

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KK059
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Name of Service:	Muckalee Community Project CLG
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Address of Service:	Clorinka, Ballyfoyle, Co. Kilkenny
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Eircode:	R95 YR26
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Name of Registered Provider:	Noel O'Brien
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	20/06/2024
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Date 2 of Inspection:	24/06/2024
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No of pre-school children:	Day 1	32
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Address of the Early Years Inspectorate:	Primary Care Centre, Castle Park, Arklow, Co. Wicklow
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Inspection undertaken by:	L. O Connor and A. Spain
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Title:	Early Years Inspectors
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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

Muckalee Community Project CLG is located in Clorinka, Co. Kilkenny. The service caters for children aged 0-6 years Monday to Friday from 07:30-18:00. The service caters for 64 pre-school children across four care rooms; the baby room (0-2 years), toddler room (1-3 years), ECCE 1 (3- 6 years) and ECCE 2 (3- 6 years). An adjoining outdoor area is available for the children.

A School Age Service is provided for children aged 4-12 years old.

Staffing

On the 20 June 2024, there were 14 adults present in the service on the day of inspection. Of these, 9 adults were working directly with the 32 pre-school children aged 1-5 years. Two adults who do not work directly with the children, including a cook and a cleaner were also present.

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

The inspection of the preschool service was triggered arising from concerns observed during the course of a school age inspection being conducted on the same dates.

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

During a school age service inspection on the 20 June 2024, an immediate risk regarding the safety of pre-school children was identified in the Toddler room. An Immediate Action Notice (IAN) was issued to the service on 21 June 2024. A written response was received from the service on 23 June 2024 detailing the actions taken to correct and prevent the risk from reoccurring.

The findings are detailed under Regulation 23 Safeguarding health, safety and welfare of child within this inspection report.

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 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)(2)

There were an adequate number of adults working with the children on day one of the inspection. The following adult to child ratio was in place at 2.45pm;

- There were five children aged 1-2 years in the baby room cared for by three adults.
- There were eleven children aged 2-3 years in the Toddler room cared for by three adults.
- There were six children in ECCE 2 aged 3-6 years cared for by one adult.
- There were ten children aged 2-5 years cared for by two adults.

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.

Non-Compliance Information

Safe Sleep:

1. An Immediate Action Notice (IAN) was issued on 21 June 2024 due to an immediate risk regarding the monitoring practices in place for five sleeping children aged 1-3 years old. At 2.45pm, there were 11 children aged 1-3 years in the Toddler room with 3 adults; 6 of the children were awake while 5 children were asleep. The following was noted;
 - a) At 2.50pm, four children were asleep in the cot room adjoining the toddler room. The cot room temperature was displaying as 22° Celsius. The four children sleeping displayed signs of possible overheating with visible red cheeks and signs of perspiration. The four children slept with cellular blankets and one child wore a chunky jumper too.
 - b) The fifth child aged 2-3 years was asleep in the care room on a low-level bed covered with a cellular blanket. The child showed signs of perspiration and displayed red cheeks. Action was not taken by the staff until requested by the inspectors.
 - c) A milk bottle was observed beside a child aged 1- 2 years in a cot. This poses a risk of choking.

The inspectors requested for immediate actions to reduce the room temperature of the cot room and body temperature of the children. One staff member removed the cellular blankets from the five sleeping children and a fan was placed into the cot room. It was confirmed by a staff member the ventilation system within the cot room had ceased working within the previous 2-3 weeks. The cot room temperature was reduced to 20° Celsius at 3.05pm and 19° Celsius at 3.20pm.

2. On the 24 June 2024, at 3.30pm a child aged 2 years was asleep in the cot room. It was noted actions were taken by the service to reduce the children's body temperatures and room temperatures while children slept, including a cooling fan in the cot room.

However, on the day the thermometer in the cot room measured at 24° Celsius which exceeds the recommended room temperature of 18-22° Celsius. In response to the immediate action notice, the service did not effectively reduce the room temperature while children slept.

3. On the 20 and 24 June 2024 as per the services safe sleep policy, records were completed by staff for each of the children sleeping on intervals of 10 minutes. However, the records completed were not reflective of the room temperature or skin colour while the children were asleep. The following was noted;
 - a. On 20 June 2024, at 2.45pm the temperature of the cot room and toddler care room was recorded as 20° Celsius on the sleep records for the five sleeping children. The thermometer in place measured the room temperature as 22° Celsius.
 - b. On the 24 June 2024, at 3.30pm while one child aged 2 years was asleep in the cot room, the sleep room temperature was recorded as 22° Celsius. The thermometer in the cot room measured 24° Celsius. The temperature was confirmed by the inspectors with the staff member.
 - c. On 24 June 2024, a room temperature reading was written down by staff while performing sleep checks for a child who slept in the care room. However, staff confirmed to the inspector that a thermometer was not available in the care room at this time and as such it was not possible to determine the temperature.
 - d. The sleep records completed for 20 June 2024 recorded the skin colour of the five sleeping children as normal despite the children showing visible signs of redness which could indicate overheating.

Action submitted by the Registered Provider

Corrective & Preventive Action

Safe Sleep:

1. A written response was received from the service detailing the immediate actions taken to correct and prevent the reoccurrence of the monitoring practices while children slept in the Toddler room on 20 June 2024;
 - a) On Thursday [20 June 2024], a fan was placed in the toddler sleeping room to help to cool the room. Three new digital thermometers were ordered to help monitor the room temperature and to prevent the overheating of the cot room. The service contacted a competent person to look at the ventilation system. The service will fix or add a new ventilation into the cot room. Management will monitor the temperatures in the care room and sleep room while children sleep.

- b) The service will monitor the low-level bed and a new thermometer will be added so the temperature can be monitored properly at all times. The low-level bed has been moved to the opposite side of the room where it is closer to the window to help regulate the room temperature.
- c) The staff have provided reassurance it won't happen again in the future.

Through the CAPA submission on 11 and 22 July 2024, the registered provider outlined the actions below have been implemented regarding the monitoring of children during sleep;

1. and 2. The ventilation in the sleeping room is now fixed and fully working. The room temperature was high due to the ventilation switch as it does not allow the vent to work independently of the light switch. The service contacted a competent person and new switch was ordered to create a new individual switch for the ventilation system to be able to leave the fan on as need it even when children are in bed. management will monitor the implementation of the services safe sleep policy, supervision of children policy and behaviour management policy. The service assigned two staff to open the door and window at 7:30am before the toddlers arrive to the service at 8:00am. To support this, management will monitor the toddler room and sleep room every morning and during children's sleep.
3. New digital room thermometers were installed in the sleeping room and in the room in the proximity of the floor bed, this allows for the room temperature to be seen at any time. A staff meeting was held on 24 June 2024. Staff engaged with Tusla's QRF course. Staff received the services updated safe sleep policy on the 04 July 2024 and signed to demonstrate they have read them.

Supporting documentation submitted

Safe Sleep:

A photograph of the low-level bed in the care room with a thermometer located close by, and a photograph of a thermometer measuring 18.9° Celsius. Individual staff acknowledgement forms which were co-signed by staff and management to confirm the service policies were provided to staff. Updated safe sleep policy, copy of staff meeting minutes on 24 June 2024. Sleep records from 8- 23 July 2024 for children in the toddler room.

Summary Comment

Based on the actions and assurances submitted, the requirements of Regulation 23 Safeguarding health, safety and welfare of child relating to safe sleep have been met. This regulation will be assessed on the next inspection.