

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KY040				
Name of Service:	Dromtacker Creche Limited				
Address of Service:	Institute of Technology Tralee, North Campus, Tralee, Co. Kerry				
Eircode:	V92 NN53				
Name of Registered Provider:	Katie Sheehy				
Service type:	Full Day, Part Time, Sessional				
Date(s) of Inspection:	18/07/2024				
No of pre-school children:	<table border="1"> <tr> <td>AM</td> <td>45</td> <td>PM</td> <td>31</td> </tr> </table>	AM	45	PM	31
AM	45	PM	31		
Address of the Early Years Inspectorate:	Áras an Phobail, Deans Lane, Tralee, Co. Kerry.				
Inspection undertaken by:	N. Reidy & J. Russell				
Title:	Inspection & Registration Manager & 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).

Conditions if applicable	N/A
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Description of service

This community-based purpose built early years service is registered to provide sessional, part-time and full day care to children aged between 0 and 6 years. The service is open between the hours of 8:30 am and 6:15pm Monday to Thursday and between the hours of 8:30 am and 5:15 pm on Friday.

There are 4 care rooms in operation, a sleep room in the baby and wobbler/toddler rooms and sanitary accommodation located in each of the care rooms. The children attending have access to designated areas to each of the care rooms located to the rear and to the side of the building.

Staffing

There are currently 25 adults attached to the early years service, 22 of whom are involved in the direct care of the children. The registered provider is not service based and does not work directly with the children who attend the setting.

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.

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 inspection was a triggered inspection following information received by the Early Years Inspectorate.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the person in charge, staff and children who were present on the day of the inspection.

Part III – Management and Staff

Regulation 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*

(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.

(7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:

(a) the policies, procedures and statements of the service specified in Schedule 5;

Compliance Information

- (1)
- (a) The registered provider had appointed a person in charge, to oversee the operation of the service. Three deputy managers were also in place.
- (b) A deputy manager was on duty at the service when the inspectors arrived, and the person in charge arrived shortly after to facilitate the inspection process. A review of the staff roster indicated that either the person in charge or a deputy were available at the service at all times during the hours of operation.
- (2) The recruitment records in relation to 25 adults who were employed in the service were the subject of the inspection.
- (a) Of the fifty required references, 36 references were from previous employers with records of validation on file.
- (b) Of the fifty required references, 14 references were from another source other than a previous employer with records of validation on file.
- (c) Garda vetting disclosures had been obtained for each of the 25 adults. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.
- (d) Six police vetting records were on file for 5 adults who had resided outside of the jurisdiction for a period of longer than 6 consecutive months.
- (4) All 25 staff members had achieved major awards in Early Childhood Care and Education, as listed on the National Framework of Qualifications (NFQ), with copies of the relevant qualifications on file.
- (7) Ample evidence was available that all staff had been provided with appropriate supervision, induction, training and information to support them in their roles.

- All staff had signed that they had read and understood all policies and procedures in the service. All staff had signed that they had read and understood the employee handbook.
- Evidence was maintained on file of a supportive induction period, and all staff had undertaken a recent annual appraisal.
- Evidence was available of regular staff meetings for the staff team on a quarterly basis, as well as for regular care room specific meetings. Topics noted to have been covered in 2024 included curriculum planning, infection control measures, review of behaviour management policy, staff appreciation day planning, and housekeeping management.
- Staff has undertaken regular online and in person training, and the service maintained a record of certificates staff had received. Training included manual handling, food safety and hygiene, and both the Children First e-learning Programme, which 23 staff had certificates for and the Mandated Person e-learning module, which 13 staff had certificates for.

Non-Compliance Information

9(2)(c) Four staff members, who has previously been on student placements in the service and subsequently been employed over the summer months, had not been re-vetted by the service before they had commenced employment, as is required. It is recognized that the process had been started for these staff members.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Two of the four staff have left the service, the remaining two staff have been re-vetted. If students are kept on the relief work panel following their student placements, Garda vetting will be carried out before their student placement finishes.

Supporting documentation submitted

The statement is accepted as evidence and the Garda vetting in respect of the 2 adults who work in the service was received.

Summary Comment

The requirement for Regulation 9 has been met.

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 following policy was reviewed and found to be adequate:

- Behaviour Management Policy.

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) There were 4 care rooms in operation on the day of the inspection.

Baby room

There were 2 staff caring for 7 children aged between 1 and 2 years who were attending on a full day care basis.

Wobbler/Toddler room

There were 3 staff caring for 13 children aged between 2 and 3 years, attending on attending on a part-time and full day care basis.

Junior pre-school room

There were 3 staff caring for 12 children aged between 3 years and 4 years, 1 child attending on a sessional basis and 11 children attending on a part-time basis and full day care basis.

Senior pre-school room

There were 3 staff caring for 13 children aged between 4 years and 7 years (1 school aged child), all attending on a full day care basis.

The adult child ratio was correct.

(2) The minimum number of adults was maintained.

(8)(a)

The registered provider did ensure that a minimum of 2 adults are on the premises at all times during the hours of operation as evidenced in the staff roster.

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:

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

Compliance Information

(k) The details recorded electronically of any accident, injury and incident involving a child attending the service inspected were completed in full.

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

(2) A registered provider shall ensure that no corporal punishment is inflicted on a pre-school child whilst attending the service.

(3) A registered provider shall ensure that no practices that are disrespectful, degrading, exploitive, intimidating, emotionally or physically harmful or neglectful are carried out in respect of a pre-school child whilst attending the service.

Compliance Information

(1)(a)

BASIC NEEDS

- The children attending were encouraged and supported to manage their own personal care appropriate to their level of independence. The children were observed taking their crockery to the sink after mealtime. The staff were on hand to guide and support the children who required more help and praised the children for their efforts.
- The service provided parents with the option of the meals served to children each day. On inspection the food served for the main meal was chicken curry with vegetables and mashed potatoes.
- The main meal dishes are supplied by an outside catering company. All food is prepared in the main kitchen by a designated person and delivered to each of the rooms where the staff serve it to the children.
- Feeding chairs were supplied for the younger children and an adequate number of tables and child sized chairs were provided for the older children in the care rooms.
- The staff assisted the younger children with feeding, they encouraged and supported the children to feed themselves as was appropriate to their developmental stage and they supervised and assisted the older children at mealtimes.
- Additional food was available for children as was needed.
- Drinking water was available to the children in the care rooms.
- The children were observed to have enough time to eat and enjoy their food without being rushed.
- The children were observed to have had unrestricted access to the toilets and nappy changing was carried out in a timely manner as needed throughout the day.
- The inspector observed the privacy, and the dignity of children was respected during nappy changing and toileting. The staff conversed freely with the children explaining the nappy changing. The staff were observed to stand outside the toilet room doors, prompting children to ask if they needed any help. They reminded the children to wash their hands after using the toilet.
- Adult seating was provided in the rooms to facilitate comforting and nurturing the children. The inspector observed the seating was used to nurture and comfort the children, for example prior to the younger children were placed in the cots to go to sleep.
- Rest/soft areas consisting of low-level seating, matting and cushions were provided in the care rooms. The children were observed using the areas and a child who was feeling unwell was observed facilitated to rest on a low-level bed, with appropriate bed linen within the quiet rest area in the junior pre-school room. The staff member regularly checked in with him and a bottled of water was placed by the bed.

- On inspection the children’s individual need for sleep and rest were accommodated in consultation with the parents. It was evident the staff picked up on the individual cues for sleep and any change to the children’s daily routine of sleep times were communicated to the parents.
- The staff members were observed sitting with the children in the sleep room serving the wobbler/toddler room, comforting and caring for them in a restful environment, the blinds closed and relaxing music playing in the background.

SUPPORTING RELATIONSHIPS

- Each staff member was assigned to a care room. The staff were familiar to the children and the children were observed to seek the support of their carer when required.
- It was observed that the staff spoke to the children in low soft tones of voice, sat cradling the smaller children prior to putting them to sleep and were involved with the children’s play activities both indoors and outdoors.
- The children were praised for their efforts such as assisting with cleaning their crockery away after mealtime and sharing with their peers. The staff were observed positively re-enforcing to the children by saying for example “very good job”, “lovely manners”, “sharing with friends”.
- The inspector observed the staff coming down to children’s level, listening to their voices as they communicated their individual needs both verbally and non-verbally.
- The staff comforted and re-assured children who became upset, coming down to their level, reiterating to the children “I hear you”.

PHYSICAL AND MATERIAL ENVIRONMENT

- There was a variety of play materials and fixed play equipment provided in the care rooms. Low level open shelving was in place to enable children to independently access the toys.
- The children had free movement within the playrooms to explore the environment.
- The outdoor environment was a large well-developed area with a variety of soft matting, concrete, grass, pebbles and bricks underfoot.
- The area was further developed since the last inspection providing a construction area for the children with pebbles underfoot.
- The outdoor areas were directly accessible from each of the care rooms and children were observed to be given the choice of playing indoors or outdoors and were facilitated to do so with staff supervision. There were for example ride on toys, playhouses, picnic benches, rocking horses, a filled sand boxes and containers used for water play.

- The children were observed availing of periods of outdoor play during the course of the day.
- (2) The registered provider did ensure that no corporal punishment is inflicted on a pre-school child whilst attending the service. There was a policy on promoting positive behaviour management in the service and staff demonstrated an understanding on managing children’s behaviour in the setting.
- (3) The registered provider did ensure that no practices that are disrespectful, degrading, exploitive, intimidating, emotionally or physically harmful or neglectful towards the children in the service.

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:**
- On arrival to the service, the entrance door was secured, and access was gained from the designated person in the office located in the entrance reception area.
 - The first aid boxes were observed to be stored high out of the reach of the children.
 - The emergency fire exit doors were clearly identified and unobstructed.

- Infection Control:**
- The children were observed washing their hands with the assistance and supervision of the staff after using the toilets and after playing outdoors.
 - The fridges on site were used to store the children’s perishable food items to prevent food spoilage.

- Safe Sleep:**
- The children who required to rest and sleep on the day of inspection were accommodated in the standard cots in the sleep rooms and on a floor bed in the Toddler room. The staff members in the Baby and toddler room informed the inspector of the plans for the sleep needs of individual children in the service.
 - The children who slept were physically checked every 10 mins and a record of the child’s colour, position and breathing was recorded

Non-Compliance Information

- General Safety:**
1. The core temperature of food served to children in the baby room that was re-heated was not checked with a probe thermometer posing a risk of burns to children.
 2. There was a spray bottle of window cleaner accessible to the children in the junior pre-school room posing a risk of injury to the children.
 3. There was a play mirror partially attached to the boundary fencing with unsecured cable ties in the outdoor play area serving the baby room posing a risk of injury to the children.

4. There was a cracked play mirror mounted on the fence in the area used by the junior pre-school and wobbler/toddler room children posing a risk of injury to children.
5. There were splinters on some of the timber poles located in the outdoor play area posing a risk of injury to the children.
6. A number of the low-level glass panels did not have visibility strips posing a risk of children coming in contact with the panels causing injury.
7. There were bushes with thorns protruding through a section of the boundary fencing posing a risk of injury to the children.
8. Garda vetting disclosures had been obtained for twenty-five staff members. However, two vetting disclosures were not dated within the previous three years in adherence with the Early Years Inspectorate Regulatory Notice 'EY-RN12.3 Renewal of Garda Vetting'. It is acknowledged the process of renewing the garda vetting had begun for these two staff.

Infection Control:

9. Hand washing by the children in the baby room after nappy changing did not take place posing a risk of cross contamination and cross infection.
10. A refrigerated labelled bottle of milk in the baby room kitchenette with a teat attached was not covered posing a risk of cross contamination and cross infection.
11. The carpet and groves of the timber play unit in the wobbler/toddler room were unclean posing a risk of cross contamination and infection control.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. A thermometer was given to the baby room to keep in their kitchenette together with a temperature recording book to record the reheating of food within the room.
2. This was immediately put away and locked in a cupboard on the day of the inspection. The service will ensure that all spray and cleaning bottles are kept at all times in a locked cupboard.
3. The play mirror partially attached to the fence was secured with new cable ties. The health and safety officer will ensure to check the outdoor toys on a weekly basis and the checks have been added to the checklist.
4. The cracked mirror was removed.
5. The splinters on the timber poles have been sanded down. This has been added to the health and safety officer's checklist.

6. Additional and new window stickers have been applied to all room windows and doors where needed. The room staff will ensure the stickers are kept in place and replaced when needed.
7. The bushes have been cut back from the fencing. The service will ensure that the bushes are kept trimmed back for the safety of the children.
8. The Garda vetting in respect of 2 adults was obtained, the other 2 adults in question ceased working in the service.

Infection Control:

9. The staff now wash the children's hands after all nappy changing and it is included within the nappy changing policy. The policy was brought to the staff meeting in August and are aware of the updated policy.
10. All bottles are kept covered. All parents were reminded that bottles with lids are provided.
11. The carpet was deep cleaned on 5.09.'2. The carpet will be replaced as it is worn in some areas. Regular deep cleaning will be carried out.

Supporting documentation submitted

General Safety:

1. The statement is accepted as evidence.
2. The statement is accepted as evidence.
3. A photograph of the mirror re-attached to the fence.
4. The statement is accepted as evidence is accepted as evidence.
5. A photograph of the timber poles that were sanded.
6. The statement and photographs of the visibility are accepted as evidence.

Infection Control:

9. The updated nappy changing policy.
10. The statement is accepted as evidence.
11. The statement and photographs of the carpet after it was cleaned are accepted as evidence.

Summary Comment

The requirement for Regulation 23 has been met.

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) The registered provider ensured that there were staff available at all times with appropriate first aid responder (FAR) training. The FAR certifications indicated that 12 staff members held current up to date training.

(2) (a) There was a suitably equipped first aid box available to the children attending. The box was stored out of the reach of the children.

(b) The first aid equipment was available to the children at all times