

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015KE076			
<b>Name of Service:</b>	Kinder Crescent			
<b>Address of Service:</b>	Chambers Park, Kilcock, Co. Kildare			
<b>Eircode:</b>	W23 KD37			
<b>Name of Registered Provider:</b>	Sharon Regan , Yvonne Regan			
<b>Service type:</b>	Full Day, Part Time, Sessional			
<b>Date of Inspection:</b>	11/09/2023			
<b>No of pre-school children:</b>	AM	51	PM	31
<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Child and Family Agency, Suite 7, Vista Primary Care Centre Ballymore Eustace Road Naas, Co. Kildare W91 X38W			
<b>Inspection undertaken by:</b>	T. Duignan and F. Maher			
<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).

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

Kinder Crescent provides full day-care and sessional care to pre-school children aged 1 - 6 years of age. The early years' service operates from 7:30am – 18:15 hours Monday to Friday. The service operates from a purpose-built premises located in a residential area on the outskirts of Kilcock. There are seven preschool rooms, one sleep room, three nappy changing areas, a kitchen, an office, a staff room and an outdoor play area located on the premises. Set down and parking facilities are available outside the premises.

### Staffing

There were eleven 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.

The area manager and person in charge provided additional support to care rooms and one adult provided support to the service.

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.

The inspection focused on an examination of compliance under the following regulations:

- Regulation 9 - Management and recruitment.
- Regulation 11 - Staffing levels.
- Regulation 18 – Copy of Act etc.
- Regulation 24 – Checking in and out and record of attendance.
- Regulation 25 – First aid.
- Regulation 26 – Fire safety measures.
- Regulation 28 – Insurance.

A sampling process was used to assess compliance under:

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

As a result, the scope of the inspection included the following rooms: Wobbler, Toddler, Wise Owls and Caterpillars 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 11 September 2023.
2. The written response received by the Early Years Inspector on 12 September 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 registered providers, area manager, person in charge, staff and children who were present on the day of the inspection.

## Part III – Management and Staff

### Regulation 9 – Management and recruitment

*(1) A registered provider shall ensure that-*

- (a) the service has a designated person in charge and a named person who is able to deputise as required,*
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and*
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.*

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

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

*(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 area manager, person in charge and staff members on duty. The staff were familiar with the lines of accountability and their roles and responsibilities.
- Twenty staff records were reviewed.
- (2)
- (a) Two written and verified past employer references were available in respect of fourteen adults and one written and verified past reference was available in respect of three adults whose records were reviewed.
  - (b) Two written and verified reference from a reputable source other than a past employer were available in respect of three adults and one written and verified reference from a reputable source other than a past employer was available in respect of three adults whose records were reviewed.
  - (c) Garda Vetting disclosures were available for all adults whose records were reviewed.
  - (d) Police vetting was available for eight 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) Twelve 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 four 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 fifty-one 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. 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. There was documentary evidence available that daily indoor and outdoor risk assessments were completed daily and reviewed by the manager weekly to promptly identify and manage any potential risks in the care rooms. 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 were familiar with the importance of handwashing practice as a means to control the spread of infection in the service. They 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 bin 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:

There was one sleep room with a total of eight cots provided for children less than 2 years of age; nine low level sleep beds 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. Air conditioning was available in the sleep room and the care rooms which were used for sleep purposes.

The staff members were familiar with current safe sleep guidance and the required care of sleeping children. 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 each care room 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.

### **Outing:**

The service does not conduct outings.

## Non-Compliance Information

### **General Safety:**

1. The gates on the left-hand side and right-hand side of the premises that access the outdoor area and two fire doors from the service which opened to the outdoor area were not secured. This allowed the potential of direct entry into the service by unauthorised persons.

It is acknowledged that the service immediately secured the two fire doors when it was brought to their attention. The manager advised that the children will be strictly supervised when using the outdoor area until a permanent solution is fitted to correct the risk.

A written immediate action notice was issued to the registered providers by the Early Years Inspector on 12 July 2023.

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.

## Action submitted by the Registered Provider

### **Corrective & Preventive Action**

#### **General Safety**

1. We gave the gate our immediate attention and an extension to higher the gate was added. In addition, we added a coded lock to the gate by the main entrance area to ensure no outside access can be granted at any time.

### **Supporting documentation submitted**

#### **General Safety:**

1. Photographs x 4

### Summary Comment

The written response and photographic evidence submitted was assessed by the Early Years Inspectorate. Regulatory compliance is met for 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

- (1) The registered providers ensured that each child was checked in and out of the service. This was confirmed by the written attendance records maintained in each care room.
- (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) It was confirmed that the records were retained in storage for the required period.

### 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) The first aid equipment was safely stored, in a conspicuous position in the corridor on the ground and first floor.
  - (b) Suitably equipped first aid boxes for children were available to the children attending the service.

#### Non-Compliance Information

- (1) On the day of inspection, a person who had completed First Aid Responder (FAR) training was not present. There was no other adult with a current First Aid Responder qualification working. It is acknowledged that eight adults with current paediatric first aid training were working in the service.

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

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

- (1) Prior to the inspection we had arranged for 8 staff, 4 from each setting to complete FAR Training. This will ensure that we have several staff trained and covers all our opening hours/ absences etc. Since the inspection we have completed 2 out of the 3 required training days and we will be certified this coming Saturday the 30<sup>th</sup> of September.

##### **Supporting documentation submitted**

Receipt for FAR training

#### Summary Comment

The written response and documentary evidence submitted was assessed by the Early Years Inspectorate. Regulatory compliance is met for regulation 25.

### 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 24 July 2023.
- (b)
- A record was kept of the number, type and maintenance of the firefighting equipment and smoke alarms in the premises. Firefighting equipment was serviced in October 2022 and the smoke alarm was last serviced on 9 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 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 62 children.