

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015FL236
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Name of Service:	Oaklands House Creche and Montessori
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Address of Service:	Oaklands House, Chapel Lane, Malahide Road, Swords, Co. Dublin
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Eircode:	K67 H003
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Name of Registered Provider:	Yvonne Donnelly
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Service type:	Full Day
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Date of Inspection:	18/06/2024
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No of pre-school children:	AM	62	PM	55
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Address of the Early Years Inspectorate:	Early Years Inspectorate, 181-189 Lakeshore Drive, Airside Business Park, Swords, Co. Dublin K67 Y5C6.
Inspection undertaken by:	AM Coyle & S Cully
Title:	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).

Conditions if applicable	Not Applicable
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Description of service

Oaklands House Creche and Montessori is a full day care service registered to accommodate children aged 0-6 years during the hours of operation, 7.30am – 6.00pm Monday to Friday. The service operates from a converted domestic dwelling and separate two storey building located on the premises in Swords, Co. Dublin. The main building consists of the Baby room, Wobbler room and Playschool room, 2 rooms designated as sleep rooms and a kitchen. Montessori 1 room and Montessori 2 room are located in the two-storey building. An outdoor area is located to the side of the main building. A separate single-story building located next to the premises is used for the provision of school aged care and has a log cabin in the garden of this site used as a staff room for all staff.

Staffing

The registered provider employs a manager who oversees the operation of the early years' service. A further 18 staff members are employed in this service including a chef and a cleaner. One staff member is employed in the service to reduce the adult to child ratio, and when necessary, to work with children with additional needs, in posts funded by the Minister as part of the Access and Inclusion Model scheme. A pre-school support worker from a community-based specialist service for people with disabilities who has been assigned to support a child with additional needs was also present in the service on the day of the inspection. Four students on an Erasmus work experience programme were present in a supernumerary capacity on the day of inspection. The registered provider does not work in the service daily.

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 inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11, 19, 22,23, 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 day of inspection for excessively hot water at two wash hand basins adjacent to the nappy changing mats in the sanitary area of the service. The registered provider provided the inspectorate with written assurances of appropriate preventive actions being implemented in the service to reduce the likelihood of the hot water temperature exceeding 43°C within 24 hours of the notice being issued with further confirmation received within 48 hours.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the 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 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 service had a designated person in charge and a named person to deputise as required.

(b) The designated person in charge was present and in charge of the service when the inspector arrived unannounced on the morning of the inspection.

Following a review of previous inspection records and in discussion with the manager it was confirmed that there were 5 new staff members working in the service since the last inspection including pre-school support worker from a community-based specialist service who was assigned to support a child with additional needs in the service. The complete files maintained for these 5 staff members and 4 students on an Erasmus work experience programme were viewed by the inspectors.

(2)(a)(b) There were 2 written, validated references available for each of the 5 new staff members and 4 students on an Erasmus work experience programme whose full files were reviewed.

(c) Garda vetting disclosures were available for the 5 new staff members and 4 students. In addition, the files for the registered provider and all remaining staff members were reviewed specifically in relation to their Garda vetting disclosures and these records demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) International police vetting was available for 3 staff members and 4 students who had resided outside of the Irish jurisdiction for more than 6 consecutive months as adults.

(4) Documentary evidence was available to confirm that 5 staff members whose files were reviewed and who work directly with the children in the service including the service manager and the area manager 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)(d) One staff member did not have international police vetting available for 1 of the 2 countries outside of the Irish jurisdiction that they had resided in as an adult for a period of longer than 6 consecutive months.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

(2)(d) Staff member originally applied for police vetting in March 2024; this was followed up on 02.07.2024; the service has still heard nothing back and has since emailed again for another follow up.

Preventive Action

(2)(d) Ensure vetting is obtained prior to new staff member commencing.

Supporting documentation submitted

Evidence of police vetting application.

Summary Comment

The registered provider has submitted documentary evidence of the staff members application for police vetting and subsequent follow up communication. As police vetting has not been received the non-compliance 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) On the day of inspection there was an adequate number of staff members 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 9.10am and remained so throughout the inspection.

The following adult to child ratios were observed during the inspection:

- In the Baby room there were 7 children aged between 9 months and 1 year 6 months being cared for by 2 and at times 3 adults. An Erasmus student was present in the room, working under supervision in a supernumerary capacity, as part of a work experience placement.
- In the Wobbler room there were 10 children aged between 1 year 9 months and 2 years 2 months being cared for by 2 and at times 3 adults.

- In the Playschool room there were 12 children aged between 2 years 5 months and 3 years 5 months being cared for by 2 adults. An Erasmus student was present in the room, working under supervision in a supernumerary capacity, as part of a work experience placement.
- In the Montessori room 1 there were 18 children aged between 3 years 5 months and 4 years 8 months being cared for by 3 adults. A staff member in this room was employed to reduce the adult to child ratio to support children with additional needs, when necessary, as part of the Access and Inclusion Model scheme. An Erasmus student was present in the room, working under supervision in a supernumerary capacity, as part of a work experience placement.
- In the Montessori room 2 there were 15 children aged 4 years and 4 months to 5 years and 5 months being cared for by 2 adults. Additionally, a pre-school support worker from a community-based specialist service who was assigned to support a child with additional needs in the service was present. An Erasmus student was present in the room, working under supervision in a supernumerary capacity, as part of a work experience placement.

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

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, and

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 provided for the children by the onsite chef 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. Early years practitioners were observed sitting with the children engaging them in conversation whilst encouraging them to eat. The Early years practitioners in the Baby room sat in front of the children who required assistance with eating warmly engaging with the children at their eye level. Throughout the care rooms the children's water bottles were accessible to them on low level shelving for them to take as desired throughout the day.

- The children's nappies were changed at scheduled times and more frequently as required. The Early years practitioners used the opportunity to engage warmly with the children chatting to them and singing songs. The children who were toilet trained were encouraged to use the toilet independently and gently reminded to wash their hands afterwards. Childrens personal care needs were attended to promptly with protective bibs were placed on younger children prior to eating and their hands and faces were cleaned afterwards.
- The children in the Baby room and Wobbler room were facilitated to sleep in line with their home routine and were placed to sleep when they exhibited signs of tiredness and if their sleep time coincided with mealtimes they were provided with their meals when they woke up. The majority of children attending the Baby room and Wobbler room slept after they had their dinner in the 2 designated sleep rooms on the ground floor of the service and the children attending the Wobbler room and Playschool room over the age of 2 years slept on sleep mats on the floor of the Playschool room after they had their dinner.
- The early years practitioners approached children's behaviour in a supportive manner, calmly distracting or re-directing the children and using problem-solving techniques to good effect before any minor issues escalated.

Supporting relationships around children:

- There was a warm and welcoming atmosphere in the service, parents and children were observed being greeted enthusiastically on arrival to the service and practitioners took the opportunity to provide feedback to parents and guardians on the children's day in the service when children were collected. In the Baby room and Wobbler room a daily record of the children's feeding, nappy changes, activities, general wellbeing and sleep was maintained for the children and shared with the parents when the children are collected from the service.
- During periods of direct care including nappy changing and mealtimes, practitioners were observed to engage children in warm one-to-one interactions engaging in natural reciprocal conversations about the

children's home and family life, making reference to their siblings, pets and favourite toys. The children in turn responded well to the staff members caring for them. A child who was settling into the Baby room on the day of inspection was observed to be well supported with practitioners mindful of the child's need for extra support and provided lots of nurturing and cuddles to enable the child to settle.

- Throughout the service practitioners engaged well together and supported each other in the care of the children.

Physical and material environment

- There was plenty of free floor space available in the Baby room for the children to explore and move around with padded floor mats, covered foam wedges and push-along toys provided to support gross motor development. Wall-mounted mirrors supported the development of the children's visual senses.
- The learning environments within each of the 5 care rooms in the service were appropriate to the age and stage of the children attending the individual rooms. Defined interest areas included well-resourced home areas with accessorial equipment such as pots, pans, crockery and play food which enabled the children to extend their imaginary along with dress up materials, art and crafts materials, construction zones, small world, tabletop materials and relaxation areas which supported all areas of development.
- A plentiful supply of books was provided in the care rooms and the children's language development was facilitated in each room through conversation, storytelling and singing.
- An enclosed spacious outdoor area located to the side of the service had a variety of equipment and materials to meet all children's developmental needs and interests. The area was well resourced with a large wooden and metal climbing frame with steps, standing platform, bridge and a slide attached, sit-in wooden stationary trains and cars, a mud kitchen, a fixed spring see-saw and rocking toy, upright wooden activity centres, ride-on toys, push-along toys, a lidded sand table, children's tables and chairs and benches. A smaller area partially enclosed contained a large mature tree with children's seating provided underneath. There was a separate small, enclosed, and roofed area available to the Baby room which was used for messy play or when bad weather prevented them from going to the main outdoor area.

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.

Compliance Information

Nutritionally balanced snacks and meals were detailed on the service's 3-week menu. Dietary requirements specified by the parents were accommodated, as stated on the menu and observed in practice during the inspection. Cereals was available for the children to have for breakfast if required. The morning snack served by the service from 09.30am on the morning of inspection consisted of a combination of fresh fruit. A hot meal of Thai chicken curry was provided for dinner with a vegetarian option of Thai vegetable curry available also. Crackers and fruit were provided for the afternoon snack with hummus and bagels served for tea. The children's water bottles were available for the children to take from low-level shelves, should they feel thirsty at any stage during the day.

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:

- Cleaning agents were stored safely out of the reach of children.
- The kitchen was located adjacent to the Wobbler room and was inaccessible to the children during the inspection.
- The service's designated emergency exits were unobstructed.

Infection Control:

- The children were facilitated to wash their hands before eating, after using the toilet, after nappy changing and following messy play and outdoor play.
- Appropriate disposable gloves and aprons were available and observed being worn for each individual nappy change. The services nappy changing policy was observed being implemented when children were having their nappies changed during the inspection.

- Soothers were labelled and stored in personalised containers when not in use. Practitioners clearly described appropriate procedures for the management of soothers, including washing the items in advance of sterilisation.
- The premises, play equipment and materials were in a clean and hygienic condition.
- Up to date documented cleaning schedules were on display in the service.

Administration of Medication:

- Medications were stored out of the reach of children. No children were observed having medication administered on the day of inspection.

Safe Sleep:

- When asked, practitioners described safe sleep practices. Sleep checks were carried out and documented at 10 minutes intervals on all sleeping children during the inspection, noting each child's position, colour and breathing pattern. Based on a review of previous sleep logs maintained in the service, 10-minute sleep checks were carried out and recorded in this manner on a daily basis.
- The temperature in the sleep rooms was monitored and maintained within the safe sleep temperature range of 16 - 20°C.

Non-Compliance Information

General Safety:

1. The hot water supply provided at the two wash hand basins adjacent to the nappy changing mats in the sanitary area of the service exceeded the maximum safe water temperature of 43°C as detailed in table 1.1 below. When identified, the inspectors informed the practitioners of this scalding risk and the children were subsequently supervised when hand washing, using the cold-water supply at the mixer taps to reduce the temperature of the flowing water to a safe level for the remainder of the inspection. An immediate action notice was issued to the registered provider in relation to the water temperatures.

Location	Water temperature	Time recorded
Sinks adjacent to the nappy changing mats in sanitary area of the main building of the service.	49.5°C (both taps)	10:45am
As above	51.5°C (both taps)	11:19 am
As above	54.5°C (both taps)	12:05pm
As above	55.5°C (Tap on left hand side)	1:25pm

	48.5°C (Tap on right hand side)	
As above	49.1°C (Tap on left hand side)	3:20pm
	50.3°C (Tap on right hand side)	

Table 1.1 Water temperature readings recorded on the day of inspection.

- On arrival to the service the door leading from Montessori room 1 to the front of the building was open. This could result in a child exiting the building unsupervised or an unauthorised person gaining access to the room.

Infection Control:

- No handwashing was observed being carried out by adults or children prior to morning snack in the Playschool room. It is noted that the staff wore disposable polythene gloves when handling the children's food.
- The children in the Playschool room were not provided with plates to eat their morning snack, the children ate their snack directly from the table.

Safe Sleep:

- There was not sufficient space available for the safe use of 12 stackable beds being used for sleep time in the Playschool room. Stackable floor beds were made available in the Playschool room after dinner time for 8 sleeping children from the Playschool room and 4 children from the Toddler room. The beds made available for the 4 Toddler children were in an area of the room where there was not sufficient space to place the beds a minimum of 50cm apart. With 12 beds and 2 large tables in the room the clear floor space was limited and could also increase the risk of delay in the event of an emergency evacuation.
- When the children were asleep in the larger cot room the room was in darkness, the practitioners switched on a reading lamp to provide light when checking the children and, apart from this light, adequate visibility was not provided for monitoring the sleeping children. The lack of lighting increased the risk of health and safety hazards such as trips or falls.
- Four children in the Montessori 1 room were sleeping directly on a floor mat without a sheet provided.

Action submitted by the Registered Provider

Corrective Action

General Safety:

- Service's plumber was called immediately to rectify the situation. Upon inspection, there is an immersion in the attic that was on constantly alongside the heating system in the main kitchen. The immersion has been turned off and the water is heated using the heating system only in the kitchen.

2. A meeting was held with each team in each room to discuss the importance of ensuring all exits are securely closed at all times. Manager also brought it to the attention of parents who are inside the building to make sure to close all doors when they enter/exit.

Infection Control:

3. A meeting was held with each team in each room to remind them of our handwashing policy.
4. Manager discussed with team to use plates at all mealtimes.

Safe Sleep:

5. As all the children sleeping in this room are over two years, staff are using 12 stackable beds and have rearranged them in such a way that they are 50cm apart. The two tables are stacked one on top of the other, taking up less floor space. Manager carried out a risk assessment for this and are satisfied it does not pose a risk as the room is fully supervised at all times. Staff is also mindful of the escape route and maintain a clear evacuation route in the case of an emergency.
6. Service's electrician has installed a dimmer light switch and new main light. During sleep time, the light is left on a low dim, so the cot room is adequately lit during sleep time.
7. Staff team in Montessori 1 room were shown where the sheets are kept for immediate use and for changing them on their laundry days and started using them immediately.

Preventive Action

General Safety:

1. Manager is confident this will not reoccur because the immersion in the attic is now off. Water temperatures were taken in the following days and were all at a satisfactory temperature.
2. With immediate effect, it was communicated to all relevant stakeholders i.e. staff team and parents/guardians to make sure all doors and gates are securely closed when entering/exiting the premises.

Infection Control:

3. With immediate effect, children's and adults' hands will be washed before mealtimes. Staff will wear food handling gloves when handling food directly. Otherwise, gloves are not a requirement if using utensils or children can manage their own food.
4. With immediate effect, staff are using plates at all meal.

Safe Sleep:

5. The layout of the beds is on display to maintain the correct layout.

6. Service's electrician has installed a dimmer light switch and new main light. During sleep time, the light is left on a low dim, so the cot room is adequately lit during sleep time. New system is working perfectly.
7. Staff team in Montessori 1 are aware of where the fresh bed linen is kept; use them on their beds for those who sleep; and change them according to their laundry days or more often if required.

Supporting documentation submitted

Email confirming plumbers attendance at the service to rectify the raised water temperatures at the two wash hand basins adjacent to the nappy changing mats in the sanitary area of the service.

Photograph of dimmer light installed in sleep room.

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. The non-compliances 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

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

Non-Compliance Information

(1) A person trained in first aid including first aid responder (FAR) training was not immediately available to the children attending the pre-school service as evidenced in the staff roster and the in-date FAR certifications, a member of staff with FAR training was not present in the service between 7:30 am and 8:30am on the day of inspection.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

(1) Manager has enrolled two more team members for FAR training.

Preventive Action

(1) With two more team members FAR trained, staff will arrange the roster to have adequate cover for the entire day.

Supporting documentation submitted

Receipt for FAR training for 2 staff members.

Summary Comment

The inspector has accepted the assurances that a staff member trained in FAR will be rostered on duty at all times of operation. Evidence that staff have been trained in FAR to be submitted when completed.

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. Based on the records maintained and as reported by staff members, fire drills were carried out monthly. The last recorded fire drill for the whole service took place on 15/05/2024.
- (b) A record was kept of the number, type and maintenance of the firefighting equipment and smoke alarms in the premises. The fire extinguishers were certified as having been serviced in April 2024 and the smoke detection system was certified as being serviced on the 28/05/2024.
- (4) Notices of the procedures to be followed in the event of a fire were conspicuously displayed in the premises.