

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015LH058
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<b>Name of Service:</b>	Little Rascals
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<b>Address of Service:</b>	Main Rd, Tullyallen, Drogheda, Co. Louth
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<b>Eircode:</b>	A92 K4VC
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<b>Name of Registered Provider:</b>	Marie Russell
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date(s) of Inspection:</b>	24/04/2024
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<b>Date 2 of Inspection:</b>	25/04/2024
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<b>No of pre-school children:</b>	AM	66	PM	51
<b>Day 2</b>	AM	69	PM	-

<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate Child Wellbeing Centre, Castleblayney Co. Monaghan
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<b>Inspection undertaken by:</b>	M. Flood
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<b>Title:</b>	Early Years Inspector
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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).

<b>Conditions if applicable</b>	Not Applicable
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### Description of service

Little Rascals is a privately run early years' service located in the village of Tullyallen, Co Louth. It is registered to provide full day, part time and sessional pre-school care and education to children aged from 0 to 6 years. The service is operated from a purpose built 2 storeys building from 07:30 am to 6:30 pm Monday to Friday. There are 4 care rooms in the service namely the Baby room, Toddler room and Preschool room 1 which are all located on the ground floor. Preschool Room 2 and a 5<sup>th</sup> room which is used for the storage of play equipment are located on the 1st floor. There is 1 sleep room off the Baby Room and ancillary accommodation consists of sanitary areas, 2 kitchen areas, storage space and a staff room and an office. The service has a large outdoor area located to the rear and side of the building.

### Staffing

There were 26 staff employed in the service. Eighteen staff including the registered provider were employed to work directly with the preschool children, 2 staff were employed for the school aged service, 3 staff were employed in administrative duties, 1 staff member was employed as the cook and 2 staff were employed for housekeeping duties. Two students were also present in a supernumerary capacity

### 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/ premises and facilities*. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11,20, 22, 23,26 and 28; however, on inspection additional non-compliances which posed a risk was identified under Regulation 19. These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance, and as a result, the scope of the inspection included The Baby and Toddler 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.

## Acknowledgments

The inspector would like to acknowledge the cooperation of the registered provider, person in charge, staff and children who were present on the days 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.

(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. On day 1 of the inspection the deputy person in charge was on the premises when the inspector arrived unannounced to the service and the designated person in charge arrived on the premises at 11:20am. The person in charge was present for the remainder of the inspection.

(2) Twenty-eight staff files were reviewed which included the registered provider, 18 childcare staff, 5 ancillary staff engaged in administration, cleaning, and catering duties and 2 staff for the school aged service. Two students were also present in the service in a supernumerary capacity.

(a)& (b) There were 2 written and validated references available for 26 members of staff and 2 students.

(c) Documentary evidence of a processed Garda vetting disclosure was available for each member of staff and students in the service including the registered provider. The service was in compliance with the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years.

(d) International police vetting was available for the 3 members of staff who had resided outside the Irish jurisdiction for a period of 6 months or more as an adult.

(4) Documentary evidence was available to confirm that all 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 was an adequate number of adults working directly with the children attending the pre-school children.

(2) On the days of inspection there were 4 preschool rooms in operation namely the Baby Room, Toddler Room and Preschool Rooms 1 and 2.

The following adult to child ratios were observed when the Inspector arrived unannounced to the service;

### **On day 1 of Inspection 24/04/2024**

- In the Baby room there were 9 children aged 13 months-2 years being cared for by 3 staff.
- In the Toddler room there were 16 children aged 2 – 3 years being cared for by 3 staff. One student was also present in a supernumerary capacity.
- In Preschool room 1 there were 21 children aged 3 to 5 years being cared for by 3 staff.
- In Preschool room 2 there were 20 Preschool children aged 3 years to 5 years, being cared for by 3 staff.

The deputy person in charge was present in the service and the designated person arrived on the premises at 11:20am. The registered provider arrived to the service for a short period of time during the inspection. Four additional adults were also present and were engaged in catering, housekeeping, and administrative duties.

### **On day 2 of Inspection 25/04/2024 the following adult: child ratios were observed:**

- In the Baby room there were 8 children aged 17 months to 2 years being cared for by 2 staff.
- In the Toddler room there were 18 children aged 2 -3 years being cared for by 4 staff. One student was also present in a supernumerary capacity.
- In Preschool room 1 there were 22 children aged 3 to 5 years being cared for by 3 staff.
- In Preschool room 2 there were 21 Preschool children aged 4 years to 5 years being cared for by 2 staff.

The designated person in charge was present in the service when the inspector arrived. Three additional adults were also present and were engaged in catering, housekeeping and administrative duties.

(8)(a) Following a review of the available documentation e.g., staff rotas and children’s attendance records the 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.

### Non-Compliance Information

In the Toddler Room the inspector observed staff attempting to wake up 2 children who were asleep on floor mats. The children were displaying obvious signs that they wanted to continue to sleep for example lying back down on the mat and going back to sleep. When questioned the staff member stated to the inspector that "that the parents request it". No documentary evidence of a child led sleep care plan or consultation with parents on the children's individual sleep needs was available for inspection.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

The service has notified parents that we are no longer allowed to facilitate children being woken early without written request signed by the parent.

Written permission will be sought from any parent requesting children to be woken early and kept on the child's file.

### 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 19 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-

(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.

#### 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 available off the Baby Room and contained 4 standard cots. Two additional standard cots were also set up in the main baby room at sleep time. One child under 2 years of age was also accommodated on a suitable cot bed. A number of floor mats suitable for children over 2 years of age were provided in the Baby Room.
- The Toddler Room was also converted to a sleep area at the allocated sleep time in the service at approximately 12:10pm. Suitable floor mats were available for all children over 2 years of age who required sleep. Children who did not require sleep were facilitated to play in the outdoor areas.

(3)(a) A large spacious outdoor area was available on the premises and is subdivided into a variety of areas of interest:

**Area 1:** was a partially covered area to the side of the premises. This area was specifically arranged for sand play. It included a number of sand trays and a variety of toys to support sand play. Additional equipment included a play kitchen, a mud kitchen with real world equipment to support play and a table and chairs. Wall mounted chalk boards were also available.

**Area 2:** was an enclosed area directly off the Toddler Room and was accessed by all the children attending this room. The area had a mixed surface including tarmac and safety surface. A variety of play equipment was available

in the area including a climbing tunnel, ride on pieces such as trikes and cars, wall mounted chalk boards, sand and water trays, large blocks and picnic tables.

**Area 3:** was an enclosed area directly off the Baby Room and was accessed by all the children attending this room. The area had a partially covered area for use in all types of weather had a mixed surface including safety surface and concrete. A variety of play equipment was available including an age-appropriate slide, plastic playhouse, and ride on pieces such as trikes and cars.

**Area 4:** was directly off Preschool Room 1. This area had a variety of surfaces including a concrete path, tarmac and a partially covered area with an artificial grass surface. A variety of toys and equipment were available including balance blocks and pots, large interconnectors, chalk boards, wooden benches for seating, picnic tables, an art station, an age-appropriate slide and planted boxes. Playground games were also drawn out on the ground e.g. hopscotch.

### Non-Compliance Information

(1)(b) There were instances where sleep facilities were found to be inadequate for example, in the sleep room off the Baby Room one cot mattress was ill-fitting, and footholds were present, which is a potential safety hazard.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

The mattress in the cot has been replaced with a new mattress. Staff have been retrained on safe sleep practices (how to identify a foot hold) and they carry out daily risk checks to ensure there are no foot hold in each cot.

#### Supporting documentation submitted

Photographic evidence

### 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.

## 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 as was evident by the dinner and snacks provided by the resident catering staff in the service. Breakfast and the morning and afternoon snacks consisted of breakfast cereals, a selection of fresh fruit and fresh fruit milkshakes and smoothies. Homemade fruit soda bread was also available as an additional snack. Dinner provided on the 1<sup>st</sup> day of inspection was observed to consist of turkey and ham pie with potatoes and vegetables. On day 2 dinner consisted of fish with tomato and mozzarella sauce served with rice. Evening tea consisted of spaghetti carbonara and on the day 2 was reported to consist of potato cubes with ham and cheese.

Meal consistency and texture were appropriate to the age and stage of development of the children in the various rooms. Potable drinking water was available for the children to access as required in all rooms. Staff assisted children as necessary with their dinner in the Baby and Toddler Rooms and independence with feeding was promoted where appropriate in the other care rooms.

## 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.
- The designated emergency exit doors and hallways were clear and unobstructed.
- Documentary evidence of daily risk assessments was evident in the service.
- Sharp edges on the storage and shelving units were protected in the Baby and Toddler Rooms.

- Age-appropriate highchairs with safety harness were observed in use
- Cleaning equipment was stored out of reach of the children.
- The kitchen area was inaccessible to the preschool children.

### Infection Control:

- Pedal operated bins were in use in the service. Nappies were observed being appropriately disposed in a lined, lidded and pedal operated bin.
- There was a constant supply of warm water, liquid hand-soap and single use paper towels in the service to support hand washing practices.
- Effective nappy changing procedures were observed and were in accordance with best practice guidelines.

### Administration of Medication:

- While no medication was observed being administered on the days of inspection, documentary evidence was available of completed forms. The staff when questioned were familiar with the procedure required for the administration of medication and in accordance with the services policy.

### Safe Sleep:

- Physical safe sleep observations were observed being carried out and documented for the children asleep in the Baby and Toddler rooms.

### 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. Visibility strips were not present on the glass patio doors in the Baby and Toddler Rooms. This is a safety risk.

#### Infection Control:

2. In the Toddler Room, when questioned, the staff reported that a chlorine-based cleaning product and cold water was being used to clean soothers, mouthed toys and some equipment. This is at variance with best practice guidelines. In addition, the services cleaning routines policy incorrectly details that hot water and a chlorine-based product is used to clean mouthed toys.
3. The pedal operated lidded bin in the sanitary area between the Baby and Toddler Rooms was broken and staff were observed to use their hands to lift the lid of the bin after handwashing. This is a cross infection risk.

#### Safe Sleep:

4. In the Baby Room during sleep time sleep observations were not always documented by the staff member carrying out the physical observation e.g. one staff member who was providing relief in the care room was observed to document the 10 minute physical sleep observations which was carried out by another staff member.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

1. Visibility tape has been applied to the windows in question. A check for the visibility tape is now part of our morning safety checks. Observation is also used and if noticed that there is a problem during the working day it is addressed.
2. All staff have been retrained to know that we first wash in hot soapy water and then sterilise using Milton/Sterilising product made using cold water as per product instructions. The typing error in the policy has been corrected to read as per these instructions. Staff have been retrained and the policy has been reissued. Manager/Person in charge is carrying out unannounced spot checks to ensure the practice is adhered to.
3. On the day of inspection, the bin lid was incorrectly fitted after the bin had been emptied. This was corrected on the day. All staff have been trained on how to assemble the bin properly. Manager/person in charge will carry out spot checks to ensure this practice is in place.
4. The paperwork is now completed by the person who performs the physical check and not the other staff member in the room. All staff have been informed that the person who performs the check is to complete the paperwork.

#### Supporting documentation submitted

- Photographic evidence of visibility strips in place on glass doors
- Documentary evidence of updated infection control policy.

#### 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 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 monthly fire drills which had been completed in the service. The last recorded fire drill took place on 03/2024.
- (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 15/11/2023 and the smoke alarms on 30/03/2024.
- (4) Notices of the procedures to be followed in the event of an emergency was displayed in the service.

## Part VI - Safety

### Regulation 28 - Insurance

*A registered provider shall ensure that the pre-school service is adequately insured.*

#### Compliance Information

Adequate insurance was in place for a maximum of 85 children attending the service on a full day care basis up until the 28/02/25.