

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015KY009				
<b>Name of Service:</b>	Bebé Crèche & Montessori				
<b>Address of Service:</b>	Avenue, Countess Road, Killarney, Co. Kerry				
<b>Eircode:</b>	V93 T6X7				
<b>Name of Registered Provider:</b>	Michael O'Shea, Eimear Scannell				
<b>Service type:</b>	Full Day, Part Time, Sessional				
<b>Date of Inspection:</b>	17/04/2023				
<b>No of pre-school children:</b>	<table border="1"> <tr> <td>AM</td> <td>61</td> <td>PM</td> <td>42</td> </tr> </table>	AM	61	PM	42
AM	61	PM	42		
<b>Address of the Early Years Inspectorate:</b>	134 Bank Place, Mallow, Cork, P51 EC59				
<b>Inspection undertaken by:</b>	E. Friel				
<b>Title:</b>	Early Years Inspector				

### 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).

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

Bebe creche and Montessori has been in operation since 2007 and provides a full day care service. It is registered to accommodate children aged 0-6 years, currently children attend aged from 9 months to 6 years of age. Operating hours are from 08:00 am until 18:00 pm, Monday to Friday for 51 weeks of the year. The Early Childhood Care and Education (ECCE) Scheme is facilitated in both the morning from 9.00 am until 12.00 noon and in the afternoon between 12.00 noon until 3.00 pm. A school age service is in operation.

Bebe creche and Montessori is located in the urban area of Killarney town situated in a residential estate on Countess Road. The service operates from a single storey childcare facility consisting of a reception area, one Wobbler room and four Pre-school rooms (1-4). There are two kitchens, two adult toilets and six children's toilets along with four changing areas. Three designated sleep rooms are in use for children under two years of age. There is an outdoor balcony which runs the length of the front of the service and an outdoor play area is located at the side of the service. Parking is available at the rear of the service.

### Staffing

There are fifteen staff employed in the service including two AIMS Support Workers, one kitchen assistant and one domestic cleaner. Neither of the registered providers' work in the service.

### 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 inspections 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

An immediate Action Notice (IAN) was issued on 17 April 2023 to the registered providers in relation to one adult who did not have Garda Vetting. In a response received on 18 April 2023 to the IAN the manager stated that the staff member would cease to have contact with the children and would be replaced by the deputy manager until the Garda vetting disclosure was received. Garda vetting in respect of the adult was received in the office of the inspectorate on the 28 April 2023.

## Acknowledgments

The inspector wishes to acknowledge the cooperation of the manager, deputies, 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) Both registered providers ensured that there was a designated person in charge and named deputies available on the premises on the day of inspection.
  - (b) The designated person in charge and named deputies were available throughout the inspection process. The roster confirmed that either the manager or one of the deputy managers were available at all times while the pre-school children were in the service.
  - (c) Staff members were aware of the management structure and associated roles and responsibilities. Details of the management structure was available in the reception area on the wall.
- (2) The manager confirmed that six staff had commenced employment since the last inspection on 15 August

2022. Therefore, recruitment records in regards to these adults were reviewed.

(a) (b) There were 12 references and validations available from past employers.

(c) Garda vetting disclosures from the National Vetting Bureau were available for four of the six adults. One adult did not require Garda vetting as the manager stated that the adult worked after the hours of operation of the service and their role did not involve contact with the pre-school children.

(d) International police disclosures were available for four adults who had resided out of State for a period of six consecutive months or longer.

(4) Four of the six adults who worked directly with the children, and for whom qualifications were required, each held a major award in Early Childhood Care and Education at Level 6 or above on the National Framework of Qualifications or had a letter of eligibility to practice from the Department of Children, Equality, Disability, Integration and Youth. The two adults do not work directly with the children.

### Non-Compliance Information

(2)  
(c) An Immediate Action Notice was issued on 17 April 2023 in respect of one adult in breach of the regulation as a Garda vetting disclosure was not on file.

### Corrective and Preventive Action

(2)  
(c) Garda vetting was re-applied for on the day of inspection, 17 April 2023. The staff member ceased contact with the children immediately and the deputy manager took over their duties. Garda vetting disclosures will be in place prior to staff commencing employment in the service.

### Supporting documentation submitted

(2)  
(c) A copy of a Garda vetting disclosure was received in the office of the inspectorate on the 28 April 2023 in respect of one adult for whom it was missing on the day of inspection.

### Summary Comment

The corrective action implemented by the manager has addressed the non-compliance identified under Regulation 9 (2) (c).

### 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) The registered providers ensured that there were an adequate number of adults working with the pre-school children at all times.

(2) The registered providers ensured that the minimum adult child ratio was maintained throughout the day, as detailed below.

##### Wobbler Room (9 months – 2 years)

There were 7 children in the morning and 6 children in the afternoon with two adults.

##### Pre-school 3 (2 years – 3 years)

There were ten children in the morning and nine children in the afternoon with two staff members.

##### Pre-school 4 (3 years – 4 years)

There were ten children in the morning and five children in the afternoon with one staff member.

##### Pre-school 1 (3 years – 5 years)

There were sixteen children in the morning and sixteen children in the afternoon with two staff members.

##### Pre-school 2 (3 years – 5 years)

There were eighteen children in the morning and six children in the afternoon with two staff members.

(8) (a) The staff roster confirmed that there were at least five adults rostered on at opening time and six adults rostered on until closing time on the day of inspection.

## 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

#### Compliance Information

##### BASIC NEEDS:

- Healthy eating was promoted in the service and this was evidenced in the food observed being eaten on the day. The service provides breakfast between 8.00 am and 9.30 am. A hot meal was served at 1.00 pm, which was provided by a catering company and reheated at lunch time by a designated staff member, fruit was served after lunch. The parents are responsible for providing snacks, these were available in the morning at 10.45 am and 3.00 in the afternoon. A monthly menu was available for the parents and a copy was furnished to the inspector.
- Mid-morning and afternoon snack were observed to consist of a selection of fruits and vegetables including bananas, strawberries, cucumber and apples. A variety of filled sandwiches, yogurts and cheese were also noted in the snack boxes. The hot meal consisted of turkey stew and potatoes.
- Children had access to age and stage appropriate cutlery and crockery and water was available in each of the care rooms throughout the day.
- Bibs were provided for those children in the Wobbler room who required them at mealtimes.
- Children in the Wobbler care room who wore nappies were changed as required and each child's dignity was preserved. Children toilet training in the Pre-school 3 care room were supported and treated sensitively. Assistance was available when required by a staff member.
- Children from the Pre-school 2 care room were observed to manage their own personal care including toileting and putting on their jackets independently to go outdoors to play, adults were available if required.
- Each room had a rest/quiet area which consisted of wooden benches with cushions, vinyl circle seats to sit on and mats on the floor.

### SUPPORTING CHILDREN'S RELATIONSHIPS:

- Staff in the Wobbler care room stated a key worker system was in place for each child; to support their development and to inform curriculum planning. The role of the key worker was also to liaise with parents /guardians, and this was observed when one of the parents came to pick up a child and the staff member was relating the child's activities of the day including toileting and eating.
- Staff in the Pre-school 2 care room encouraged the children to engage positively with one another: - Staff were heard reminding children to listen while their friends were speaking or they may hurt their feelings.
- Emotional wellbeing and emotional literacy were supported in the Pre-school care room 2 with visual art on the wall of the different types of emotions and a staff member reading and discussing "When I am feeling Jealous".
- Various methods for communicating information to parents were stated as being used by staff including verbally at drop off and collection, a social messaging application and newsletters. A letter was furnished to the inspector as an example of the most recent communication with the parents.
- Scrap books were available in each care room for each child. These included the children's artwork, photographs of the children involved in activities and observations. The observations included how the staff extend each child's learning based on their interests and needs. Staff stated that these are shared with parents at the end of the year.
- Interactions in the care rooms between staff children were noted to be warm and caring, with staff getting down to the child's level, maintaining eye contact and explaining and answering questions while positively interacting them.
- Children's behaviour was consistently managed in a constructive manner by staff, with the emphasis on positive reinforcement and encouragement. Examples of this included staff in the Pre-school 3 helping children to find positive solutions to minor issues of turn taking and sharing toys and equipment.

### PHYSICAL AND MATERIAL ENVIRONMENT:

- Each care room was laid out with clearly defined areas providing play and learning opportunities across all developmental areas with age and stage appropriate toys and resources:- Children in the Wobbler care room had access to activity centres on the wall at the child's eye level encouraging motor movement and coordination, while pull a long toys were in use promoting problem solving along with interactive toys encouraging engagement with the adults and children in the room.
- An adult chair was provided in the Wobbler room allowing the staff in the care room to sit and feed or comfort the children.

- Visual timetables and classroom rules including using indoor voices, walking feet and sharing with each other were noted on the walls in the Pre-school 4 care room.
- Equipment and resources were easily accessible from low-level shelving offering choice and independence in each care room.
- Staff in the rooms were observed reading stories from a range of books, available in each book area, which supported the children’s language and development.
- The outdoor area provided an alternative change of environment for the children. The children in the Pre-school 1 & 2 care rooms were observed being able to access a range of developmentally appropriate equipment including cars which encouraged gross motor skills, wooden houses and mud kitchens for role play and imaginary play and water pipes for sensory exploration. A covered area was available enabling the children to play outdoors in all weathers and the ground surfaces included mulch and artificial grass along with concrete. Planting areas were visible at the front of the service and additional toys and equipment were available from a locked shed in the outdoor play area.

### 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:

- All entrances were secured upon arrival. The entrances from the rear and front were secured with buzzers which were answered by a staff member preventing access from unauthorised adults and the exiting of unsupervised children.
- Low-level windows were fitted with visibility circles preventing children from banging into them.
- Windows were fitted with restrictors to prevent children falling or exiting from them.
- The steps at the front entrance were fitted with railings to enable the children to climb the steps up to the service.
- There were seven highchairs in the Wobbler room, each was fitted with a safety harness. Three were in use at snack time on the morning of the inspection.
- All heavy equipment in the care rooms was secured to prevent accidents occurring.
- Flexes and cables were stored out of reach of the children.

- The outdoor waste bins were out of reach of the children, locked behind wooden panelling in the outdoor play area, preventing access by the children.
- Cleaning agents stored in each room were placed on high shelving, inaccessible to the children.
- The kitchen, where the lunches were being reheated, was inaccessible to the children.
- The staffroom was inaccessible to the children. It could only be accessed by a number lock.
- The perimeter of the outdoor play area is secured with concrete walls and high wooden panelling, ensuring the safety of the children while playing in the area.

### Infection Control:

- Hygienic handwashing was observed with children washing their hands before food, after toileting and returning from outdoor play.
- The children had access to thermostatically controlled hot water, ranging in temperature in the sanitary areas from 37°C to 41.9°C, paper towel, dispensing soap and pedal operated bins.
- Staff in the Wobbler room were observed following the nappy changing procedure of the service. The staff member wore disposable gloves and an apron, the children's personal items were close by, the unit and mat were sprayed when the nappy changing was complete, the staff member disposed of the nappy in a sealed, lidded bins and both the adult and the child washed their hands afterwards.
- Tables were observed being sanitised in the care rooms before and after food being served.
- Each of the care rooms had a fridge available for storing perishable food.
- Coats were hung on individually labelled hooks and each child's bag was stored off the ground in a cubby house in each care room.
- The playrooms were observed to be kept adequately ventilated with the windows left open whilst maintaining the room temperatures at the required levels, between 18°C - 22°C.

### Administration of Medication:

- Anti-febrile medication, which was in date, was available and stored out of reach of the children in a high cupboard in the reception area.
- An individual medical plan was available outlining the necessary procedures to be followed in the event of medical emergency. Staff stated that they had received training on how to administer the medication, should it be required.

### Safe Sleep:

- There were three designated sleep rooms: - Sleep room one was located in the Wobbler room and sleep rooms two and three were located in the Pre-school 3 care room. There was a total of nine cots available for the children from the Wobbler room, under 2 years of age, who wished to sleep.
- Sleep in the Wobbler room was observed to be child led following cues of tiredness, staff were observed putting the children down to sleep in all three sleep rooms. In the morning there was one child asleep in sleep room 3 at 10.15 am and there were a total of four children asleep at 1.20 pm in the three sleep rooms.
- Documentary evidence was available in the form of sleep records for each child. These were noted to include physical sleep checks of the time, sleep, colour and position of each child, every ten minutes.
- The temperatures of the three designated sleep rooms were recorded within the recommended limits of (16°C-20°C).
- Stackable beds were in use in the Pre-school 3 care room. Four children were resting while three children were involved in quiet activities with three staff members in the room.

### Fire Safety:

- Fire doors were unobstructed throughout the service.
- The fire assembly point was located in the rear car park area, a suitable distance from the service.
- Firefighting equipment was secured to the walls, where applicable.

### Non-Compliance Information

#### General Safety:

- (1) An outdoor pole light had a large section of exposed protection foam accessible to the children playing in the outdoor play area, posing a safety risk from children tripping over it.

#### Infection Control:

- (2) The pedal operated bin in the Pre-school 2 care room was broken increasing the risk of cross infection from the number of adults and children observed manually opening the lid.

#### Administration of Medication:

- (3) The four auto-injector pens available for a child who has a medical condition had expired, posing a safety risk as they may fail to work properly after the date of expiry had elapsed. The expiry date on all four pens was recorded as 01/2023.

## Action submitted by the Registered Provider

### Corrective & Preventive Action

The following statements were made by the manager with regards to the corrective and preventive actions:

#### **General Safety:**

- (1) New protection foam has been ordered for the outdoor pole light and the old foam removed.  
Management will conduct weekly checks to ensure that the new protection foam is in place.

#### **Infection Control:**

- (2) The pedal bins were removed and replaced with new ones in Pre-school rooms 1 and 2. Staff in the rooms will inform management if the bins are broken and management will also conduct a weekly check to ensure all pedal operated bins are operating properly.

#### **Administration of Medication:**

- (3) The parents were advised that the auto-injector pens were out of date and these were replaced the following morning. Parents have been asked to record the date of the expiry of the pens and replace before the due date. Management will ensure when checking the first aid boxes that the pens are in date.

### Supporting documentation submitted

The following documentary and photographic evidence was received in the office of the inspectorate.

#### **General Safety:**

- (1) A copy of the order for the new protection foam for the light pole.

#### **Infection Control:**

- (2) A copy of the invoice and pictures of the new bins in Pre-school rooms 1 and 2.

#### **Administration of Medication:**

- (3) Photograph of the new injector pen with an expiry date recorded as 01/2024.

## Summary Comment

The corrective actions implemented by the manager have addressed the non-compliances under Regulation 23.

### 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

(1) Certificates were available to evidence that at least two adults in the service had First Aid Responder (FAR) training and were available at all times. Both expiry dates were recorded as 8 October 2024.

(2) (a) (b) The first aid boxes were suitably equipped, available at all times and easily accessible to the adults in the care rooms.

### 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 fire fighting 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) Written records of regular monthly fire drills were available in the service. The last record was dated 21 March 2023.

(b) Written records detailing the number, type and maintenance of the firefighting equipment and smoke alarms were available. The firefighting equipment certificate was dated 27 October 2022 and the smoke alarm certificate was dated 23 March 2023.

(4) Notices of the procedures to be followed in the event of a fire were noted on the walls throughout the service.

### Part VI - Safety

#### Regulation 28 - Insurance

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

#### Compliance Information

An insurance certificate was on file with an expiry date recorded as 27 March 2024. The service is insured for 75 full day care children and covered details including public liability and fire and theft.