

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015GY241
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<b>Name of Service:</b>	Cairde Early Learning Centre
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<b>Address of Service:</b>	Cosmona, Loughrea, Co. Galway
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<b>Eircode:</b>	H62 X662
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<b>Name of Registered Provider:</b>	Noreen Murphy
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<b>Service type:</b>	Full Day
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<b>Dates of Inspection:</b>	15/01/2024
<b>Date 2 of Inspection:</b>	17/01/2024
<b>Date 3 of Inspection</b>	26/02/2023

<b>No of pre-school children:</b>	AM	56	PM	42
<b>Day 2</b>	AM	51	PM	No.
<b>Day 3:</b>	AM	39	PM	No.

<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Quality and Regulation Directorate, Child and Family Agency, Clinical & Administration Building, Block A. 1st Floor- Green Corridor),Merlin Park, Galway.
<b>Inspection undertaken by:</b>	F. Kelly and S. Meehan.
<b>Title:</b>	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

## Description of service

This privately operated early learning and care service on the outskirts of Loughrea, Co. Galway. This service offers a full day care and part time care and sessional provision from 7.30hrs to 18.00hrs.

## Staffing

There were 12 adults working directly with the children on the day of inspections. The register provider does not work on the premises on a daily basis. An area support manager and the service manager facilitated the inspection on both days of the 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 inspection focused on an examination of compliance under regulations 11, however, on inspection additional non-compliance which posed a risk was identified under Regulation 8,9,19,21,23, and 29.

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

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

25/01/2024

A referral was made to the Galway Fire authority to review the fire safety requirements of the childcare building.

06/02/2024.

The Fire Officer conducted an inspection on the 30/01/2024 and is in consultation with the registered provider regarding works that have to be completed.

## Acknowledgments

The inspectors wish to acknowledge the cooperation of the managers, 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 converted the dining room into a playroom for children age between 12 months and 24 months (Wobbler room). The changes were not notified to the National Registration Office prior to opening.

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

The registered provider stated the following:

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

A Change in Circumstance form was submitted to the Early Years Inspectorate, outlining changes made to the dining room.

In future all changes of rooms will be communicated to the inspectorate in advance.

#### Summary Comment

The regulation remains non-compliant as the change in circumstances application to the Early Years Inspectorate has not been finalised.

### 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*

*(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 was the designated person in charge and the service manager is the named person who was able to deputise as required.
- (b) During the period of inspection, the area support manager and the service manager were on the premises and facilitated the inspection.
- It was confirmed that there were 18 members of staff working in the service, which included a registered provider, service manager, area manager, child care workers, kitchen staff and 1 student on a 12-week work experience from a 3<sup>rd</sup> level college.
- All files were reviewed on the day of inspection.
- (2)(a) There were 31 written and appropriately validated references available from the adult's most recent employer.
- (b) There was 5 written and appropriately validated reference available from a source other than recent employer for the adults working in the service.
- (c) Garda Vetting disclosures were available for the 18 staff working in the service.
- (d) Police vetting disclosures were available for 8 staff that had lived outside the jurisdiction for a period of over 6 months.

(4) There were 12 adults working directly with children who had obtained at least an award in Early Childhood Care and Education at Level 5 on the National Qualifications Framework.

### Non-Compliance Information

(4) There were 3 adult working directly with children who was not able to provide evidence that they had obtained at least an award in Early Childhood Care and Education at Level 5 on the National Qualifications Framework.

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

The registered provider stated the following:

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

The staff members that could not provide evidence that they had obtained at least an award in Early Childhood Care and Education at Level 5 on the National Qualifications Framework, have applied to the Department of children, Equality, Disability, Integration and Youth to assess if their qualification is applicable.

All staff must provide evidence of a recognised qualification prior to commence employment in the creche.

#### **Supporting documentation submitted**

On the 26/02/24, the service manager provided a letter from the Department of children ,Equality, Disability, Integration and Youth in relation to 1 of the staff members. It acknowledged that that staff member was not qualified to work in a childcare setting. No evidence was submitted for the 2 remaining staff members.

### Summary Comment

The regulation remains non-compliant as evidence that that 1 staff does not have the required qualification and no evidence has been supplied for the remaining 2 staff.

### 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) (c) Without prejudice to paragraphs (2) to (7) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times

#### Compliance Information

- (1) During the period of inspection there were adequate numbers of adults working with the pre-school children attending the service.
- On the first day of inspection, there were 56 pre-school children being cared for by 12 adults.
- On the 2<sup>nd</sup> day of inspection , there were 51 pre-school children being cared for by 12 adults.
- On the 3<sup>rd</sup> day of inspection, there were 39 pre-school children being cared for by 12 adults.
- (2)
- At 10.30 am on the first day of inspection, the following care rooms were in operation.
- Junior Toddler playroom, there were 2 adults caring for 8 children aged between 1 and 2 years of age.
- Senior Toddler Playroom, there were 2 adults caring for 8 children aged between 2 and 2.5 years of age.
- Nursery Playroom, there were 2 adults caring for 7 babies, 2 infants less than 12 months and 5 children aged over 12 months).
- Preschool Playroom, there were 2 adults caring for 7 children aged over 3 years of age.
- Wobbler Playroom, there was 1 adult caring for 4 children aged over 12 months of age.
- Junior Preschool (ECCE), there was 1 adult caring for 5 children aged over 3 years of age.

Senior Preschool(ECCE), there were 2 adults and 1 student on work placement, caring for 17 children aged over 3 years of age.

(8) ( c )

On inspection of the staff roster, it was established that the registered provider has allocated 2 staff members to be on the premises at all times during the operational hours of the service.

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

### Regulation 19 - Health, welfare and development of child

*(1) A registered provider shall, in providing a pre-school service, ensure that-*

*(a) each child's learning, development and well-being is facilitated within the daily life of the pre-school service through the provision of the appropriate activities, interaction, materials and equipment, having regard to the age and stage of development of the child, and*

### Compliance Information

#### Basic needs

- The service provided all main meals for the children attending the pre-school service and the parents provided the snacks.
- Each child was given enough time to eat their snacks and meals without being rushed.
- The snacks and meals provided on the day of inspection, were appropriate. Adequate suitable and varied food and drinks were observed /available for each pre-school child attending the pre-school service. The main meals were prepared by the catering company and reheated on site in the service kitchen.
- Children have unrestricted access to the toilets, and children were heard on a few occasions, informing staff members that they were going to use the sanitary areas. Staff offered assistance when required.
- The service offers a private confidential childcare application 'app' which allows private communication between the preschool and parents / guardians for purposes of daily communication regarding attendance, daily activities, sleep diary, nappy changing diary, observations, and milestones. Medication administration and accident and injury records were also collated by using this childcare application. Information about the service and general information was displayed on the notice boards in the foyer of the service.

### Non-Compliance Information

#### Basic Needs of the Child.

1. The dignity of the child was not protected during nappy changing, as the door of this sanitary area was left open during nappy changing and the child that was been changed could be seen from the corridor.
2. In the nappy changing area, there were no dividers between the 3 nappy changing units to ensure that each child's dignity was respected at nappy changing.
3. The staff in the Nursery playroom were observed to not notice children's need for sleep. Two children under the age of 2 years and 1 child over the age of 2 years were observed to have fallen asleep on the matting adjacent to the ball pool. These children were moved to appropriate sleeping facilities when the inspection team alerted staff.

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

The registered provider stated the following:

#### Corrective and Preventive Action

- 1,2. Dividers were installed between nappy changing stations and self-closing devices were installed on the doors in the nappy changing room and the children's sanitary area on the ground floor .
3. Staff induction training will include how staff can pick up on children's cues for children requiring sleep and rest.

#### Supporting documentation submitted

On the 16/02/2024, The registered provider submitted photographs of the dividers that were installed in the nappy changing rooms, and also of self-closing devices installed on the doors into the nappy changing areas and the children's sanitary areas (down stairs).

### Summary Comment

The inspection has reviewed the actions and the evidence submitted and what was observed on the 3<sup>rd</sup> day of inspection. The non compliances identified under regulation 19 have been adequately addressed.

### Part VI - Safety

#### Regulation 23 - Safeguarding health, safety and welfare of child

*A registered provider shall ensure that all reasonable measures are taken to safeguard the health, safety and welfare of a pre-school child attending the service and that the environment of the service is safe.*

#### Non-Compliance Information

##### General Safety:

1. A rocking chair present in the Nursery playroom posed a safety risk to the infants and children who were crawling on the floor.  
It is noted that this rocking chair was removed by the 2<sup>nd</sup> day of inspection (17/02/2024).
2. The junior playroom had a lock on the door which prevented access to the playroom and in an emergency may present as a safety risk to children.  
It is noted that this lock was removed by the 3<sup>rd</sup> day of inspection (26/02/24)
3. The office door was left open throughout the inspection allowing children access to a variety of safety hazards, which included staff personal belongings in staff bags.  
It is noted that a pin pad lock was installed on the door to the office ,this was observed on the 3<sup>rd</sup> day of inspection (26/02/2024).
4. The hot water in the children's sanitary areas was recorded between 49.2 C° and 50.7 C° which may present as a scalding hazard for a preschool child.  
It was noted that the water temperature recorded on the 3<sup>rd</sup> day of inspection was 41 C°.

##### Infection Control

##### The following points posed a risk of cross infection:

5. A basket of 3 unlabelled skin barrier creams and nappy powder were left on a basket on the nappy changing table, and staff stated that there were spare ones to be used if required.  
On the 2<sup>nd</sup> day of inspection (17/02/24) the basket was removed from the nappy changing table.
6. There was inadequate storage for cleaning equipment e.g. stained, dirty and broken brushes and dust pans were stored in the playrooms . This was not rectified by the 3<sup>rd</sup> day of inspection as the said brushes and dust remained in the playrooms.
7. Powdered infant formula for the young children in the Nursery room was prepared on the premises by the staff and not prepared in accordance with the Food Safety Authority best practice guidance.  
This was rectified by the 3<sup>rd</sup> day of inspection.

## Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated the following:

### Corrective & Preventive Action

1. Rocking chair removed and replaced with a suitable adult chair.
2. The clip was removed from the door.
3. A pin pad lock was installed on the office door and will remain closed throughout the day.
4. The temperature of the water was adjusted and a thermostatic control was installed.
5. Soothers are now stored in sealed labelled containers.
6. Unlabelled creams were removed from the service, only labelled creams are to be used and will be stored in the children's individual boxes.
7. Brushes and Pan were replaced and brushes now hang on the wall outside each playroom.
8. Baby formula policy reviewed and a copy sent to each parent and will be reviewed every 3 months

## Summary Comment

The actions taken by the registered provider addressed 7 of the 8 non compliances .

The findings documented at point 7 remains non-compliant as a number of stained dirty broken bushes and dust pans remained in the playrooms and sweeping brushes were observed hanging uncovered outside playroom doors.

### Part VII - Premises and Space Requirements

#### Regulation 29 - Premises

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

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

#### Non-Compliance Information

(b)

1. Bookshelves and storage units were positioned in such a way that children could gain access to unrestricted Velux windows in the Senior preschool upstairs and in the downstairs preschool and wobbler rooms where children could gain access to the car park and possibly fall from the window into the outdoor area.

It is acknowledged that on day 2 of the inspection, these windows had been fitted with restrictive opening devices.

(d)

2. The area around the Velux window in the upstairs foyer area had evidence of dust and cobwebs. It was acknowledged that on day 2 of the inspection that this area had been cleaned, however when the inspectors returned on day 3 of the inspection there was evidence of cobwebs and dust in the same area. (26/02/24)
3. There were areas of mould around the Velux windows in the upstairs preschool, which posed a risk of cross infection. This area remained uncleaned on day 3 of the inspection. (26/02/24)
4. There were 4 cots in the smaller sleep room that were not appropriately maintained as they were exhibited areas of wear and tear on the top rails of the cots. New cots were in place by day 3 of the inspection. (26/02/24)
5. There was a number of areas in the creche that had areas of peeling paint or sections of interior window ledges that were void of paint, which made it difficult to effectively clean these areas. On day 3 of the inspection(26/02/24) It is acknowledged that areas of the creche were repainted but the works were not completed

(e)

6. There was an inadequate amount of nappy changing facilities in the service. There were 36 children in nappies and only 3 nappy changing mats. The ratio required is 1 nappy changing station to every 11 children in nappies.

On day 3 of the inspection ,a new nappy changing station was inspected , it was not appropriate as the nappy mat in use was torn and a posed a risk of cross infection.

7. Foot pedal bins were not provided in the sanitary area for the disposing of paper towels.

On day 3 of the inspection foot pedalled bins were in place in the sanitary areas.

8. The staff toilet upstairs was used as a storage area for cleaning equipment and play equipment.

On day 3 of the inspection the staff toilet was still used as a storage area.

9. The children’s sanitary areas were not maintained in a hygienic state, children’s toilets were observed to be unflushed in a number of occasions and tissues were observed on the floor.

On day 3 of the inspection the children’s sanitary areas were maintained in a clean state.

10. The doors of the children’s sanitary area remained open throughout the session.

On day 3 of the inspection , the children’s sanitary areas remained opened, the door in children sanitary upstairs were not filled with slow closing devices.

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

The registered provider stated the following:

#### Corrective and Preventive Action

1. Restrictive opening devices were installed and will be checked regularly to ensure they are still in place.
2. The dust was cleaned from the Velux windows and all areas are cleaned regularly.
3. Not noted.
4. New cots were purchased and will be checked on a regular basis for wear and tear.
5. The creche was repainted and will be checked on regular basis.
6. A new nappy changing facility has been added to the children’s sanitary areas.
7. Foot pedalled bins are now in place.
8. Staff toilets are not used for storage.
9. A cleaning rota is in place to include the children’s sanitary areas.
10. Children toilet doors are closed at all times and are fitted with slow closing devices.

**Supporting documentation submitted:**

On the 15/02/24, the registered provider submitted a number of photographs outlining changes made in the creche.

**Summary Comment**

The actions taken by the registered provider addressed 4 of the 10 non compliances. The findings documented at points 2,3,5,6,8,10 remains non-compliant as the registered provider did not provide adequate assurances that the non-compliances were rectified. It is acknowledged that areas of the creche were repainted but the works were not completed.

**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.*

**Non-Compliance Information**

1. The adults in playrooms caring for younger children namely the Nursery, Junior, Senior and Wobbler room did not have a comfortable place to sit, hold, feed infants , to read, interact and to comfort the children in their care.  
  
On day 2 of inspection, 2 adult chairs suitable to hold and feed children were placed in the Nursery room.
2. There was no adult chair in the playrooms.  
  
On day 2 of inspection 1 adult chair was placed in the upstairs Junior ECCE playroom.  
  
On day 3 of the inspection, adult chairs were observed in all of the playrooms.
3. There was a lack of materials and equipment and toys in the following playrooms Nursery, Senior and Junior Toddler rooms, Wobbler room, Preschool room and senior Preschool rooms to provide a rich and varied environment for the children, for e.g.

- The Kitchen units in all of the playrooms had limited toy accessories to play with.
- Dolls houses in the playrooms had limited furniture or were void of any furniture or dolls for the children to play with.
- There were 12 building blocks in the Nursery room for 17 children in the afternoon.
- There was an inadequate number of jigsaws and puzzles in the four playrooms on the ground floor for the number of children attending the service.
- There was no sensory equipment or treasure baskets in the playrooms that catered for the babies and younger children.
- Dress up clothes was sparse and shared between the four playrooms on the ground floor.
- The library area in the Senior Toddler room was void of any books,
- The shop units in the playrooms were void of play accessories.

It is acknowledged that some books and toys were introduced into the playrooms by the 2<sup>nd</sup> day of inspection.

On day 3 of the inspection, it is acknowledged that some improvements were made with the physical and material environment of the playrooms.

4. The children did not have access to enough varied materials and equipment e.g. The senior playroom upstairs which can cater to up to 19 children had only 5 jigsaws to play with and only 2 of the jigsaws contained a picture of completed tasks which could assist the children to complete the puzzle. Small world toys were limited in all of the playrooms.

On day 3 of the inspection, no new puzzles were introduced to the senior playroom upstairs.

5. There was limited soft seating in the Playrooms e.g. Senior preschool room, with only 1 small sofa catering for up to 19 preschool children. Children were observed sitting directly on the floor while they were playing in the library or dress up area. There was no soft seating available to children in the Nursery room.

On day 3 of the inspection, extra soft seating was introduced in the Senior playroom.

6. There was a poor selection of books available in all of the playrooms and it was observed that a number of what was available were torn and ripped. This was evident in all of the 7 of the playrooms.

On day 3 of the inspection, extra books were observed in all of the playrooms.

7. In the Nursery playroom, there were battery operated “cause and effect” toys that were not working. It was acknowledged on day 2<sup>nd</sup> day of inspection the batteries in these toys were replaced.

8. In the Nursery playroom there were no support bars located in the playroom to support babies that were learning to stand up. On day 3 of the inspection, support bar was in place in the Nursery.

## Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated the following in their reply.

### **Corrective and Preventive Action**

- 1.2. Appropriate adult chairs were introduced into all of the playroom.
3. Replacement toys and equipment order and toys will be replenished when removed or broken.
4. Rooms were restocked with jigsaws, puzzles and dress up costumes.
5. New soft seating is in place and will ensure soft seating remains in the playrooms.
6. Books have been placed in all of the playrooms and weekly checks will take place to replace ripped books.
7. Batteries were replaced and weekly checks are in place to ensure all battery-operated toys are in working order.
8. Mirror support bars are in place in the Nursery

## Summary Comment

The actions taken by the registered provider addressed 6 of the 8 non-compliances.

While it is acknowledged that the registered provider had made improvements to the physical and material environment of the playrooms by providing toys and equipment, but these had not fully addressed the non-compliances identified. The findings documented at points 3 and 4 remain non-compliant.