

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015KK099
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<b>Name of Service:</b>	Little Mischief Day Nursery Piltown
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<b>Address of Service:</b>	Banagher Court, Piltown, Kilkenny.
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<b>Eircode:</b>	X91 EV74
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<b>Name of Registered Provider:</b>	Sharon O'Brien
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<b>Service type:</b>	Full Day
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<b>Date of Inspection:</b>	09/06/2023
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<b>No of pre-school children:</b>	AM	33	PM	18
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<b>Address of the Early Years Inspectorate:</b>	Community Care Centre, HSE Buildings, Cork Road, Waterford City.
<b>Inspection undertaken by:</b>	M. Ryan
<b>Title:</b>	Early Years Inspector

<b>Authority to Inspect</b>
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).

<b>Conditions if applicable</b>	Not applicable
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### Description of service

Little Mischiefs is located in south Kilkenny on the outskirts of a rural village approximately six kilometers from Carrick on Suir, in County Tipperary. The premises is a purpose-built childcare facility located in a residential area. The service reopened under the present registered provider in 2013 and presently offers full day care for children aged 1 to 5 years of age as well as the sessional Early Childhood Care and Education (ECCE) Scheme. Opening hours are from 08:00 to 17:30 hours, Monday to Friday. The service has three early years rooms in the main premises and an ECCE service in the cabin, on the grounds. The main building has one dedicated sleep room, a fully equipped catering kitchen, nappy changing room, sanitary accommodation, cleaning store and storage rooms. The outdoor play space is adjacent to the premises and wraps around two sides of the building.

### Staffing

The service employs a manager who is part of the staff compliment and five childcare staff to 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/ safety. The inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9,10,11 and 20, 22, 23,27.

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

A recommendation was made to Better Start Quality Development Service on 14 June 2023.

### Acknowledgments

The inspector wishes to acknowledge the co-operation 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.*

### Compliance Information

(1)(a) The manager was the designated person in charge and the service had a named designated staff member who were able to deputise, if required.

(b) During the inspection, the manager was on the premises and the registered provider was available to the inspector in the afternoon of the day of the inspection.

(c) There was documentation available that indicated a clear management structure and identified the lines of authority in the service.

Since the last inspection on the 15 October 2020 and on review of the staff files, it was evident that four new staff members were employed to work with the children in the service. All four files for the new employees working directly with the children in the service were reviewed and the following was observed:

(2)(a) Six written past employee references were available in respect of staff working in the service, with recorded validations of each reference.

(b) Two written past references were available from reputable sources in the case of a person, for whom past employee references were not available.

(c) There was evidence of completed Garda vetting disclosure certificates from An Garda Síochána which were on file in respect of the four staff working directly with the children in the service.

(d) Police vetting certificates were not required for any of the staff working in the service.

(4) There was evidence that all staff employed in the service held at least a major award in Early Childhood Care and Education at Level 5 or equivalent on the National Qualifications Framework.

### Part III – Management and Staff

#### Regulation 10 - Policies, procedures etc. of pre-school service

*A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.*

#### Compliance Information

The registered provider had compiled written policies, procedures and statements for the service required under Schedule 5 of the Childcare act 1991 (Early Years Services) Regulations 2016. The policies and procedures available were specific to the service, which were collated and bound into a handbook and available on a table in the front hall for parents. A condensed version was available in a parent handbook, the registered provider informed the inspector that this was emailed to parents prior to children commencing in the service.

The policies reviewed on the day of inspection were as follows:

#### Infection Control Policy

An infection control policy outlined the appropriate exclusion period recommended for childhood infections. The policy documented the protocol for cleaning and sterilising of mouthed toys and children’s soothers. The policy covered all areas of general hygiene by outlining the responsibilities of the daily, weekly and monthly cleaning routines schedules.

#### Healthy Eating Policy

This policy outlined that the service engaged a private catering company to provide the dinner or main meal of the day on a 2-week cycle menu plan for children in parttime or full day care. The policy indicated that parents were asked to provide a healthy lunch/snacks and suggestions for these lunches. The policy referenced food allergies, food intolerance and guidelines for the management of these within the service.

#### Outdoor play Policy

This policy outlined the service’s commitment to the provision of an outdoor environment, that provided opportunities for children to explore and play with natural materials and to avail of active and gross motor play. The safety protocols for the outdoor play space were well documented and explained. The policy also incorporated a daily safety check list to be carried out by nominated staff members.

## 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)

On the day of inspection, the staff: child ratios met the requirement for the Childcare Act 1991 (Early Years Services) Regulations 2016.

(2)

On the morning of the inspection the staff: child ratios were maintained as follows:

In the wobbler room there were 4 children aged 1 to 2 years of age being cared for by 1 staff member.

In the toddler room there were 6 children aged 2 to 3 years of age being cared for by 1 staff member.

In the preschool room there were 11 children aged 3 to 4 years of age being cared for by 2 staff members.

In the preschool cabin there were 13 early years children being cared for by 2 staff members.

On the afternoon of the inspection the staff: child ratios were maintained as follows:

In the wobbler room there were 3 children aged 1 to 2 years of age being cared for by 1 staff member.

In the red room there were 7 children aged 2 to 3 years of age being cared for by 2 staff members.

In the blue room there were 8 children aged 3 to 4 years of age being cared for by 2 staff members.

### 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.*

*(3) A registered provider of a full day care service, a part-time day care service or a childminding service, other than such a service to which paragraph (2) applies, shall ensure that-*

*(a) a suitable, safe and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises, or*

#### Compliance Information

(1)(a)

The current creche (main building) had three childcare rooms the blue room, the red room, and the wobbler room. The rooms were comfortable and pleasant, each room had south facing ceiling to floor windows that provided ample natural daylight and had double doors that opened directly onto the outdoor play area. Since the last inspection, a Perspex covered pergola was constructed off each of the three rooms This extended the indoor space seamlessly into the outdoor space and children were observed enjoying the freedom of being able to move freely between the care room and the outdoor sheltered area. Each room had a sink and countertop. The early years (ECCE) room was in a separate timber building adjacent to the creche. All four early years rooms had toys and materials suitable to the ages and stages of development of the children using these rooms.

(b)

Provisions were in place for children to rest and sleep while attending the service. There was one large, dedicated sleep room adjacent to the wobbler room. The room had five traditional cots, each child under two years of age had a cot nominated solely for their rest and sleep needs during the day. All children over two had their own individual floor bed. There was a soft area in the wobbler room comprised of one rubber mattress and two rubber foam covered platforms for children to rest or relax if they choose. All other rooms had soft seating available.

(3)(a)

The outdoor play spaces were safe and secured by timber and wire fencing, from the road and surrounding residential area. There were three different play spaces that had a variety of surfaces, with grass, astroturf and tarmacadam surfaces.

The wobbler pergola area had a rocker and a small slide. The staff member in this room was observed bending down encouraging and reassuring the children while they were using this equipment. There were sufficient toys and equipment including a playhouse and a kitchen area.

The second area had a climbing wall that proved very popular with the children. Staff were observed closely supervising the children while using the climbing wall. The grassed area was a natural environment with features that encouraged free play and active physical play opportunities such as wooden balancing beams and tractor tyres for obstacle courses. Another feature in this area that was observed to be very popular with the children was a lookout hut and climbing frame. The outdoor play areas provided ample space and facilitated the opportunity for all children attending the service to be outdoors at any given time throughout the day.

### Non-Compliance Information

1(a)

The layout of the red room, blue room, and ECCE room had no obvious activity areas or physical divides to foster independent open-ended play. For the most part the rooms had shelving arranged around the walls, on which some of the toys were inaccessible to children. Children were observed asking staff for some toys on the higher shelves that they could not reach. Boundaries and interest areas nurture secure and engaging play experiences for children. It is acknowledged that the service had agreed to engage with a national early years quality development service.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

The manager stated in the response submitted on the 5 July 2023 that;

1. The areas in the rooms in question were divided into areas to foster independent play, toys had been moved so that the children could reach them themselves. These rooms will be monitored daily to ensure that defined areas are kept, and toys are kept available and accessible to the children.
2. The service was awaiting a response from the national early year's quality development services.

## **Supporting documentation submitted**

The manager provided documentation on 21 July 2023 of verification that the service had engaged with the national early year's quality development services. The correspondence between the two parties was dated 19 July 2023.

## **Summary Comment**

Further communication from the manager to the office of the Early Years Inspectorate on 27 July 2023 further validated that Little Mischiefs Piltown was scheduled to commence engagement with the national early year's quality development services in the latter part of August 2023.

The requirements for the Child Care Act 1991 (Early Years Services) Regulations 2016 had been met, and room layouts for the rooms in question will be reviewed on 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

There was a full catering kitchen available on the premises, the kitchen had ample food preparation areas with sinks, microwave, cooker and two refrigerators for the storage of perishable snacks provided by parents.

Since the last inspection the service had engaged a private catering company to provide the dinner or main meal of the day, with a 2-week cycle menu plan. This meal was offered from 12:30hrs and was observed to be fish with mashed potatoes and carrots, on the day of inspection. The registered provider reported that this service was working well and there was a notable improvement in children’s appetites since they were eating the same food. The service offered breakfast with a selection of cereals and toast with milk or water drinks, for all children attending at 08:00hrs.

All snacks were provided by the parents and were observed on the day to consist of sweet and savoury sandwiches, fresh fruit, yogurts, and water or juice to drink. At mealtimes the children were observed to sit around the table as one group in each room. The wobbler area had low sized timber baby chairs available to allow the children to feed themselves, with the support from the staff. Highchairs were also available in the event of being needed.

### 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

The service has taken the following measures to safeguard the health, safety and welfare of children attending:

##### General Safety

The main front door was adequately secured with a twist thumb lock preventing unauthorised access or children exiting unsupervised.

The outdoor area was enclosed securely by two high level timber gates bolted from the outside timber fencing so that no child could gain access unsupervised to the roadway.

Throughout the service timber trellising was used to segregate areas that were unsafe for children. A safety rail was erected since the last inspection on the ramp exiting the cabin early years service.

Cleaning agents were stored in a locked storeroom and stored on high shelves in the care rooms inaccessible to children.

##### Infection Control:

Detailed daily and weekly cleaning records were documented and displayed in all the rooms used by the children and staff. These were completed and up to date. There were cleaning schedules available which detailed the frequency of cleaning of toys, equipment, fixtures, fittings, and surfaces. Suitable cleaning chemicals for disinfection purposes were provided for the playroom and in the toilet areas. Cushion covers, bed linen and kitchen laundry were laundered in the service. The service had a fully equipped laundry room with washing machine and dryer. Both had been replaced since the last inspection.

The inspector observed the protocol for managing and cleaning mouthed toys and soothers in the wobbler room. Hand washing facilities were provided in the children's toilet area with a supply of thermostatically controlled warm water, liquid hand soap and disposable paper hand towels. Hand washing was observed being carried out at appropriate times during the inspection. Child friendly prompts with picture instructions for hand washing were displayed on walls in all the toilet areas.

Supplies of tissues were readily available in all rooms. Foot pedal operated bins were supplied in various locations for the waste disposal for these.

### **Administration of Medication:**

There was a written policy and protocols available for the administration of prescribed medications within the service. High cupboards in the kitchens were nominated for the safe storage of prescribed medicines, if required for the children.

### **Safe Sleep:**

Children's clean bed linen was stored in individual labeled baskets on shelves in the sleep room. Cots and beds were cleaned daily in accordance with the sleep room cleaning schedules. These were documented and displayed on the walls of these rooms.

The room had an openable window and room temperatures were maintained between 18°C to 20°C. On the day of the inspection the temperature was 19.5°C. There were wall mounted thermometers and black out blinds in the room with cords kept short and secured with a safety device.

Graphic posters on safe sleep practices were displayed on the doors of the sleep room that acted as a reminder for staff when putting children down to rest. The staff member in the wobbler room had use of a roaming baby monitor and was observed physically checking the children while they were sleeping.

### **Non-Compliance Information**

#### **Infection Control:**

Two children were observed sleeping on the floor beds without an under sheet. This practice could have implications for infection control and pose a potential risk for cross infection within the service.

#### **Action submitted by the Registered Provider**

#### **Corrective & Preventive Action**

The manager stated in the response on 5 July 2023 that a meeting with staff was held and the importance of cross contamination was explained, new sheets had been purchased for the floor beds for each use. The beds will be monitored closely, and the staff briefed more often of importance of cross infection.

#### **Supporting documentation submitted**

Photographic evidence was submitted on 21 July 2023 of the new sheets and a copy of the policy to change these after each use.

### **Summary Comment**

The requirements for the Child Care Act 1991 (Early Years Services) Regulations 2016 were met.

### 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

On the morning of the inspection the staff: child ratios in the wobbler room there were 4 children aged 1 to 2 years of age being cared for by 1 staff member.

#### Non-Compliance Information

In the wobbler room on the morning of the inspection it was observed that a large secure cordoned off area was used for the babies while the staff member went into the nappy changing room or into the sleep room. The staff member was unable to provide supervision by sight while out of the room and there was no system in place to provide adequate support for these times during the morning. Therefore there was inadequate supervision of the wobbler room during nappy changing or while the staff member was putting children down to sleep.

#### Corrective & Preventive Action submitted by the Registered Provider

##### Corrective and Preventive Action

The registered provider stated in the response on 5 July 2023 that adequate supervision was now assigned to the wobbler room, to ensure full supervision of children at all times.

##### Supporting documentation submitted

A two-week cycle staff roster was submitted to the office of the inspectorate on the 21 July 2023. This roster indicated a 'float' staff member for the purpose of extra supervisory cover.

#### Summary Comment

It was not clear from the rosters that the 'floating staff' member was appointed specifically to the junior rooms where extra supervision was required for staff to leave the room for nappy changing or while the staff member was putting children down to sleep. Clarity was sought from the manager on the 27 July 2023. A confirmation letter was submitted to the office of the inspectorate regarding the allocation of the extra staff member to the two junior rooms and the rosters were amended accordingly. The requirements for the Child Care Act 1991 (Early Years Services) Regulations 2016 have been met, and practices will be reviewed on the next inspection.