.

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 is accessed through 2 secure gates to the side of the service both of which were secure on the day of inspection which prevented the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the premises.
- Emergency exits were unobstructed.

Infection Control:

- Thermostatically controlled warm water, liquid soap and paper hand towels were provided to support effective hand hygiene in the sanitary accommodation in the service.
- The premises, play equipment and materials were in a clean and hygienic condition.

Administration of Medication:

- Medications were stored out of the reach of children. Documentation was available to record any medication administered to children.

Safe Sleep:

- The children aged less than 2 years had access to a standard cot to sleep in. Sleep checks were carried out and documented at 10-minute intervals on all sleeping children during the inspection, noting each child's position, colour and breathing pattern.

Non-Compliance Information

General Safety:

1. The kitchen door was open throughout the inspection allowing a child to potentially access the area which contains unsafe objects and is also a fire safety risk in the event of a fire starting in the kitchen.

Infection Control:

2. The services nappy changing policy was not followed at all times as evidenced by the following:
 - A staff member was observed changing a child's nappy without wearing a disposable apron or gloves.
 - The children did not always have their hands washed after they had their nappies changed.
 - The nappy changing mat was not always cleaned following children's nappies being changed.

Administration of Medication:

3. There was no written record available for the administration of medication for a child who had medication administered on a daily basis in the service.

Fire Safety:

4. Fire drills were not conducted on a monthly basis in the service to ensure that both staff and children were familiar with safe evacuation procedures in the event of an emergency. The last fire drill occurred in the service on the 26/04/2023.

Action submitted by the Registered Provider

Corrective Action

General Safety:

1. Kitchen door is closed and a sign has been placed on the door to remind staff to keep the door closed.

Infection Control:

2. Staff members have been retrained in all aspects of this area. Also, certain staff members who don't follow protocol have been removed from completing any nappy changing.

Administration of Medication:

- No child receives medication on a daily basis. There is an action plan in place for children who require asthma medication when and as such they require. Any child on daily asthma medication does not receive it in creche. Should the child require Ventolin the medication report book is filled when administered, and the parent signs the book upon collections.

Fire Safety:

- Fire drill have been completed and are now up to date.

Preventive Action

Nappy changing Procedure Assessment has been implemented and carried out on all staff. During Induction all staff will now need to pass this assessment before being released to work in the changing room. Administration of medication Record book is kept in the service. All medication administered has been input in this book. The action plans have been amended to reflect that no child is on daily medication and if so, receive at home. Fire drills are now part of the monthly checklist which is displayed for all staff to see on a daily basis. All staff will now check the checklists to ensure no requirements are overlooked.

Supporting documentation submitted

Photograph of kitchen door closed with sign in place advising to keep door closed.
Copy of services nappy changing procedure.
Fire drill record.

Summary Comment

The evidence submitted by the registered provider in relation to regulation 23 - Safeguarding health, safety and welfare of child has been reviewed and accepted.

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.

Non-Compliance Information

(1) Three children who were present in the service on the day of inspection were not documented as being present in the attendance register on their arrival to the service as required. On the early years inspector arrival to the service there were 11 children present and only 9 children had been signed into the attendance register. A child who arrived in the service on the afternoon of inspection was not signed into the attendance register. This posed a risk of the children not being counted under the daily supervision routines or in the event of an evacuation emergency.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1) The children's attendance record is now up to date and all staff have been briefed on the importance of keeping this up to date as the children enter the premises. All staff now sign the child in before anything else is done before bags are put away for example and all staff will be trained and informed during induction process to do so.

Preventive Action

(1) All staff check the daily checklist which is now on display in creche and available for regular viewing. Child Attendance records and checked 3 times per day to ensure compliance.

Summary Comment

The evidence submitted by the registered provider in relation to regulation 24 - Checking in and out and record of attendance has been reviewed and accepted.

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

(2)(a) and (b) The first aid box was suitably equipped and safely stored in a readily accessible position on the premises, out of the reach of children.

Non-Compliance Information

1. There was no staff member employed in the service with either in date first aid responder (FAR) training or any type of first aid training. An immediate action notice was issued to the registered provider on the day of inspection which has been appropriately responded to.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. Two staff members have been enrolled in First Aid online courses (FAR) and will have completed by end of August. Staff Recurrent Training Requirements have been displayed for regular viewing on the new filing system. his states date staff are required to enrol and complete recurrent training in any area.

Supporting documentation submitted

Confirmation that staff have enrolled in FAR training.

Summary Comment

The evidence submitted by the registered provider in relation to regulation 25 - First aid has been reviewed and accepted.

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) A record was maintained of fire drills which had been completed in the service.
- (4) Notices of the procedures to be followed in the event of a fire were conspicuously displayed in the premises

Non-Compliance Information

- (b) A record was not available of the number, type and maintenance of the smoke alarms and firefighting equipment in the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (b) Records were present on the premises. However due to certain staff being off, other staff were unable to supply them on the day. All records are in date and adhere to requirements.

Preventive Action

- (b) All records required for viewing have been streamline and filed in a more constructive manner. Also, fire safety equipment has been added to the yearly checklist which is on display and all fire records are filed together in a filing cabinet where they can be easily supplied should they be required.

Supporting documentation submitted

- Copy of maintenance records for fire extinguishers and fire alarm.

Summary Comment

The evidence submitted by the registered provider in relation to regulation 26 - Fire safety measures has been reviewed and accepted.