

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KE111				
Name of Service:	Whizz Kids Creche & Montessori				
Address of Service:	Ashbrook House, Togher Road, Monasterevan, Co. Kildare				
Eircode:	W34 P205				
Name of Registered Provider:	Camella O' Sullivan				
Service type:	Full Day, Part Time, Sessional				
Date of Regulatory Enforcement Meeting:	28/04/2023				
Date(s) of Inspection:	10/05/2023				
No of pre-school children:	<table border="1"> <tr> <td>AM</td> <td>26</td> <td>PM</td> <td>10</td> </tr> </table>	AM	26	PM	10
AM	26	PM	10		
Address of the Early Years Inspectorate:	<p>Early Years Inspectorate, Child and Family Agency Suite 7, Vista Primary Care Centre, Ballymore Eustace Road Naas Co. Kildare. W91 X38W</p>				
Inspection undertaken by:	T. Duignan				
Title:	Early Years Inspector				

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:

7th July 2023

Conditions attached against Regulation 22 & 23

These conditions require that the Registered Provider must

- ensure that adequate, suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service
- 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

These Conditions are in place for 12 months.

Description of service

Whizz Kids Creche and Montessori is located in the town of Monasterevan and operates from the ground floor of the registered provider's private home. Full Day Care, part time and sessional care and education are provided. The hours of operation are between 7:30am-18:00 hours, Monday-Friday and the age range of children attending is from 1-6 years old.

The service had two pre-school rooms operating; there are two outdoor play areas to the front of the premises and a small, covered area at the rear of the premises

Staffing

There were five adults including the registered provider present on the day of inspection, all of whom were working directly with the children. The registered provider was supernumerary and provided additional support and relief to the two care rooms when required on the day of 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 and safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations:

- Regulation 9 (1)(a)(b)(c), (2)(a)(b)(c)(d), (4), (7)(a) - Management and recruitment.
- Regulation 10 – Policies and Procedures.
- Regulation 11(1),(2) (8)(a) – Staffing Levels.
- Regulation 15 (1), (2), (3), (4), (5) – Record of pre-school child.
- Regulation 16(1)(h)(i) - Record in relation to pre-school service.
- Regulation 19 (1)(b) - Health, welfare and development of child.
- Regulation 23 – Safeguarding health, safety and welfare of child.
- Regulation 24(1), (2), (3), (4) - Checking in and out and record of attendance.
- Regulation 25 - First aid.
- Regulation 26 - Fire safety measures.
- Regulation 27 – Supervision.
- Regulation 28 – Insurance.

However, on inspection an additional non-compliance which posed significant risk was identified under Regulation 22 - Food and drink.

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

A sampling process was used to assess compliance under

- Regulation 10 - Policies, procedures etc. of pre-school service
- Regulation 15(1)(a) –(i) – Record of pre-school child.

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

Following a previous inspection on 13th February 2023 the service was escalated to National Registration Enforcement Panel due to the breach of conditions attached to the registration of the service. Due to the persistent and consistent non compliances found over multiple inspection, this service was considered for a proposal to remove from the register. On April 28th 2023, a Regulatory Enforcement meeting was held with the registered provider and the person in charge. The service provided numerous representations were submitted, which were reviewed. This inspection took place to review the corrective and preventive actions in practice and assess level of full compliance with the Childcare Regulations 2016.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, 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

(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) 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.

Regulation 9(2)(a)(b)(c)(d) (4) was not reviewed as there was no change from the last inspection to the staff employed in the service since the last inspection 13 February 2023.

(7) The registered provider and manager had implemented a system of monthly team meetings which was evidenced by the written minutes of meetings conducted in March and April 2023.

The registered provider and manager were implementing one to one supervision with all staff members. They had also completed supervision for management training to support their supervisory practice.

There was documentary evidence available, that staff members had received and read the new and updated written policies for the service, in particular the health and safety and risk management policies in the service.

There was documentary evidence available that all staff had completed training in Fire Safety, Children First and Manual Handling. All staff were enrolled in two online self-paced learning courses. Four adults were also enrolled in continuous professional development courses to support their operational practice.

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 had engaged an external contractor to assist with written policies, procedures and statements in accordance with schedule 5. The health, safety and risk management policy and the training policy were reviewed and met the requirement for compliance.

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 twenty-six children attending the service being supervised directly by four 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 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.
- (2) A registered provider of a pre-school service in a drop-in centre or of 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 particulars specified in subparagraphs (a), (d), (e) and (f) of paragraph (1).
- (3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-
- (a) a parent or guardian of a pre-school child but only in respect of the record relating to that child,
 - (b) an employee who is authorised in that behalf by the registered provider, and
 - (c) an authorised person.
- (4) A registered provider shall ensure that a record in writing referred to in paragraph (1) is retained for a period of 2 years from the date on which the child to whom it relates ceases to attend the service.

(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

A sample size of fifteen written records were assessed.

- (1)
- (a) The name and date of birth of the child were recorded on all records that were assessed.
- (c) All children were currently attending the service and were not planning to leave.
- (d) The name and address of a parent / guardian and a telephone number for contact was recorded on all records that were assessed.
- (e) Authorisation for the collection of the child was fully completed on all the records that were assessed.
- (f) Details of illness, disability, allergy or special needs of the child was completed on all records that were assessed.
- (i) Written parental consent for appropriate medical treatment of the child in the event of an emergency was completed in all records that were assessed.
- (2) Not applicable as the service is not a drop in or temporary service.
- (3)(a)(b)(c) The record in writing was open to inspection on the premises.
- (4) The registered provider confirmed that the records were retained in storage for the required period.
- (5) Not applicable, as the service is not a drop-in centre.

Non-Compliance Information

- (1)
- (b) The date on which the child first attended the service was not completed on the eleven of the fifteen records that were assessed.
- (g) The name and telephone number of the child's registered medical practitioner was not fully completed on three of the fifteen records that were assessed.
- (h) The record of immunisations, if any received by the child were not fully completed on eight of the fifteen records that were assessed.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated in the written response submitted that:

Corrective and Preventive Action

- (1)
- (b) All start dates have been entered correctly now.

(g) The general practitioner details have been completed on the three records.

(h) Parents have been asked for a paper record of the immunisations records.

Going forward, the parents will be asked to fill in all details correctly. This will be checked on return by the registered provider or manager. If the form is not filled in correctly, it will be sent back, and no start date given until it is filled in correctly.

Supporting documentation submitted

Five photographs of the records for (1) (b), (g) and (h).

Summary Comment

The written response and the documentary evidence has been assessed by the Early Years Inspectorate. Regulatory compliance is met for Regulation 15. This area of practice will be assessed at the next inspection.

Part IV – Information and Records

Regulation 16 – Record in relation to pre-school service

(1) A registered provider shall ensure that a record in writing is kept of the following information in relation to the service:

(h) details of attendance by each pre-school child on a daily basis.

(i) details of staff rosters on a daily basis;

Compliance Information

(1)

(h) A record in writing was maintained in real time detailing the attendance by each child on a daily basis.

(i) A written record with details of staff rosters on a daily basis was available.

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-

(b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.

Compliance Information

The children were cared for by the same adults which enabled them to form secure relationships, attachments and develop their confidence within the service.

Children were observed to be engaged, happy, content and relaxed within the two care rooms and in the outdoor areas.

The staff members ensured the children were supported in all aspects of their physical, emotional and social wellbeing and demonstrated warmth, kindness and respect in their interactions with the children. Children were spoken to using their first name, appropriate eye contact and gentle vocal tones was used during all interactions.

The service had a healthy eating policy, and the snacks were observed to be healthy. Mealtimes were social experiences and the staff members sat with the children during these times.

Children were supervised and assisted with hand washing depending on their age and stage of development.

Children's toileting needs were promptly attended to.

A suitable rest area with soft furnishings was available should a child wish to rest or take a break from activities.

Sleep facilities were available for any child requiring sleep.

The children were encouraged to take part in activities and afforded opportunities to make choices. All children were provided with outdoor play daily.

Part V - Care of Child in Pre-school Service

Regulation 22 – Food and drink

A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.

Non-Compliance Information

The registered provider did not ensure that the food provided for each child attending on a part time and full day care basis, was in all cases adequate, suitable and nutritious to meet their nutritional requirements while in the care of the early years' service.

This was at variance with the Healthy Eating policy in the service which stated that:

“Children bring in all of their own healthy food and snacks. Healthy eating is promoted through our curriculum.

Parents are advised on safety and nutrition in relation to healthy lunches and snacks.”

An example of the foods provided for the main meal for individual children as observed included:

- One child was observed eating four plain biscuits.
- One child was observed eating two breaded chicken pieces.
- Two children were observed eating plain pasta and chopped pieces of processed meat.
- One child was observed eating plain rice and processed smoked meat .

- One child was observed eating rice and breaded chicken pieces.
- One child was observed eating yogurt, rice cracker and fruit.
- One child was observed eating two pizza triangles, a chocolate bun and a bourbon biscuit.
- Milk was not offered with the main meal.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated in the written response submitted that:

Corrective and Preventive Action

Following the inspection, a letter was sent to parents explaining that they need to provide a well-balanced nutritional hot meal daily.

We are implementing the healthy eating policy strictly. Staff check the dinners supplied each morning and advise the registered provider or manager if they are not suitable. The registered provider or manager have made the decision to phone the parent to either provide or send in a more nutritious meal if the original dinner is not adequate.

There have been improvements and we are working with the parents to ensure the dinner is sufficient.

Supporting documentation submitted

One photograph of two dinners
Letter sent to parents

Summary Comment

The written response, photographic and the documentary evidence has been assessed by the Early Years Inspectorate. Regulatory compliance is met for Regulation 22. This area of practice will be assessed at the next inspection.

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 to the pre-school room. The registered provider 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 staff members in the service completed daily indoor and outdoor risk assessments to promptly manage any risk identified. The service had a system in place to manage maintenance issues. The staff members demonstrated an awareness of potential foods which created a potential choking risk and were observed discretely checking each child's snacks and lunch.

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 and an appropriate foot pedal operated bin was available for the disposal of soiled nappies and wipes. 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 in the service.

Safe Sleep:

There rest areas were available for any child who wished to take a break from activities and low-level beds with appropriated bed linen, were available if a child aged 2 years or older wished to avail of a period of sleep.

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:

It was confirmed by the registered provider that outings are not conducted by the service.

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 provider 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 provider ensured that any person entering the service was approved and a record in writing was maintained.
- (4) The registered provider 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

- (1) A person was trained in in First Aid Response (FAR) for children and was immediately available to the children attending the service.
- (2)
- (a) The first aid equipment was safely stored, in a conspicuous position in each room.
 - (b) Suitably equipped first aid boxes for children was available to the children attending the service.

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 was 2 May 2023.
 - (b) A maintenance record was kept of the firefighting and smoke alarm system in the premises. The firefighting equipment was serviced in February 2023 and the smoke alarm system was serviced 31 June 2023.
- (4) A notice of the procedures to be followed in the event of a fire was conspicuously displayed in 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

There were twenty-six children attending the service who were supervised by five adults at the time of inspection. Three staff members supervised the children's safety while leaving their pre-school room to access the outdoor play area.

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 seventy-five children.