

TUSLA REGULATORY INSPECTION REPORT



TUSLA Identifier: TU2015KY109

Name of Service: Scamps & Scholars Childcare

Address of Service: Killorglin Community Childcare
Langford Street
Killorglin
Kerry
V93 FK58

Email Address: info@scampsandscholars.ie

Name of Registered Service Provider: Elaine Scally-Doyle

Type of Service Registered: Full Day Care

Date(s) of Inspection:	1	9	0	4	2	0	2	2
Date of Regulatory Compliance Meeting:	1	7	0	6	2	0	2	2

No of Pre-School Children present during Inspection: AM 55 PM 29

Inspection undertaken by: E. Friel
Title: Early Years Inspector

Areas which were the subject of this Inspection

Governance	Health Welfare and Development of Child	Safety
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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



Description of Service	<p>Scamps and Scholars is a community based early years service in operation since 2001. It offers a choice of full-time, part-time and sessional education and care facilitating the Early Childhood Care and Education (ECCE) Scheme. The service is registered to operate from 7.30 am until 6.00 pm Monday to Friday for 50 weeks of the year and is currently opened from 7.30 am until 5.30 pm. Children aged from 1 year - 6 years are accommodated and a school age service is available.</p>
Premises	<p>The service operates from a 2-storey purpose-built property which is located near the rural village of Killorglin in County Kerry. There are 7 care rooms in operation, reception area, 2 offices, kitchen, adult/child sanitary areas and a staffroom.</p>
Staffing	<p>There are 40 adults employed by the service inclusive of 4 AIMS support workers, 3 kitchen staff and 2 office personnel. In addition, there are 2 community employment adults who are currently training.</p>
Methodology	<p>Tusla’s Early Years Inspectorate (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.</p> <p>The findings on inspection are based on;</p> <ul style="list-style-type: none"> • Information obtained through examination of documentation • Direct observation • Discussion with relevant staff <p>This inspection was unannounced and focused on areas of Governance, Health, Welfare and Development of Child and Safety. Inspections may also focus on other areas as required.</p> <p>The inspection process has been amended to minimise the amount of time that inspectors spend in the service.</p> <p>A sampling process was used to assess compliance under regulation 19 health welfare and development of child and regulation 23 Safeguarding health, safety and welfare of child. As a result the scope of the inspection included Toddlers, Caterpillars and Montessori Butterflies and did not include Ladybirds, Junior Wobblers, Senior Wobblers and Bumble Bees.</p> <p>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.</p>

Additional Information	Following submission of the Corrective Actions and Preventive Actions (CAPA) form there were still issues outstanding. A Regulatory Compliance Meeting was held on the 17/06/2022 to discuss these issues.
Acknowledgements	The Inspector wishes to acknowledge the cooperation of the deputy manager, designated person in charge, staff and children who were present on the day of the inspection.

GOVERNANCE

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.
- (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:	<p>(1)(a) The service had a deputy manager and a named designated person in charge as required.</p> <p>(b) The named designated person was on the premises when the inspector arrived, and the deputy manager arrived shortly afterwards.</p> <p>(2) There were 4 new adults employed since the last inspection on the 10/02/2021, therefore the inspector focussed on these 4 adult files in order to assess staff vetting.</p> <ul style="list-style-type: none"> (a) There were 7 validated references from past employers. (b) There was 1 validated reference from a source other than a previous employer. (c) Garda vetting disclosures from the National Vetting Bureau were available for all 4 adults. (d) Two international police vetting disclosures were available for 1 adult who had lived outside the state as an adult for more than 6 consecutive months. <p>(4) One of the adults working directly with the children attending the service held a recognised award in Early Childhood Care and Education at level 6 on the National Qualifications Framework and 2 adults held a qualification deemed by the Minister to be the equivalent of a level 5. The fourth adult employed by the service was supernumerary.</p>
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Part III - Management and Staff

Regulation 9 - Management and Recruitment

(7)(a) Written details of regular staff meetings, supervision and annual appraisals were provided by the deputy manager on the day of inspection.

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 was an adequate number of adults working with the children in attendance.
- (2) There were 6 care rooms in operation with minimum adult/child ratios.
- Junior Wobblers (12 months - 24 months)
There were 3 full-time and 3 part-time children with 2 adults in attendance.
- Senior Wobblers (12 months - 24 months)
There were 3 full-time and 2 part-time children with 2 adults in attendance.
- Toddlers (2 years – 3 years)
There were 9 full-time and 5 part-time children with 4 adults in attendance.
- Caterpillars (2 years 8 months to 5 years)
There were 8 full-time and 5 part-time children with 4 adults in attendance.
- Ladybirds (2 years 8 months to 5 years)
There were 3 full-time and 1 part-time child with 2 adults in attendance.
- Bumble Bees (3 years to 5 years)
There were no children in this group as it operates term time only.
- Montessori Butterflies (3 years to 5 years)
There were 5 full-time and 8 part-time children with 2 adults in attendance.
- (8) (a) Viewing of the staff roster confirmed there were at least 2 staff in the service at all times.

HEALTH WELFARE & DEVELOPMENT OF CHILD

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:

As part of the sampling process 3 care rooms were the focus of the inspection: Toddlers, Caterpillars and Montessori Butterflies.

The information which follows was obtained through:

- examination of documentation
- direct observation and discussion with staff, on the day of the inspection

BASIC NEEDS:

- All meals were prepared in the service. The children were observed eating a healthy nutritious lunch of pasta, bacon and vegetables, as detailed in the menu plan, which conformed with the services healthy eating policy. An alternative of plain pasta was available and some of the children chose this as an option. Homemade waffles were observed being made in the kitchen for the mid-afternoon snack.
- The children were observed accessing a container of drinking water by themselves. The inspector noted that the adults replenished the water when it became empty. Crockery and cutlery were available on the table.
- In the Montessori Butterfly room, the children had unrestricted access to the 2 toilets that were situated off the care room. The children accessed the toilet independently. Adults were on hand to offer assistance and reminders such as, pull up your sleeves, to children who required it when hand washing.
- Hand washing and toileting in the Toddler room was facilitated by an adult in the shared sanitary area adjoining the room with a supply of hot and cold running water, liquid bacterial dispensing soap and paper towels. Children also had access to a separate nappy changing area situated in a room off the toilet area. Individually labelled baskets were available with each child's nappies and creams.
- Nappy changing rotas in the shared bathroom area were noted to be filled out for each child and staff stated that the children's nappies are changed at 11.30 am, 3.30pm and as required.
- In all of the rooms the children had opportunities to move about freely and explore their environment both indoors and outdoors.

SUPPORTING RELATIONSHIPS AROUND CHILDREN:

- The inspector observed the adults at different times throughout the morning such as at tabletop activities, story time and lunch listening and responding to the children using positive language, engaging in conversation and giving each child the opportunity to express themselves. The adults in

Part V - Care of Child in Pre-school Service

Regulation 19 - Health, Welfare and Development of Child

the Caterpillar room were heard engaging the children in songs such “Baby shark, Wheels on the bus and Months of the year” and the children in the Toddler room engaged in stories including, “Goldilocks and The Three Bears”.

- Staff stated that team meetings were held monthly, and notes taken from a staff meeting held on 07/03/2022 were available.
- Photographic evidence of activities undertaken, and observations linked to the Aistear Curriculum Framework were available to share with each child’s parents/guardians and helped to support a sense of working in partnership with them.
- Parents/guardians were observed being welcomed by the adults at collection time where exchanges of communication took place about the children. Staff stated that they also use the phone as a method communication with the parents.

PHYSICAL AND MATERIAL ENVIRONMENT:

- The care rooms were equipped with open shelving where the children could access the play equipment, materials and activities independently. Each care room had a variety of play equipment and materials appropriate to the child’s age and stage of development.
- The walls of the care rooms were decorated with children’s artwork which included painted eggs, family tree photographs and individual birthday photos.
- The outdoor area was surrounded by high metal fencing. There were sectioned areas, and each group rotated their outdoor time to avail of the different types of physical equipment. Outdoor equipment included a newly purchased wooden school play bus and wooden combine harvester for imaginative play and a climbing frame with tunnels, tractors, bikes, trikes for cycling with adequate space for running and playing games. A secure sand area was also available. A variety of ground surfaces were also noted including, concrete and safety matting.
- There was a carpark situated to the front of the building for staff and parents.

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:

- Access into the building could only be gained from an electronic entry system at the main door, which was operated by an adult at reception, preventing unauthorised access. Exiting was gained from pressing a switch

Part VI - Safety

Regulation 23 - Safeguarding Health, Safety and Welfare of child

located on the inside of the door, above child height, which helped to prevent children leaving unattended.

- Windows were noted to have restrictive opening devices.
- All blind cords were noted to be securely tied.
- All flexes were stored out of reach of the children.
- Cleaning agents were stored securely on high shelves out of the reach of children.

INFECTION CONTROL:

- Completed daily cleaning schedules were available for review.
- Children's soothers were noted to be stored in individually labelled containers in the "Dodi Hotel" in each room.
- A supply of hot water, dispensing soap and paper towels were available in each of the sanitary areas. Child friendly posters of hygienic hand washing were observed on the wall of the sanitary area. The hot water temperature in the tap of the Caterpillar sink was measured at 33.7°C during the inspection.
- Children were observed washing their hands before food and on return from playing outdoors.
- The adults in the Montessori Butterfly room were observed disinfecting the tables before and after the serving of food.
- Adults in the room were observed using hand sanitiser regularly.
- The adults stated that individual bed linen is changed twice a week and as required.

ADMINISTRATION OF MEDICATION:

- Temperature reducing medication, which was stored out of reach of the children, was available in the service if required. Discussion with several adults established that they knew where the medication was located.

SAFE SLEEP:

- Six children were observed sleeping in the darkened Toddler room which had black out blinds. Each child had their own individual bed, linen, and soother which had been removed from an individually labelled container. Calming music was heard by the inspector and the staff were observed physically comforting children just before sleep. The adults were observed carrying out frequent sleep checks and two adults remained in the room with the children. The children who did not require a sleep were facilitated in the Junior Wobbler room.

FIRE SAFETY:

- Emergency doors were unobstructed, and the children upstairs had 2 options to evacuate the building in the event of a fire.

Part VI - Safety

Regulation 23 - Safeguarding Health, Safety and Welfare of child

<p>Non-Compliance Information:</p>	<p>GENERAL SAFETY:</p> <ol style="list-style-type: none"> 1. Adult coats and bags were observed at child height in the Caterpillar room posing multiple risks. 2. Two rows of 6 chairs stacked on top of each other were observed in the Caterpillar room posing a physical risk to the children's safety. 3. Some of the locks on the lock wall in the play area were rusty, which posed a risk of injury to the children. <p>INFECTION CONTROL:</p> <p>The following non-compliances were observed in the Montessori Butterfly toilet situated to the left of the sanitary area and in the room:</p> <ol style="list-style-type: none"> 4. The bin was not pedal operated, and tissues were being caught in the lid posing a risk of cross infection. 5. The air vent was noted to be blocked with dust impeding air circulation, posing a risk of cross infection. 6. A toilet brush was observed in the toilet cubicle posing a risk of cross infection. 7. Both the orange vinyl chair and blue sofa were torn in the Montessori Butterfly room, posing a risk of cross infection as they cannot be cleaned properly. 8. A decorative material green leaf located above the book area in the Montessori Butterfly room was covered in dust posing a risk of cross infection. <p>The following non-compliances were observed in the Toddler room:</p> <ol style="list-style-type: none"> 9. A mop and bucket were easily accessible to the children in the changing area posing a risk of cross infection. 10. The blue sofa was torn in the Toddler room posing a risk of cross infection as it cannot be properly cleaned.
<p>Corrective & Preventive Action submitted by the Registered Provider</p>	<p>In the written response returned the following corrective and preventative actions were outlined:</p> <p><u>CORRECTIVE ACTION</u></p> <p>GENERAL SAFETY:</p> <ol style="list-style-type: none"> 1. Adult coats and bags have been placed out of reach of the children in the Caterpillar room. 2. Staff have been informed on the new protocol for stacking chairs. 3. The rusty locks on the lock wall have been removed. <p>INFECTION CONTROL:</p> <ol style="list-style-type: none"> 4. Bin has been replaced. 5. The air vent has been cleaned. 6. Toilet brushes have been removed from the cubicles. 7. Both the chair and sofa have been recovered. 8. The green leaf has been cleaned. 9. The mop and bucket have been removed.

Part VI - Safety

Regulation 23 - Safeguarding Health, Safety and Welfare of child

10. The blue sofa has been repaired.

PREVENTIVE ACTION

GENERAL SAFETY:

1. Care rooms will be reviewed, and adult coats and bags will be placed out of reach of the children.
2. Staff to adhere to new protocol for stacking chairs.
3. A weatherproof replacement for the lock wall will be sourced.

INFECTION CONTROL:

4. Staff have undertaken a physical check of all bins.
5. All vents have been cleaned and added to the cleaning schedule.
6. There will be no toilet brushes in use in the future.
7. Furnishing will be checked regularly and removed before they reach the stage of not being able to be cleaned effectively.
8. The green leaf has been added to the cleaning rota.
9. The mop and bucket have been stored in an area outside the room.
10. All soft furnishing will be checked regularly and removed if torn for repair.

EVIDENCE SUBMITTED

The following evidence was submitted:

GENERAL SAFETY:

1. A photograph of the raised hooks.
2. The statement submitted in relation to stacking chairs has been accepted as evidence.
3. The statement the registered provider submitted in relation to the lock wall has been accepted as evidence.

INFECTION CONTROL:

4. A photograph of the replacement bin.
5. A photograph of the cleaned air vent.
6. A photograph with the toilet brushes removed.
7. Photographs of the repaired and replaced soft furnishings.
8. A photograph of the cleaned green leaf.
9. The statement submitted by the registered provider has been accepted as evidence.
10. A photograph of the recovered sofas and chair.

Summary Comment:

The requirements for Regulation 23 have 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

Part VI – Safety

Regulation 25 - First Aid

(b) is available to the children attending the pre-school service at all times.

Compliance Information:	<p>(1) The deputy manager provided evidence in the form of the staff roster and associated first aid certificates that confirmed adults trained in first aid were available on the premises, at all times, on the day of inspection.</p> <p>(2) (a) Each of the first aid kits was stored in a visible position easily accessible to the adults.</p> <p>(b) First aid kits were available in the service on the day of inspection.</p>
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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:	<p>(1)(b) A written record was available detailing the number, type and maintenance of firefighting equipment. The maintenance certificate was dated November 2021 and the last quarterly smoke alarm check was dated 24/01/2022.</p> <p>(4) Notices of the procedures to be followed in the event of a fire were displayed in each room and in reception.</p>
Non-Compliance Information:	<p>(1) (a) No recent fire drill records were available. The last fire drill was dated 7/11/2021. Monthly fire drills are necessary to ensure the safe evacuation of adults and children in the event of a fire.</p>
Corrective & Preventive Action submitted by the Registered Provider	<p><u>CORRECTIVE ACTION</u></p> <p>(1)(a) Fire drills have now been carried out for the months of May and June 2022.</p> <p><u>PREVENTIVE ACTION</u></p> <p>(1)(a) The manager has stated that fire will be conducted on a monthly basis.</p> <p><u>EVIDENCE SUBMITTED</u></p> <p>(1)(a) A copy of the fire drills conducted on 05/05/2022 and 15/06/2022 were received and the commitment and statement made by the manager in the 2nd Corrective and Preventive Actions form, that monthly fire drills will take place, has been accepted as evidence.</p>
Summary Comment:	<p>The requirement for Regulation 26 has been met.</p>

Additional Significant Risk(s) to Children Additional Significant Risk Identified	
Regulation 29 – Premises	
<i>A Registered provider shall ensure that the premises of the service are (e) Equipped with adequate and suitable sanitary facilities</i>	
Non-Compliance Information:	<p>(e)</p> <p>(1) There were insufficient toilets and wash hand basins for both adults and children. The adult ratio for toilets is 1:8 and children 1:11. The service currently has 42 adults in the building and only 2 adult toilets with wash hand basins were available, whereas 5 were required.</p> <p>(2) The current number of children requiring sanitary facilities were 96 and the service had 7 toilets with wash hand basins, whereas 9 were required.</p> <p>The lack of adult toilets was recorded in the last inspection on the 10/02/2021. Following that process the registered provider stated they would install new sanitary facilities within 12 to 24 months; however, it was found that work had not yet started. Lack of sanitary accommodation for both the adults and children increases the risk of cross infection.</p>
Corrective & Preventive Action submitted by the Registered Provider	<p><u>CORRECTIVE ACTION AND PREVENTIVE ACTION</u></p> <p>(e)</p> <p>(1) (2) Following the Regulatory Compliance Meeting on 17/06/2022 the manager has procured a portacabin which will facilitate the current sanitary accommodation needs of both the adults and children in the service. The manager has stated that the portacabin will be plumbed into the main sewage system.</p> <p><u>EVIDENCE SUBMITTED</u></p> <p>The following documentary evidence has been received:</p> <p>(e)</p> <p>(1) (2)</p> <p>A copy of a signed contract from the portacabin company was received in the office of the inspectorate. Written assurance from the manager was also received stating that the portacabin will be fully operational before the service increases its numbers in September 2022.</p>
Summary Comment	The requirement for Regulation 29 has been met. This will be assessed at the next inspection.