

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015KY012
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<b>Name of Service:</b>	Bellview Woods Childcare
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<b>Address of Service:</b>	Ballydowney, Killarney, Co. Kerry
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<b>Eircode:</b>	V93 HN53
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<b>Name of Registered Provider:</b>	Sean O'Mahony
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date of Inspection:</b>	21/08/2024
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<b>No of pre-school children:</b>	AM	79	PM	78
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<b>Address of the Early Years Inspectorate:</b>	13 Market Square, Mallow, Cork. P51 DD5Y
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<b>Inspection undertaken by:</b>	E. Friel D. Prendergast
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<b>Title:</b>	Early Year 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).

<b>Conditions if applicable</b>	N/A
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### Description of service

Bellview Childcare is a private service which was established in 2003. Provision includes full day care, part-time and sessional services accommodating children aged from zero to six years of age. Business hours are from 7.45 am until 6.00 pm, Monday to Friday, 52 weeks of the year. The Early Childhood Care and Education (ECCE) Scheme is facilitated in the morning between the hours of 9.00 am until 12 noon, term time only. A school age care service is available in the morning from 7.45 am until 9.00 am and in the afternoon from 1.30 pm until 6.00 pm.

Bellview Woods Childcare is a purpose-built two storey building located at the entrance to a residential estate in the urban area of Killarney town in County Kerry. The service consists of both a ground and upper floor. The ground floor consists of six care rooms namely; Babies, Wobbler 1, Wobbler 2, Playschool, Playschool 2 and Seomra Bui. There are four designated sleep rooms; one in the Baby room, three in Wobbler 1, and two additional sleep rooms were in operation after lunch namely; Seomra Dearg and a room off Wobbler 2. A wheelchair accessible toilet, reception area, office, small kitchen and sanitary areas for adults and children are also located on this floor. The first floor consists of four care rooms (Seomra's Glas, Gorm, Oraiste and Corcra), a staff room and kitchen along with children's and adult's sanitary areas. In addition, Seomra Dearg is located off the outdoor play area in a prefabricated building. There is a car park located to the side of the service which facilitates the dropping off and collection of children.

### Staffing

The service currently employs 35 adults, 33 of whom work directly with children who attend. The registered provider is not based at the setting and there is one staff member who works remotely, undertaking administration duties. Twenty-four staff members were present at the time of inspection.

### Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Child Care Act 1991 (Early Years Services) Regulations 2016 define the duty of a registered provider to ensure the safety and well-being of children and to comply with these regulations. This Act also gives Tusla the authority to assess compliance with the regulations. The purpose of regulation in relation to early years services is to ensure that the care, safety, and well-being of children attending such services is upheld. Inspections of early years services are planned based on the following:

- Previous inspection history
- Any information received in relation to the service

The findings on inspection are based on:

- Information obtained through examination of documentation
- Direct observation
- Discussion with relevant staff

This inspection was unannounced and focused on the area of governance/ health, welfare and development of child and safety. The inspection may also focus on other areas as required.

A sampling process was used to assess compliance under regulations 19 and 23. As a result, the scope of the inspection included the following room names; Baby, Wobblers 1 and 2, Playschool and Playschool 2, and Seomras Gorm and Dearg.

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.

## Acknowledgments

The inspectors wish to acknowledge the cooperation of the designated person in charge, deputy, named persons, 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 registered provider had appointed a person in charge of managing the childcare facility. An assistant manager was also in place, along with two named supervisors, each of whom could deputise as required.
  - (b) The manager, assistant manager and one of the deputies were working at the service when the inspection commenced and at least one of these adults were available throughout inspection process. Review of the staff roster confirmed that either the manager or one of the deputies were on duty when the children were in attendance.
  - (c) The service's management structure was displayed in the main entrance area, with the names, roles and photographs of staff members clearly visible.

- (2) Recruitment records in respect of the 35 adults employed by the service were assessed and the following information was obtained:
- (a) Of the 70 required written and validated references, 48 had been provided by past employers.
  - (b) A further 22 of the required written and validated references on file were from sources other than past employers.
  - (c) Garda vetting disclosures had been obtained for 34 staff. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Garda vetting was not required in respect of one adult, who worked remotely and did not have access to the childcare facility.
  - (d) The required police vetting was held for seven of the eight staff members, who had lived outside the State as adults.
- (4) Evidence of the attainment of a recognised award in Early Childhood Care and Education, was available in respect of 28 of the adults. Written correspondence from the Department of Children, Equality, Disability, Integration and Youth (DCEDIY), confirming eligibility to practice, was in place for four adults. A childcare qualification was not required for the registered provider or for the staff member who worked remotely.

### Non-Compliance Information

- (2)
- (d) The required police vetting was not on file for one of the staff members, who had resided in another jurisdiction for a period that exceeded six consecutive months.
- (4) Evidence of attainment of a minimum level 5 award in Early Childhood Care and Education, was not available in respect of a one adult.

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

#### **Corrective and Preventive Action**

The following statements were received from the manager;

- (2)
- (d) The staff member has applied for overseas police vetting from the appropriate authority in the country of residence at the time. All appropriate vetting will be in place prior to commencing employment going forward and a third staff member will review all vetting to ensure compliance.
  - (4) The staff member is no longer working in the service.

#### **Supporting documentation submitted**

(2)

- (d) A confirmation email from the appropriate authority was received in the office of the inspectorate confirming an application had been received for the employee for whom it was required.
- (4) The statement from the manager that the staff member is no longer working in the service has been accepted. This will be reviewed on the next inspection.

### Summary Comment

The actions taken by the registered provider have addressed the non-compliances identified under Regulation 9 (2) and (4).

### 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 provider ensured that, at all times, there were an adequate number of adults working directly with the children.
- (2) On the day of inspection there were 11 care rooms in operation with the minimum adult/child ratios:

Room/ age range	Adults	Children (am)	Children (pm)
Baby (6 months – 18 months)	1 am, 1 pm	2	2
Wobbler 1 (12 – 24 months)	2 am, 2 pm	6	7

Wobbler 2 (18 – 24 months)	2 am, 2 pm	7	8	
Playschool (12-24 months)	2 am, 2 pm	10	9	
Playschool 2 (2 – 3 years)	2 am, 2 pm	8	9	
Seomra Bui (2 years 8 months – 3 years)	1 until 11 am then 2, 2 pm	8	8	
Seomra Dearg (2 years 8 months – 3 years 6 months years)	2	10	9	
Seomra Gorm (3 – 5 years)	3 am, 2 pm	16	15	
Seomra Glas (3 – 6 years)	2 am, 2 pm	12	11	
Total		79	78	

Seomra's Oraiste and Corcra were occupied with school age care children.

(8) (a) The staff roster indicated that there were at least two adults on the premises at all times.

### 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:

- Food and snacks, provided by the parents/guardians and the service were served regularly throughout the day. Staff in the Playschool 2 care room stated that breakfast which is available from 7.45 am – 9.00 am, morning snack from 10.00 am, and afternoon snack from 2.30 pm are provided by the parents/guardians with the service serving a hot meal (12 noon), and evening tea (4.00 pm). A monthly menu was available for the parents/guardians and the menu is posted on the service notice board daily.
- A hot lunch, provided by the service, was observed being served to the children in the Playschool 2 care room at 12 noon, it consisted of beef ragu, vegetables and roast potatoes. Snack boxes were observed

stored in the care room fridge and examples of food included mixed sandwiches, berry fruits, banana, cheese and yogurts. Evening tea of ham sandwiches and bananas were observed being stored in the care room fridges in the afternoon.

- Water and milk were observed to be available in the fridges of the care rooms throughout the day, in line with the service's healthy eating plan. Individual water bottles and cups were observed to be readily accessible in each care room from a basket placed within reach of the children.
- The staff member in the Baby care room was observed sitting in the adult chair feeding a baby. In discussion, the staff member stated that the parent's/guardians send in three labelled bottles of milk which are stored in the fridge until required, they are then heated in the bottle warmer and are not left out for any longer than two hours and then discarded.
- Children in the Baby care room were observed on a number of occasions to have space to lie, roll and crawl on the soft mats on the floor of the care room. A staff member was available to provide assistance, if required.
- Independence skills were promoted and children in the Playschool 2 care room were observed being encouraged to put on their jackets for outdoor play, staff were available to assist children who required help with zips.
- Bibs were observed on children in the Baby and Wobbler 1 care rooms for children when eating their food.
- Nappy changing with the younger children was carried out regularly and promptly in the Playschool care room and children in the Playschool 2 care room were observed accessing the sanitary area independently. Staff were available to provide assistance, if required.
- Staff in the Playschool 2 care room were noted to be sensitive and responsive in promoting positive behaviour, getting down to the child's level and explaining about turn taking with equipment.

### **SUPPORTING CHILDREN'S RELATIONSHIPS:**

- During mealtimes staff were observed sitting at tables engaged in social conversation with the children. Staff in the Playschool 2 care room were sitting at the children's level helping children to feed themselves and encouraging others to use their cutlery independently where appropriate.
- Staff were observed to communicate well regarding the care needs of the children. Topics discussed including new children settling in and messages from parents/guardians regarding children's absence on the day.

- Good practice in managing settling in and transitions were observed in the Baby and Playschool 2 care rooms. In conversation, staff stated that children present who were settling in were commencing with shorter hours leading to longer days. The inspector observed staff providing additional support and comfort at times throughout the morning, particularly during sleep times. Children were observed being collected by parents throughout the morning.
- Staff in the Wobbler 1 care room stated a number of methods of communication are used to exchange information with parents/guardians. Examples included an electronic application on the care room tablet where staff record each child's food intake, toileting and sleeping requirements for each day in real time. Staff stated they speak to parents/guardians at drop and collection, with staff also recording in a communication book, in the Wobbler 1 care room, any messages throughout the day to pass on to parents.
- Meetings with staff and management were stated as occurring each term, minutes of two meetings from the 15 February 2024 and 2 July 2024 were furnished to the inspector and included topics such as child protection, policies, room changes and uniforms.

#### **PHYSICAL AND MATERIAL ENVIRONMENT:**

- The reception area of the service was bright and welcoming with a large fish tank which children were observed engaging with throughout the day.
- The care rooms were laid out in clearly defined areas with resources and equipment which were suitable for the age and stage of development of the children. The children in the Baby and Wobbler care rooms had ample room for gross motor activities such as tummy time, baby gyms, rolling, crawling and learning to walk in a safe environment with soft mats on the floor areas for protection.
- A sensory room, where children could experience a calming environment, had been put in place since the last inspection. Equipment included bubble lights, sensory lights, ball pool, sensory balls and a blackout tent.
- Equipment in the rooms was presented on low-level shelving in baskets making the materials and resources easily accessible to the children while offering choice and promoting independence.
- Children were observed playing in the outdoor areas throughout the day. New fencing had been erected in the Baby/Wobbler 1 outdoor play area separating the mulch and planting areas from the younger children's play area. Each outdoor play area was equipped with a range of developmentally appropriate equipment which promoted gross and fine motor skills such as cycling, climbing, running and jumping.

Imaginary play resources were available including play houses and materials such as sand provided sensorial experiences for the children.

### Part VI - Safety

#### Regulation 23 - Safeguarding health, safety and welfare of child

*A registered provider shall ensure that all reasonable measures are taken to safeguard the health, safety and welfare of a pre-school child attending the service and that the environment of the service is safe.*

#### Compliance Information

##### General Safety:

- The main entrance was secured with a buzzer and a fob system, in operation for staff and parents/guardians. In addition, each access area leading off the reception area was operated with a key pad. These measures prevented unauthorised adults from entering the building and children leaving the unsupervised.
- Storage cupboards, with adult coats and bags, were observed to be locked in the Playschool and Wobbler 2 care rooms.
- Fridges in the care rooms were secured with safety catches, preventing children from accessing them.
- Visibility strips were observed on low-level windows in the Baby and Wobbler care rooms, ensuring they were more easily seen by the children making certain no one accidentally walked into them.
- All blind cords were secured with hooks which were placed out of reach of the children.
- The main stair well, leading from the ground to the upper floor, was lit with both artificial and natural light ensuring that adults and children could see clearly.
- A handrail was fitted to the stair providing stability for children going up and down the stairs.
- The floor covering on the stairs was in good condition and appeared well maintained.
- Three high chairs in use in the Baby care room were fitted with safety harnesses, preventing children from exiting from the chairs.
- Toys and play equipment, in both the indoor and outdoor areas, were observed to be in good condition and well maintained.
- All flexes and cord were stored out of reach of the children in the care rooms.
- Waste indoors was stored in lined, pedal operated bins, and recycle items were separated.
- Cleaning agents were observed to be stored on high shelving out of the reach of children.

- The main outdoor perimeter at the front of the service was secured with high green metal fencing and the back of the service was enclosed with a high concrete wall. Individual play areas, designated by age, were secured with both heavy-duty plastic and metal fencing ensuring no child could leave any area unsupervised. Metal gates were secured with latches and the main access gates were observed only to be accessible by staff opening and closing them ensuring no unauthorised adult could enter any of the play areas.

### Infection Control:

- All sinks in use by the adults and children were observed to be supplied with thermostatically controlled hot water, dispensing soap, dispensing paper towels and lined pedal operated bins for the disposal of paper waste.
- All mechanical air vents present in sanitary area were noted to be free from dust.
- Nappy changing was observed in the Playschool changing area where staff wore disposable gloves and aprons for each nappy change, reducing the risk of contamination and cross infection. Both the adults and the children washed their hands after nappy changing and the adult disinfected the area and mat after each nappy change. Nappies were disposed of in a lidded, lined, pedal operated nappy bin.
- Staff in the Playschool 2 and Wobbler 1 care rooms were observed sanitising tables and trays before and after use and sweeping the floors after food, ensuring that hygienic conditions were maintained in the care rooms.
- Children in the Playschool 2 care room were observed washing their hands before and after food. Staff were nearby to assist the children with hand washing/drying and demonstrate the correct way of disposing of paper waste into a pedal operated bin.
- Cleaning schedules were observed to be recorded on an application on an electronic device.
- Microwave containers were observed in the Baby, Wobbler and Playschool rooms for sterilising children's soothers.
- Windows in care rooms and sanitary areas were open providing a supply of fresh air in the sanitary areas and in the care rooms.

### Administration of Medication:

- Anti-febrile medications were stored in a cupboard in the office. These were noted to be in their original containers and located out of reach of the children.

### Safe Sleep:

- There were four staff present in the Seomra Dearg sleep room with sixteen children and two staff present in the Wobbler 2 sleep room with eight children at all times. Staff were observed removing clothing from children to ensure that they were not too hot and sitting with them until they fell asleep.
- Documentary evidence, furnished to the inspector, indicated that sleep records were available for each child. Recorded details included the child's colour, position, breathing and the temperature of the sleep room.
- Sleep rooms in operation with children under twelve months were recorded with temperatures between 16°C-20°C and those with children over twelve months were recorded with temperatures between 18°C-22°C, within the recommended limits for these age groups.

### Fire Safety:

- Emergency fire exit doors were noted to be unobstructed.
- Firefighting equipment was secured with brackets onto the walls or on stands.
- The fire assembly point was visible in the outdoor play area of the Baby/Wobbler 1 children.
- Emergency light signage was illuminated throughout the service.

### Non-Compliance Information

#### Infection Control:

- (1) The inspector observed that twenty-three mattresses in the various sleep rooms were not waterproof or fitted with waterproof covers, posing a risk from leakages or accidents as the label on the mattresses stated that they may not prevent soakage. In conversation, management were unaware that there was no waterproof protection on the mattresses.
- (2) One of three cots situated in a small area in Sleep Room 3, off the Wobbler 1 care room, was less than the recommended 50 centimetres apart, being 30 centimetres from the nearest cot. This may pose a risk of cross contamination.

#### Safe Sleep:

- (3) Four children, under twenty-four months, from the Playschool 2 care room, were observed resting in the Seomra Dearg sleep room on stackable beds, which are not suitable for use with children in this age group. In discussion, management were unaware of the specific sleep equipment for children in this age group.

## Action submitted by the Registered Provider

### Corrective & Preventive Action

#### **Infection Control:**

The following statements were received from the manager;

- (1) New waterproof mattress protectors have been purchased. Waterproof mattress protectors will be on all cots in the future.
- (2) The cot in the Sleep Room 3, off the Wobbler 1 care room has been removed.

#### **Safe Sleep:**

- (3) The four children from the Playschool 2 care room who were sleeping on stackable beds in the Seomra Dearg sleep room are now sleeping in cots. The service's sleep policy has been amended and staff have been informed that all children under 2 years require a cot in which to rest/sleep, unless a risk assessment and agreement with parents are in place for a child over 15 months to sleep on specific appropriate sleep equipment. Management will ensure that they keep up to date with all relevant information on sleep for children under 2 years.

### Supporting documentation submitted

#### **Infection Control:**

- (1) A receipt for 35 waterproof mattress protectors was received in the office of the inspectorate.
- (2) A photograph of Sleep Room 3, off the Wobbler 1 care room, with the cot removed was submitted to the office of the inspectorate.

#### **Safe Sleep:**

- (3) The statement from the registered provider that the four children, under two years of age, from the Playschool 2 care room that were sleeping in the Seomra Dearg sleep room on stackable beds are now sleeping in cots has been accepted. A copy of the amended sleep policy was received in the office of the inspectorate.

## Summary Comment

The actions taken by the registered provider have addressed the non-compliances identified 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) First Aid Responder (FAR) certificates were available to evidence that 29 adults had FAR training completed.

The roster indicated that at least one adult with FAR training was available at all times.

(2) (a)(b) The suitably equipped first aid boxes, stored in the upstairs and downstairs corridors and in reception area were within easy access of the adults and were available at all times, throughout the 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.*

*(2) The record referred to in paragraph (1) shall be open to inspection by-*

*(c) an authorised person.*

*(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 were available of the monthly fire drills which took place in the service. The date recorded of

the most recent fire drill was 8 August 2024, with previous monthly drills noted as 11 July and 18 June 2024.

(b) Written records were available detailing number, type and maintenance of firefighting equipment in the service and the smoke alarms. The firefighting equipment record was dated 3 October 2024 and the smoke alarm record was dated 27 June 2024.

(2)

(c) The fire drills, fighting equipment and the smoke alarm records were viewed on the day of inspection.

(4) The emergency evacuation procedures to be followed in the event of a fire were located on the notice board in the reception area of the service and also on the walls of the care rooms.

## Part VI - Safety

### Regulation 28 - Insurance

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

#### Compliance Information

Documentation was furnished to the inspector which evidenced that the service was insured for 170 children on a full day care basis. The recorded expiry date was noted as 27 March 2025. In addition, there was documentation available for both current building and motor insurance.