

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015FL332
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<b>Name of Service:</b>	Treehouse Childcare
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<b>Address of Service:</b>	Allendale Walk, Allendale, Dublin 15, Co. Dublin
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<b>Eircode:</b>	D15 CR27
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<b>Name of Registered Provider:</b>	Aileen O'Reilly
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<b>Service type:</b>	Full Day
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<b>Date(s) of Inspection:</b>	27/07/2023
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<b>No of pre-school children:</b>	AM	42	PM	27
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<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 & T Nelson
<b>Title:</b>	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).

<b>Conditions if applicable</b>	Not applicable.
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### Description of service

Treehouse Childcare is a private early years' service established in 2005. The service operates Monday to Friday 7:30am-6:30pm and offers full day, part-time and sessional places to children aged between 1 and 5 years old. The service is based in a purpose built two storey building. There are four care rooms in operation which are the Toddler, the Preschool, Ecce 1 and Ecce 2 rooms. The outdoor play area is to the rear of the building. The service participates in the Early Childhood Care and Education (ECCE) scheme.

### Staffing

On the day of inspection, there were 11 adults present - the person in charge, 9 staff members working directly with children including 2 staff members employed under the Access Inclusion Model and one chef. The registered provider was not present on the day of inspection.

### 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.

Regulation 9 Management and recruitment – (2)(a), (b), (c), (d), (3), (4)

Regulation 11 Staffing Levels - (1), (2), (8)(a),

Regulation 21 Environment and Materials

Regulation 22 Food and Drink

Regulation 23 Safeguarding Health, Safety and Welfare of child,

Regulation 25 First Aid - (1), (2)

### Regulation 26 Fire Safety Measures

### Regulation 32 Complaints

However, on inspection additional non-compliance was identified under Regulation 29 – Premises.

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

The scope of the inspection included all care rooms the Toddler, Preschool, Ecce 1 and Ecce 2 rooms.

A sampling process was used to assess compliance under regulations: 23 Safeguarding Health, Safety and Welfare of Child.

Regulation 9 Management and Recruitment and Regulation 11 Staffing Levels were assessed across all 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.

### Additional Information

An immediate action notice was issued to the registered providers on the 27<sup>th</sup> of June 2023, due to the requirements of Regulation 23 Safeguarding Health, Safety and Welfare of child, whereby recommended temperatures of 16°C – 20°C in the Preschool room during sleep time was exceeded.

On the 28<sup>th</sup> of June 2023, the registered provider responded to the immediate action notice with the planned action taken to rectify the non-compliance.

### 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

*(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 15 staff members were reviewed.

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

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

(b) Two written and validated references were available for five staff members from a source other than 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 was available for 15 staff members.

(d) International police vetting was available in respect of 13 staff members from five different countries who had lived outside the jurisdiction for longer than six months as an adult.

(4) Thirteen 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, Equality, Disability, Integration and Youth Affairs

### Non-Compliance Information

(2)(b) One written reference for one staff member from a source other than a past employer was not validated.  
(d) Police vetting was not available in respect of two staff members from one different country each, who had lived outside the jurisdiction for longer than six months as an adult.

(4) A recognised childcare qualification was not available for one staff member and the inspectors could not determine a childcare qualification validly due to no clear award certificate being present.

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

#### Corrective and Preventive Action

##### Corrective Action

(2)(b) The written reference for the staff member from a source other than a past employer was validated by the referee herself. The reference has been re-cross checked by the owner of the creche. The service will make sure that references are not cross-checked by the referees themselves.

(2)(d) Police vetting in respect of two staff members were available from their native countries but not from the countries that they went for studies. One of the staff members was sent to a different country by her government through ERAMUS. One of the two staff members has emailed the respective embassy to see if she can get police clearance and the service have contacted the second staff member who is on maternity leave and is awaiting her reply. The company will ensure, to the best of their ability, that all new staff will be police vetted from all the countries that they have resided for over 6 months.

(4) A recognised childcare qualification was available for the staff member but was not recognised by the inspectors. As the staff is on maternity leave, the service has asked them to apply for a recognition of certificate before coming back.

#### Supporting documentation submitted

(2)(b) No evidence submitted.

(2)(d) No evidence submitted.

(4) Qualification certificate in language other than English submitted.

### Summary Comment

The non-compliance under regulation 9 (2)(b) has been addressed.

Non compliances under Regulation 9(2)(d) and (4) remain outstanding and the corrective action taken will be reviewed at 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.*

#### Compliance Information

- (1) There were an adequate number of adults working directly with the children as there were 10 adults working with 42 children in the morning, and nine adults working with 27 children in the afternoon.
- (2) The correct adult/child ratio was maintained in the service throughout the inspection at all times.

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

**Toddler room** - 2 adults to 8 children aged between 1 – 2 years.

**Preschool room** - 2 adults to 7 children aged between 1 year 6 months – 2 years 6 months.

**Ecce room 1**- 2 adults to 2 children aged between 2 – 3 years and 5 children aged 3 – 5 years.

**Ecce room 2** - 3 adults to 20 children aged between 3 years - 5 years.

The person in charge was available in a supernumerary role to provide support for nappy changes and breaks.

The adult child ratios during the afternoon were maintained as follows;

**Toddler room** - 2 adults to 5 children aged between 1 -2 years.

**Preschool room** - 2 adults to 7 children aged between 1 year 6 months – 2 years 6 months.

**Ecce room 1**- 1 adult to 2 children aged between 2 - 3 years and 5 children aged 3 – 5 years.

**Ecce room 2** - 3 adults to 8 children aged between 3 years - 5 years.

The person in charge was present and available in a supernumerary role to provide support for nappy changes and breaks.

### 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 on the day of inspection. 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 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 on art shelves, home areas with play kitchens; range of construction toys to include jigsaws and wooden puzzles, wooden building blocks, plastic building bricks, building straws; sorting and stacking toys; toys for transporting such as cars trucks and a garage, trains with train tracks and small world play toys of dolls houses with furniture and small characters, for imaginary play dress up clothes, sensory trays with supporting equipment, Montessori materials supporting the areas of practical life, sensorial, language, maths and culture were present.
- Each care room had a cosy area of soft floor mats with cushions and books for rest and relaxation.
- There was a sufficient number of low tables and chairs to accommodate children whilst they played and ate in each care room.
- An outdoor play area was available for the children with soft artificial surface. The equipment and toys available included 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. There was limited supporting play equipment present for the play kitchens in the Toddler and Preschool rooms, limiting the play opportunities for the children.
2. Several books were in poor condition with missing pages and tattered covers in the Toddler, Preschool and Ecce 1 rooms.

3. Some battery-operated cause and effect toys in the Ecce 2 room were not working.
4. 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. A new kitchen set was bought for the Toddler room with new equipment. New toys were bought for the preschool room too. The company will ensure that the children have the appropriate equipment to play.
2. New books were bought for all rooms. Books will be replaced when not in good condition.
3. The battery-operated toys in the ECCE 2 were removed. Supervision and monitoring of the toys will be done regularly (indoor and outdoor).
4. The car in the outdoor area was removed. Supervision and monitoring of the toys will be done regularly (indoor and outdoor).

### Supporting documentation submitted

Photographic Evidence submitted

## Summary Comment

Under Regulation 21, the non-compliances outlined above have 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 available and on display.
- Food provided within the service was prepared in the service kitchen by an onsite chef.
- On the day of the inspection the children were served a breakfast of cereal with milk, a mid-morning snack of crackers with cheese and raisins, a hot dinner of meatballs in tomato sauce with couscous and an afternoon tea of scrambled egg with potato waffles.
- Staff were aware of the different dietary requirements of the children in their care room and suitable meals and alternatives were provided. Additional portions were also available where required.
- 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.
- Water was available throughout the day with jugs of water present in each care room.

### 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, access to the main door was monitored and controlled by staff to restrict unauthorised persons from gaining access to the premises and to prevent children from exiting the service unsupervised.
- The kitchen area was inaccessible to the children throughout the inspection.
- All cleaning agents and sharp implements were stored safely and out of reach of children.
- Documented attendance records demonstrated the children present in each care room.

- The outdoor area was secured with a surrounding wall and two locked side gates which reduced the risk of unauthorised access.

### Infection Control:

- Handwashing facilities for hand hygiene included thermostatically controlled warm water, liquid soap, and paper towels.
- Nappy changing facilities were available for the children.
- Nappy changing was completed as per service policy with kind interactions between staff and children.

### Safe Sleep:

- 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.
- Children were provided with cellular blankets for sleep.
- Sleep checks were completed every 10 minutes by staff members during sleep time of children.
- Shoes and clothing such as sweatshirts were removed from children while they slept.

## Non-Compliance Information

### General Safety:

1. A kettle was present but not stored safely, sitting on the counter near the microwave with a trailing flex, in the Toddler room leading to a risk of injury.
2. The practice of using a microwave to heat milk bottles for children in the Preschool room posed a risk of injury to children.
3. The two side gates of the outdoor area had no foam present on each door to prevent a risk of injury.
4. On review of staff attendance documentation at 11.07am, the inspectors observed that two staff had not documented their time of arrival to the service which the roster demonstrated as being 9am, posing a risk of safety in the event of evacuation.

### Infection Control:

5. Presence of peeling tape on floor in the Preschool room, leads to ineffective cleaning.
6. During sleep time of one child, the sleep room of the Toddler room was observed to be congested with cots, mattresses and equipment, this is not an appropriate storage area as cots could not be positioned 50cms apart.
7. Six mattresses of the cots in the Toddler room did not have removeable wipeable covers to reduce the potential risk of cross infection.

**Safe Sleep:**

8. An Immediate Action Notice was issued to the registered provider as the temperature of the care rooms while children slept exceeded acceptable ranges. The temperature of the rooms while children slept were recorded as follows:

Sleep Room	Times and temperatures recorded	
Toddler room (Children aged 1 - 2 yrs.)	13.05pm - 21.7°C	
Preschool room (Children aged 1 year 6 months - 2 years 6 months)	12.17pm – 22.7°C	13.03pm - 22.7 °C
Ecce 1 room (1 child aged 2 years 6 months – 5 years)	13.02pm – 22.3°C	

This exceeds the recommended temperature of 16-20 °C while children sleep.

**Action submitted by the Registered Provider**

**Corrective & Preventive Action**

**General Safety:**

1. The kettle and microwave were removed from the room.
2. Bottle warmers are being used to warm the milk bottles and staff have been trained.
3. Foam has been put on both side gates and well secured with tape so that they cannot be removed.
4. The staff have been informed that they must sign the attendance book, every day, upon arrival and on completion of their shift.

**Infection Control:**

5. On the day of inspection, the manager gave the staff a new roll of tape to replace the old one. We were aware of it and action had been taken on the day of inspection. The broken tape was replaced straight away.
6. The cot room has been decongested. Cots were removed and stored in the shed.
7. Removeable washable covers were bought.

**Safe Sleep:**

8. Action was taken immediately. Staff were given a notice that they read and signed. Copy was sent to Tusla as requested within the timeframe. From that day, the room temperature is monitored regularly.

### Supporting documentation submitted

#### General Safety:

1. Photographic Evidence submitted.
2. Memo to staff for training submitted.
3. Photographic Evidence submitted.
4. Memo to staff for training submitted.

#### Infection Control:

5. Photographic Evidence submitted.
6. Photographic Evidence submitted.
7. Photographic Evidence submitted.

#### Safe Sleep:

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### Summary Comment

Under Regulation 23, the non-compliances are 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 registered provider ensured that an adequate number of staff held First Aid Responder (FAR) certification training.

(2)(a)(b) Well-equipped first aid boxes were available to the children attending the service and were stored in an easily accessible and conspicuous position on the premises.

## 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. The last recorded fire drill took place on the 30<sup>th</sup> May 2023.
  - (b) A record was available of the number, type and maintenance of the firefighting equipment demonstrating it was last serviced in December 2022 and for the number, type and maintenance of the mains powered smoke alarms in the premises, which were last serviced on the 31<sup>st</sup> May 2023.
  - (4) A notice of the procedures to be followed in the event of a fire were conspicuously displayed in the premises.

## 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*

#### Non - Compliance Information

(d) The premises was not adequately clean and maintained, as outlined below:

- The walls in the care rooms and along the corridors and stairs in the service were chipped, stained, visibly dirty with old tape marks gathering dirt evident.
- The skirting board was coming away from the wall at the sink area in the nappy changing room of the Preschool care room, limiting effective cleaning.

#### Action submitted by the Registered Provider

##### Corrective & Preventive Action

- (d)
- The registered provider ensures that the premises are cleaned, maintained and repaired as required. A painter was contacted before the inspection and they were due at the beginning of July to start the work. The whole creche is now painted.
  - The skirting board was nailed to the wall. Regular inspections of premises from the Manager and the Assistant Manager will be carried out and any necessary to be reported to the Operations Manager.

##### Supporting documentation submitted

- (d)
- Email from Painter submitted.
  - Photographic Evidence submitted.

#### Summary Comment

Under regulation 29 , the non-compliances outlined above have been addressed.

## Part VIII - Notifications and Complaints

### Regulation 32 – Complaints

- (1) A registered provider shall ensure that the complaints policy of the service specifies-
- (a) the procedure to be followed by a person for the purposes of making a complaint in relation to the service,
  - (b) the manner in which such a complaint shall be dealt with, and
  - (c) the procedures for keeping a person who makes such a complaint informed of the manner in which it is being dealt with.
- (2) A registered provider shall ensure that-
- (a) a record in writing is kept of a complaint made to the provider in respect of the pre-school service, and
  - (b) the complaint is duly dealt with in accordance with the provider's complaints policy.

### Compliance Information

(1)(a)(b)(c)

The service had a complaints policy available, and it had the required statements and procedures documented.

(2)(a) The service had a record of complaints made in respect of the service.

(b) The service had documentary evidence to demonstrate that any complaints received were dealt with according to the service complaints policy.