

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KE140		
Name of Service:	Kiddies Choice Creche		
Address of Service:	1 Elm Park, 38 Maynooth Road, Celbridge, Co. Kildare		
Eircode:	W23 TH72		
Name of Registered Provider:	Sean Tuohy, Mary Tuohy		
Service type:	Full Day, Part Time, Sessional		
Date of Inspection:	29/05/2023		
No of pre-school children:	AM	40	PM 26
Address of the Early Years Inspectorate:	Early Years Inspectorate, Child and Family Agency, Suite 7, Vista Primary Care Centre, Ballymore Eustace road, Naas, Co. Kildare, W91 X38W.		
Inspection undertaken by:	T. Duignan and F. Maher		
Titles:	Early Years Inspectors		

Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

Conditions if applicable	n/a
---------------------------------	-----

Description of service

This private service provides full day and part time care and education to children aged between 2 and 6 years of age. There were 40 children present on the day of inspection. The service is open from Monday to Friday between 07:30-18:00 hours including the provision of a sessional service from 09:30-12:30 hours for 38 weeks of the year. A school age service is also provided.

The service is located in two premises close to each other adjacent to the main road into Celbridge. One is a two-story building and the other is a ground floor building located in a commercial unit. There are three preschool rooms and a kitchen in the Maynooth road address and one preschool room in the Elm Park address. The office has temporarily relocated to the Maynooth road address. Two separate outdoor play areas are available at the rear of the premises.

Staffing

There were nine adults present on the day of inspection; Eight adults were working directly with the children in the care rooms including the designated person in charge who was providing support to the care rooms. The cook was present on site. The registered provider came to the service after the inspection had commenced and remained for the feedback meeting prior to the inspection concluding.

Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Child Care Act 1991 (Early Years Services) Regulations 2016 define the duty of a registered provider to ensure the safety and well-being of children and to comply with these regulations. This Act also gives Tusla the authority to assess compliance with the regulations. The purpose of regulation in relation to early years services is to ensure that the care, safety, and well-being of children attending such services is upheld. Inspections of early years services are planned based on the following:

- Previous inspection history
- Any information received in relation to the service

The findings on inspection are based on:

- Information obtained through examination of documentation
- Direct observation
- Discussion with relevant staff

This inspection was unannounced and focused on the area of governance, health, welfare and development of child and safety. The inspection may also focus on other areas as required.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

Additional Information

1. A written immediate action notice under Regulation 25(1) – First Aid was issued to the registered provider by the Early Years Inspector on 30 May 2023.
2. A written response was received by the Early Years Inspector on 31 May 2023 from the manager of the service in relation to the immediate action notice and was accepted.
3. A written referral was sent to the Chief Fire Officer in Kildare County Council on 20 June 2023.

Acknowledgments

The inspectors wish 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
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.

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

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

(4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

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

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

Compliance Information

(1)

- (a) 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 documentary evidence available that a clear management structure was present in the service. Staff were familiar with the management structure and line of authority and accountability within the service.

Twelve staff records were reviewed.

(2)

(a) Two written and verified past employer references were available in respect of five staff members employed and one written and verified past employer reference was available in respect of one employee.

(b) Two written and verified references from a reputable source other than a past employer, were available in respect of three staff members employed. A written and verified reference from a reputable source other than a past employer, was available in respect of two staff member employed.

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

(d) Police vetting was available for four employed staff members who had resided outside the state for a period of longer than 6 consecutive months.

(4) Four employed staff members held qualifications in Early childhood Care and Education at Level 5 or higher on the National Qualifications Framework and one staff member was in possession of a letter of eligibility to practice issued by the Department of Children, Equality, Disability, Integration and Youth (DCEDIY).

Non-Compliance Information

(2)

(a),(b) Two written and verified past employer references were not available in respect of one adult and one written and verified past employer reference was not available in respect of one adult employed.

(d) Police vetting was not available for two employed staff members who had resided outside the state for a period of longer than 6 consecutive months. It is acknowledged that international police vetting was available for one adult however the document had not been translated.

(4) There was no documentary evidence available that the overseas qualification for three adults were deemed by the Minister to be equivalent.

Corrective & Preventive Action submitted by the Registered Provider

The registered providers stated that:

Corrective and Preventive Action

(2)

(a),(b) The references are on file.

(d) International police vetting is on file for one adult and the application for the second adult has commenced.

(4) Documentary evidence is provided for three adults.

Supporting documentation submitted

(2)(a)(b) Three references.

(d) Two documents – translation of police vetting and evidence of application for police vetting.

(4) Three documents - Evidence of overseas qualification deemed by the Minister to be equivalent for two adults. Written document stating that qualification course completed for third adult however document is not an official transcript of results or the official award.

Summary Comment

The written response and documentation submitted by the registered providers have been assessed by the Early Years Inspectorate. Regulatory compliance is not met for regulation 9 as there is one qualification document outstanding. This will be assessed at the next inspection.

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 forty children attending the service being supervised directly by eight 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 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:

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor.
- (b) details of the class of service and the age profile of children for which the service is registered to provide services.
- (c) details of the adult:child ratios in the service.
- (d) the type of care or programme provided in the service.
- (e) the facilities available.
- (f) the opening hours and fees.
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10.
- (h) details of attendance by each pre-school child on a daily basis.
- (i) details of staff rosters on a daily basis.
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent.
- (k) details of any accident, injury or incident involving a pre-school child attending the service.

Compliance Information

(1) (b) – (k) The registered provider ensured that a record in writing was maintained. This was confirmed by inspection of the documents required under (b) – (k).

Non-Compliance Information

(1)(a) There was no documentary evidence on file that identification documentation for one employee and curriculum vitae for three employees was available.

Corrective & Preventive Action submitted by the Registered Provider

The registered providers stated that:

Corrective and Preventive Action

(1)(a) The identification document and the curriculum vitae are now on file.

Supporting documentation submitted

Four documents provided.

Summary Comment

The written response and documentation submitted by the registered providers have been assessed by the Early Years Inspectorate. Regulatory compliance is met for regulation 16.

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 three 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; food was freshly prepared daily. Snack on the day of inspection was fruit and yogurt and lunch was vegetable curry and rice. 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.

Comfortable rest areas were 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.

Non-Compliance Information

1. The management of the transition of the four children in the Toddler room from lunch to sleep was managed by one staff member as there was no other person available.

This limited the quality of the lunch time experience for the children as the staff member was unable to sit with the children as she was transitioning the room into a sleep room. It is acknowledged that the quality of care and interaction of the staff member with the children observed was otherwise very good.

Corrective & Preventive Action submitted by the Registered Provider

The registered providers stated that:

Corrective and Preventive Action

1. The management of the transition of the four children in the Toddler room from lunch to sleep thereafter has now improved. The person in charge or a relief staff member has been assigned to set up the beds while the other staff member sits with the children at lunch.

Supporting documentation submitted

No evidence submitted.

Summary Comment

The written response submitted by the registered providers have been assessed by the Early Years Inspectorate. Regulatory compliance is met for regulation 19. This area of practice will be assessed at the next inspection.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

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

- (a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child 19 to play indoors and, where required by these Regulations, outdoors, during the day, and*
- (b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.*

Compliance Information

- (1)
- (a) The service had two outdoor play area's available to the children. They are secure and contained an adequate number of toys and equipment to meet the needs of the children using the area on a daily basis.
- (b) Twelve low level sleep beds with individual bed linen were available to any child aged over 2 years requiring sleep or rest during the day. Comfortable rest area's consisting of child sized sofas and a mat beside the reading area in each care room provided the children with a space to take a break from activities or rest for a while.

Part V - Care of Child in Pre-school Service

Regulation 21 – Equipment and materials

A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.

Compliance Information

There was an adequate and suitable furniture, play and work equipment and materials available in each of the care rooms of the service to meet the needs of the numbers of children attending the service.

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 doors to the service were 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 rooms. 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 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.

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.

Safe Sleep:

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.

Outing:

The service does not conduct outings.

Non-Compliance Information

Safe Sleep:

1. The environmental temperature of the care room used for the purposes of sleep was not maintained between 16°-20° Celsius as the environmental temperature was 20.8° Celsius at 13:22 hours.

Fire Safety:

2. The firefighting equipment was not serviced yearly as the last maintenance record available was dated 7 September 2021.

Action submitted by the Registered Provider

The registered providers stated that:

Corrective & Preventive Action

Safe Sleep:

1. Two portable air conditioner units have been purchased. An air conditioning system is being installed on the first floor of 38 Maynooth Road building. This will allow the staff to adjust the temperatures in the rooms as required and meet regulatory requirements for environmental temperatures.

Fire Safety:

2. Fire safety certificates for 1 Elm Park and 38 Maynooth Road are attached. Due to the ongoing works, the fire system panels, the fire extinguishers and fire exits are being updated with emergency lighting systems which are being replaced and updated over the last 2 years.

Supporting documentation submitted

Safe Sleep:

Two documents – invoices.

Fire Safety:

Two documents – two invoices

Summary Comment

The written response and documentation submitted by the registered providers have been 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 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

- (2)
- (a) The first aid equipment was safely stored, in a conspicuous position in the main corridor and each room has a small first aid kit.
- (b) Suitably equipped first aid boxes for children was available to the children attending the service.

Non-Compliance Information

- (1) There were no persons trained in in First Aid Response (FAR) for children immediately available to the children attending the service on the day of the inspection.

The registered providers stated that:

Corrective and Preventive Action

- (1) Eight staff members completed the practical training for First Aid on 1st June 2023. One adult has completed First Aid Response (FAR) for children course. Further First Aid Response (FAR) for children training is being organised for a group of staff .

Supporting documentation submitted

Six certificates for the practical training for the First Aid course.

FAR certificate for one staff member which expires June 2025.

Email communication with First Aid trainer to organise dates for a group of three staff to complete the First Aid Response (FAR) for children training.

Summary Comment

1. A written immediate action notice under Regulation 25(1) – First Aid was issued to the registered provider by the Early Years Inspector on 30 May 2023.
2. A written response was received by the Early Years Inspector on 31 May 2023 from the manager of the service in relation to the immediate action notice.

The written response and documentation submitted by the registered providers have been 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 was 19 April 2023.
 - (b) A maintenance record was kept of the firefighting and smoke alarm system in the premises. The firefighting equipment was serviced on 7 September 2021 and the smoke alarm system was serviced on 22 August 2022.
 - (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 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.