

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015LH083		
Name of Service:	Scallywags Crèche		
Address of Service:	Boicetown, Togher, Drogheda, Co. Louth		
Eircode:	A92 H5WA		
Name of Registered Provider:	Michael Lynch		
Service type:	Full Day, Part Time, Sessional		
Date(s) of Inspection:	01/02/2024		
No of pre-school children:	AM	20	PM 16
Address of the Early Years Inspectorate:	Early Years Inspectorate Child Wellbeing Centre, Castleblayney Co. Monaghan		
Inspection undertaken by:	M.Flood & 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		

Description of service

Sallywags Crèche has been operating as a community-based childcare service since May 2004. The service provides sessional, part-time, and full day care and education to pre-school children aged 4 months to school-going age. The service operates from 08:00 -18:00 each weekday and caters for the care needs of a maximum of 78 pre-school children.

The service is conducted from a single-storey community centre located in a coastal setting in rural Co Louth. The service currently has three care rooms in operation namely: The Wobbler Room, The Toddler Room and The ECCE Room. A 4th room namely The Baby Room is currently used for sleep purposes only. Sanitary facilities, additional storage and a separate kitchen are also provided in the service. An enclosed outdoor play area is located to the side of the premises.

Staffing

There were 11 staff employed in the premises. Six staff were working directly with the children, 2 staff including the registered provider were employed in administrative duties, 1 staff member was employed as the cook and another as the caretaker. The remaining staff member was employed under a community employment scheme and was 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 9,11,19, and 26; however, on inspection additional non-compliances which posed a risk were identified under Regulations 16 and 23. These findings are outlined within the relevant regulations within this report.

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, service supervisor, 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,

(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. The service manager who is the deputy person in charge was on the premises when the inspectors arrived and was present throughout the inspection. The Registered Provider was present in the service temporarily during the inspection.

Eleven staff files were presented for inspection and the following were reviewed:

- (a) & (b) There were 2 written and validated references from a past employer or an alternative source, available for the registered provider and all other 10 staff members.
- (c) Documentary evidence of a processed Garda vetting disclosure was available for the registered provider and all other 10 staff members.

(d) Following a review of the staff files presented on the day of inspection, international police vetting was available for 2 staff members who required it.

(4) Documentary evidence was available to demonstrate that five of the six members of staff who work directly with the pre-school children held at least the minimum required level 5 Childcare Qualification. One of the members of staff employed in an administrative capacity also had a minimum Level 5 Childcare Qualification.

Non-Compliance Information

(2)(d) One of the staff members who had lived outside the Irish jurisdiction as an adult for a period of more than 6 months required a 2nd international police vetting, however this was not available for inspection.

(4) Documentary evidence of a minimum Level 5 childcare qualification or letter of equivalency was not available for inspection for 1 staff member working directing with the children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(d) The registered provider acknowledges that on the day of the inspection a second international police vetting was not available for a member of staff. This vetting has been obtained and put on file.

The Creche Supervisor will ensure that the appropriate international police vetting is obtained when necessary, for new staff in the future.

(4) It is acknowledged that on the day of the inspection that there were no childcare qualification details on file for a member of staff. The Creche supervisor will ensure that the qualification Certificates are available on file.

Supporting documentation submitted

Documentary evidence of international police vetting and also a letter from college, confirming attendance at a course for staff members have been submitted to the office of the early years' inspectorate.

Summary Comment

The registered provider submitted details of the corrective and preventative actions taken in the service to address the non-compliances together with photographic evidence. Following a review of this information, the corrective and preventative actions submitted were accepted.

However, the supporting evidence submitted was insufficient to determine that the corrective and preventative actions detailed adequately addressed the non-compliances, and further information was requested from the registered provider.

Further information was received via email on 20/03/2024.

However, this regulation remains non-compliant as:

- No evidence of the required international child protection certificate has been submitted in relation to Regulation 9 (2)(d) and
- Insufficient evidence has been submitted in relation to Regulation 9 (4), to determine that one staff member who was observed working directly with the preschool children has achieved the minimum required level 5 childcare qualification or 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 inspection there were an adequate number of adults working directly with the children attending the service.

(2) On the day of inspection when the inspectors arrived unannounced to the service at 11:10 there were three rooms in operation:

The Wobbler Room:

There were 9 preschool children aged 1-2 years present with 2 staff members.

The Toddler Room:

There were 3 preschool children aged 1-2 years present with 2 staff members, 1 of which was on a community employment scheme and working in a supernumerary capacity. The supervisor also provided additional assistance in this care room from time to time.

The ECCE Room: There were 8 preschool children aged 3-4 years attending this room with 2 staff members.

Three additional adults were present in the service at this time including, the service supervisor and 1 adult who was engaged in catering duties. A maintenance person was also present carrying out repairs. The Registered Provider arrived in the service temporarily during the inspection.

(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:

(i) details of staff rosters on a daily basis;

Non-Compliance Information

(i) Two staff members who were present on the day of the inspection were not detailed on the weekly staff roster.

Action submitted by the Registered Provider

Corrective & Preventive Action

(i) The registered provider has acknowledged that on the day of the inspection, two staff members were not detailed on the weekly roster. One staff member is a student who is not in the ratio. Subsequently, the roster has been updated to include both of these names.

Going forward, the Creche supervisor will ensure that the weekly roster contains all of the staffs names.

Supporting documentation submitted

Documentary evidence of updated roster submitted to the office of the early years inspectorate.

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 actions taken to address the non-compliance identified under Regulation 16 (i) are accepted.

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

There were 3 rooms in operation on the day of the inspection namely The Wobbler Room, The Toddler Room and the ECCE Room. The Baby Room is currently only used for sleep purposes.

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

BASIC NEEDS:

- Healthy eating was promoted in the service. Food and snacks were provided at regular intervals throughout the day. The dinner on the day of the inspection consisted of breaded chicken pieces, mashed potatoes, mixed vegetables, and gravy. Young children were encouraged to feed themselves and assistance was also provided if required. In all rooms the dinners were of a suitable consistency for the age and development of the children. A variety of snacks were also provided, and these consisted of toasted sandwiches, crackers with ham and cheese and a variety of fresh fruit. Potable drinking water was provided in the service.
- Independence with toileting was promoted for the children who were toilet trained and discreet supervision was also provided by staff as required. Children in the room were offered to go to the toilet on multiple occasions and were taken in from the outside as required to access the toilet.
- Nappies were changed regularly and in a timely manner with some positive interactions observed between the children and staff in the Wobbler and Toddler Rooms.

- Child led sleep needs were facilitated as and when required.
- All children from the care rooms had a change of environment to the outdoor play area and were dressed appropriately for going outside.

Supporting Relationships

- The staff in all rooms 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 for example “gentle hands” “... would you like some help?”.
- Parents were informally communicated with at drop off and collection times. The staff reported that most communication with parents is carried out through this method and phone calls are also used if required. In the Wobbler and Toddler Rooms, daily written information sheets are provided that details each child’s basic care needs and any additional comments/ information that may be required.

Physical and material environment

- Child sized furniture and equipment was in use in the ECCE and Toddler Rooms. There were adequate toys and equipment for the numbers attending the rooms.
- Toys and equipment were positioned on open low-level shelving in the ECCE and Toddler Rooms, which promoted independence and also facilitated choice for the children in the Rooms. While some of the equipment in the Wobbler Room was stored out of the children’s reach, the staff stated that toys and equipment are rotated on a regular basis and this was observed by the inspector during the inspection.

Programme of activities and its implementation

- The children attending the service were observed to engage in a variety of activities throughout the day.
- There was evidence of the children’s artwork on display throughout the service for example “the Art Gallery”, “Traffic lights” “transport art” and a large cardboard model of a fire engine in which the children could sit into which supported the theme of “Community Helpers”. “Under the sea” was the theme on display in the Toddler Room with a variety of the children’s pictures displayed for example “handprint fish”, “crab handprints”, “starfish” and “our arctic animals”.
- A learning board was on display in the ECCE Room , that indicated activities the children had partaken in and scrap books of artwork and observations were available throughout the service.
- The daily routine and monthly themes were on display in the care rooms and in general the activities were reflective of the planned curriculum.

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 is not assured that adequate steps have been taken to ensure the health, safety and welfare of the pre-school children attending the service based on the following observations made during the inspection:

Safe Sleep:

1. The safe sleep record did not include a signature of the staff member carrying out the 10-minute physical safe sleep observation.

General Safety:

2. The CD player was sitting on the windowsill unsecured and with a trailing lead and therefore accessible to the children. This is a potential impact hazard. This is a recurrent non-compliance from the previous inspection as is at variance with the registered providers previous response which stated "Upon further inspection, the CD Player was no longer in working order, and has been removed from the ECCE Room completely. A new battery powered Bluetooth music device has been added to the ECCE Room.
3. The maintenance records for the smoke alarm system on display was dated 2022 which is outside the recommended yearly timeframe.
4. The fire drill record indicated that fire drills were not being carried out on the recommended monthly basis the last being recorded as 09/23. This was also confirmed by the staff present.
5. Seven out of the nine children (aged 1 year) attending the Wobbler Room were observed seated at tables and chairs which were not the correct size for the age and stage of development. As a result, the children's feet did not touch the ground when they were seated. This does not promote comfort or good posture and is a potential safety risk.

This is a recurring non-compliance from the previous inspection and at variance to the registered provider's response to the non-compliance which stated that "The Wobbler Room will use low sitting highchairs for the smaller children, and smaller chairs have also been purchased. The registered provider is currently looking into ordering lower tables for the long term but is currently using smaller plastic tables. New equipment has been ordered and purchased, facilitate the children in the Wobbler Room."

Action submitted by the Registered Provider

Corrective & Preventive Action

Safe Sleep

1. The Registered Provider has acknowledged that on the day of the inspection, that staff members did not sign each of the ten- minute check records. Staff have received a memo containing information about the importance of signing their initials on the sleep records.

Staff members have been informed of the importance of signing their initials on the sleep charts.

Management will observe and ensure that this is corrected going forward.

General Safety

2. It is also acknowledged that on the day of the inspection there was a cd player placed on the window sill in the ECCE Room. The cable ran down the wall but was placed behind an arts and crafts table where the children could not gain access to it. This cable will now be covered and secured to the wall.

3. On the day of the inspection, the maintenance record for the smoke alarm system was not available to the inspectors. The maintenance record has now been updated and validated in a letter from an electrician.

The documentation from the electrician has been filed in the Safety and Fire folder and the supervisor will ensure that this is updated and displayed.

4. The registered provider acknowledges that on the day of the inspection , the fire drill was not up to date. The Service has conducted another fire drill since then which has been dated and documented.

The General Manager of the Creche will from now on take responsibility of ensuring that there are monthly fire drills.

4. It is acknowledged on the day of the inspection that the chairs used in our Wobbler room were not satisfactory. The original heights of the chairs have been lowered to ensure that the children's feet are touching the floor.

Supporting documentation submitted

Documentary evidence of maintenance of the smoke alarm and roster submitted.

Documented risk assessment for ECCE Room.

Memo to staff regarding documentation of safe sleep observations.

Photographic evidence of new chair height submitted to the office of the early years' inspectorate.

Summary Comment

Based on the information submitted the non-compliances have now been addressed. Implementation of the corrective and preventative actions will require assessment 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 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 all fire drills which had been completed in the service. The last recorded on 09/23.
- (b) A record was kept of the number, type and maintenance of the fire-fighting equipment and smoke alarms in the premises dated the 09/23 and 2022 respectively.
- (4) Notices of the procedures to be followed in the event of a fire were conspicuously displayed in the premises