

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015LH010
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Name of Service:	Ainedanbury Ltd T/A Bright Beginnings
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Address of Service:	257 Lower Point Rd, Dundalk, Co. Louth
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Eircode:	A91 RW20
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Name of Registered Provider:	Ireneaus McCaffrey
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Service type:	Full Day, Part Time
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Date(s) of Inspection:	14/02/2024
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No of pre-school children:	AM	52	PM	14
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Child Wellbeing Centre, Castleblayney Co. Monaghan
Inspection undertaken by:	M.Flood and S.Skinnader
Title:	Early Years Inspectors

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

Ainedanbury Ltd T/A Bright Beginnings is a privately owned service that has been in operation under its current management since October 2023. It provides Sessional, Part-time and Full Day Care services to pre-school children from 2-6 years of age.

The service operates from a two-storey building that adjoins a domestic dwelling. This area comprises of 4 care rooms that are named as The Lavender Room and The Bluebell Room and are located on the ground floor. The Sunflower and Daisy Rooms are located on the 1st floor. An additional 5th room is located in a separate building in the outdoor area and is called The Poppy Room. Ancillary accommodation consists of sanitary facilities, 2 kitchen areas, a separate sleep room off the Lavender Room, office and storage areas. An outdoor area is located to the rear of the premises.

Staffing

There are eighteen staff including the registered provider and 3 students working in the service. Fifteen staff are working directly with the children and three members of staff who are employed in an administrative role catering duties and maintenance duties.

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.

The inspection focused on an examination of compliance under regulations 9,11,16,19,23 and 31. These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under Regulation 19. As a result, the scope of the inspection included the Lavender, Bluebell, Sunflower and Daisy Rooms.

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

This inspection was carried out following receipt of a Notification of Incident from the registered provider in accordance with Regulation 31.

On the day of inspection an Immediate Action Notice was issued in respect of 2 staff who did not have documentary evidence of a processed Garda Vetting disclosure. It is acknowledged that one of these staff members who was present during the inspection was requested to leave the premises by the registered provider. An acceptable response was subsequently received from the registered provider.

On the day of the inspection the inspectors were informed on arrival to the premises that the Daisy Room was closed due to a water leak. The preschool children at this time were incorporated into the other preschool rooms. The Daisy room was reopened in the afternoon after repairs were carried out

Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, 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.

(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) & (b) The service had a designated person in charge who is also the registered provider and a named deputy person to deputise as required. The registered provider was on the premises when the inspectors arrived and was present throughout the inspection. The deputy person in charge arrived on the premises at 12:10 and was then present for the remainder of the inspection.

Twenty-one staff files were reviewed:

(2)(a) & (b) There were 2 written and validated references available for 14 staff members and 2 of the students. Three members of staff had 1 written and validated reference and 3 members of staff had 1 written reference.

(c) A processed Garda Vetting Disclosure was available for 16 members of staff, including the registered provider and 3 students. 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) International police vetting was available for the 2 members of staff who had resided outside the Irish jurisdiction for a period of 6 months or more as an adult.

Non-Compliance Information

(2)(a)&(b) The following was recorded in respect of references.

- Three written references were not validated.
- Two members of staff did not have a second written and validated reference.
- One of the students did not have 2 written and validated references.

(c) Documentary evidence of a processed Garda Vetting disclosure was not available for 2 staff members employed in the service. An Immediate Action Notice was issued in respect of this non-compliance.

(3) Garda vetting procedures for 2 staff members in the service were not carried out prior to them being appointed or allowed access to the children in the service.

(4) One staff member working in the Lavender Room did not have the required minimum level 5 childcare qualification or a qualification deemed equivalent by the minister.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a)&(b)

- The three written references have since been validated.
- Two members of staff have since submitted written references which have been validated.
- The above referenced student is now in possession of two written and validated references.

The registered provider will ensure that all staff are vetted and reference checks are completed prior to employment in the service. An induction checklist will be used to ensure all paperwork is in place prior to employment.

(c)&(3)

The two staff members have now received their Garda vetting which is now on file.

As per the induction checklist all staff will be vetted prior to employment and will not commence employment until the Garda vetting is in place in the service.

(4) All staff working in the Lavender room have a qualification. Going forward, the registered provider will ensure that all ratios are followed.

The registered provider will ensure that all staff are qualified while working with the ELC in the service.

Supporting documentation submitted

- Evidence of written and validated references.
- Documentary evidence of Garda Vetting Disclosures
- Documentary evidence of a qualification letter of equivalency.

Summary Comment

The registered provider submitted details of the corrective and preventative actions taken in the service to address the non-compliances together with documentary and photographic evidence. Based on the information submitted the non-compliances have been adequately addressed. Implementation and sustainment of the corrective and preventative actions will require assessment at the next 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) During the inspection there were an adequate number of adults working directly with the preschool children attending the service.

(2) On arrival to the premises at 11:30 there were 4 rooms in operation namely; The Bluebell Room and Lavender (Toddler)Room located on the ground floor. The Sunflower Room which is located on the first floor and The Poppy Room which is located in a separate room in the outdoor area.

The Daisy Room was not in operation at this time due to a reported water leak. This room re-opened in the afternoon.

The following adult to child ratios were observed on arrival:

- **The Bluebell Room:**

There were 11 preschool children aged between 2 - 3 years with 2 members of staff which included the registered provider. A student on placement was also present in this room in a supernumerary capacity.

- **The Sunflower Room:**

There were 23 children aged 3 - 5 years with 3 members of staff. One student was also present at this time.

- **The Lavender Room**

There were 9 children aged 2 years being cared for by 1 staff member and one student.

- **The Poppy Room**

There were 9 children aged 3 - 5 years with 2 members of staff.

Two additional staff members were also present in the service at this time and were engaged in administrative and catering duties.

(8)(a) Following a review of the available documentation e.g. staff rotas and children’s attendance records, this information demonstrated that the registered provider ensured that there were at least 2 adults on the premises at all times.

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:

- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*
- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

Compliance Information

(16)

(g)The following policies were available and reviewed:

- Authorisation to collect children and drop off children.
- Risk Management Policy
- Interaction and Communication
- Outdoor Play Policy
- Accident / Incident Policy
- Staff Induction/ training and Supervision Policies

(i)An electronic record was available of the arrival and departure times for the children attending the service.

Each room recorded their own attendance on the tablet-based system.

(i) A staff roster was available and was reflective of the staff present on the day of the inspection.

Non-Compliance Information

(g) The following policy did not meet the requirements of Regulation 10:

- The Risk Management policy did not detail how long the risk management records will be kept.

(k) No accident and incidents were observed by the inspectors on the day of the inspection. However, the service's accident and incident electronic record for a recent incident that occurred in the service did not include a parental signature or confirmation that the parents had been informed of the incident or a witness signature. This is also at variance with the services Accident and Incident Policy.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(g) The Risk Management policy has now been updated.

(k) The registered provider has also given a hard copy of the parents to sign off.

If a parent refuses to sign off on an incident, it will be noted electronically the day it was issued and the date it was read.

Supporting documentation submitted

- Updated Risk Management Policy.
- Updated Accident and Incident Policy.

Summary Comment

The registered provider submitted details of the corrective and preventative actions taken in the service to address the non-compliances together with documentary evidence. Based on the information submitted the non-compliances have been adequately addressed. Implementation and sustainment of the corrective and preventative actions will require assessment at the next inspection.

Part V - Care of Child in Pre-school Service

Regulation 19 - Health, welfare and development of child

(1) A registered provider shall, in providing a pre-school service, ensure that-

- (a) each child's learning, development and well-being is facilitated within the daily life of the pre-school service through the provision of the appropriate activities, interaction, materials and equipment, having regard to the age and stage of development of the child, and
- (b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.

Compliance Information

(1)(a) The following examples demonstrate how the registered provider ensured that children's learning, development, and well-being was facilitated in the service:

Supporting relationships

- The staff informed the inspectors that that most communication with parents is carried out through an electronic interlinked application set up between the service and the parents. Information pertaining to the children's basic care needs, activities, observations, photographs, and requests for items are included on this system.
- The staff throughout the service were observed to interact with the children in a warm and supportive manner. Soft tones and positive language were observed in interactions between the children and staff.

Non-Compliance Information

The registered provider did not ensure that each child's learning, development, and well-being was facilitated within the daily life of the service in relation to the following:

1. Following a discussion with the staff member in the care room it was confirmed to the inspectors that one child did not eat any hot meal or snacks in the service from their arrival to the premises at 08:53 to when they were collected at 13:46. This child was asleep when the inspectors arrived at the premises at 11:30 and only briefly woke up to move from the bed to the staff members knee and went back to sleep until 13:30. This was also confirmed by the staff member present in the room. At no stage was the child observed to be offered a drink or food. When the child woke up, they were dressed in their outdoor clothes and brought outside to play until they were collected by a parent at 13:46.
2. Communication between a parent and staff member at home time was considered inadequate. During the 'handover' at collection time, the parent of the child referred to in point 1 was not verbally informed

by the staff member that the child had slept for a prolonged period of time and that they had not eaten or drank anything during their time in the creche. It is acknowledged that the interlinked communication system did detail that the child did not eat anything however it did detail that the child was offered a chicken and pasta dinner, but this was not observed by the inspector. It was also confirmed by the staff member present in the room that this child had been asleep and did not eat anything.

3. Documentary evidence was not available of a care plan for a child who required additional supports in the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1.2 & 3 A care plan has been drawn up for this child. The service invited the parents to talk with them regarding the child's inability to eat food. The registered provider is working collaboratively with the parents and healthcare team to meet the needs of the child. A staff meeting was held in March with all staff and care plans were discussed and that all files would be reviewed and that the correct information must be logged on the electronic App. Training was also completed in relation to partnership with parents and end of day physical and electronic handovers . It was also emphasised that a handover conducted electronically does not substitute for a physical handover at the end of the day.

Management will review every child prior to commencing place in the service, and also that the child's dietary needs need to be met. A care plan will be put in place if required. Also, if staff need an induction regarding the care plan or food intake of the child, this will also be completed by the management team and recorded.

Supporting documentation submitted

- Documentary evidence of care plan

Summary Comment

The registered provider submitted details of the corrective and preventative actions taken in the service to address the non-compliances together with documentary and photographic evidence. Further communication with the registered provider by phone confirmed that strategies are also in place for children who required additional supports in the service . Based on the information received the non-compliances have been adequately addressed. Implementation and sustainment of the corrective and preventative actions will require assessment at the next 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

It was observed that the registered provider has taken the following measures to safeguard the health, safety and welfare of the pre-school children attending the service including:

General Safety:

- The external doors were appropriately secured to prevent children from exiting the service unsupervised.
- All emergency exits were clear and unobstructed.
- The staff were observed to accompany the children to the front door at collection time. The staff confirmed that the authorised person for collection was present in accordance with the services Drop off and Collection Policy.

Non-Compliance Information

The Inspectorate is not assured that adequate steps have been taken to ensure the health, safety and welfare of the pre-school children attending the service. The following observations were made:

Safe Sleep:

1. An adult was not present at all times in the sleep room to provide constant supervision, where one child was sleeping on a bed.

General Safety:

2. Garda vetting was available for 16 staff members including the registered provider and 3 students. However, 1 of these vetting disclosures was not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.
3. Some of the chairs in the Lavender Room were too high for the children attending as it was observed their feet did not touch the ground while sitting on them and they were unable to safely push the chairs back. This is a potential falls risk.

Corrective & Preventive Action submitted by the Registered Provider

Corrective & Preventive Actions

Safe Sleep:

1. The registered provider will ensure that there is adult supervision at all times whilst children are sleeping.

The management team will ensure that there is supervision of the sleep room at all times.

General Safety:

2. All Garda vetting records will be reviewed yearly by the Manager to ensure that they are in date. A new Garda vetting application was applied for this member. Garda vetting will be reviewed annually.
3. Some of the chairs in the Lavander room were replaced by Toddler chairs that were in storage. There will be monthly Health & Safety audits to ensure all chairs etc are compliant under Health and Safety.

Supporting documentation submitted

Documentary evidence of updated Garda Vetting Disclosure.

Risk assessment.

Summary Comment

Based on the information submitted the non-compliances have been adequately addressed. Implementation and sustainment of the corrective and preventative actions will require assessment at the next inspection.

Part VIII - Notifications and Complaints

Regulation 31 - Notification of incidents

A registered provider shall notify the Agency in writing within 3 working days of becoming aware of any of the following incidents occurring in the preschool service:

- (a) the death of a pre-school child while attending the service, including the death of a child in hospital following his or her transfer to hospital from the service;*
- (b) the diagnosis of a pre-school child attending the service, an employee, unpaid worker, contractor or other person working in the service as suffering from an infectious disease within the meaning of the Infectious Diseases Regulations 1981 (S.I. No. 390 of 1981);*
- (c) an incident that occurs in the service and that results in the service being closed for any length of time;*
- (d) a serious injury to a pre-school child while attending the service that requires immediate medical treatment by a registered medical practitioner whether in a hospital or otherwise;*
- (e) an incident in respect of which a pre-school child attending the service goes missing while attending the service.*

Compliance Information

The Early Years Inspectorate was notified of an incident in the service in accordance with the requirements of Regulation 31. Documentary evidence was available of how the incident was investigated and managed by the registered provider. Additional information was also provided of the measures taken in the service to prevent another incident occurring which all staff when questioned were familiar with.