

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KE200			
Name of Service:	Ternuco Ltd T/A Creative Kids			
Address of Service:	Unit 4 & 5, Andrew Square, Dunbrinn, Athy, Co. Kildare			
Eircode:	R14 DA03			
Name of Registered Provider:	Aidan Corless			
Service type:	Full Day, Part Time, Sessional			
Date of Inspection:	25/10/2023			
No of pre-school children:	AM	29	PM	5
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:	F. Maher and T. Duignan			
Title:	Early Years Inspectors			

Authority to Inspect

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

Conditions if applicable	n/a
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Description of service

Creative Kids is a private childcare service located on the outskirts of Athy Co. Kildare. A full day care service is provided to children aged between 2-6 years old and opening hours are Monday to Friday from 08:00am-17:00pm. Part time care is offered and sessional care and education is available for 38 weeks of the pre-school year.

The service operates from a purpose-built premises in a small retail park at the entrance to a residential estate. Five pre-school rooms, a kitchen and an office are provided. An outdoor play area is located to the front/side of the premises.

Car parking is available outside the premises.

Staffing

There were eleven staff members employed in the service. Nine people were present in the service on the day of inspection, this included the person in charge, six staff members working directly with the children, one relief staff member and one kitchen staff member. The staff members working directly with the children held recognised qualifications in Early Childhood Care and Education on the National Framework of Qualifications. The registered provider was not present and does not work directly with the children.

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.

A sampling process was used to assess compliance under,
Regulation 23 - Safeguarding health, safety and welfare of child
Regulation 24 - Checking in and out and record of attendance
Regulation 27 - Supervision

As a result, the scope of the inspection included the Red, Blue, Green and Purple 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 25 – First Aid, in respect of an identified risk to pre-school children, was issued to the registered provider on 25 October 2023.
2. A written response with was submitted 26 October 2023 from the registered provider. Further information was sought, and a response was submitted 27 October 2023 from the registered provider outlining the measures that had been taken to ensure the safety of children in the service; the response was accepted.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the 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.*

(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),(b)

There was a designated person in charge and a named person to deputise as required.

The records of eleven staff members employed and/or present in the service were reviewed.

(2)(a),(b)

Twenty two written and verified past employer references or references from a reputable source, in the absence of a past employer, were available in respect of eleven records reviewed.

(c)

Garda Vetting disclosures were available for 11 employed staff members.

(d)

Police vetting was not required as no staff member had lived in a state other than the State for a period of longer than 6 consecutive months.

(3)

The procedures specified in paragraph (2) had been completed prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(4)

Ten members of staff employed and who work directly with the children whose records were reviewed held a major award at Level 5 or higher in Early Childhood Care and Education on the National Qualifications Framework.

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 29 children attending the service being supervised directly by six staff members during the inspection. Two staff members, one of whom was the person in charge, were available to provide relief as required to the pre-school rooms throughout the day.

(2)
The minimum ratio of adults to children was adhered to during the day as specified in column (3) of Part 1 of Schedule 6.

(8)(a)
There were at least two adults on the premises at all times for the duration of the 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 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 pre-school rooms inspected had a variety of age-appropriate toys and learning equipment available at an accessible height to facilitate a child-led learning environment. The rooms had areas of interest including home corners, construction areas, libraries, messy/sensorial play, and dress up. Play and learning materials included puzzles, jigsaws, interconnecting manipulative equipment, paint, crayons, playdough, paper, art and craft materials, books, sand/water trays, animals, blocks, cars, dolls, dolls buggies and props and open-ended for the interest areas. The outdoor area was divided into three separate areas and adequately equipped with three swing units, eight ride on toys, four slides, three see saws and a geodesic climbing frame. There was an area with picnic tables on a grassed surface. In the area with the bark surface, there was a planting area, a mud kitchen and a wooden teepee made from recycled materials, a sensory wall and a large sand tray. There was also plenty of space for the children to run freely and engage in playground games. The cement path outside the service was used for the ride on toys and push along scooters.

Non-Compliance Information

(1)(b)

1. There were no comfortable rest areas in the pre-school rooms for a child/children to sit comfortably to take a break from activities, relax, have some quiet time or read a book. The rest areas consisted of a few cushions placed on the floor in each room which did not represent a defined cosy area to attract children to use these spaces.

Following the last inspection, 9 May 2022, written assurance was given by the registered provider, that new soft couches had been ordered for the rest areas in the pre-school rooms, as stated on the corrective action/ preventive action (CAPA) response, this had not been actioned; there was no evidence of the replacement couches in the pre-school rooms despite removal of the unsuitable furniture found on the previous inspection.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Comfortable three seater couches have been purchased for each room and will ensure the appropriate and suitable rest areas are available in all rooms for children attending the service.

Supporting documentation submitted

Copy of receipt for items purchased.

Summary Comment

The requirement for Regulation 20 has been met and will be reviewed at the time of the next inspection.

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.

Compliance Information

A cook was employed in the service and the main meals, breakfast, dinner and tea, were freshly cooked and prepared daily. A three-week menu plan was available and on display in the entrance hall to demonstrate the varied nutritious food provided throughout the day. Parents provided the morning snack for their child in line with the healthy eating policy in place in the service.

Snacks provided included a variety of sandwiches with healthy fillings, fresh fruit and vegetable pieces, cheese and yoghurts, the main meal served was mince, carrots and mashed potato. Water and milk was available for the children to drink throughout the day. During conversation with staff members, they advised they were very observant of any food provided that had the potential risk of choking and immediately halved or cut food into smaller pieces. Staff members were observed to sit with the children during mealtimes making it an enjoyable and social experience for the children. The staff members also advised they encouraged healthy eating practices with the children and planned an area of the curriculum around healthy foods and eating, including sampling different foods and textures and discussed bone health and dental hygiene with the children.

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 secured and controlled by staff to prevent children from exiting the service unsupervised and to restrict unauthorised persons from gaining access to the pre-school. The service met the necessary safety requirements in respect of the indoor environment, toys and equipment and safe storage of cleaning agents. The person in charge completed a daily outdoor risk assessment.

Infection Control:

Thermostatically controlled hot water and liquid hand soap were readily available for hygienic hand washing. The staff members supervised children's handwashing and handwashing routines were well established and observed. Nappy changing was carried out, as observed, in line with the nappy change policy of the service. Gloves, plastic aprons, and nappy sacks were available for hygienic nappy changing practices. Foot pedal operated bins were provided for the disposal of used tissues, nappies and paper towel. Written cleaning schedules were maintained for all room environments which were observed to be maintained in a clean and hygienic condition by each staff member.

Administration of Medication:

Medication was not given at the time of the inspection and during conversations with various staff members, they advised they were aware of the procedures to be followed to administer medicine safely to a child if required while attending the service.

Safe Sleep:

Low level sleep beds were available should any child aged 2 years and above require a period of sleep attending on a part time or full day care basis.

Fire Safety:

Regular monthly fire drills were carried out and records maintained. All fire exits were easily identifiable and unobstructed.

Outing:

An outings policy was in place in the service to guide practice, staff advised they often take the children for nature walks in the immediate area and follow the guidance outlined in the policy.

Non-Compliance Information

Infection Control:

1. There was no paper hand towel in any of the wall mounted hand towel dispensers throughout the service, including the sanitary area, for hygienic hand drying. Children were observed using dispensed toilet roll to dry their hands in the sanitary area and rolls of kitchen paper were being used in the care rooms, one kitchen roll was observed placed on the windowsill in the Green room; this was inadequate for infection control purposes.
2. An open waste bin was observed in the sanitary area filled with used toilet paper that had been used by the children for hand drying, this was inadequate for infection control measures as the tissue was accessible to the children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

1. Paper hand towels have been ordered for each room and all sanitary areas.
2. A foot pedal bin has been purchased for the sanitary area.

Preventive Action

1/2. It will be ensured that all paper hand towels, lidded bins and any items needed for infection control purposes are ordered well in advance.

Supporting documentation submitted

Copy of receipts for items ordered.

Photograph x 1.

Summary Comment

The requirement for Regulation 23 has been met.

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 person in charge ensured that each child was checked in and out of the service. This was confirmed by the written attendance records maintained for the pre-school rooms inspected.
- (2)
Not applicable as this was not a drop-in service.
- (3) (a),(b)
The person in charge ensured that any person entering the service was approved and a record in writing was maintained.
- (4)
The person in charge confirmed 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.

Part VI - Safety

Regulation 25 - First aid

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

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

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

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

Compliance Information

(2)(a),(b)

The first aid boxes were suitably equipped and stored in conspicuous positions in the service and immediately available for the children at all times

Non-Compliance Information

(1)

There was no staff member trained in first aid response (FAR) and immediately available at all times to the children attending the service. Certificates of training had expired in May and July 2023.

A written immediate action notice under Regulation 25 – First Aid, in respect of an identified risk to pre-school children, was issued to the registered provider on 25 October 2023.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Paediatric First Aid training was completed on Friday 27th October.

Three staff members are completing FAR training in January 2024.

Preventive Action

It will be ensured that all first aid is renewed at least three months prior to expiry date.

Supporting documentation submitted

Copies of paediatric first aid certificates for staff members dated 27 October 2023.

Email correspondence with dates booked for First Aid Response (FAR) training 29,30,31 January 2024.

Summary Comment

Following the issuing of the immediate action notice by the inspectorate 25 October 2023, a written response was submitted by the registered provider on 26 and 27 October 2023, outlining the immediate measures that had been taken to ensure the safety of children in the service, this response was accepted.

It is acknowledged that staff members immediately completed paediatric first aid for children on 27 October 2023, however, the requirement for Regulation 25 has not been met as First Aid Response (FAR) training will not be completed until January 2024.

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 which were completed monthly in the service, the last recorded fire drill took place 18 September 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 last serviced March 2023, and the smoke/fire detection system was last serviced 21 September 2023.

(4)

Notices of the procedures to be followed in the event of a fire were 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

Children were observed being supervised at all times throughout the inspection by the staff caring for them both indoors in their care rooms, in the sanitary areas and in the outdoor play area.