

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KE031
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Name of Service:	Tots Creche & Daycare Nursery Limited
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Address of Service:	4 The Great Southern, Newbridge, Co. Kildare
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Eircode:	W12 AT27
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Name of Registered Provider:	Audrey Murray , Annette Byrne
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Service type:	Full Day, Part Time, Sessional
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Date(s) of Inspection:	22/01/2024
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No of pre-school children:	AM	35	PM	25
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Child and Family Agency, Suite 7, Vista Primary Care Centre, Ballymore Eustace Road Naas, Co. Kildare W91 X38W
Inspection undertaken by:	T. Duignan and F. Maher
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	n/a
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Description of service

Tots Creche and Daycare Nursery Ltd. opened in 2004 as a privately run childcare service for pre-school children aged 0 to 6 years.

The service provides full day care, part-time and sessional education and care to pre-school children from 7:00am – 6:30pm, Monday to Friday. School aged care is provided also.

The Early Years' Service is based in an adapted bungalow in a residential development in Newbridge. There are five preschool rooms. A sleep room, one nappy changing area, a kitchen and an outdoor play area at the rear are located on the premises. Set down and parking facilities are available outside the premises.

Staffing

There were ten adults present in the service including the person in charge on the day of the inspection. An area manager arrived after the inspection commenced. The registered providers were not present. Of the ten adults present, eight were working directly with the children; there was one adult employed to provide support to care rooms as needed and a cook was employed to prepare food each day.

All adults employed and working directly with the pre-school children in the service had documentary evidence available of completion of a major award in Early Childhood Care Education as per the National Framework of Qualifications.

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 and safety. The inspection may also focus on other areas as required.

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

5 January 2024 - Information was received by the Inspectorate. The content of the information received, when assessed, triggered an inspection.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered providers, person in charge, area manager, 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.

(7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:

- (a) the policies, procedures and statements of the service specified in Schedule 5.
- (b) Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act, and
- (c) these Regulations.

Compliance Information

- (1)
- (a),(b) There was a designated person in charge and a named person to deputise when needed and both were present on the premises.

(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. All staff were familiar with the management structure when asked.

Two records of recently recruited staff members were reviewed.

(c) Garda Vetting disclosures were available for two employed staff members.

(d) Police vetting was available for two staff members who had lived in a state other than the State for a period of longer than 6 consecutive months.

(4) Two members of staff employed and who work directly with the children whose records were reviewed were in possession of a letter of qualification recognition issued by the Department of Children, Equality, Disability, Integration and Youth (DCEDIY).

(7)(a) Team meetings took place every two months, and the last meeting was on 18 January. This was evidenced by written documentation which included team meeting agendas and minutes of meetings.

All staff commencing employment in the service received an induction programme which was facilitated by the operations manager. This was evidenced by written documentation on the staff files of recently appointed staff.

Non-Compliance Information

(2)(a),(b) Three written employer references and one reference from a reputable source, in the absence of a past employer that were on file, had not been verified in respect of two recently employed staff members.

(7)(a) The practice of formal staff supervision on a regular basis was not implemented in the service.

This was not consistent with the Support and Supervision policy for the service which stated that meetings would be scheduled every six weeks.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a),(b) All staff have two references that are related to childcare. And All references are checked and verified before the staff member is employed.

(7)(a) no written response provided however relevant documentation submitted.

Supporting documentation submitted

References for two adults verified.

Supervision and support records x 2 for 2 staff

Staff training template used by the manager to evidence training completed.

Staff training records for nappy changing and sterilising equipment and sleep training completed.

Summary Comment

The written response and documentary evidence submitted has been reviewed by the Early Years Inspectorate.
Regulatory compliance is met for regulation 9

Part III – Management and Staff

Regulation 10 - Policies, procedures etc. of pre-school service

A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.

Compliance Information

The registered provider ensured that the required written policies, procedures, and statements specified in schedule 5 were in place in the service. The content of the following policies was reviewed and met the requirement of the regulations.

- Behaviour Management policy.
- Complaints policy.
- Child protection policy and safeguarding statement.
- Staff training policy.
- Support and Supervision policy.

Written evidence was available that the policies were read by staff members.

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 thirty-five children attending the service being supervised directly by six staff members during the inspection.

(2) The minimum ratio of adults to children was adhered to during the day as specified in column (3) of Part 1 of Schedule 6.

Part V - Care of Child in Pre-school Service

Regulation 19 - Health, welfare and development of child

(3) A registered provider shall ensure that no practices that are disrespectful, degrading, exploitive, intimidating, emotionally or physically harmful or neglectful are carried out in respect of a pre-school child whilst attending the service.

Compliance Information

(3)

The staff members in each pre-school room were observed being very kind and respectful towards the children in their care. First names, appropriate eye contact and gentle vocal tones were used during all interactions with the children. Children were observed being listened to and encouraged to express their thoughts and feelings. The staff member in the baby room was observed to hold, cuddle and comfort the babies.

There was emphasis on positive praise and encouragement as observed throughout the inspection. All staff in the service were very clear and very confident in their ability to manage children's behaviours appropriate to their age and stage of development. They were aware of prohibited practices also.

The children were observed to be comfortable and relaxed and were heard to use the staff members first names when speaking to them.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

(1) Subject to this regulation, a registered provider shall ensure that-

(b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

Compliance Information

(1)(b) There was adequate facilities available for the numbers of children requiring sleep and who were attending on the day of the inspection. A sleep room with five cots, two low beds for children aged under 2 years and eight low beds for children aged over 2 years were available.

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

Infection Control:

Thermostatically controlled hot water and liquid hand soap were readily available for hygienic hand washing. The staff members supervised children's handwashing and handwashing routines were well established and observed. Gloves, plastic aprons, and nappy sacks were available for hygienic nappy changing practices. Foot pedal operated bins were provided for the disposal of used tissues, nappies and paper towel.

Written cleaning schedules were maintained for all room environments which were observed to be maintained in a clean and hygienic condition.

Safe Sleep:

Staff advised the inspector that 10-minute sleep check observations were completed on all sleeping children and the colour, position and breathing pattern of sleeping children in their care was documented,

Non-Compliance Information

Infection Control:

- The nappy changing practices observed were not consistent with the nappy change step by step procedure that was displayed in the nappy change area as evidenced by the following observations:
 - The staff did not wash their hands at the start of the nappy changing procedure.
 - The single use disposable apron was not removed at the point that the soiled nappy and used cleaning material were bagged up prior to being disposed of.
 - The nappy change disposal bins were not used correctly as it was observed that staff members used their gloved hand to open the lid rather than using the foot pedal.
 - The foot pedal on the nappy changing bin was not working and therefore did not open the lid when the foot pedal was pressed.

This was a non-compliance following inspections conducted on 15 November 2022 and 16 October 2023. The corrective actions submitted following the inspections failed to prevent recurrence of this non-compliance.

- The practices for the immediate sterilisation of mouthing toys in the Baby and Wobbler rooms was not adequate for infection control purposes as evidenced by the following observations:
 - There was insufficient sterilising solution to immerse the toys requiring sterilisation in the container.

- There was no record of the concentration used of sterilisation solution to water on the container.
- There was no date recorded on the container to evidence that the solution changed daily.
- The signage did not reflect that the items should be cleaned in soapy water initially prior to being sterilised.

This was a non-compliance following an inspection conducted on 16 October 2023. The corrective actions submitted following the inspection failed to prevent recurrence of this non-compliance.

Safe Sleep:

3. The staff were not familiar with the contents of the 'Guidance for the Early Learning and Care sector on sleep provision for children under 24 months' document.
4. There were no written sleep plans available for two children aged under 2 years who were now sleeping on low level beds.

Action submitted by the Registered Provider

Corrective & Preventive Action

Infection Control:

1. We have replaced our nappy bin ensuring that the staff are always following instructions to use foot pedals at all times. Our infection control measures we have put in place include a staff training checklist where we ask each staff member to carry out nappy changes, room cleaning, staff communications, child interactions, risk assessments etc making sure to keep checking these items periodically to make sure the staff are trained properly and throughout their time they are keeping up the high standards written about in all our policies and procedures.
2. We have put a number of measures in place for the building to stay on top of our infection control system. We have placed an empty bucket for mouthed toys to be placed into when taken from a child. The rooms in this service are smaller so it doesn't lend itself to having double sink or bigger tubs for mouthed toys. The staff will place the mouthed toys into the tub and will wash the toys with soapy water before popping them into the sterilising tub which has water and sterilising solution in it that is refilled every morning referring to manufacturer's instructions.

Safe Sleep:

3. All staff have had training on sleep provision and care of sleeping children.
4. There are low lying floor beds for the wobbler room children when they require a sleep. All children requiring a cot for sleep are provided for. Sleep assessments in consultation with parents have been completed for any child aged under 2 years who is not sleeping in a cot. They are kept in the child's record.

Supporting documentation submitted

Infection Control:

Documentary evidence of nappy changing training completed by area manager with all staff.

Photographs x 6 of sterilising boxes,

signage about correct concentration of sterilising fluid to water concentration when making up the sterilising solution daily.

Photograph of the new nappy changing bin

Safe Sleep:

Sleep assessments x 2

Documentary evidence of training completed by area manager with all staff on sleep and recent changes

Summary Comment

The written response, documentary and photographic evidence submitted has been reviewed by the Early Years Inspectorate. Regulatory compliance is met for regulation 23.

Part VI - Safety

Regulation 27 – Supervision

A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Compliance Information

Children were observed being supervised at all times throughout the inspection by the staff caring for them both indoors in their care rooms, in the sanitary areas and in the outdoor play area.

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.*

(3) A record in writing referred to in paragraph (2)(a) shall-

- (a) include the nature of the complaint and the manner in which the complaint was dealt with, and
- (b) be open to inspection on the premises by an authorised person.

(4) A registered provider shall ensure that a record in writing referred to in paragraph (2)(a) is retained for a period of 2 years from the date on which the complaint has been dealt with.

(5) The requirement in paragraph (4) is without prejudice to any requirement to retain the record in writing referred to in paragraph (2)(a) under any other enactment or rule of law.

Compliance Information

(1) The complaints policy referred to the procedures outlined in (1)(a)(b)(c).

(4) The registered provider ensured that a record in writing of the complaint will be retained for a period of 2 years. This was stated in the complaints policy for the service.

Non-Compliance Information

- (2)
- (a) A record in writing was not available of a recent complaint reported to the person in charge of the service.
 - (b) The complaint procedures as outlined in the complaints policy had not been followed by management.
- (3)(a)(b) There was no record in writing available which clearly indicated the nature of the complaint and outlined how it was dealt with. this was not available for review by the inspector.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The staff members have been spoken to and statements taken. This is an unfounded accusation. We have very good relationships with our neighbours. They would have contacted the service directly if they had concerns.

The staff receive regular training especially around their interactions, dealing with behaviours, strategies for dealing with bad behaviours, promoting good behaviours and communications. This is in addition to practical demonstrations regarding all aspects of operations including communications, dealing with and resolving conflicts between children, demonstrating good behaviours.

Supporting documentation submitted

4 statements from staff members.

Summary Comment

The written response and documentary evidence submitted has been reviewed by the Early Years Inspectorate. Regulatory compliance is met for regulation 32.

Part IX - Inspection and Enforcement

Regulation 33 – Furnishing of information to agency

A registered provider shall furnish the Agency with such information as the Agency may reasonably require for the purpose of enforcing and executing these Regulations and the information shall be in such form, if any, as may be specified by the Agency.

Compliance Information

The registered provider furnished all information as reasonably required by the Agency for the purpose of enforcing and executing these Regulations.