

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KK016
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Name of Service:	Clever Cats Childcare
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Address of Service:	7 Black church Square, Inistioge, Co. Kilkenny
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Eircode:	R954P22
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Name of Registered Provider:	Suzanne Coughlan
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Service type:	Full Day, Part Time, Sessional
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Date(s) of Inspection:	11/04/2024
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No of pre-school children:	AM	37	PM	26
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Address of the Early Years Inspectorate:	Early Years Inspector Tusla Child and Family Agency Ely Hospital, Ferrybank, Wexford
Inspection undertaken by:	L. McGarry C. Ryan
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	Not applicable
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Description of service

Clever Cats Childcare service is situated in the village of Inistioge in county Kilkenny. The service provides full day care, part-time and sessional day care services to preschool children aged from 6 months to 6 years. The service is also registered to provide a school age service. The service is open Monday to Friday, from 7.45am until 6.00pm. This preschool service is located within a small estate in the village and is a purpose-built childcare building comprising of three early years rooms, a baby room, wobbler/toddler room and a preschool room upstairs. There are two outdoor play areas, one to the rear of the service and one to the side which has a sheltered roof to facilitate outdoor play when it is raining.

Staffing

There are seven staff employed in the service. The registered provider also works directly with the children. All staff working directly with the preschool children held a major award in Early Childhood Care and Education at Level 5 and above on the National Qualifications Framework.

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 the following regulations.

Regulation 9 Management and Recruitment (1) (2) (a) (b) (c) (d) (4),
Regulation 11 Staffing levels (1) (2),
Regulation 19 Health, Welfare, and Development of the Child (1) (a)(b),
Regulation 22 Food and Drink,
Regulation 23 Safeguarding Health, Safety, and Welfare of the Child,
Regulation 25 First aid (1) (2) (a) (b),
Regulation 26 Fire Safety (1) (a) (b) (4).
Regulation 28 Insurance.

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

An Immediate Action Notice was issued to the registered provider on 11 April 2024, regarding non-compliance identified under Regulation 25, First Aid. It is acknowledged by the inspector that the registered provider submitted a response to the immediate action notice on 15 April 2024, outlining the steps planned to address the non-compliance found on the day of inspection.

An immediate action notice concerning the same non-compliance was issued to the registered provider following the previous inspection on 16 June 2023. The registered provider completed a corrective and preventative response following this inspection. The response did not prevent a reoccurrence of the same non-compliance on this inspection.

A referral was made to the environmental health office on 16 April 2024 in relation to food hygiene and infection control practices observed on the day of inspection.

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*

(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

(1)(a) (b)

The manager was the designated person in charge on the day of the inspection and remained in the service for the duration of the inspection. The registered provider arrived later on the day and was available to facilitate the inspection also.

(2)

Following a discussion with the manager and on review of documentation, it was established that there were seven staff employed in the service. The files of all seven staff members were reviewed on the day of inspection.

(a)(b)

There were 11 written and validated references available on file from past employers. There were 3 written and validated references available on file from reputable sources.

(c)

Garda vetting disclosures had been obtained for all 7 staff. However, the service did not adhere to the re-vetting time frames as outlined in the Early Years Inspectorate regulatory notice requiring services to renew Garda vetting every 3 years for all staff, one staff member had a Garda vetting disclosure dated within the last three years.

Please refer to the information outlined in regulation 23 of this report in relation to the other staff.

(d)

Police vetting was not required as none of the staff had lived in a state other than Ireland for a period of longer than six consecutive months.

(4)

All staff working directly with the preschool children held at least a major award in Early Childhood Care and Education at Level 5 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.

Compliance Information

(1)
There was always an adequate number of staff working directly with the children attending the preschool service.

Baby room

At 10.30am there were 2 children under 1 in the care of 1 staff member.

2.35pm there was 1 child under 1 in the care of 1 staff member.

Wobbler room

At 10.35am there were 5 children aged between 1 and 2 years of age in the care of 1 staff member.

At 2.38pm there were 4 children aged between 1 and 2 years of age in the care of 1 staff member.

Toddler room

At 10:40am there was 1 child aged from 1 to 2 years of age and 10 children aged from 2 to 3 years of age in the care of 2 staff.

At 2.40pm there were 8 children aged from 2 to 3 years of age in the care of 2 staff.

Montessori Room

At 10.45am there were 19 children aged from 2 to 6 years in the care of 2 staff.

At 3.00pm there were 13 children aged from 2 to 6 years

The manager and the registered provider were available in the service and were available to assist in the rooms if required.

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-

(a) each child's learning, development and well-being is facilitated within the daily life of the pre-school service through the provision of the appropriate activities, interaction, materials and equipment, having regard to the age and stage of development of the child, and

(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

(1)(a)

The staff member in the baby room was observed to be attentive to the two children in the room. Cues for care were acted on promptly. For example, children were picked up quickly when upset, held and comforted until they were happy to continue to enjoy floor play.

Staff in the toddler room were observed playing with the children in the play area at the side of the service. They were observed to play and interact with the children and encourage them to share with their friends. Later children in the toddler room were observed doing table top activities and colouring in templates which staff had provided for them.

There was a sheltered play area directly outside the wobbler and toddler room. Staff who spoke to the inspector said this enabled the children to play outside even if it was raining. This area was roofed for all weather use. The ground covering was artificial grass. The area has been equipped with play equipment such as tables, chairs, balls and ride on toys for the younger children.

(1)(b)

During mealtimes younger children were encouraged to feed independently and given help if they could not manage to feed themselves. Staff sat with the children talking to them during their mealtime.

Children who wore nappies had them changed regularly and during the day when required. Nappy changing was observed by the inspector. Staff were observed talking to the children while changing their nappies. Older children were supported to use the toilet independently and were encouraged to wash their hands afterwards.

There were two sleep rooms situated on the ground floor of the service. Children under two were put to sleep in the cots in the sleep rooms. Children's sleep needs were child led. Staff were observed to be vigilant when children showed signs they needed to sleep.

Non-Compliance Information

Basic needs:

Access to daily outdoor play was not adequately provided for by the service as demonstrated by the following examples:

1. Children from the baby room and Montessori room did not get outside on the day of the inspection. There were no buggies available to bring babies outside for a walk or provide opportunities for sensory outdoor play. The weather during the morning of inspection was dry. The issue of the children not being provided with opportunities for daily outdoor play was highlighted on previous inspections.

Physical and material environment:

The environment was not suited to the play needs of children in some areas of the service:

2. The outdoor area to the rear of the service was overgrown and unkempt. The grass was high and there were weeds visible. The outdoor classroom was in disarray and did not appear to be in use. The provision of the outdoor classroom would provide additional opportunities for children to get outdoors regardless of the weather. Staff who spoke to the inspectors said this area had not been in use for "weeks".
3. The lean-to area to the side of the service had been resourced for the younger children to play in. There were small trampolines, plastic balls, and a wooden teepee. Staff who spoke to the inspector said the children from the Montessori room used this area to play when the younger children had gone back into their rooms. The play area was not adequate to meet the needs of the older children attending the service. The area was small and did not provide adequate opportunities for free movement or free play for the older children.
4. The wobbler room was not resourced with adequate play equipment for the children attending on the day of inspection. For example, there was a quantity of broken toys stored in a container in the corner of the room. There were some battery-operated toys in this container which did not contain any batteries.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1.2.

The registered provider has employed a professional landscaper to renovate the outdoor area. The plan is to install a path from the back door to the outdoor classroom to ensure the children have access during the wet months. The landscaper has also been requested to install a hard surface area along with further drainage to ensure outdoor play activities will be maintained in the service. The outdoor classroom has been redeveloped to ensure children always have access. The re development of the outdoor classroom has given children in the service additional outdoor play opportunities. There is a rota now in place in the service to ensure all preschool rooms have daily access to the outdoor play areas in the service.

3.

The children attending the Montessori room now have access to the grass area and outdoor classroom so no longer use the lean-to area which has been developed for younger children. A monthly audit of toys and equipment required in all the rooms in the service will be carried out by the manager. Equipment will be replaced as needed.

4.

New equipment and toys have been purchased for the wobbler room. Toys which require batteries have been checked and spent batteries have been replaced.

Supporting documentation submitted

1.2.3.

A photograph of a mini digger at work in the garden was received by the inspector.

A photograph of the ground drainage work in progress was received by the inspector.

A photograph of the renovated outdoor classroom was received by the inspector.

A copy of the outdoor play rota was received by the inspector.

4.

A photograph of the restocked shelves in the wobbler room was received by the inspector. Of note were the age-appropriate toys stored allowing the children easy access to the toys and equipment.

Summary Comment

The response and evidence submitted is adequate to meet the requirements of The Childcare Act 1991 (Early Years Services) Regulations 2016.

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

The service had a designated kitchen for food storage and preparation. The service had a healthy eating policy.

Non-Compliance Information

The food requirements were not fully met and not in line with the services healthy eating policy for preschool children.

The following were observed:

1. Inspectors were not assured of the adequate provision of meals and snacks in the service. There was no menu plan available for the provision of snacks and meals in the service. Staff advised the inspectors that they were not aware of what meal was available daily. Therefore, parents were also not aware in advance of the foods and snacks served to their children.
2. The main meal served to a child under one year of age was not in line with the nutrition standards for early learning and care services. The meal provided was highly seasoned with three packets of seasoning mix, which has a high salt content.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1.
There is now a system in place where the detailed weekly menu plan is shared with both parents and staff at the start of the week.
2.
Seasoning mixes with high salt content are no longer used in the service. A review of the menu in the service was carried out and adjustments made to cater for the nutritional needs of all the children attending the service.

Supporting documentation submitted

1.2.

A copy of the 2-week rotating menu of dinner and tea in the service was received by the inspector. A copy of the minutes of the staff meeting held following the inspection was received by the inspector. The importance of providing adequate nutrition was discussed at the staff meeting held following the inspection.

Summary Comment

The response and evidence submitted is adequate to meet the requirements of The Childcare Act 1991 (Early Years Services) Regulations 2016.

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:

Access to the service was gained through the front door. There was an intercom system in place for parents and visitors to gain access to the service. The fire doors were not obstructed.

Infection Control:

The service had an infection control policy. Staff were observed to wash their hands before and after nappy changing. Staff wore gloves and aprons and washed the children's hands after nappy changing.

Safe Sleep

The service had a safe sleep policy. Staff were observed monitoring and recording the sleeping children's colour, breathing and position every 10 minutes.

Non-Compliance Information

General Safety:

1. Children could access the cleaning products in the toilet in the toddler room as they were on a low shelf beside the toilet.

2. There was a strong odour of cigarettes in the kitchen during the morning. It was noted that there were many cigarette butts in the bin in the kitchen, with the lid not fully closed.
3. Garda vetting was available for seven staff members. However, there were six staff members whose Garda vetting was not dated within the previous three years in adherence with regulation notice EYI-RW12.3 renewal of Garda vetting.

Infection Control:

1. Formula bottles did not come into the service prepared in line with safe foods guidelines which poses as risk under food safety. Bottles were not premade by parents which is recommended under safe food guidelines for preschool settings.
2. The thermometer in the toddler room was unclean, with the ear cover still in place. This is a single use item, which should be discarded after each use.
3. Bins within the service were noted to be full and overflowing on the inspector's arrival.
4. A staff member involved in the preparation of food was not observed to wear any protective clothing such as gloves or apron and was observed holding a baby in the baby room, while also preparing dinner.
5. The foot pedal mechanism on the bin in the Montessori room was broken. This posed an infection control risk to the children as they had to handle the bin when disposing of items in the room.
6. The hand soap dispenser and disposable hand towel dispenser were both empty in the baby room on the inspector's arrival.
7. Bed linen was not changed between individual children who were using the cots for sleep.
8. There was no system in place to clean and sanitise cots between use or at the end of the day.
9. There was masking tape used to cover a tear in the floor covering in the toddler room, which posed as an infection control risk as it cannot be adequately cleaned, and also posed a trip hazard.
10. There was a foul smell of nappies noted in the changing unit in the toddler room, despite the window being open and the bin emptied when checked by inspector.

Administration of Medication:

1. A child who required administration of medication daily while attending the service, did not have a consent form signed by the parent.
2. There was incorrect storage of medication noted on the day. Medication that was required to be stored at room temperature was stored in the fridge in the baby room.

Safe Sleep:

1. Staff had no means by which to monitor temperatures to ensure a safer sleep environment as there were no room thermometers available to monitor the temperature of the service's sleep rooms.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1.
Cleaning products are no longer accessible to children in the toddler room.
- 2
Staff have been reminded of the no smoking policy in the service. A designated smoking area for staff has been established away from the service.
- 3
Garda vetting for all six staff has been renewed and is now available on file in the service.

Infection Control:

1.
Parents have been asked to provide the service with premade formula for their children in line with safe food guidelines.
2.
New ear thermometers and covers have been purchased for each room in the service. Ear probe covers will be disposed of after each use.
3.
Bins are now emptied twice a day. Infection and prevention control measure will be discussed at each staff meeting held in the service going forward.
4.
Protective clothing and hairnets have been purchased and provided for all staff who are responsible for serving food. All staff have been enrolled in the safe food for business training programme.
5.
A new foot pedal bin has been purchased for the Montessori room.

6.

Staff have been reminded to replace the soap and handtowels regularly in the nappy changing area attached to the baby room.

7 & 8

The registered provider has developed a new policy regarding the procedure for sanitising the cots and changing bed linen after each child has used the cots in the service.

9.

A new threshold bar has been purchased and will be installed by the carpenter when he is next in the service.

10.

The bins are now being emptied twice a day and an air freshener has been installed in the changing unit next to the toddler room.

Administration of Medication:

1.

A medication consent form signed by parents is now available on file in the service for all children who require medication in the service.

2.

All medications are now stored appropriately in the service. For example, all medications which are required to be refrigerated are stored in the fridge and all medications which require to be stored at room temperature are stored in cupboards which are in accessible to children.

Safe Sleep:

Room thermometers have been purchased and are now in place in both sleep rooms. Staff will monitor and record the temperature of the sleep rooms before putting children down to sleep.

Supporting documentation submitted

General Safety:

1. A photograph of the empty shelf was received by the inspector.
2. No evidence received.
3. Copies of renewed Garda vetting for six staff was received by the inspector.

Infection Control:

1. A screen shot of the request made to parents asking them to provide the service with premade formula for their children was received by the inspector.
2. A photograph of the new thermometers purchased for the service was received by the inspector.
3. Minutes of the staff meeting detailing the discussion on infection control following the inspection were received by the inspector.
4. Evidence was received by the inspector detailing that all staff working in the service have been enrolled in the safe food for business course.
5. A photograph of the new bin now in use was received by the inspector.
6. No evidence received.
- 7.8. The new policy and procedure for the sanitising and changing of the linen in the cots was received by the inspector.
- 9.No evidence received.
- 10.No evidence received.

Administration of Medication:

- 1.2. The medication administration policy has been reviewed by the inspector. The policy includes the importance of signed parental consent and the proper storage of medication in line with best practice in a preschool setting.

Safe Sleep:

1. A photograph of the room thermometers now in place in the sleep rooms was received by the inspector.

Summary Comment

The response and evidence submitted is adequate to meet the requirements of The Childcare Act 1991 (Early Years Services) Regulations 2016.

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.

Non-Compliance Information

(1)
There were two staff trained in a first aid responder course for children. However, on reviewing the staff roster it was clear that a person trained in a first aid responder course was not available to the children at all times.

(2)
The first aid box in the main hallway was checked on inspection. It was noted that the first aid box was sparsely equipped. There was a number of items out of date, including saline solution and an auto adrenalin injector.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1.
There are now three staff who completed a First Aid responder course. The staff rota has been adjusted to ensure there is a staff member qualified in a First Aid Responder course available to the children always attending the service.

2.
The first aid box has been restocked and out of date items removed.

Supporting documentation submitted

1. The inspector has received a copy of a First Aid Responder certificate for the three staff members who have completed the course.

Summary Comment

The response and evidence submitted is adequate to meet the requirements of The Childcare Act 1991 (Early Years Services) Regulations 2016. This regulation will be reviewed on the next inspection.

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)

There was a record of fire drills that had taken place in the service. The last recorded fire drill had taken place in the service in March 2024.

(b)

There was a record available on file stating the firefighting equipment had been service in October 23 and smoke alarm was last serviced in November 2023.

(4)

There was a notice of the procedures to be followed in the event of fire displayed in a conspicuous position in the main entrance of the service.

Part VI - Safety

Regulation 28 - Insurance

A registered provider shall ensure that the pre-school service is adequately insured.

Compliance Information

There was adequate insurance in place for the children attending on the day of inspection.