

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:	06/07/2023
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No of pre-school children:	AM	51	PM	49
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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:	S. Cully & S. Taaffe
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 also has a log cabin in the garden of this site used as a staff room for all staff.

Staffing

The registered provider employs 22 staff members, 18 of whom work directly with the children attending the early years service, one manager, a cook, a housekeeper and one staff member who works solely with school age children. On the day of inspection there were 14 staff members working directly with the children of the early years service. The manager was present and available to provide support if needed but was not allocated to work in a specific room. A student on work placement was also present in the service. The registered provider does not work in the service on a daily basis.

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 and safety. 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 and 26. However, on inspection additional non-compliance was identified under Regulation 24 and 25. These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under Regulation 15 Record of a preschool child and Regulation 16 Record in relation to a preschool service.

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 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,

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

(b) The service manager was present in the service when the inspectors arrived unannounced on the day of the inspection and was present in the service for the duration of the inspection.

On the day of inspection, a total of 22 staff files and the registered provider's file was reviewed. In addition, the file for the student who was present in the service was also reviewed.

(2)(a) & (b) Forty-six written references were available. Forty-four of these references were validated.

(c) Garda vetting disclosures were available for the registered provider, 22 members of staff and for the student who was present in the service.

(d) International police vetting was available for 11 staff members who had resided outside of the Irish jurisdiction for more than 6 consecutive months as an adult.

(4) Documentary evidence was available for 17 of the 18 staff members whose files were reviewed, and who were working directly with the children, held a major award in Early Childhood Care and Education at QQI Level 5 or higher on the National Framework of Qualifications.

Non-Compliance Information

(2)(a)&(b).

1. There were no written references available for 2 staff members.
2. Two of the 46 references on file and reviewed were not validated, one of which had been provided for a staff member and one of which had been provided for the student who was present in the service on the day of inspection.

(d) The following was not in place in relation to international police vetting:

1. One staff member did not have international police vetting available for 2 of the 3 countries outside of the Irish jurisdiction that they had resided in as an adult for a period of longer than 6 consecutive months.
2. The international police vetting certificate available for 2 staff members was written in a language which had not been translated into English or Irish.
3. Accurate curriculum vitae were not available for 3 staff members in order to determine if these persons had resided outside the Irish jurisdiction for 6 months or longer as an adult and would therefore require international police vetting.

(4) A staff member who had applied to have their qualification assessed by the Department of Children, Equality, Disability, Integration and Youth (DCEDIY) in order to determine that it was equivalent to a major award in childcare had not yet been issued with a letter of eligibility to practice.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a)&(b)

1. Validated references obtained and submitted for 2 staff members.
2. Two references validated post-inspection submitted.

(d)

2. A translated copy of international police vetting was obtained and submitted for 2 staff members.
3. Three updated curriculum vitae were obtained and submitted. Curriculum vitae for 2 staff members indicated that they did not require international police vetting. The curriculum vitae for 1 staff member indicated that the person was required to obtain international police vetting. The application for police vetting has been submitted to the relevant embassy.

(4) The staff member has resumed an application with the DCEDIY for qualification recognition. The person is in the process of having their university content syllabus translated as part of the application process.

Preventive Actions:

(2)(a) & (b) Manager will ensure that references are obtained and validated prior to new staff members commencing employment.

(d) Manager will ensure that staff members curriculum vitae are up to date so that requirement for international police vetting is clearly stated. Manager will ensure that police vetting certificates are translated by registered translators and on file prior to staff commencing their employment.

(4) Manager will ensure that qualifications have the required certification to confirm validity.

Supporting documentation submitted

Four written and validated references.

Two existing references validated.

Translated copies of 2 international police vetting documents.

Three updated curriculum vitae.

Proof of submission of international police vetting applications.

Summary Comment

The evidence submitted in relation to Regulation 9 Management and recruitment (2)(a)&(b) and (d) 2 & 3 have been reviewed and accepted. However, applications in relation to international police vetting and qualification recognition are ongoing. Therefore, the regulatory requirements in relation to Regulation 9(d) and 9(4) remain 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) For the duration of the inspection there were an adequate number of adults working directly with the children in the early years service.

(2) On the day of the inspection the following adult/child ratios were observed when the service was operating at capacity:

- In the Baby room there were 10 children aged between 1 year and 1 year 10 months being cared for by 3 adults.
- In the Wobbler room there were 6 children aged between 1 year 9 months and 2 years 2 months being cared for by 2 adults
- In the Playschool room there were 9 children aged between 2 years 4 months and 3 years 2 months being cared for by 2 adults.

- In the Montessori room 1 there were 15 children aged between 2 years 11 months and 5 years 1 month being cared for by 3 adults. A college student was present in the room, working under supervision in a supernumerary capacity, as part of a work experience placement whilst undertaking an online Level 5 childcare training course.
- In the Montessori room 2 there were 11 children aged 4 years and 4 months to 5 years and 5 months being cared for by 2 adults.

(8)(a) The registered provider ensured that 2 adults were present in the service at all times.

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.

(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-

(c) an authorised person.

Compliance Information

(1) A sampling process was used in relation to the children’s records. All 24 sampled registration forms were appropriately completed with the required information as specified in sub-sections (a) to (i) in this regulation.

(3)(c) The children’s records were open to inspection as requested by the inspectors as authorised persons.

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;

(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.

(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.

Compliance Information

(1)(i) A weekly staff roster was available, and staff sign in records were maintained on a daily basis and these were provided for inspection.

(k) The service had a record in writing of the details of accidents, injuries and incidents involving pre-school children. A sampling process was used in relation to these records; all 18 sampled forms were appropriately completed and included parental signatures.

(3) The records referred to in paragraph (1)(i)(j)(k) were open to inspection as requested by the inspectors as authorised persons.

Non-Compliance Information

(1)(j) Not all medication administration forms maintained in the service were complete as evidenced in the following examples:

1. Some forms did not include signed parental consent to authorise staff members administer medication to their child in the service. Examples of this practice included forms maintained in relation to medication administered to children in the service on 27/06/2023, 26/06/2023, 09/06/2023 and 24/04/2023.
2. Some forms did not include a second staff member's signature to show that the medication had been appropriately checked and the procedure undertaken by 2 staff members. Examples of this practice included forms maintained in relation to medication administered in the service on 27/06/2023, 26/06/2023 and 24/02/2023.
3. Some forms were not signed on collection by the child's guardian to document that they had been informed and were aware of what medication was given to their child during the course of the day and at what time. Examples of this practice included forms maintained in relation to medication administered in the service on 27/06/2023, 26/06/2023, 24/10/2022 and 21/10/2022.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

A staff meeting was held where it was discussed in detail the importance of having parental consent prior to administering medication; the importance of having a colleague to witness and confirm the dosage; and the importance of having parents sign and acknowledge what medicine was administered during the day

Preventative Action:

Management will check medication records on a weekly basis to ensure they are completed as required.

Supporting documentation submitted

Copy of staff meeting minutes.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 16 (1)(j) has been adequately addressed.

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 demonstrate how each child's learning, development and well-being was facilitated within the service on the day of inspection.

Basic needs

- A variety of snacks and meals were prepared on-site and provided to all children in the service. The cook planned a rotating menu that also accommodated for children's allergy or dietary requirements. On the day of inspection children had a morning fruit snack, rosemary bolognaise for lunch and fish fingers and baked beans for afternoon meal. Potable drinking water was available in all rooms throughout the day. Mealtimes were relaxed and sociable. Early years practitioners in the Baby room, Wobbler room and Playschool room sat with children at mealtimes to encourage independent feeding, provide support when needed and talked with the children as they ate.
- Children's care needs were attended to with sensitivity such as helping children to wash their hands, to clean their nose, placing bibs on younger children for mealtimes, helping children to dress for going outside or undress for nap time.
- Nappy changing occurred as needed and at scheduled times. During nappy changing, the early years practitioners were observed to engage with children in a warm and gentle manner. Children who were toilet trained used the toilets independently with discreet supervision provided.
- Following the last inspection, the service re-purposed a room previously used as a staff room and now as a second sleep room for under 2's. The service manager and several staff members reported during this inspection that the availability of the second sleep room has been positive for the babies and children in attendance as it has ensured that children can sleep when their needs dictate and when they show signs of tiredness. In the Baby room, individual sleep needs were accommodated during the inspection as opposed to one scheduled time for all children. They were placed to sleep in cots in a designated sleep room.

The children in the Wobbler room slept after lunchtime with cots in the sleep room available to them, foldable cots used in the care room and stackable beds for children over 2 years. The children in the Playschool room also slept after lunch on stackable beds. Comfortable rest areas were available in the care rooms throughout the day, such as child sized sofas, soft play areas, floor mats and large cushions.

- All children in the service enjoyed time outdoors on the day of inspection.

Supporting relationships around children

- All staff in the service were observed to engage with children in a positive, caring and respectful way. The staff appeared to be knowledgeable of children's individual needs and preferences. The children appeared to be comfortable and familiar with staff, calling them by name, accepting comfort from them, looking to them for help and support.
- The staff appear to work together as a team by being familiar with their roles and responsibilities and engaging with each other in a positive and professional manner. The staff also communicated effectively during the inspection, sharing information that supported continuity of care when leaving or returning from breaks etc.
- Information about the children's daily routine were recorded and shared with parents.

Physical and material environment

- The care rooms were well laid out with interest areas defined to support children's play and engagement including home corners, areas for reading and relaxing, construction areas and arts and craft. There was a variety of developmentally appropriate materials and resources available to children including sensory materials, books, musical instruments, tabletop activities, small world resources (animals, figures, houses, cars etc.).
- Each care room had age-appropriate furniture and equipment. Toys and play materials were stored on low level shelving and were easily accessible to children. This supports children to independently navigate their environment and freely chose materials of interest.
- The outdoor play area was spacious with a variety of equipment and materials to meet all children's developmental needs and interests. Among the equipment was 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.

Programme of activities

- Children's artwork was on display in care rooms representing recent activities and curriculum topics.
- In the Wobbler room, Playschool room, Montessori rooms 1 and 2 there were notes kept on children's emerging interests and these were used to plan interesting activities for them.

Non-Compliance Information

Three children over the age of 12 months were seated in padded rocking chairs to eat their lunch, which was fed to them by a staff member. These chairs are developmentally inappropriate as they do not provide the opportunity for children to sit up straight and further develop their core strength, to sit with their peers at mealtimes or to practice self-feeding skills.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

A developmentally appropriate table and chair set was ordered and is now in use in the Baby room. The manager stated that all children in this room are invited to sit at the table for their meals and snacks and playtime activities to further develop their core strength and achieve autonomy by not being too reliant on the adult.

Supporting documentation submitted

A photograph of an age appropriate table and chair set in place in the Baby room.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 19 has been adequately addressed.

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 entrance door of the main building was secured. Entry to the care rooms of the main building and to the care rooms located in the 2-storey building were secured and accessible with use of a passcode only available to staff and persons authorised to collect children. This prevents a child exiting unsupervised and prevents unauthorised persons from gaining access to the service.
- Cleaning agents were stored safely and out of reach of children.
- The outdoor area was enclosed and secure.
- The kitchen was inaccessible to children on the day of inspection.
- Care room risk assessments were in operation to audit the safety of toys, furniture, equipment and surrounding areas of the room.

Infection Control:

- Thermostatically controlled warm water, liquid soap and paper hand towels were available at all sinks and handwashing stations throughout the service.
- Appropriate handwashing practices were observed throughout the service by children and staff.
- The staff were observed following the nappy changing procedure i.e., wearing disposable aprons and gloves for each change, correct cleaning of the changing mat and handwashing of the staff and child following a change.
- Cleaning schedules were in operation throughout the service and the premises was maintained in a clean and hygienic condition.
- Soothers were stored in individually labelled containers.
- Baby room staff could describe their policy on the management of infant formula, explaining that these bottles are prepared by parents at home and stored in the fridge on arrival until consumed.

Administration of Medication:

- The staff in the Baby room were observed to follow the correct procedures as stated in the services administration of medications policy when a child presented with a temperature.

Safe Sleep:

- Physical sleep checks were carried out on sleeping and resting children every 10 minutes, with records maintained to note child's breathing pattern, colouring, and position and temperature of the room.
- Children under the age of 2 years had access to a cot.

Fire Safety:

- In discussion, staff demonstrated familiarity of fire drill procedures describing their exit route and assembly point.

Non-Compliance Information

Safe Sleep:

- When in use, the larger cot room was in darkness and, apart from a torch light, adequate visibility was not provided for monitoring the sleeping children. Furthermore, the lack of lighting increased the risk of health and safety hazards such as trips or falls.
- A mattress in use in the Wobbler room was not firm and was ill-fitting, as it left a gap of 2.5cm or more at the foot of the cot. This poses a risk of suffocation. Furthermore, the mattress was not covered with waterproof material increasing the risk of cross-contamination.
- Two children one of whom was 17 months and the other 16 months, slept on a stackable bed in the Baby room without a risk assessment and sleep plan in place.

Action submitted by the Registered Provider

Corrective & Preventive Action

Safe Sleep:

- The blackout blind was removed from the cot room with immediate effect allowing ambient light into the cot room.
- A new mattress and mattress protector were purchased to replace the mattress identified at the inspection.
- A sleep risk assessment and sleep plan was carried out for both children in partnership with parents. Both children have moved to the Wobbler room where they sleep in cots located in the room.

Preventative actions:

- Management and staff will ensure there is adequate lighting in the room to allow for safe sleep checks and eliminate the risk of trip hazards.
- At the staff meeting It was discussed in detail the importance of regularly checking all equipment used by the children in our service; reporting it and replacing it if necessary.
- The manager stated it is service policy to have all children under two sleeping in a cot and we work closely with new families to ensure this once they start in the setting.

Supporting documentation submitted

Safe Sleep:

Sleep risk assessment and signed sleep plans for 2 children.
Proof of purchase of cot mattress and mattress protector.
Minutes of staff meeting.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 23 has been adequately addressed.

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

One child who was present in Montessori room 1 on the day of inspection was not documented as being present in the attendance register on their arrival to the service at 11.00am, as required. Instead, a staff member entered this child's attendance into the register at 1.55pm when the inspector was confirming the number of children present. 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

The registered provider stated that a staff meeting was held and it was discussed in detail the importance of entering the child's attendance into the roll book on arrival and departure times also.

Preventative actions

Going forward, staff will always bring roll books to the garden so that details for children who are dropped or collected from the garden are recorded at the time.

Supporting documentation submitted

Minutes of staff meeting.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 24 has been adequately 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.

Non-Compliance Information

On the day of inspection, the staff roster indicated that there was no person trained in First Aid Response (FAR) on the premises between the times of 7.30am – 8.00am. On further review of the roster, there was no person trained in FAR present on the premises between 7.30am – 8.00am on Monday, Tuesday and Wednesday and 5.30pm – 6.00pm Monday and Wednesday on the week on which the inspection took place.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The staff roster was adjusted so that there is a person FAR trained on the service available from opening to closing time.

Preventative action:

Review staff roster weekly to ensure that there is a FAR-trained person on-site at all times.

Supporting documentation submitted

Updated copy of the staff roster.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 25 has been adequately addressed.

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.

Compliance Information

(1)(a) A record was kept in writing of fire drills that took place on the premises, with the most recent fire drill recorded on 15th June 2023.

(b) A record was kept of the number, type and maintenance of fire equipment and smoke alarms on the premises. Records show that fire equipment was last serviced by a registered professional on 22nd March 2023, and the fire alarm system serviced on 28th November 2022.