

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015KE081
--------------------------	-------------

<b>Name of Service:</b>	Little Harvard
-------------------------	----------------

<b>Address of Service:</b>	Beech Park Easton Road, Leixlip, Co. Kildare
----------------------------	--

<b>Eircode:</b>	W23 E683
-----------------	----------

<b>Name of Registered Provider:</b>	James Hargrave
-------------------------------------	----------------

<b>Service type:</b>	Full Day, Part Time, Sessional
----------------------	--------------------------------

<b>Date of Inspection:</b>	03/01/2024
----------------------------	------------

<b>No of pre-school children:</b>	AM	76	PM	74
-----------------------------------	----	----	----	----

<b>Address of the Early Years Inspectorate:</b>	Tusla Child and Family Agency First Floor Trinity Building IDA Business Park Southern Cross Road Bray Co. Wicklow
<b>Inspection undertaken by:</b>	H. Bourke and M. Redmond
<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
---------------------------------	----------------

## Description of service

This service was first established in 1998. The service operates from a two-storey purpose-built premises located in the urban setting of Leixlip Co. Kildare. There are eight pre-school rooms, two sleep rooms, a kitchen, an office and a number of storage rooms. The service is registered to provide care and education for children aged between one year and six years of age, on a sessional, parttime and full-time basis. The hours of operation are from 07.00 am to 06.30 pm Monday to Friday and the service participates in the Early Childhood Care and Education (ECCE) scheme for 38 weeks of the year. There is a large outdoor area to the rear of the premises.

## Staffing

There were nineteen adults employed in this service; this included a full-time chef and the service manager who was required to provide relief cover for breaks. One adult who was not on the roster arrived from another service operated by the registered provider after the inspection had commenced; the regional manager also arrived to provide support.

## 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 may also focus on other areas as required.

The inspection focused on an examination of compliance under Regulations 9 – Management and recruitment, (1)(a)(b)(c), (2)(a)(b)(c)(d), (4).  
Regulation 10 - Policies, procedures etc. of pre-school service  
Regulation 11 - Staffing levels, (1), (8)(a).  
Regulation 15 – Record of pre-school child (1)(a)-(i), (3)(c), (5).  
Regulation 23 - Safeguarding health, safety and welfare of child and  
Regulation 24 - Checking in and out and record of attendance, (1), (3)(a) (i-iv) (b), (4). However, on inspection an additional non-compliance which posed a risk was identified under Regulation 29 – Premises (c)(e). These findings are outlined within the relevant regulation 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.

## Acknowledgments

The inspectors wish to acknowledge the cooperation of the manager of the service, staff and children who were present on the day of the inspection. Two representatives for the registered provider were present for the feedback meeting.

### 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.

#### Compliance Information

The files for twenty adults were reviewed.

(1)(a)

The manager of the service was present on the day of inspection and a named person was able to deputise as required.

(b)

The manager of the service was on the premises at the time of the arrival of the inspectors and remained on the premises for the duration of the inspection.

(c)

There was a clear management structure present in the service that identified the lines of authority and accountability.

(2)(a)(b)

Written validated references were available in respect of twenty adults.

(c)

Completed Garda Vetting Disclosures were available for twenty adults employed.

(d)

International police vetting was available for twelve adults who had lived outside the jurisdiction for more than six consecutive months as an adult.

(4)

Nineteen members of staff held a major award in Early Childhood Care and Education at Level 5 or higher on the National Framework of Qualifications or had a qualification deemed equivalent. A childcare qualification was not required for one adult.

## Non-Compliance Information

(2)(d)

International police vetting was not available for one staff member on the day of inspection.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

(2)(d)

The staff member has since applied and is awaiting police vetting to be provided by officials in the country involved. Senior Management and HR will monitor the Police vetting more closely. Going forward no staff will commence work until Police vetting is provided.

### Supporting documentation submitted

(2)(d)

Photographic evidence was supplied with the CAPA response to demonstrate that police vetting was applied for.

## Summary Comment

The above actions will address the non-compliance found on the day of inspection, but the non-compliance in relation to Regulation 9 – Management and recruitment (2)(d) remains outstanding.

### 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 manager ensured that the required written policies procedures and statements specified in schedule 5 were in place in the service. The following policies and procedures were reviewed,

1. Infection Control.
2. Safeguarding Children.
3. Accidents and Incidents, notifiable incidents.

### 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.*

*(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

(8)(a)

There were two adults present on the premises throughout the inspection and the staff roster confirmed there were two adults present at all times.

#### Non-Compliance Information

(1)

On arrival of the inspectors to the service, the weekly staff roster was requested from the manager. On review of the weekly staff roster, three adults were on planned leave on the previous day with no documented evidence of provision for cover recorded on the roster.

Following a discussion with a staff member in Pre-school room 4, examination of the child attendance record for that room and discussion with the manager, the service records demonstrated that the staff member for Pre-school room 4 was on their own, the previous day, with 11 children in the 3-year age group from 12 midday to 3.45pm after which the 1:8 adult/child ratio was resumed.

The registered provider did not ensure that there were an adequate number of adults to work with children at all times.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

(1)  
New rosters have been drawn up to ensure that ratios are maintained at all times and enough cover is in place for when staff are on planned leave. Local and senior management will monitor staffing levels closely to ensure correct ratios are maintained at all times.

### Supporting documentation submitted

(1)  
A copy of a weekly roster was submitted with the CAPA response.

## Summary Comment

Given the maximum capacity of children registered with the service it could not be determined, with the evidence submitted, if the regulatory requirement in relation to Regulation 11 - Staffing levels (1) has been met. This will be reviewed on next inspection

### Part IV – Information and Records

#### Regulation 15 – Record of pre-school child

*(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:*

- (a) the name and date of birth of the child;*
- (b) the date on which the child first attended the service;*
- (c) the date on which the child ceased to attend the service;*
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
- (e) authorisation for the collection of the child;*
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
- (g) the name and telephone number of the child's registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.*

*(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-*

- (c) an authorised person.*

*(5) A registered provider shall ensure that a record in writing referred to in paragraph (2) is retained for a period of 2 years from the date on which the child attends the service.*

#### Compliance Information

(1)(a)-(i)

The manager ensured that a record in writing of the above list of particulars, was kept in respect of each child attending the pre-school service.

(3)(c)

The manager ensured that these records were available for inspection to an authorised person.

(5)

The manager had evidence that all children's records were kept for a period of 2 years from the time a child started at the pre-school.

### 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 main door to the service was securely locked on arrival of the inspector to the service.
- The kitchen area was inaccessible to the children.
- Documentary evidence was available of daily risk assessments being carried out in the service.
- All toys were in good condition and equipment was suitable, age appropriate and in good working order.
- There was a large, suitable, safe and secure outdoor area to the rear of the service, this included a large, sheltered area suitable for all weather conditions.
- All cleaning products were stored safely out of the reach of children.
- The emergency exit route in the pre-school rooms were free from obstruction and clearly marked.
- Suitably equipped first aid boxes were available in the conspicuous areas located near all pre-school rooms and were easily accessible.
- A notice of the procedure to be followed in the event of fire was displayed in a conspicuous place in each pre-school room.

##### Infection Control:

- The pre-school rooms had a sanitary areas and nappy changing areas. There was running water, liquid soap and paper towels available. A foot pedal bin was available in each area for the disposal of used paper towels.
- Table cleaning was observed before and after snack time.
- Hand washing by adults and children was observed before snacks, after using the toilet and outdoor play.
- A cleaning schedule was present and maintained in the pre-school rooms.

##### Safe Sleep:

- The sleep room temperature in Wobbler 1 was recorded at 18.7 °C and a sleep log was used and maintained by staff members to record the breathing, colour and the position of the sleeping children at 10-minute intervals.

#### Non-Compliance Information

##### Infection Control:

Foot pedal bins were not used appropriately to dispose of tissues and paper towels and this posed a risk of cross-contamination.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

##### **Infection Control:**

Staff have been reminded of the correct procedure to open and close bins and that hands should not be used to operate pedal type bins. The manager will ensure infection control is adhered to onsite daily and Senior Management (General Manager and Child Protection and compliance officer) will visit the premises on a regular basis to ensure compliance with all aspects of this regulation.

#### Supporting documentation submitted

##### **Infection Control:**

No evidence supplied.

### Summary Comment

##### **Infection Control:**

If the above actions are implemented this will address the non-compliance found on the day of inspection in relation to Regulation 23 - Safeguarding health, safety and welfare of child, Infection Control. This will be reviewed on next inspection.

## 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.*

*(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 manager ensured that all children attending the service were checked in and out on the service register.

(3)(a)(i-iv)

The manager ensured that no other person other than the agreed list of people had access to the service.

(b)

The manager had a record in writing, in the form of a visitors' book, of all such persons who accessed the service.

(4)

The manager was able to demonstrate that the visitors book was kept for a period of one year from the dates to which it related.

## Part VII - Premises and Space Requirements

### Regulation 29 - Premises

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

*(c) kept adequately lit, heated and ventilated*

*(e) equipped with adequate and suitable sanitary facilities.*

### Non-Compliance Information

(c)

The temperatures recorded in care rooms and sanitary areas at intervals during the inspection varied between 15.5 and 17.8 degrees Celsius. This is below the required range of 18 – 22 degrees Celsius for habitable rooms.

(e)

1. The water in the hot taps within the sanitary areas of the pre-school rooms were recorded at intervals throughout the day and measured between 14.1°C and 18.4°C. The water from the hot taps was not maintained at a suitable temperature. Hot water up to a maximum of 43°C is required for effective hand washing purposes.
2. The sanitary areas between Toddler rooms 1 and 2 and in Pre-school 4 were not equipped with an adequate number of working foot pedal operated bins.

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

## **Corrective and Preventive Action**

(c) The heating system has been adjusted by our maintenance staff to ensure that the correct temperature is maintained throughout the building. Senior management will visit the facility on a regular basis to ensure compliance with all aspects of regulation 29.

(e)

1. The water temperature has been adjusted by our maintenance staff to ensure the correct temperature is maintained. Senior management will visit the facility on a regular basis to ensure compliance with all aspects of regulation 29.

2. Additional foot pedal operated bins have been installed. Senior management will visit the facility on a regular basis to ensure compliance with all aspects of regulation 29.

## **Supporting documentation submitted**

(c), (e)(1)(2)

Photographic evidence was supplied with the CAPA response to support the changes implemented by the service.

## **Summary Comment**

(c),(e)(1)(2)

The non-compliances found on the day of inspection in relation to Regulation 29 – Premises have been addressed and will be reviewed on next inspection.