

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015FL237
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Name of Service:	Avista, Oakridge Childrens Services
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Address of Service:	Daughters of Charity Services, Oakridge Childrens Services, Dublin 15, Co. Dublin
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Eircode:	D15 VHK8
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Name of Registered Provider:	Liam Callaghan
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Service type:	Part Time, Sessional
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Date of Inspection:	17/05/2024
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No of pre-school children:	AM	3	PM	0
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Child and Family Agency, Unit 4&5 Nexus Building Block 6A, Blanchardstown Corporate Park, Dublin 15
Inspection undertaken by:	Á Dunne
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.
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Description of service

Avista Oakridge Children's Services is located in Dublin 15, established in the location in 2013. The premises is a purpose built detached and single storey building with three care rooms, sanitary facilities, a changing room and a staff toilet room, a sensory playroom, a soft playroom, a kitchen, a dining room and an office. The service operates morning sessions in the Owl and the Daisy rooms and afternoon' sessions in the Acorn room. The Daisy room was the only carer room in use during the inspection. A service is provided to children aged between 2 and 6 years who require a high level of support in a preschool setting and are availing of services through the daughters of Charity Disability Services.

Staffing

The registered provider employs eight staff within the service. On the day of inspection the designated person in charge, the deputy designated person in charge, one nurse, one childcare staff and one student on work experience were present in the service. The designated person in charge facilitated the inspection and a representative for the registered provider was present at the feedback meeting.

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 as follows:

Regulation 9 Management and recruitment (2)(a)(b)(c)(d), (4).

Regulation 11 Staffing Levels (1)(2)(8)(a).

Regulation 23 Safeguarding Health, Safety and Welfare of child

Regulation 25 First Aid.

Regulation 26 Fire Safety.

Regulation 28 Insurance.

A sampling process was used to assess compliance under Regulation 23 Safeguarding Health, Safety and Welfare of child. The scope of the inspection was the Daisy room as the Owl and Acorns rooms were not in use during the inspection.

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

17 May 2024

An Immediate Action notice was issued to the service in relation to the following:

Regulation 23- Side gate of the service being open and not secure which posed a risk to the safety of children.

Please see details in the body of the report.

20 May 2024

The Registered Provider addressed the non-compliances under Regulation 23. Please see details in the body of the report.

Acknowledgments

The inspector wishes to acknowledge the cooperation of 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

(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

(2) During the Inspection, the files of nine adults were reviewed.

(a) Two written validated references were available for two adults from a past employer.

One written validated reference was available for five adults from a past employer.

(b) Two written validated reference were available for one adult from a source other than from a past employer.

One written validated reference was available for five adults from a source other than from a past employer.

(c) Garda vetting disclosures had been obtained for nine adults. Garda vetting disclosures had been obtained for nine adults. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.

(d) Documentation reviewed demonstrated that the seven adults did not require police vetting.

(4) Evidence was available to show that eight adults who worked directly with the children held at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework, or a qualification deemed by the Minister to be equivalent.

Non-Compliance Information

- (2)
- (b) Documentation was not available to demonstrate two written references for one adult had been validated.
- (d) Police vetting was not available for one adult who lived outside of Ireland for a period of more than 6months.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (2)
- (b) The Person in charge contacted the clinical placement coordinator to inform them of the new procedure, the clinical placement coordinator will ensure all students are informed and compliant of this requirement for future placements. The Person in charge developed a Standard Operating Procedure for any student attending the service on placement. The student/ course coordinator will be responsible to provide the Person in Charge with the required documentation prior to commencing the placement.
- (d) Going forward all new staff commencing employment in the service, who may have an extended period of time abroad will be undergo police checks relating to these period(s) abroad of 6 months or longer by the Avista Human resource department. A copy of the police checks and garda vetting results will be held locally in service by the Person in charge. The one staff member referenced who has spent time abroad, approx. 16 years previous to joining the Avista organisation when international vetting was not required. This staff member will undergo regular garda vetting in line with Avista policy and Tusla regulations.
- Following further consultation and discussion with HR Dept, the registered provider confirmed that Avista will commence the Police Check for the member of staff. A copy of the acknowledgement documentation will be submitted when received but the actual process for the police checks to be returned will take a period of time.

Supporting documentation submitted

- (2)
- (b) Copy of the newly developed Standard Operating Procedure
- (d) Letter from Human resource department re Police vetting and email from registered provider.

Summary Comment

Under regulation 9, the non-compliance (2)(b) as outlined above has been addressed, however, non-compliance (2)(d) remains outstanding until the police vetting is obtained and kept on file at the service. This regulation will be reviewed on the next inspection.

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

Compliance Information

- (1) On the day of inspection, there were three adults working with 3 children in the morning up to 12.45pm.
- (2) The minimum adult to child ratio was maintained throughout the inspection.
- The adult child ratios during the morning ECCE sessional session were maintained as follows;
- Daisy room - 3 adults to 3 children aged between 3 years to 5 years.**
- (8)(c) The registered provider ensured that two adults were always present on the premises.

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:

- A weekly roster reflected the staff present in the service.
- Attendance records for staff demonstrated that staff signed in and sign out of the service.
- Attendance records demonstrated that children were recorded into their rooms.

- The internal doors were secured to prevent a child from exiting or unauthorised adult from movement throughout the service unsupervised.
- The kitchen area was inaccessible to the children throughout the inspection.

Infection Control:

- Handwashing facilities for hand hygiene included warm water, liquid soap and paper towels.
- The service and care rooms were well ventilated with open windows.
- The service was maintained in a clean and hygienic condition throughout, with the premises and equipment observed to be visually clean.

Non-Compliance Information

General Safety:

1. On the inspectors unannounced arrival at the service at 9.40am, the gate of the service was not secure or monitored by staff to restrict unauthorised persons from gaining access to the premises and to prevent children from exiting the service unsupervised. An Immediate Action Notice was issued.
2. Garda vetting was available four staff members. However, these vetting disclosures were not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

Fire Safety:

3. Fire Drill records showed that the service had not completed monthly fire drills, no fire drill took place April 2023, November 2023 and February 2024.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The registered provider responded to the Immediate Action Notice on 20/05/2024 and stated, an inclusion of a swipe card access at the gates has been completed.

The Maintenance Manager was contacted immediately on inspection day 17th May 2024, an electrician came on site to inspect the wiring needs for a swipe action system on the gate in the Preschool, to prevent unauthorised access, ensure the safety of the children. The Person in Charge also highlighted the requirement of a swipe system on an additional gate to ensure the safety of the children and unauthorised access. An order was placed by the Security company for the required equipment for the gates on May 17th. The electrical work was commenced on Monday May 20th 2024 and following this, the security company installed the swipe system on the two gates, all work was fully completed on 13th June 2024.

New signage was erected on site, to guide parents and visitors to the service Reception, where the receptionist will assist them.

Two gates in the service are swipe activated by staff only. This will prevent the risk of unauthorised access and ensure the safety of the children. A Letter has been issued to all parents informing them of the safe access and egress to the preschool service is via the main reception.

2. The 4 staff members working in Preschool were contacted by the Human Resource (HR) department to renew their Garda Vetting and this action is currently in progress. A member of the HR Team is allocated to ensure all Garda Vetting for Childrens Services, are in date and is renewed every three years in adherence to the Early Years Inspectorate. HR will be making an amendment to the HR Recruitment and Selection Policy and Procedure to reflect same. A copy of the Garda Vetting disclosure will be kept on file, in Preschool managers office.

Fire Safety:

3. All future fire Drills are scheduled in the service, will be carried out every 3 weeks to ensure every month is accounted for. The Person in charge or their deputy is assigned to carry out the drill.

A protocol is written up to ensure Fire Drills are carried out monthly, all staff are aware of the protocol discussed at staff meeting on 29th May 2024. This will be filed in the Fire Register Folder.

Dates are scheduled in the service diary for a drill to be carried out every three weeks to ensure every month is accounted for. A deputy will be available to carry out these duties in the absence of the Person in charge.

Supporting documentation submitted

General Safety:

1. Letter from electrical company, Letter from security company, Letter to parents and Photographic Evidence submitted.
2. Renewed Garda Vetting disclosures for four staff submitted.

Fire Safety:

3. Action Plan for Fire drill submitted

Summary Comment

Under Regulation 23, the non-compliances outlined above 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

- (1) The service provided evidence that five adults trained in First Aid Response were available at all times to the children attending the pre-school.
- (2) (a) and (b) A suitably equipped first aid box was available and was safely stored in an easily accessible and conspicuous position in office of the service.

Part VI - Safety

Regulation 26 - Fire safety measures

(1) A registered provider shall ensure that a record in writing is kept of-
(a) any fire drill that takes place in the premises, and
(b) the number, type and maintenance record of fire fighting equipment and smoke alarms in the premises.

(4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.

Compliance Information

- (1)(a) A written record was available of the fire drills completed in the service.
- (b) A record was available of the number, type, and maintenance of the firefighting equipment which were last serviced June 2023 and for the number, type and maintenance of the mains powered smoke alarms in the premises, which were last serviced on the 9 April 2024.

(4) A notice of the procedures to be followed in the event of a fire was conspicuously displayed on the premises

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

Evidence of insurance cover was available to demonstrate there was cover for the preschool children attending the service, with an expiry date of 10 January 2025.