

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015LH047
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Name of Service:	Ladybird Lane Day Nursery & Montessori
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Address of Service:	Oriel Cove, Clogherhead, Co. Louth
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Eircode:	A92 XF60
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Name of Registered Provider:	Maeveen Carroll
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Service type:	Full Day, Part Time, Sessional
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Date(s) of Inspection:	18/06/2024
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No of pre-school children:	AM	48	PM	20
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Address of the Early Years Inspectorate:	Child Wellbeing Centre, Castleblayney, Co. Monaghan
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Inspection undertaken by:	M. Flood & S. Skinnader
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Title:	Early Years Inspectors
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Authority to Inspect	
The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).	

Conditions if applicable	Not Applicable
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Description of service

Ladybird Lane Day Nursery & Montessori has been operating as a privately-owned childcare service in this setting since 2006. This service provides full day care, part-time and sessional care and education to pre-school children aged from 0 to 6 years. The service operates from 07:45 to 18:00 each weekday and the setting caters for a maximum of 65 children. The service participates in the Early Childhood Care and Education (ECCE) scheme from 09:00 to 12:00 each weekday.

The service operates from a purpose-built premises in a residential area of Clogherhead in Co. Louth. There is parking onsite for drop off and collection. The premises consist of 5 playrooms: 4 within the main building and 1 playroom in a separate building to the rear of the main building. There is also a spacious outdoor play area on the premises which is divided into 2 separate areas.

Staffing

There were 15 staff employed in the service including the following:

- Fourteen childcare staff who work directly with the children, that includes the registered provider and staff who provide relief in the service.
- One staff member who is employed to carry out catering 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, 19, 20, 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 the regulations. As a result, the scope of the inspection included The Bunnies Room, The Owls Room and The Hedgehogs Room.

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 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

(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.

Compliance Information

(1)(a) & (b) The service had a person in charge and a named deputy person to deputise as required. The service manager and the assistant manager were on the premises when the inspectors arrived unannounced to the service.

(2) Following a discussion with the registered provider and a review of the staff roster it was confirmed to the inspectors that there were 2 new staff members present in the service since the last inspection.

(a) and (b) The staff files in relation to the 2 new staff members and 1 outside contractor who comes to the service were viewed on the day of inspection:

- Two written and validated references from a past employer or another source were available for the 2 new staff employed in the service and the outside contractor.

(c) Documentary evidence of a processed Garda vetting disclosure was available for each of the 2 new staff members and the outside contractor.

Garda Vetting disclosures were also reviewed for the additional 13 staff members of staff employed in the service. 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) From the documentary evidence available for inspection, international police vetting was not required at this time for the 2 new staff members and the contracted music teacher.

(4) Documentary evidence was available to confirm that the 2 new staff members of staff who work directly with the preschool children held at least the minimum required level 5 childcare qualification on the National Framework of Childcare Qualifications or a qualification deemed equivalent.

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 period of inspection there were an adequate number of adults working directly with the children attending the pre-school service.

(2) On the day of the inspection when the inspectors arrived unannounced at the service, the following care rooms were in operation:

- The Bunnies Room: There were 2 staff members working directly with the 7 pre-school children present.
- The Owls Room: There were 3 staff members working directly with the 12 pre-school children present.
- The Foxes Room: There were 2 staff members directly with the 8 pre-school children present.
- The Squirrels Room: There were 2 staff members working directly with the 14 pre-school children present.
- The Hedgehogs Room: There was 1 staff member directly with the 7 pre-school children present.

The registered provider and deputy person were present in the service and provided assistance in the care rooms as required. There was one additional staff member present in the service who was engaged in 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 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.

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

BASIC NEEDS:

- Nappies were changed regularly and in a timely manner with pleasant interactions observed between children and staff. The children who were toilet trained were encouraged to be independent with

toileting. Discreet supervision was also provided by staff as required. Gentle handwashing reminders were also given to the children after toileting.

- Independence with feeding and routine was encouraged. For example; the children were encouraged to tidy up their own plates and utensils after dinner time. Assistance was given to the younger children who required feeding. Bibs were used on the younger children as required and hands and faces cleaned appropriately after the meals. Staff were observed to sit with the children at mealtimes and this time was used to encourage conversations between the children.
- In the Bunnies Room, individual child-led sleep needs were facilitated in the service as the staff were familiar with the children's sleep requirements. Documentary evidence was also available of communication with parents about a child's individual sleep needs.
- The children were observed to move freely in the care rooms and the children in all rooms had a change of environment into the outdoor areas throughout the day. All children were dressed appropriately to go outside.

Supporting Relationships

- The staff throughout the service were observed to interact with the children in a warm and supportive manner. Soft tones, positive and respectful language were observed in interactions between the children in all the rooms.
- Communication with parents was mainly at drop of and collection times. In the Bunnies Room daily written notes were completed detailing the children's basic care needs and messages from home e.g. sleep, food, wellbeing and toileting. Staff also reported that meetings with parents happen during the year to update them on the children's progress. Phone calls are also used to share information with parents. Scrap books were available in the care rooms and included handprints, photographs of activities and seasonal artwork.
- Transitions between activities were organised and swift e.g. when dinner was brought into the Bunnies room one staff member "will we finish our game now and tidy up....good job....Well done". In the Owls Room relaxation of placing head on hands on the table when getting ready for dinner was also used.

(3) Soft tones and positive language were observed in interactions between the children and staff. Minor behavioural issues were addressed and not allowed to escalate. The staff were supportive and responsive in promoting positive behaviours e.g. "hands on ourselves please" and supported the children to find positive

solutions when they experienced challenge in sharing toys and equipment e.g. redirection to another toy or additional equipment to support play.

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-

(a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child 19 to play indoors and, where required by these Regulations, outdoors, during the day, and

(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, or

(b) Where no such space is provided, the pre-school children attending the service have access on a daily basis to a suitable outdoor space.

Compliance Information

(1)(b) There were soft comfortable areas in the rooms which consisted of mats, and cushions where a child could sit and relax on or take a break from an activity.

There was a sleep room off The Bunnies Room where there were 5 standard cots available for the children aged under 2 years of age to sleep on. Day beds were also available for those children aged over 2 to rest on but these were not observed in use during the inspection.

(3)(a) There was an outdoor area to the rear and side of the premises.

There was a large safety surfaced area to the rear of the premises. A variety of toys and equipment was available including; a selection of ride on cars, balance bikes, scooters, tractor, rockers and plastic caterpillar tunnel. There was also a covered area called the “learning nook” that had tables benches and a blackboard and tyres. A grass area which was fenced and had sand pit and there was a large wooden boat, a roofed bench and table, a shed for toys and a smaller area which was concreted and tarmacked. A separate area was also located directly off The

Bunnies Room which was accessed by the children attending this room. The room door was left open and the children were provided with a choice to freely move between the 2 areas. The outdoor area had a safety surface and concrete ramp and a variety of play toys and equipment was available including; dolls, buggies, play houses, an age appropriate climbing frame and a train tunnel for climbing through.

Non-Compliance Information

(1)(b)

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

1. Three out of five mattresses did not have the required safety labels attached to confirm that the mattresses observed in use met the required safety standard. This is a recurring non-compliance from the last inspection and is also at variance with the corrective and preventative actions previously submitted in response to the non-compliance which stated “equipment, both indoors and outdoors, will be examined regularly to ensure there are adequate supplies and that they are in good working order. New cot mattresses have been purchased. Staff have been instructed not to cut off safety labels”.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. Three new cots and mattresses have been purchased. All cots in the sleep room are now of the same model and size. See photo attached. A Sleep Room daily check list has been implemented and staff trained in its use.

The designated person in charge will carry out checks, unannounced, to ensure standards are maintained.

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-compliance. Based on this information the non-compliance under Regulation 20 has been addressed. Implementation and sustainment of the corrective and preventative actions will be assessed 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.

Non-Compliance Information

The registered provider did not ensure that all reasonable measures were taken to safeguard the health, safety and welfare of a preschool child in relation to the following:

General Safety:

1. Garda vetting was available for 15 staff members and 1 outside contractor. 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'

Infection Control:

2. There was no hot water in the Hedgehogs room throughout the inspection.
3. There were ineffective hand washing practices observed in The Bunnies Room as the children's hands were not washed prior to lunch time.
4. In the Bunnies Room the 'swing bin' observed in use for the disposal of nappies was inadequate as it did not meet the best practice guidelines of the requirement to have a sealable/ airtight container for the disposal of nappies.
5. The nappy changing mat in use in The Bunnies room was cracked and had the foam exposed. This does not allow for effective cleaning and is an infection control risk.
6. A cloth hand towel was in use in the sanitary accommodation of the Hedgehogs room to dry hands, this is a cross contamination and infection control risk.
7. Inadequate environmental hygiene practices were observed. In the Bunnies room the tables were not wiped down prior to lunch time, following tabletop activities and prior to lunch being served.

Corrective & Preventive Action submitted by the Registered Provider

Corrective & Preventive Actions

1. Garda re vetting has been applied for the 1 outside contractor whose vetting disclosure was not dated within the time frame of 3 years. Staff files and Garda Vetting renewal dates will be reviewed regularly to ensure up to date documents are held on file.

2. Hot water is available in the Hedgehog rooms by turning on the immersion in the room. All staff have been instructed in how to ensure there is hot water available in the Hedgehogs room. This will also be checked by the designated person in charge.
- 3-7 All staff have been instructed to follow the cleanliness and hygiene procedures within our setting including hand washing policy, nappy changing procedure and Cleanliness and Hygiene policy. Copies of these policies and others are available in our Infection Control Manual.
4. A new foot operated bin has been purchased for the Bunnies room. All staff will regularly check the equipment in rooms to ensure they are up to standard. Any defects or ineffective equipment will be reported to the designated person in charge and be removed and/ or replaced.
5. The changing mat in the Bunnies room has been replaced. There is an additional new mat in storage for future use. See receipt for new mats attached. All staff will regularly check the equipment in rooms to ensure they are up to standard. Any defects or ineffective equipment will be reported to the designated person in charge and be removed and/ or replaced.
6. Disposable blue hand roll tissue is in stock in the setting at all times and available for use. Regular stock checking of cleaning and hygiene supplies will be completed by the designated person in charge and ancillary staff. The designated person in charge will ensure that each room is adequately supplied with hygiene materials each day.

Supporting documentation submitted

- Documentary evidence of updated Garda Vetting disclosure.
- Photographic evidence.

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) On review of the staff files, and staff rosters, First Aid Responder (FAR) certificates were available for 5 staff. This ensured that, there was a person trained with FAR available to the children at all times.
- (2) (a & b) There were first aid boxes available in the service which were adequately stocked and available to the children 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 fire fighting equipment and smoke alarms in the premises.
- (4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.

Compliance Information

- (1)(a) A record was maintained of the monthly fire drills which had been completed in the service. The last recorded on 16/05/24.
- (b) A record was kept of the number, type and maintenance of the fire-fighting equipment and smoke alarms in the premises dated the 01/24 and 06/02/2024 respectively.
- (4) Notices of the procedures to be followed in the event of a fire were conspicuously displayed in the premises