

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015LH046		
Name of Service:	Kool Kidz Creche		
Address of Service:	Darver, Readyppenny, Dundalk, Co. Louth		
Eircode:	A91 W54F		
Name of Registered Provider:	Sandra Hoey		
Service type:	Full Day, Part Time, Sessional		
Date(s) of Inspection:	19/07/2024		
No of pre-school children:	AM	15	PM 10
Address of the Early Years Inspectorate:	Early Years Inspectorate Child Wellbeing Centre, Castleblayney Co. Monaghan		
Inspection undertaken by:	M.Flood		
Title:	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	Not Applicable		

Description of service

Kool Kidz Creche has been Registered as an Early Years' service since November 2008. The service provides sessional, part-time and full day care and education to pre-school children and operates from 08:00-18:00hrs each weekday. The service caters for the care needs of a maximum of 30 pre-school children aged 1-6 years. The service operates from a 2-storey purpose-built premises consisting of 3 care rooms namely The Preschool Room which is located on the 1st floor and The Baby/Toddler Room which is located on the ground floor. A separate sleep room was also observed in use. Ancillary accommodation includes sanitary accommodation, storage, a kitchen and an outdoor play area, part of which is covered.

Staffing

The service employs 7 staff including the registered provider who works directly with the pre-school children and 3 staff who provide 'relief' cover when required.

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 inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11,16,20,22,25 and 26; however, on inspection additional non-compliance which posed a risk was identified under Regulation 23. These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under regulation 16.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

Acknowledgments

The inspector would like 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

(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 and named deputy person to deputise as required. The deputy person in charge was on the premises when the inspector arrived unannounced to the service at 10:30 and was present throughout the inspection. The registered provider arrived on the premises at 10:45 was present in the service for the remainder of the inspection.

(2) Seven staff files were presented for inspection and the following was recorded:

(a) & (b) There were 2 written and validated references from a past employer or an alternative source, available for the registered provider and 4 staff members. One staff member had 2 written references.

(c) Documentary evidence of a processed Garda vetting disclosure was available for the registered provider and the 6 additional staff members. 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 for all staff every three years.

Please refer to the information outlined under regulation 23 of this report.

(d) Following a review of the staff files presented for inspection international police vetting was not required at this time.

(4) Documentary evidence was available to demonstrate that 5 out of 7 members of staff, who worked directly with the pre-school children had at least a minimum Level 5 childcare qualification.

Non-Compliance Information

(2) (a)&(b)

- One staff member who provides relief in the service did not have documentary evidence of 2 written and validated references.
- A 2nd staff member who also provides relief in the service did not have evidence available that 2 written references available were validated.

(3) All vetting procedures were not completed prior to 2 staff members being appointed or allowed contact with children in the service.

(4) The requirement for all staffmembers who work directly with children to have an appropriate childcare qualification was not achieved as follows;

- Although not present on the day of the inspection, one staff member who is reported to provide relief in the service did not have documentary evidence of the minimum required Level 5 childcare qualification.
- A 2nd staff member who was observed working directly with the children during the inspection did not have documentary evidence available of an official translation of their qualification to determine that it meets the minimum required level 5 in childcare.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Actions

(2) (a)&(b)

- Both staff members now have 2 written and validated references each. These documents have been emailed to the Early years inspector when they were received. In future all staff will have 2 written and validated references before they start work.

(3) The staff members had garda vetting. In future these documents will be in place before staff start working with the children.

(4)

- The relief staff members level 5 childcare qualification is now on file. The 2nd relief staff member has emailed the college to get a translation of the qualification and is waiting on a response from the college. In future all documents that is needed for inspection for each staff member is in the staff folder, including any required translation.

Supporting documentation submitted

- Documentary evidence of written and validated references.
- Documentary evidence of the minimum required childcare qualifications and translations as required.

Summary Comment

The registered provider submitted details of the corrective and preventative actions taken in the service to address the non-compliances. Based on this information the non-compliances under Regulation 9 have been addressed.

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 the day of inspection when the inspector arrived unannounced to the service at 10:30 the following care rooms were in operation:

On the ground floor the large room was subdivided into 2 areas:

The Baby Area:

There were 4 preschool children aged 1-2 years present with 1 staff member.

The Toddler Area:

There were 7 preschool children aged 2-4 years present with 1 staff member.

The Preschool Room on the 1st floor: There were 4 preschool children aged 3-4 years attending this room with 1 staff member. An additional 5 children who were attending the school aged service were also present.

(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;
- (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 reviewed and included:

- (g) A copy of the services policies and procedures were available in the service.
- (h) Documentary evidence was available of the daily attendance of the preschool children in the service and included the arrival and departure times of each child in the service.
- (j) There was documentary evidence of signed parental consent in relation to the administration of medication including, prescribed medication and temperature reducing medication should it be required in the event of an emergency as evidenced in 4 sampled children’s enrolment forms. All forms detailing the administration of a medication were complete and contained the required information.
- (k) The service had a record in writing of accidents, injuries and incidents involving children during their attendance in the service. Seven of these records for the school year to date were sampled and each included parental signatures to document that they had been informed and were aware of the relevant incidents.

Non-Compliance Information

- (i) The staff roster on display in the service was inadequate for the following reasons;
 - It did not detail the names of all staff present in the service during the inspection.
 - It did not detail the start, finish, break times and cover for break times of each person in attendance every day.
 - It did not include information about staff who were on leave and what staff were providing relief cover in the service.

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Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Actions

- (i)
- All staff now sign in even if it's a relief staff member for a short time.
 - All staff now fill in start, finish, break times and cover for breaks.
 - Records will now be in place if a staff member is on leave and name of relief staff that will be covering for them.
- Staff information regarding start, breaks, finish, leave or cover will be checked regularly to make sure everything is filled in and up to date for inspection in future.

Summary Comment

The registered provider submitted details of the corrective and preventative actions taken in the service to address the non-compliance. Based on this information the non-compliance under Regulation 16 has been addressed. Implementation and sustainment of the corrective and preventive actions will be assessed at the next inspection.

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.
- (3) A registered provider of a full day care service, a part-time day care service or a childminding service, other than such a service to which paragraph (2) applies, shall ensure that-
- (a) a suitable, safe and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises,

Compliance Information

- (1)(b)
- A suitable comfortable rest area was available in each of the care rooms, with soft mats and cushions.
 - A separate sleep room was observed in use during the inspection and contained 2 standard cots.
 - A number of day beds were available for the children over 2 years of age to use for sleep.

(3)(a) An outdoor area was available on the premises and was subdivided into 2 areas:

Area 1: was a partially covered area to the rear of the premises which can be used in all types of weather. This area had a safety matted surface and included a variety of toys and materials that support many areas of child development, including a play kitchen with supporting equipment, a wall mounted blackboard with chalk, a dolls house with dolls and buggies, large plastic blocks, rockers, an age-appropriate slide and some toy boxes with small world toys. During the inspection the children were observed to access this area for music, dancing and singing songs.

Area 2: was directly behind and to the side of the partially covered area. The area had a tarmac surface and also had a large wooden shed for the storage of toys. A variety of equipment, including trikes, scooters, bubble cars, sand trays and footballs were observed in use in this area during the inspection.

Non-Compliance Information

(1)(b) There were instances where sleep facilities were found to be inadequate as demonstrated by the following:

1. In the sleep room observed in use, one of the cot mattresses was unsuitable for use as it had brown stains evident on it and it was ill-fitting creating a foothold which is a potential safety risk.
2. During the allocated rest time after dinner, 2 day beds were positioned on the floor in the Toddler area for the 2 children who required a sleep. These were positioned directly in front of 9 children who did not wish to sleep and were seated on chairs to watch the television which was in use for a brief time. This does not provide a suitable rest area conducive to rest/sleep.

(3)(a)

1. In the partially covered play area outside there were a number of unprotected wooden support posts which were a potential impact and injury hazard.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1)(b)

1. A new mattress has been purchased for the cot. Cot mattresses will be checked more often and replaced if any stains are on them.
2. The day beds are now in the sleep room where the cots are. All children that are resting or sleeping will go into the sleep room from now on

(3)(a)

1. A carpenter has been contacted about putting up a surrounding fence in front of the posts. He said it would be done by mid-October 2024. In the meantime, the posts have been covered with a foam cover. All outdoor posts and fences will be checked regularly for any wood splinters and add this to our risk management log.

Supporting documentation submitted

- Photographic evidence of new mattress
- Photographic evidence of foam protectors on posts.

Summary Comment

The registered provider submitted details of the corrective and preventative actions taken in the service to address the non-compliances. Based on this information the non-compliances under Regulation 20 have been addressed. Implementation and sustainment of the corrective and preventive actions will be assessed at the next inspection.

Part V - Care of Child in Pre-school Service

Regulation 22 – Food and drink

A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.

Compliance Information

Healthy eating was promoted in the service and there was a 3-week menu on display in the front hall. The majority of snacks are provided from home for the morning and afternoon. Additional snacks are also available if required in the service and were reported to include fresh fruit, yoghurts, crackers and bread. Dinner is provided in the service and is freshly prepared by the registered provider each day. On the day of the inspection the dinner was observed to consist of mash potato, boiled chicken and gravy and sweetcorn. The consistency of the food was age appropriate. Drinks were freely accessible in individual cups and there was potable water and milk available in the service. It was reported by staff that currently no children attending the service take a bottle and that all children are cup drinking.

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.

Non-Compliance Information

The Inspectorate was not assured that adequate steps had been taken to ensure the health, safety and welfare of the pre-school children attending the service for the following reasons:

General Safety:

1. There were no child appropriate handrails available on the staircase for the children aged 3-4 years attending the upstairs room. This was also acknowledged by the registered provider who confirmed that some of the smaller children “have difficulty, particularly at the bend at the bottom of the stairs”.
2. The maintenance records available for the fire fighting equipment on the premises was dated 05/2023, which is outside the recommended best practice guidelines of a requirement for a minimum of annual maintenance.

Infection Control:

3. The grey highchair cover was in a defective condition with foam exposed, which does not allow for effective cleaning.
4. Ineffective hand washing practices were observed. Some of the children were observed washing their hands with cold water as the one of the hot water taps in the sanitary area was broken and did not provide a constant supply of hot water.

Safe Sleep:

5. The safe sleep records reviewed did not include the actual written details of each 10-minute physical observation instead a “symbol was used rather than documenting the actual observation made.

Corrective & Preventive Action submitted by the Registered Provider

Corrective & Preventive Action

General safety:

1. A carpenter fitted a new low-level handrail.
2. The fire protection servicing company was contacted and carried out maintenance on the fire fighting equipment. The registered provider will make sure in future that the fire maintenance does not exceed 12 months.

Infection Control

3. A new highchair cover has been purchased. In future all highchairs will be checked to ensure they are in good condition with no tears.
4. The registered provider has been in contact with the plumber to ensure that all taps have a constant flow of thermostatically controlled hot water.

Safe Sleep

5. On the safe sleep records, staff will not use inverted commas (“) anymore.

Supporting documentation submitted

Documentary and photographic evidence submitted.

Summary Comment

The registered provider submitted details of the corrective and preventative actions taken in the service to address the non-compliances. Based on this information the non-compliances under Regulation 23 have been addressed. Implementation and sustainment of the corrective and preventive actions will be assessed 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) The registered provider ensured that there was a person trained as a First Aid Responder (FAR) at all times in the service as was evidenced by the availability of up to date FAR certificates.

(2)(a) and (b) There was an adequately equipped first aid box for the children in the service available at all times.

Part VI - Safety

Regulation 26 - Fire safety measures

- (1) A registered provider shall ensure that a record in writing is kept of-
- (a) any fire drill that takes place in the premises, and
 - (b) the number, type and maintenance record of firefighting equipment and smoke alarms in the premises.
- (4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.

Compliance Information

- (1)(a) A record was maintained of the fire drills which had been completed in the service.
- (b) A record was kept of the number, type and maintenance of the firefighting equipment and smoke alarms in the premises. Firefighting equipment was last serviced on 05/2023 and the smoke alarms on 13/11/2023.
- (4) Notices of the procedures to be followed in the event of an emergency was displayed in the service