

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KY029
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Name of Service:	Childsplay Childcare
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Address of Service:	Sackville, Ardfert, Co. Kerry
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Eircode:	V92 EN12
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Name of Registered Provider:	Debra Sheehan
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Service type:	Full Day, Part Time, Sessional
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Date(s) of Inspection:	13/06/2023
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No of pre-school children:	AM	11	PM	10
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Address of the Early Years Inspectorate:	Áras an Phobail, Deans Lane, Tralee, Co. Kerry
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Inspection undertaken by:	N. Reidy
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Title:	Early Years Inspector
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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

Childsplay Childcare is a private early years service that offers full day care, part-time and sessional care to children aged between 0 and 6 years. The service is in operation Monday to Friday inclusive between the hours of 8:00am and 6pm. The service also offer care for school aged children. The premise consists of 2 playrooms, 1 on the ground floor and 1 on the 1st floor together with designated enclosed outdoor play areas located to the side and to the rear of the building.

Staffing

There are 8 adults including the registered provider employed 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/ safety/ premises and facilities.

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

The inspector was informed that the pre-school room located on the first floor has not been in use since 2022.

Acknowledgments

The inspector wishes 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 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,*

(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.*

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(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) There is a designated person in charge and a named deputy.
 - (b) At all times during the period when the pre-school service is being carried on, the designated person in charge or the named deputy is on the premises.
- (2)
- The person in charge confirmed that 6 adults had begun working at the service since the previous inspection undertaken on 09/03/2020, therefore recruitment records in relation to these 6 adults were reviewed.
- (a) 5 references with a record of validation for 2 of them on file from a past employer.
 - (b) 5 references with a record of validation for 4 of these each were on file from a source other than a past employer.
 - (c) A Garda Vetting Disclosure was on file for the 6 adults.
- (4) The adults working directly with the children had attained Quality Qualifications Ireland (QQI) in childcare training at Level 5 and above and a copy of the said qualifications were on file. .

Non-Compliance Information

- (2)
- (a)
- 1. A second reference was not on file for 2 adults.
 - 2. The 3 references on file from a past employer did not have a record of validation for each on file.
- (b) There was no record of validation for 1 reference obtained from a reputable source was not on file.
- (d) Police Vetting was not on file for 1 adult who had resided outside of the jurisdiction for a period of longer than 6 consecutive months.
- (3) The procedures specified in paragraph (2) were not carried out in respect of the 1 adult who did not have Police Vetting on file, 2 adults had 1 reference each and 4 records of validation were not provided as outlined above prior to the adults were appointed, assigned or allowed access to or contact with a child attending the pre-school service.

Corrective & Preventive Action submitted by the Registered Provider

The designated person in charge stated that: -

Corrective and Preventive Action

- (2)
- (a) 1. 2 written references with validations were obtained.

2. 3 validations were obtained for the 3 references on file.

(b) The record of validation was obtained for the 1 reference on file.

(d) Police Vetting for 1 adult was received.

(3) The references, validations and Police Vetting for 1 adult are on file.

All staff files will be checked on an annual basis to ensure that the necessary documents as required are held on file.

Supporting documentation submitted

(2) (a) & (b) A total of 2 written references and 6 records of validations were received.

(d) The Police Vetting for 1 adult was received.

(3) The statement is accepted as evidence.

Summary Comment

The requirement for this regulation has been met.

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 did ensure that an adequate number of adults were working directly with the children at all times.

(2)

The upstairs playroom was not in operation on the day of the inspection.

Creche

There were 4 staff caring for 11 children up to 12pm and 5 adults thereafter. when a fifth staff member rostered on duty. The children were aged between 1 year and 3 years attending on a part-time and on a full day care basis. The adult child ratio was correct.

(8)(a) The registered provider did ensure that 2 adults are on the premises during the hours of operation.

Part IV – Information and Records

Regulation 15 – Record of pre-school child

(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:

- (a) the name and date of birth of the child;
- (b) the date on which the child first attended the service;
- (c) the date on which the child ceased to attend the service;
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;
- (e) authorisation for the collection of the child;
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;
- (g) the name and telephone number of the child's registered medical practitioner;
- (h) record of immunisations, if any, received by the child;
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.

Compliance Information

- (1) Of the 12 records inspected, 4 records had all the required detail as per(a) to (i) inclusive.

Non-Compliance Information

- (1) The following details were not maintained in writing for 8 records inspected: -
 - (b) the date on which the child first attended the service.
 - (g) the telephone number of the child's registered medical practitioner.

Corrective & Preventive Action submitted by the Registered Provider

The designated person in charge stated that: -

Corrective and Preventive Action

- (1)
- (b) The dates of when the children first attended the service have been obtained from the parents and documented.
- (g) The children's registered medical practitioner's numbers were obtained from the parents and documented.

All information on the registration forms will be double checked to ensure all is complete before they are filed away.

Supporting documentation submitted

(1)(b) & (g) The statement is accepted as evidence.

Summary Comment

The requirement for this regulation has been met.

Part IV – Information and Records

Regulation 16 – Record in relation to pre-school service

(1) A registered provider shall ensure that a record in writing is kept of the following information in relation to the service:

(h) details of attendance by each pre-school child on a daily basis;

(i) details of staff rosters on a daily basis;

(j) details of any medication administered to a pre-school child attending the service with signed parental consent;

(k) details of any accident, injury or incident involving a pre-school child attending the service.

Compliance Information

(1) The following records were maintained:

(h) details of staff rosters on a daily basis.

Non-Compliance Information

(h) On review of the daily attendance records not all children present on the day of inspection were recorded as present until it was brought to the attention of the person in charge.

(j) Records reviewed demonstrated that signed parental consent was not obtained for a medication administered to a child.

(k) Of the records reviewed, there were some without the Manager’s signature and no record was completed for 1 child who was involved in an incident with another child.

Corrective & Preventive Action submitted by the Registered Provider

The designated person in charge stated that: -

Corrective and Preventive Action

The designated person in charge stated that: -

(h) A meeting was held with the staff and the room leader to explain that each child's arrival time is required to be recorded on arrival the facility. The person in charge will carry out a cross check each day to ensure that children are signed in when they enter the facility.

(j) Parental signatures were obtained. All staff have read the policy for Administration of Medication to children to ensure they understand the correct procedure.

(k) The person in charge will sign each form, staff were informed of the need for a record to be completed for the 2nd child involved in the said incident. The person in charge has requested that she is informed of any accident/incident and the records will be signed by her.

A list has been devised a weekly checklist that includes double checking all accident/incident and administration of medication forms are signed.

Supporting documentation submitted

(h), (j), (k) The statements and a photograph of completed records are accepted as evidence.

Summary Comment

The requirement for this regulation has been met.

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.

Compliance Information

- The parent/guardians of the children attending provide all the food consumed on the premises since the last inspection was conducted.
- The perishable items are labelled and stored within the fridge in the kitchen.
- A separate small fridge is used to store labelled bottles of formula and breast milk.
- Children were allowed ample time to eat their food with activities available for the children who had eaten before the rest.
- The food observed on inspection included sandwiches, crackers with cheese, yogurts, baby corn sticks, green beans, fruit: - sliced apples, bananas, strawberries and cereal.
- The adults remained with the children at the mealtime and for its duration.
- The children present were encouraged and supported to feed themselves independently according to their age and stage of development and the younger children were assisted with feeding.
- The inspector observed that nappy changing took place as was needed in a timely manner. The adults spoke and laughed with the children whilst changing the nappies.
- The children's individual toileting needs were met: - nappy changing and toileting training and the children had direct access to the toilets located within the playroom.
- The room had a secure wooden divider in place since the last inspection. The children had soft matting, a large couch, a variety of various sized and shaped cushions and toys provided on low level shelving and on the floor in 1 area, and the other area had low level tables and chairs, matting and a range of toys stored on open low-level shelving.
- Each child's comfort and need for sleep, rest and relaxation was met. A designated sleep room with 4 cots and 3 low level beds for the older children were provided.
- The children had access to designated enclosed, secured outdoor play areas located to the rear and to the side of the building.

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-

(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.

Compliance Information

(1)(b) There was a designated sleep room adjacent to the creche room. There were 4 standard cots with appropriate linen provided in the room.

There were 3 low level beds available for the older children who were required to rest or sleep.

On the day of the inspection children were observed using the sleep room facilities as children required a rest or sleep: - 3 children slept on the low-level beds in a quietened area directly outside the sleep room and 2 children slept in the sleep room in the individual standard cots. The inspector observed that 1 adult remained between the sleep room and the area of the playroom allocated for the stackable beds conducting the physical sleep checks.

All sleep and rest facilities were appropriate for meeting the needs of children attending on a full day care basis on the day of the inspection.

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 external doors and gates were appropriately secured to prevent children from exiting the building unsupervised and to restrict unauthorised persons from gaining access to the premise.
- The kitchen was rendered inaccessible to the children, a secure child safety gate was in place.
- Cleaning products seen during the inspection were stored out of the reach of the children in the kitchen and on high level shelving.

Infection Control:

- The children's toiletries were individual to each child and labelled.

Safe Sleep:

- Physical checks were conducted on children who slept at least every 10 minutes and a record of the time of the check, who carried out the check, the sleep position of the child, the skin colour, the breathing pattern. A record was kept of the room temperature of the sleep room.

Non-Compliance Information

General Safety:

1. There were no visibility strips on the low-level glass panel of the fire door in the creche posing a risk to children of an accident and injury when the glass is not visible.
2. Within the sleep room, the side of 1 cot was not closing securely posing a risk of a child falling out. It was acknowledged that this cot was not used on inspection and the person in charge advised the inspector it would be removed from the room.
3. A storage unit for the cot linen located near 1 cot was not secured, it posed a risk of injury to children of injury should it fall over and of suffocation should the linen be pulled down over them.

Outdoor Canopy area: -

4. The cover of a green sand box located in the sheltered area was cracked posing a risk of injury to children.

Outdoor Grassed area: -

5. A small low-level trampoline was turned over on its side, the person in charge said it was no longer in use, it posed a risk to children of injury should they attempt to use it.
6. The overhead timber trellis used in a walk-through area was partially falling down posing a risk of injury to children should it fall on them.
7. A small area where trees were planted had slates embedded in the ground, some of the slates were cracked and broken with loose sharp pieces accessible to the children posing a risk of injury.
8. The matting under the high-level large timber activity unit that had slides, swings, steps to climb on had been removed the person in charge informed the inspector. The grass surface beneath it and directly surrounding it was worn away in areas and without the matting posed a risk of injury to children should they fall over.

Infection Control:

9. An instantaneous supply of warm water was not available on the premises where nappy changing had taken place until the inspector alerted the person in charge. Warm water was available later into the inspection. Not having warm water poses the risk of the spread of infection as effective hand washing by the children and adults is not conducted.
10. The small fridge storing the bottles of milk was unclean.

Action submitted by the Registered Provider

The designated person in charge stated that: -

Corrective & Preventive Action

General Safety:

1. There is a display of children's artwork on the low-level glass panel of the fire door. A sign has been put in place in the service for staff to display children's artwork on the said door.
2. The cot was removed. Staff will check the sleep room before putting any child to sleep.
3. The unit has been removed from the sleep room.
4. The sand box and lid were removed.
5. The small trampoline was removed.
- 6 The timber trellis was removed.
- 7 The slates were removed.
8. The matts have been replaced in the worn grassed area and more matting will be purchased. The staff were informed of the importance of ensuring that the matts are in the correct position. The staff will do a daily risk assessment that includes checking the 3 outdoor areas to prevent any accidents or injury to children, a staff member will check the outside areas before the children go outside and a record of this will be kept. Additional matting will be purchased for use

Infection Control:

9. The hot water will be put on a timer. Each day the timer will be put for 7am ready for the children who come in at 8am and at 2pm to ensure that there is hot water throughout the whole day for the staff and the children.
10. The staff are now aware that kitchen appliances are cleaned each day. A daily checklist for the kitchen is in place and it has been refreshed to include the fridge. The checklist will be checked by the person in charge to ensure all cleaning is meeting the standards.

Supporting documentation submitted

General Safety:

1. A photograph of artwork in place on the door.
- 2, 3, 4, 5. The statements and photographs are accepted as evidence.
6. A photograph of the area where the trellis was removed.
7. A photograph of the area where the slates were removed.
8. Photographs of the matting that was put in place.

Infection Control:

9. The statement is accepted as evidence.
10. The statement provided and a copy of the daily cleaning checklist

Summary Comment

The requirement for the regulation has been met. The above matters will be the subject of inspection at the next inspection.

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) 3 adults working in the service had current First Aid Responder training with the certifications on file.
- (2)
 - (a) An adequately equipped first aid box stored in the entrance reception area on the premises was available.
 - (b) The first aid box was accessible to the adults and out of the reach of the children.

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) The service had maintained in writing a record of the following: -
- (a) Each fire drill had taken place in the service. The last recorded fire drill took place on 17/05/2023 and a further record received in the office of the early years inspectorate for 14/06/'23.
 - (b) A record of the number, type and maintenance checks of the firefighting equipment and the smoke alarm. The records on file demonstrated the last check for the smoke alarm was 30/08/2022. An additional maintenance certificate dated 23/6/'23 was received in the office of the early years inspectorate following the inspection.
- (4) A notice of the procedures to be followed in the event of fire was displayed in the service.

Non-Compliance Information

- (1) (b) The maintenance record for the firefighting equipment was not provided.

Corrective & Preventive Action submitted by the Registered Provider

The designated person in charge stated that: -

Corrective and Preventive Action

- (1)(b) The firefighting equipment maintenance certificate dated 11/11/'22 was obtained and is now in place in the service displayed on the wall.

Supporting documentation submitted

- (1)(b) The maintenance certification for the firefighting equipment dated 11/11/'22 was received.

Summary Comment

The requirement for this regulation has been met.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

A copy of the insurance certification for the service was on file. The information provided on the insurance certificate included:

- the contact details for the insurance provider.
- the name and address of the service insured.
- the category of insurance cover for the service that is full day care.
- the number of children covered by the insurance was for 30 children.

The expiry date of the current insurance cover was 27/03/'24

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-

- (b) safe and secure,*
- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*

Compliance Information

- (b) The premise was secured.
- (c) The rooms in use on the day of the inspection were well ventilated by means of the openable windows.

Non-Compliance Information

- (d) 1. Within the outdoor area with the canopy overhead, there was an unclean green matt in use and the timber ledges and upper canopy areas were dusty with cobwebs.
- 2. The 2 uncovered containers used for water and sand play situated in the grassed area were partially full of dirty water.
- 3. The interior and the fixed kitchen unit in the playhouse located on the tarmac area at the side of the premise was unclean.

Corrective & Preventive Action submitted by the Registered Provider

The designated person in charge stated that: -

Corrective and Preventive Action

(d)

1. The green mat was removed; a new checklist was devised to clean the canopy area every evening.
2. The staff are now aware that the containers are required to be cleaned down and turned upside down each evening after the children are finished playing with them.
3. The kitchen unit has been added to the outdoor checklist to be cleaned every evening.

Supporting documentation submitted

(d)

1. A photograph of the areas that were cleaned.
2. & 3. The statements are accepted as evidence.

Summary Comment

The requirement for this regulation has been met. The above matters will be the subject of inspection at the next inspection.