

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015FL327				
<b>Name of Service:</b>	Tír na nÓg Childcare and Montessori				
<b>Address of Service:</b>	26 Huntstown Lawn, Mulhuddart, Dublin 15, Co. Dublin				
<b>Eircode:</b>	D15 AW02				
<b>Name of Registered Provider:</b>	Veronica Baker				
<b>Service type:</b>	Full Day, Part Time				
<b>Date(s) of Inspection:</b>	16/05/2023				
<b>No of pre-school children:</b>	<table border="1"> <tr> <td>AM</td> <td>31</td> <td>PM</td> <td>10</td> </tr> </table>	AM	31	PM	10
AM	31	PM	10		
<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Child and Family Agency, Unit 4&5 Nexus Building Block 6A, Blanchardstown Corporate Park, Dublin 15				
<b>Inspection undertaken by:</b>	Á Dunne and E Hosford				
<b>Title:</b>	Early Years Inspectors				
<b>Authority to Inspect</b>					
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).					
<b>Conditions if applicable</b>	Not applicable.				

### Description of service

Tir na nÓg Childcare and Montessori is one of two private services owned by the registered provider which provides full day and part-time care to children aged between 1.5 and 6 years. The service operates from 7.30 am and 6.00pm, Monday to Friday and participates in the Early Childhood Care and Education (ECCE) Scheme. A school age service is also provided.

The premises is a two-storey semi-detached house. There are four care rooms, a kitchen, sanitary facilities and an office. Two care rooms were situated on the ground floor – Pod 1 (downstairs front) and Pod 2 (downstairs back) and two care rooms were situated upstairs – Pod 3 (upstairs front) and Pod 4 (upstairs back). There was an outdoor play area available to the children to the rear of the house with an artificial grass surface.

### Staffing

On the day of inspection, there were eight adults present to include the registered provider and the deputy person in charge. Six adults were working directly with the children including one adult employed under the Access Inclusion Model and one adult available to provide cover across the rooms from 12 to 1pm and school age care from 1pm. The registered provider and deputy person in charge were supernumerary and provided support where needed, together with managing oversight of the service.

### 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 findings are outlined within the relevant regulations within this report.

however, on inspection an additional non-compliance was identified under Regulation 8.

These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under the following:

- Regulation 23 – Safeguarding Health, Safety and Welfare of Child

The scope of the inspection included all four care rooms.

Regulation 9 - Management and Recruitment was assessed in relation to all staff currently employed and

Regulation 11- Staffing Levels was assessed across all of the rooms.

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 registered provider, deputy person in charge, staff and children who were present on the day of the inspection.

## Part II - Registration and Register

### Regulation 8 - Notification of change in circumstances

*(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.*

### Non-Compliance Information

- (1) The service is currently registered to have a maximum of 30 children in attendance.  
On the day of inspection, attendance records documented that 31 children were present.  
On review of dates sampled from the previous 2 weeks, attendance records documented that 35 children were in attendance as follows:

Date	No. of Children in Attendance
Friday 5 <sup>th</sup> May 2023	35
Monday 8 <sup>th</sup> of May 2023	35

The service was operating outside their registered no. of 30 children attending the service.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

- Some ECCE children have ended their places with the service and recently the service have had no more than 29 or 30 children in attendance. The service has 30 early years children enrolled for September 2023 and will not take bookings for any more than 30 early years children.

#### Supporting documentation submitted

Photographic Evidence submitted.

### Summary Comment

The noncompliance as outlined above under Regulation 8 has been addressed.

### 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 service had a designated person in charge and a named person to deputise as required.
- (b) The deputy person in charge was on the premises when the inspectors arrived unannounced and the registered provider arrived at 11.28am and both were present for the duration of the inspection.
- (c) 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 was present.
- (2) The files of 11 adults currently employed in the service were reviewed.
- (a) Two written and validated references were available for five adults from a past employer.  
One written and validated reference was available for four adults from a past employer.

(b) Two written and validated references were available for two adults from a source other than a past employer.

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

(c) Garda vetting was available for 11 adults.

(d) Police vetting was available in respect of two adults from two different countries who had lived outside the jurisdiction for longer than six months as an adult.

(4) The registered provider, person in charge, deputy person in charge and eight adults working directly with the children had documentation available to demonstrate that they 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.

### 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

(2) The correct adult/child ratio was maintained in the service during the inspection as follows:

The adult child ratios during the morning session were maintained as follows;

Pod 1 - 1 adult to 9 ECCE children aged between 3 – 5 years.

Pod 2 - 1 adult to 7 Part time children aged between 3 - 5 years.

Pod 3 - 2 adults to 9 ECCE children aged between 3 - 6 years.

Pod 4 - 1 adult to 6 Part time children aged between 3 –5 years.

The adult child ratios during the afternoon session 1pm to 6pm were maintained as follows;

Pod 1 - 2 adults to 10 children aged between 3 – 5 years.

Pod 2 - 1 adult to 3 children aged between 3 - 5 years.

Pod 3 – Closed.

Pod 4 - Closed.

(8)(a) Two adults are available within the service at all times.

#### Non-Compliance Information

(2) The minimum ratio of adults to children was not maintained during the inspection as specified in column (3) of Part 1 of Schedule 6 as evidenced by the following observation:

**Pod 1:** One adult caring for 9 children aged between 3-5 years of age, from 12:00pm to 1:00pm

**Pod 3:** One adult caring for 9 children aged between 3- 6 years of age from 12.00pm to 1.00pm

Two adults were required for the number and age profile of the children in both pods.

### Corrective & Preventive Action submitted by the Registered Provider

#### **Corrective and Preventive Action**

- (2) The service adjusted the weekly rota to ensure that 2 staff are present in the classroom from 12pm to 1pm, where the number of children present is greater than eight. An additional staff member will always be on the premises to cover, if 'in Rota' staff are for any reason unable to attend to their allotted duties.

#### **Supporting documentation submitted**

- (2) Staff rota and photographic Evidence of Staff levels submitted

### Summary Comment

Under Regulation 11, the noncompliance as outlined above has been addressed.

## 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.*

### Compliance Information

- (i) Staff roster was available on the day of inspection.

### Non-Compliance Information

- (j) On review of two medication administration records, the following information was missing:
- The second staff signature was missing from one medicine administration.
  - The child's surname was missing from one medicine administration form.
- (k) On review of 15 accident and incident records available, the following information was missing:
- The date of birth of the child was missing on four forms reviewed.
  - The surname of the child was missing on one form.
  - The date of the parent's signature was missing on nine forms.
  - The manager's signature was missing on five forms

### Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

(j)(k) All staff have undergone training in form filling, and attendance records and ongoing training for staff will take place.

Supervisor will carry out spot checks on all forms and records to ensure staff continue to complete them correctly.

### Supporting documentation submitted

(j)(k) Evidence of staff attendance at training submitted.

### Summary Comment

The non compliances as outlined above under Regulation 16 have been addressed.

## Part V - Care of Child in Pre-school Service

### Regulation 21 – Equipment and materials

*A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.*

### Compliance Information

- Each room in the service was designed with the age and stage of development having been taken into consideration. For example, care rooms had areas of interest with specific equipment and materials to support play. Children were observed to take part in free play on the day of inspection where by the layout of the room facilitated these choices, for example Pod 3 , the children played dolls going to space , with stickle bricks, with animals and with jigsaws before joining together for story time to read a story about space. Each care room had a wide variety of equipment to reflect the children’s interests and their emergent curriculum.
- There was a variety of play materials and equipment available to the children according to their age and stage of development, to include: arts and crafts materials directly accessible to the children, home areas with play kitchens with supporting equipment; range of jigsaws; range of construction toys to include building blocks, ; sorting and stacking toys; range of toys for transporting such as cars and trains with tracks and small world play toys of dolls houses and small characters.
- The toys and equipment were laid out on low level shelving and were visible and accessible to the children.

- The children were visually represented in the rooms in a number of displays supporting the child's sense of identity and belonging in the service, for example photographs of the children were used in the artwork, on Family tree and Birthday wall displays.
- Areas of interest were observed in the outdoor play area for example sand tray with diggers, bucket and spades, water tray, play kitchen with supporting equipment, 2 ride in cars, playhouse, climbing frame, dinosaurs, wooden balance beams on tyres, providing gross and fine motor play and learning opportunities for children.

### Non-Compliance Information

1. A cosy rest area was not accessible in Pod 1 care room as the couch was positioned under a table in the corner of the room.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

1. The service has replaced the old torn child sofa with a new one and staff have been advised that the cosy area must be accessible to children throughout the day. Supervisor will spot check classrooms to ensure all areas of interest and cosy areas are well maintained and accessible to children at all times throughout the day.

#### Supporting documentation submitted

1. Photographic Evidence submitted.

### Summary Comment

The noncompliance as outlined above under Regulation 21 has been addressed.

## 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

- The service followed a two-week menu plan which was on display in the hallway and visible to parents. Food provided within the service was prepared in the onsite kitchen with the main dinner supplied by an external catering company.

- On the day of the inspection the children attending full day care, were served a breakfast of cereal with milk and toast between 7.30 and 9am, a mid-morning snack of Chicken goujons followed by choice of either banana, apple, or orange at 11.20am, a fruit snack at 1pm and a hot dinner of fish cakes with mashed potato at 3pm and tea is served at 5pm.
- Staff were aware of the different dietary requirements of the children in their care room and suitable meals and alternatives were provided.
- Meals were prepared to suit the stages of development of the children in each care room.
- The children were given support and supervision when self-feeding.
- Drinks of Water and Milk were available throughout the day

### Non-Compliance Information

1. Children attending on a part time care basis, were offered a breakfast of cereal with milk and toast between 7.30 and 9am and at 11.20am, a mid-morning snack of Chicken goujons followed by choice of either banana, apple, or orange. This does not meet the recommended food guidelines for children attending part time care where provision of two meals and one snack each day is recommended.
2. While it is acknowledged that water was offered as a drink in the service throughout the day, an alternative of Juice was also made available to the children throughout the day, this is not a recommended drink for children as per the recommended food guidelines.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

1. The service revised the menus to ensure that they are meeting the recommended food guidelines to include 2 meals and 1 snack for children attending the service on a parttime basis. Menus will be reviewed seasonally, and discussed at staff meetings to ensure that the food being offered is enjoyed by the children.
2. Juice has been removed from the menu and children are only offered water or milk.

#### Supporting documentation submitted

1. 2. Copy of New menu submitted

### Summary Comment

Under Regulation 22, the non-compliances as outlined above have been 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:

- On the inspectors unannounced arrival at the service, the entrance was secure in order to prevent unsupervised entrance and exit from the service.
- The weekly roster was available for review by the inspectors on the inspection day.
- The kitchen area was inaccessible to the children throughout the day of inspection.
- Emergency exits in the service were clear and unobstructed

##### Infection Control:

- Handwashing facilities for hand hygiene included liquid soap, and paper towels.
- Nappy changing facilities were available for the children were required.
- The care rooms in the service were ventilated by open windows.
- The temperature of the care rooms was recorded as follows:

Room	Temperature	Time
Pod 1	21.2 ° C	at 10.50am
Pod 2	20.7 ° C	at 11.58am
Pod 3	21.5 ° C	at 11.46am
Pod 4	21.4 ° C	at 11.44am

which is within the recommended temperature of 18-22 °C.

#### Non-Compliance Information

##### General Safety:

1. The children had access to unlocked cupboards in the main hallway which contained a potentially hazardous liquid.
2. Details of attendance of children and staff were not completed accurately for example:
  - At 11.10am, there were nine children present in Pod 1 and only seven children were signed in on the attendance book.
  - At 11.38am, one staff member had signed in for 8.30am and signed out 1.00pm.

3. Two shelf units in Pod 4 care room were unstable and not secured to the wall leading to a risk of falling on a child.
4. Thermostatically controlled warm water was not available in the Pod 2 care room, the temperature of the water recorded by the inspector was 13.7° C at 12.20pm. Cold water is not conducive to effective handwashing.

### **Infection Control:**

5. Hands of children were not washed after nose blowing and nappy changing, leading to poor infection control.
6. In Pod 2, the bin for disposal of used paper towels following handwashing was not foot operated, as a result, the children had to use their hands to open the bin leading to cross infection.
7. At 11.13am, it was observed, that the open bin in the downstairs sanitary facility, used by the children, was overflowing with used paper towels following handwashing, leading to poor infection control.
8. The soft pink seating under a table in the Pod 1 room was damaged limiting effective cleaning.

### **Action submitted by the Registered Provider**

#### **Corrective & Preventive Action**

##### **General Safety:**

1. The hazardous liquid was removed from the drawer in the hall and placed out of children's reach.
2. Staff were trained on record keeping.
3. The shelves have been secured to the wall.
4. The thermostat for heating water has been repaired.

##### **Infection Control:**

5. Staff have been trained on hand washing.
6. 7.New pedal bins have been purchased.
8. The old seating has been replaced with a new one.

#### **Supporting documentation submitted**

##### **General Safety:**

1. No evidence submitted
2. Evidence of staff attendance at training submitted.
3. Photographic Evidence submitted.
4. Invoice from Plumber for works completed submitted.

### Infection Control:

5. Evidence of staff attendance at training submitted.
- 6 & 7. Receipt for proof of purchase of 3 new pedal bins.
8. Photographic evidence 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

(2)(a) and (b) Suitably equipped first aid boxes were available and were safely stored in an easily accessible and conspicuous position on the premises.

### Non-Compliance Information

(1) While it is acknowledged that the service provided evidence that two adults trained as First Aid Responders, the roster demonstrated that they are not available at all times to the children attending the pre-school.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

(1) The service has registered another full-time staff member to complete the FAR course on the 9<sup>th</sup> of August 2023 and the service will ensure that there is always at least one FAR trained member of staff on the rota at all times.

#### Supporting documentation submitted

Receipt and confirmation of booking for a FAR Training course for 9<sup>th</sup> and 10<sup>th</sup> of August 2023.

### Summary Comment

The non-compliance outlined above, under Regulation 25, has been addressed. Certification will be reviewed on next inspection.

### 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 written record was available of the fire drills completed in the service. The last recorded fire drill took place on the 4<sup>th</sup> of May 2023.
  - (b) A record was available of the number, type and maintenance of the firefighting equipment and for the number, type and maintenance of the mains powered smoke alarms in the premises, which were both last serviced on the 5<sup>th</sup> of June 2022.
- (4) A notice of the procedures to be followed in the event of a fire was conspicuously displayed on the premises

### Part VII - Premises and Space Requirements

#### Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-*

- (c) kept adequately lit, heated and ventilated*
- (e) equipped with adequate and suitable sanitary facilities.*

#### Non-Compliance Information

(c) The downstairs sanitary facility did not have effective mechanical ventilation system or window that could open to extract a malodour present on the day of inspection.

(e) The service had insufficient sanitary facilities to cater for the number of children present in the service on the day of inspection. For example:

- In the downstairs sanitary facility, there was one wash hand basin and one toilet available to 15 toilet trained children.
- In the upstairs sanitary facility, there was one wash handbasin, two toilets and 1 nappy changing facility available to 14 toilet trained children.

One toilet and one wash hand basin are required for every 11 children.

#### Corrective & Preventive Action submitted by the Registered Provider

##### Corrective and Preventive Action

(c) The plumber, who fitted the extra sink, said the ventilation in the children's downstairs bathroom goes to the tiled box on the ceiling of the staff bathroom and out to the flat roof and advised that a mechanical fan would work more efficiently. The registered provider purchased one. An electrician will fit it when date of availability is confirmed. The checking that the fan is working will be added to a check list to be carried out weekly.

(e) The service engaged a plumber to fit a second sink in the upstairs bathroom, works completed July 2023.

##### Supporting documentation submitted

- (c) Receipt for purchase of Extractor Fan.
- (e) Photographic Evidence submitted.

#### Summary Comment

The non-compliances as outlined above under Regulation 29 have been addressed.

The works completed will be reviewed on next inspection.