

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015FL332
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Name of Service:	Treehouse Childcare
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Address of Service:	Allendale Walk, Allendale, Dublin 15, Co. Dublin
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Name of Registered Provider:	Aileen O'Reilly
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Service type:	Full Day
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Date of Inspection:	08/02/2024
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No of pre-school children:	AM	50	PM	42
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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 & E Hosford
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

Treehouse Childcare established in 2005, is an early year's childcare service which operates from a purpose built two storey building in North Dublin. This service provides full day care, part time and sessional care to preschool children aged from 1 to 5 years. The service operates from 7:30am-6:15pm, Monday to Friday.

There are four rooms in the service as follows:

Toddler Room cared for children aged between 1 years to 2 years,

Preschool Room cared for children aged between 1 years 6 months to 2 years 6 months,

ECEC 1 Room cared for children aged between 2 years 6 months to 3 years,

ECEC 2 Room cared for children aged between 3 years to 4 years 6 months,

with sanitary facilities, a kitchen, a staff room and an office.

The outdoor play area is to the rear of the service.

The service participates in the Early Childhood Care and Education (ECCE) scheme and can cater for a maximum of 52 children.

Staffing

On the day of inspection there were 17 staff working in the service to include the person in charge, a cook, 13 childcare staff working directly with the children and two staff employed under the Access Inclusion Model (AIM).

The registered provider does not work in 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 inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under the regulations.

Regulation 9 Management and recruitment (1) (a)(b)(c), (2)(a)(b)(c)(d), (4),

Regulation 11 Staffing Levels (1)(2),

Regulation 21 Equipment and Materials,

Regulation 23 Safeguarding, Health, Safety and Welfare of child,

Regulation 29 Premises,

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

A sampling process was used to assess compliance under Regulation 9 - Management and Recruitment, Reg 23 - Safeguarding, Health, Safety and Welfare of child and Regulation 11- Staffing Levels was assessed across all of the rooms.

The scope of the inspection included two rooms – Toddler room and Preschool room and did not include ECEC 1 and ECEC 2 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.

Additional Information

08/02/24:

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

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

1. The entrance to the service was open and accessible and not secure which posed a risk to children.
2. The temperature of the radiator in the cot room, off the toddler room, exceeded the recommended 50 °C which posed a risk to the safety of children.
3. At sleep time, fire exit doors were blocked in the Toddler room and in the Preschool room which posed a risk to the safety of the children.

Please see details in the body of the report.

09/02/24:

The registered provider responded with an outline of a plan to address the non-compliances.

09/02/24

A second response to the Immediate action notice issued was requested from the service for further response required for non-compliances 2 and 3.

12/02/24

The registered provider responded further with an outline of a plan to address the non-compliances 2 and 3.

Please see details in the body of the report.

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
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.

(2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,
- (b) consideration of references from reputable sources in the case of a person who has no past employers,
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and
- (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.

(4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

Compliance Information

- (1)
- (a) The registered provider ensured there was a designated person in charge and a named person to deputise as required.
 - (b) The designated person in charge was on the premises when the inspector's arrived unannounced to the service and remained in the service for the duration of the inspection.

(c) There was a clear management structure in the service that identified the lines of authority and accountability in the service and the specific roles and responsibilities of each employee.

(2) It was confirmed by the designated person in charge that six new staff members have been employed and one staff member returned to work in the service since the last inspection. The files of these seven staff members were reviewed as part of the inspection. In addition, the files of all staff were reviewed to ensure each staff member had up to date Garda Vetting Disclosures.

(a) Two written and validated references were available for three staff members from a past employer.

One written and validated reference was available for three staff members from a past employer.

(b) Two written and validated references were available for one staff member from a source other than from a past employer.

One written and validated reference was available for three staff members from a source other than a past employer.

(c) Garda vetting disclosures were available for 18 staff members employed. 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) Police vetting was available for seven staff who have lived outside the State for longer than six months as an adult.

(4) Documentation was available to show that the six staff members who worked directly with children attending the service held at least a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications or a qualification deemed eligible by the Department of Children and Youth Affairs.

Non-Compliance Information

(4) Documentation available did not demonstrate that one staff member who worked directly with children attending the service held at least a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications or a qualification deemed eligible by the Department of Children and Youth Affairs.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(4) The Staff member forwarded their recognition of certification when they returned from maternity leave as per your request. The service will continue with the practice of employing staff with recognised qualifications and ensure if the translation is different, they must provide a Letter of Qualification Recognition.

Supporting documentation submitted

(4) Letter of Recognition of Qualification submitted

Summary Comment

Under Regulation 9, the non-compliance outlined above has been addressed.

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.

Compliance Information

(1) There was an adequate number of adults working directly with the children as follows :

There were 14 adults working with 50 children in the morning and 14 adults working with 42 children in the afternoon.

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

During the morning:

Toddler Room - 3 Adults to 9 children aged between 1 years to 2 years,

Preschool Room - 3 adults to 9 children aged between 1 years 6 months to 2 years 6 months,

ECEC 1 Room - 4 adults to 14 children aged between 2 years 6 months to 3 years,

ECEC 2 Room - 4 adults to 18 children aged between 3 years to 4 years 6 months,

During the afternoon:

Toddler Room - 3 Adults to 9 children aged between 1 years to 2 years,
 Preschool Room - 4 adults to 9 children aged between 1 years 6 months to 2 years 6 months,
 ECEC 1 Room - 4 adults to 11 children aged between 2 years 6 months to 3 years,
 ECEC 2 Room - 3 adults to 13 children aged between 3 years to 4 years 6 months,

The designated person in charge was present in a supportive role were required.

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

- The care rooms in the service were designed with the age and stage of development having been taken into consideration. Children were observed to take part in free play and group work. The layout of the rooms facilitated these choices as the toys and equipment were laid out on low level shelving and were visible and accessible to the children. There was a sufficient number of low tables and chairs to accommodate children whilst they played and ate in each care room. Cosy areas of soft floor mats or rugs with soft chairs, cushions and books in good condition for rest and relaxation were present. There was equipment to reflect the children’s interests and their emergent curriculum.
- The play materials and equipment were stored in photographic labelled boxes and on low shelves to include: arts and crafts materials directly accessible to the children; home areas with play kitchens with supporting equipment and play food, range of construction toys to include wooden puzzles, wooden building blocks, plastic building bricks, stickle bricks; toys for transporting such as cars, trucks, trains with train tracks and small world play toys of dolls houses with furniture and small characters, animals and dinosaurs; for imaginary play dress up clothes, instruments.
- An outdoor play area was available for the children with a soft artificial surface. The equipment and toys available included one large outdoor game, slides, a climbing frame with a slide, see saw, scooters, one ride in car, two ride on cars a sand/ water sensory play table, a playhouse and 5 tyres fixed into the surface area providing learning opportunities for children.

Non-Compliance Information

1. The steering wheel of a ride in car in the outdoor area was missing, which does not provide the full play experience of driving a car.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. The car has been removed and staff are reminded to complete the Daily Risk Assessment at close of business.

Supporting documentation submitted

1. Copy of Daily Risk Assessment submitted

Summary Comment

The non-compliance outlined above under Regulation 21, has 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:

- Attendance records were maintained and updated as children arrived or left the service.
- The kitchen area was inaccessible to the children throughout the inspection

Infection Control:

- Handwashing facilities for hand hygiene included thermostatically controlled water, liquid soap, and paper towels.
- Handwashing was observed after nappy changing, after bathroom visits, and before and after mealtimes.
- Nappy changing facilities were available for the children and nappy changing was completed for the children, at set times or when required.
- Individual bed linen was available to the children and was stored individual labelled boxes.

Safe Sleep:

During sleep time, the following was observed:

- The sleep needs for children under 2 years of age, were facilitated with access to cots for sleep.

- The sleep needs of children over two years of age were met through the provision of low beds and comfortable rest areas available in the care rooms.
- Children were provided with cellular blankets for sleep.
- Shoes and clothing were removed from children while they slept.
- The temperature of the cot room, off the toddler room was recorded as 20.8°C at 11.20 am, and the temperature of the Preschool room at sleep time was recorded as 19.7°C at 12.17pm, meeting the acceptable temperature of 18-22 °C while children over 1 years old sleep.

Non-Compliance Information

General Safety:

1. Garda vetting was available for one staff member. However, this vetting disclosure was not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting.
2. On the inspectors unannounced arrival at the service at 10.30am, and during the ECCE children pick up time at 12.01pm, the main door of the service was open and accessible, posing a risk of unauthorised persons gaining access to the premises and a risk of children exiting the service unsupervised. It is acknowledged that at 12.18pm, the person in charge ensured the Main entrance door was secure with a lock and that parents use the key code to access the service. An immediate action notice was issued.
3. The temperature of the radiator in the cot room, off the Toddler room, was recorded as 104.2°C at 11.24am, which exceeded the recommended temperature of 50°C which posed a risk of burning to the children. It is acknowledged that a staff member took immediate action to address the non-compliance and the radiator was turned off. An immediate action notice was issued.
4. In the Toddler room, a kettle was present and in use by staff in the vicinity of the children, leading to a risk of scalding a child.
5. The service did not ensure that areas and equipment were maintained to safeguard the children in their care, by providing a safe environment where they can play, learn and develop. For example:
 - In the Toddler room and Preschool rooms, the low-level glass windows of the patio doors had no visibility strips for the children aged one to two years 6 months, leading to a risk of injury.
 - In the cot room off the Toddler room, there were trailing flexes of a stereo and room thermometer within reach of the children.

Infection Control:

6. The nappy changing observed procedure in the Preschool room nappy changing room was not in line with best practice as follows:
 - no apron was worn.
 - gloves were not removed in a timely manner and were worn until the end of the nappy change, leading to poor infection control.
7. The bin in the nappy changing room off the preschool room was not pedal operated, leading to poor infection control.
8. Presence of peeling tape on the floor in two places in the Preschool room, leading to ineffective cleaning.
9. The foam of one corner of the soft floor mat in the Toddler room was exposed, leading to ineffective cleaning of the soft floor mat and a choking risk.
10. Four mattresses of the cots in the Toddler room did not have removeable wipeable covers to reduce the potential risk of cross infection.
11. Four large refuse bins were accessible to children in the outdoor play area, leading to poor infection control.
12. Staff in the Toddler room reconstituted powdered infant formula for three children which is at variance with best practice guidelines.

Fire Safety:

13. At 11.57am the position of two cots in the Toddler room blocked the fire exit doors and at 12.08pm, the position of 12 chairs stacked and three low tables blocked the fire exit doors in the preschool room, leading to a risk of safety in the event of an emergency evacuation. It is acknowledged that the person in charge took immediate action to address the non-compliance's and at 12.18pm, the fire exits were unblocked by moving the cots, tables and stacked chairs. An immediate action notice was issued.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. Re-garda vetting application was submitted 08th February 2024 and the service received the vetting on 19th February 2024. The service will ensure all Re-Vetting is conducted in a timely manner.

2. The registered provider responded on the 9th of February 2024 to the Immediate Action Notice issued on the 8th of February 2024 and stated, A note was sent to all parents. Upon consideration for a solution and in consultation with a locksmith the installation of an alarm to sound when the door is open will be fitted on Monday 12th of February. This alarm will audibly notify parents to close the door as a reminder along with the notice. The service anticipate that this solution should work and will continue to monitor the situation.
3. The registered provider responded on the 12th of February 2024 to the 2nd request for Immediate Action Notice sent on the 9th February 2024 and stated; that this radiator will no longer be in use. It will be removed and replaced with a radiator at a higher level which will not be accessible to children and the surface temperature will not exceed 50 degrees Celsius.
4. The kettle has been removed from the room and no more kettles will be in the rooms.
5.
 - Visibility stickers have been applied on all glass at the children’s height.
 - The trailing flexes have been secured and will always be.

Infection Control:

6. The staff has been reminded that they need to change their gloves in a timely manner. The nappy changing policy has been explained again and the service will continue making sure that all the staff adhere to the nappy changing policy.
7. The bin in the nappy changing room off the Preschool room was replaced. Staff has been reminded to report any defect equipment immediately and not to sign the form unless everything is functional and safe.
8. The tape was replaced in the Preschool Room. Management has taken the responsibility of checking the tape at closing business each day to ensure that it is fit for purpose and replace if necessary.
9. A mat was ordered to replace the existing one. The risk assessment form has been updated to include the floor mat.
10. Four removable wipeable mattress covers were purchased and the service will ensure they always have the correct number of removable wipeable mattress protectors.
11. The bins are relocated and no longer accessible to the children. A memo was issued to staff informing them of the relocation of the bins.
12. The staff and parents/guardians were informed that it is no longer acceptable practice to prepare bottles on site. Bottles will no longer be prepared on site.

Fire Safety:

13. The registered provider responded on the 12th of February 2024 to the 2nd request for Immediate Action Notice sent on the 9th February 2024 and stated; A staff memo was issued to inform the staff that the placing of furniture and equipment cannot be placed in front of either of the doors. The fire exit sign indicates that this is the designated emergency evacuation route in the event of an emergency.

Supporting documentation submitted:

General Safety:

1. Copy of renewed Garda Vetting submitted.
2. Copy of Note to Parents submitted.
3. Photographic evidence submitted.
4. No evidence submitted.
5. Photographic evidence submitted.

Infection control:

6. No evidence submitted.
7. Photographic Evidence submitted.
8. Photographic Evidence submitted.
9. Photographic Evidence submitted.
10. Photographic Evidence submitted.
11. Memo to staff submitted.
12. Memo to parents submitted.

Fire Safety:

13. Memo to staff submitted.

Summary Comment

Under Regulation 23, the non-compliances outlined above, have been addressed through the corrective and preventive actions taken.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

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

- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

Compliance Information

(d) The walls in the care rooms and along the corridors and stairs in the service had been recently re painted and were clean and maintained well.

Non-Compliance Information

(e) The service had not met the requirement for staff member sanitary facilities as there was one staff toilet available for the 17 staff working in the service on the day of inspection when the requirement is one staff toilet for every 8 staff members.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(e) One Staff sanitary was installed and this staff facility will remain in use.

Supporting documentation submitted

(e) Photographic Evidence submitted.

Summary Comment

Under Regulation 29, the non-compliance outlined above has been addressed. The corrective action will be reviewed on next inspection.