

# Early Years Inspectorate Regulatory Report

## Pre School

**TUSLA Identifier:** TU2015KE075

**Name of Service:** Kindercrescent

**Address of Service:** 481 The Crescent, Straffan Road, Maynooth, Co. Kildare

**Eircode:** W23 AV88

**Name of Registered Provider:** Yvonne Regan , Sharon Regan

**Service type:** Full Day, Part Time, Sessional

**Date of Inspection:** 11/07/2023

<b>No of pre-school children:</b>	<b>AM</b>	30	<b>PM</b>	29

**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 M. Condon.

**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

### Description of service

Kindercrest provides full day-care, part-time care and sessional care to pre-school children aged 1 - 6 years of age. The early years' service operates from 7:30am – 18:00 hours Monday to Friday. It is based in a single-story premises located in a residential area on the outskirts of Maynooth. There are eleven preschool rooms, two sleep rooms, three nappy changing areas, a kitchen, an office, and a large secure outdoor play area are located on the premises. Set down and parking facilities are available outside the premises.

### Staffing

There were twelve adults present on the day of inspection, one of whom was the person in charge. Seven adults were working directly with the preschool children. One adult was employed to freshly prepare food daily for the children in the service. The registered providers were not present for the inspection. The area manager was present and remained for the duration of the inspection including feedback meeting.

Two staff provided additional support to the care rooms as required. The area manager and person in charge provided additional support to care rooms also.

All the adults working directly with the preschool children all held a recognised qualification in Early Childhood Care and Education on 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 and safety. The inspection may also focus on other areas as required.

A sampling process was used to assess compliance under:

- Regulation 23 – Safeguarding Health, Safety and Welfare of child,
- Regulation 24(1),(3)(a)(i)(ii)(iii)(iv), (b) – Checking in and out and record of attendance.

As a result, the scope of the inspection included the following rooms: Little Stars, Butterfly, Sunflower, Daffodil, Rainbow and Clever Cats 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

1. A written immediate action notice under Regulation 23 – Safeguarding Health, Safety and Welfare of child was issued to the registered providers by the Early Years Inspector on 12 July 2023.
2. The written response received by the Early Years Inspector on 13 July 2023 from the area manager on behalf of the registered providers in relation to the immediate action notice was accepted.

## Acknowledgments

The inspectors wish to acknowledge the cooperation of the 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.

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(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) There was a designated person in charge and a named person to deputise as required.
  - (b) The named person in charge remained on the premises for the duration of the inspection.
  - (c) There was a clear management structure in the service as evidenced by the manager, supervisors and staff members on duty. The staff were familiar with the lines of accountability and their roles and responsibilities. Eighteen staff records were reviewed.

- (2)
- (a) Two written and verified past employer references were available in respect of fifteen staff members and one written and verified past reference was available in respect of one staff member.
- (b) Two written and verified reference from a reputable source other than a past employer was available in respect of two adults and one written and verified reference from a reputable source other than a past employer was available in respect of one adult.
- (c) Garda Vetting disclosures were available for all adults whose records were reviewed.
- (d) Police vetting was available for seven adults who had resided outside the state for a period of longer than 6 consecutive months.
- (3) The procedures specified in paragraph (2) were carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending service.
- (4) Thirteen adults employed and working directly with children attending the service held at least a major award in Early Childhood Care and Education at Level 5 or higher on the National Framework of Qualifications and three adults were in possession of a letter of eligibility to practice issued by the Department of Children, Equality, Disability, Integration and Youth (DCEDIY).

### Part III – Management and Staff

#### Regulation 11 - Staffing levels

- (1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.*
- (2) Subject to paragraphs (4) and (5), a registered provider of a full day care service or a part-time day care service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 1 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) thereof at that reference number is satisfied.*
- (8) Without prejudice to paragraphs (2) to (7)-*
- (a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times.*

#### Compliance Information

- (1) There were thirty children attending the service being supervised directly by seven adults.
- (2) The minimum ratio of adults to children was adhered to during the day.
- (8)(a) There were at least two adults on the premises at all times for the duration of the Inspection. This was confirmed following review of the staff roster for the service.

### Part IV – Information and Records

#### Regulation 18 – Copy of Act etc.

- A registered provider shall ensure that a copy of Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act and of these Regulations is kept on the premises and the said copies shall be open to inspection on the premises by-*
- (c) an authorised person.*

#### Compliance Information

- (c) The registered providers ensured that a copy of the regulations was available in the service and was open to inspection on the premises when requested by an authorised person.

### 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:

The entrance door to the service was electronically controlled by staff members to prevent children from exiting the service unsupervised and to restrict unauthorised persons from gaining access. The manager documented the inspectors' visit to the service in the visitor's book on arrival. The service met the necessary safety requirements in respect of the indoor environment, toys and equipment and safe storage of cleaning agents. The service had a system in place to manage maintenance issues.

##### Infection Control:

There was an infection control policy in place. Thermostatically controlled hot water, liquid hand soap and paper towels were readily available for hygienic hand washing and drying. The staff members supervised children's handwashing and handwashing routines were well established. Nappy changing practices were consistent with the nappy change procedure for the service. Foot pedal operated bins were provided for the disposal of used tissues. The soiled nappies were removed to the outdoor bins following nappy changes being completed. Written cleaning schedules were maintained for the room environments which were observed to be maintained in a clean and hygienic condition.

##### Administration of Medication:

Medication was not given at the time of the inspection, written parental consent was available should medication be required to be administered to a child. The staff members were familiar with required safe practice when administering medication in the service. Medicine was safely stored.

##### Safe Sleep:

Two sleep rooms with a total of nine cots were in place for children less than 2 years of age and sleep mats were available for all children aged over 2 years requiring sleep. There was an adequate number of cots to provide needs led sleep for young children. The staff members were familiar with current safe sleep guidance and practice. It was observed that 10-minute sleep check observations were completed on all sleeping children and the staff documented the colour, position and breathing of sleeping children in their care. Comfortable rest areas were available for the children in the care rooms if they wished to take a break from activities and rest.

### Fire Safety:

Monthly fire drills had been carried out and staff members were familiar with fire safety evacuation procedures from the service. The fire exits were not obstructed.

### Outings:

The service does not conduct outings.

### Non-Compliance Information

#### General Safety:

1. There was no documentary evidence available that daily indoor and outdoor risk assessments to promptly identify and manage any potential risks were being completed in any of the care rooms.
2. There were no visibility strips on the glass patio doors in Rainbow and Daffodils room. This created a potential risk of injury to a child if they failed to recognise the glass panel.
3. Harnesses in the highchairs in Sunflowers room consisted of a three-way strap. This is inadequate to prevent the risk of a fall due to a child trying to climb out of the chair.

#### Infection Control:

4. The sanitary area adjacent to the Sunflowers room was used for the storage of resources, equipment and toys. These included feeding bibs, a spoon, a fork, a feeding cup, bottle warmer, two low chairs, baby bouncer, plastic activity toy and a container with materials used for messy play. The sanitary area is not a suitable space for storage from the infection control perspective.

#### Safe Sleep:

5. The environmental temperatures in the two sleep rooms and the two care rooms (Sunflower and Daffodil) transitioned to accommodate sleeping children for a period of the day were not maintained between 16° – 20° Celsius.
  - The temperature was 22.6° Celsius at 12:09 hours in the sleep room on the left-hand side of the hall.
  - The temperature was 23.8° Celsius at 13:53 hours in the sleep room on the right-hand side of the hall.
  - The temperature was 23.2° Celsius at 12:28 hours in Sunflowers room which was used for the purposes of sleep for a period of the day.
  - The temperature was 22.8° Celsius at 12:30 hours in Daffodil room which was used for the purposes of sleep for a period of the day.

It is acknowledged that the managers put measures in place in the rooms when the increased temperatures were brought to their attention. This included fans and small air coolers however the measures did not cool the rooms to the required temperature ranges.

6. Three of the four mattresses in the cots in the sleep room on the left-hand side of the corridor were not the correct size for the cots. There was a 2-3 finger wide gap apparent.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

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

1.

##### **Corrective Action**

A staff memo was sent out regarding: the importance of indoor and outdoor risk assessments. This also included how to complete and the importance of why risk assessments are required.

##### **Preventive Action**

The need for and reason why risk assessments are carried out is now included on staff induction training. Completed risk assessments will be reviewed by management every week to ensure that risk assessments are completed and that we have documentary evidence. This will keep us fully informed and ensure immediate action if required. All risk assessments for all areas will be stored and filed in the office. Please note staff will be informed to report any findings immediately if noted/ observed.

2.

##### **Corrective Action**

Visibility strips are ordered and will be added to these areas upon delivery.

##### **Preventive Action**

We have added this to our risk assessment.

3.

##### **Corrective Action**

Replace all highchairs with new chairs that have a 5-point harness.

##### **Preventive Action**

All 3-point harness highchairs have been removed from our service.

## **Infection Control**

4.

### **Corrective Action**

All items have been removed from the sanitary area adjacent to the Sunflower room.

### **Preventive Action**

Discuss and include this in our induction training and next staff meeting. In the interim a staff memo will be sent out. It is also added to our risk assessment to ensure that daily staff are aware that these items are not stored in this area. (see highlighted area attached).

## **Safe Sleep**

5.

### **Corrective Action**

Temporary industrial mobile air conditioning units have been purchased and were immediately installed in all sleep areas.

### **Preventive Action**

Long term wall mounted air conditioning units will be fitted to all sleep areas. Regular monitoring and recording of the sleep area room temperatures.

The above was accepted in our immediate action notice.

6.

### **Corrective Action**

New mattresses are ordered to replace the current mattresses. (receipt attached).

### **Preventive Action**

Ensure that all future orders of mattresses etc are ordered to size.

## **Supporting documentation submitted**

### **General Safety:**

Copy of Induction Checklist attached.

Copy of risk assessment templates.

Copy of receipt for new highchairs with 5-point harnesses.

Copy of receipt for new mattresses.

### Infection Control:

Photos of the Sunflower room sanitary area with no storage of inappropriate items.

### Safe Sleep:

Copy of receipt for new mattresses.

### Summary Comment

1. A written immediate action notice under Regulation 23 – Safeguarding Health, Safety and Welfare of child was issued to the registered providers by the Early Years Inspector on 12 July 2023.
2. The written response received by the Early Years Inspector on 13 July 2023 from the area manager on behalf of the registered providers in relation to the immediate action notice was accepted.

The corrective and preventive actions, and evidence received have been considered by the Inspector. The Registered Provider has addressed the non-compliances as identified on inspection in relation to Regulation 23.

## Part VI - Safety

### Regulation 24 - Checking in and out and record of attendance

- (1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.*
- (2) Where there are more than 15 children attending a pre-school service in a drop-in centre, the registered provider shall ensure that one employee or unpaid worker is assigned responsibility for the checking in and out of children.*
- (3) A registered provider shall ensure that-*
- (a) no person other than-*
    - (i) pre-school child attending the service,*
    - (ii) a person dropping or collecting such a child,*
    - (iii) an employee, or*
    - (iv) an unpaid worker,*
- can enter the premises without his or her entry being approved by an employee, and*
- (b) a daily record in writing is kept of the entry on the premises of any such person.*
- (4) A registered provider shall ensure that a record in writing referred to in paragraph (3)(b) is retained for a period of one year from the date to which it relates.*

## Compliance Information

(2) Not applicable.

(3) (a), (b) The registered providers ensured that any person entering the service was approved and a record in writing was maintained.

(4) The registered providers confirmed that the records were retained in storage for the required period.

## Non-Compliance Information

(1) The daily attendance records for each child were not accurate when the inspector reviewed the written record of attendance, the following was found:

1. One child who was marked as present in the Little Stars room was in fact present in the Butterflies room.
2. A second child was present in the Butterflies room but was not included in the record of attendance.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

#### **Corrective Action**

The errors in the attendance records were amended immediately.

#### **Preventive Action**

When changes occur in our setting i.e., children transition to new rooms and or join our setting we will ensure that a member of management inputs details into the register to ensure that the books are maintained, and that all information is correct.

## Summary Comment

The corrective and preventive actions received, have been considered by the Inspector. The Registered Provider has addressed the non-compliances as identified on inspection in relation to Regulation 24.

This will be reviewed on next inspection.

### Part VI - Safety

#### Regulation 25 - First aid

(1) A registered provider shall ensure that a person trained in first aid for children is, at all times, immediately available to the children attending the pre-school service.

(2) A registered provider shall ensure that a suitably equipped first aid box for children-

(a) is safely stored in an easily accessible and conspicuous position on the premises, and

(b) is available to the children attending the pre-school service at all times.

#### Compliance Information

(2)(a)(b) The first aid box was stored in a conspicuous position in the service and immediately available at all times.

#### Non-Compliance Information

(1) On the day of inspection, a person who had completed First Aid Responder training was not present and available to the children attending the service at all times. The person with this qualification commenced work at 8:30am and therefore between 7:30am to 8:30am a person with this qualification was not available.

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

##### Corrective and Preventive Action

##### **Corrective Action**

We carried out a rostering overview and looked at what staff we needed to be trained in FAR training to ensure that a staff member who had completed First Aid Responder training would be present at all times. We have booked in-house training for September. We have four members of our team from both our settings attending. This will ensure that we have staff trained in all rooms of the service. In addition, we have one staff trained currently. This will mean that we will have five trained staff in FAR (First Aid Responder training)

##### **Preventive Action**

Complete refresher training every 2 years.

Ensure that a staff member trained as a First Aid Responder is present in the service at all times. This person will be identified on the roster weekly.

##### Supporting documentation submitted

Copy of invoice confirming that in-house First Aid Responder training has been booked for 23/09/2023.

#### Summary Comment

The corrective and preventive actions, and evidence received have been considered by the Inspector. The Registered Provider has addressed the non-compliances as identified on inspection in relation to Regulation 25.

This will be reviewed on next inspection.

### Part VI - Safety

#### Regulation 26 - Fire safety measures

- (1) A registered provider shall ensure that a record in writing is kept of-*
- (a) any fire drill that takes place in the premises, and*
  - (b) the number, type and maintenance record of firefighting equipment and smoke alarms in the premises.*
- (4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.*

#### Compliance Information

(1)(a)

A written record was available of fire drills completed in the service. The last recorded fire drill took place on 9 June 2023.

(b)

A record was kept of the number, type and maintenance of the firefighting equipment and smoke alarms in the premises. Firefighting equipment and smoke alarms were both last serviced in June 2023.

(4)

Notices of the procedures to be followed in the event of a fire were conspicuously displayed in the entrance hallway and rooms of the service.

### 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 in the service were observed being supervised at all times throughout the inspection including, indoors and outdoors, at meal times, during sleep periods and as necessary for hand washing, nappy changing and when using the toilet areas located outside the care rooms.

### Part VI - Safety

#### Regulation 28 - Insurance

*A registered provider shall ensure that the pre-school service is adequately insured.*

#### Compliance Information

There was evidence of current insurance cover valid until 27 March 2024. The insurance provided cover for 110 children.