

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015LK029		
Name of Service:	Busy Kids Creche		
Address of Service:	Ballycummin Village, Raheen, Co. Limerick		
Eircode:	V94PX06		
Name of Registered Provider:	James Moore		
Service type:	Full Day		
Date(s) of Inspection:	26/10/2023		
No of pre-school children:	AM	60	PM 52
Address of the Early Years Inspectorate:	Tusla Early Years Inspectorate Office, Estuary House, Henry Street, Limerick		
Inspection undertaken by:	M Riordan, E Browne.		
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
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Description of service

Busy Kids is a private full day, childcare service located in an urban area on the outskirts of Limerick city. It offers a service for children of all ages from 0 to 6 years. A facility for school age children is offered each afternoon.

The premises has 6 preschool rooms and an afterschool room. Also located on the ground floor is a manager's office, a kitchen/dining room, sanitary accommodation, and nappy changing areas. There is a sleep room located next to the Wobbler room.

There is a large, well-resourced outdoor play area located at the rear of the service. The area is sub divided by low level dividers into 3 smaller spaces to accommodate the different age groups. A sheltered area outside is also available to ensure children can get outside in all weather conditions.

Staffing

The registered provider has appointed a co-ordinator, a manager, and a deputy manager to oversee all day-to-day activity in the service. All staff have achieved a major award in Early Childhood Care and Education, or a qualification deemed to be equivalent and comparable to the award.

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 inspections may also focus on other areas as required.

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

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

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

Additional Information

This inspection was triggered by information received by the inspectorate.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the person in charge, staff and children who were present on the day of the inspection.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

- (a) the service has a designated person in charge and a named person who is able to deputise as required,*
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and*
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.*

(2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,
- (b) consideration of references from reputable sources in the case of a person who has no past employers,
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and
- (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.
- (3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.
- (4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.
- (7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:
- (a) the policies, procedures and statements of the service specified in Schedule 5;
 - (b) Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act, and
 - (c) these Regulations.

Compliance Information

- (1)(a) A designated person in charge of operating the service was present on the day of the inspection. There was a named person available who was able to deputise if required. An area co-ordinator was also available on the day of the inspection.
- (b) During the period of the inspection, the designated person in charge was present and the staff roster indicated that this person or their deputy were always available on the premises.
- (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 member of the management team.

- (2)(a) Two written and validated references were available for all new staff members employed to work at the service since the service was previously inspected in July 2023.
- (b) References were submitted by staff from either their past employers or from other reputable sources.
- (c) Garda vetting disclosures received from the National Vetting Bureau of An Garda Síochána were available for all new staff employed to work at the service since July 2023.
- (d) Police vetting was available for all staff members, employed since July 2023, who had resided outside of Ireland for longer than 6 consecutive months.
- (3) All vetting procedures were carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.
- (4) All adults working directly with children held an appropriate qualification in Early Childhood Care and Education or an equivalent such qualification.
- (7) All staff had induction training and were supervised on
- (a) the policies, procedures and statements of the service.
 - (b) Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act, and
 - (c) Childcare Act 1991 (Early Years Services Regulations 2016)

Part III – Management and Staff

Regulation 10 - Policies, procedures etc. of pre-school service

A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.

Compliance Information

All policies at the service were reviewed in 2023 and staff were updated on all changes to the policies.

The following policies were reviewed and were deemed to be detailed and comprehensive.

- Statement of Purpose and Function
- Complaints Policy
- Policy on Behaviour Management
- Policy on outdoor play
- Policy on the use of the Internet and Photographic and Recording Devices
- Staff training Policy

- Supervision Policy

A Policies Information Pack for parents is available with the main points on the services policies clearly outlined. A full range of the policies is available on request of parents.

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.

Compliance Information

(1) On the day of the inspection there were 60 pre-school children and 14 adults on the premises working directly with the children. The adult child ratio was correct overall in the facility.

There were 8 preschool children and 2 staff in the Wobbler Room

There were 8 preschool children and 2 staff in the Toddler Room

There were 8 preschool children and 3 staff in the Preschool Room 1

There were 14 preschool children and 3 staff in Preschool Room 2

There were 12 preschool children and 2 staff in Preschool Room 3

There were 10 preschool children and 2 staff in the Preschool Room 4

Relief staff were available to replace staff while taking meal breaks. A designated person was available to prepare, cook and serve food to all children attended the service.

Part IV – Information and Records

Regulation 15 – Record of pre-school child

(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:

- (a) the name and date of birth of the child;*
- (b) the date on which the child first attended the service;*
- (c) the date on which the child ceased to attend the service;*
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
- (e) authorisation for the collection of the child;*
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
- (g) the name and telephone number of the child's registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.*

Compliance Information

(1) A sample of 14 children's registration forms were reviewed with samples selected from all rooms of the service. There was a record in writing containing the following particulars for each of these children.

- (a) The name and date of birth of the child.
- (b) The date on which the child first attended the service.
- (c) Provision to record the date on which the child ceased to attend the service.
- (d) The name and address of a parent or guardian of the child and a telephone number where that parent or guardian of the child can be contacted during the hours of operation of the service.
- (e) Authorisation for the collection of the child.
- (f) Details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention. Details of the child's likes and dislikes were also recorded.

- (g) The name and telephone number of the child's registered medical practitioner where the family has registered with a general practice.
- (h) Record of each child's immunisation.
- (i) Written parental consent for appropriate medical treatment of the child in the event of an emergency.

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:

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;*
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;*
- (c) details of the adult:child ratios in the service;*
- (d) the type of care or programme provided in the service;*
- (e) the facilities available;*
- (f) the opening hours and fees;*
- (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 registered providers ensured that a record in writing was kept of the following information in relation to the service. This information was shared with all parents in the services.
- (a) The name, position, qualifications and experience of the persons in charge. A staff identity wall with photos and details of each staff member was displayed at the entrance door of the service.
 - (b) Details of the type of service in operation and the age profile of children for which the facility is registered to provide services.
 - (c) Details of the adult/child ratios in the service.
 - (d) The type of care programme provided in the service.
 - (e) The facilities available.
 - (f) The opening hours and fees.
 - (g) A record in writing was maintained of policies and procedures required in accordance with Regulation 10 and were found to be comprehensive and detailed.
 - (h) Details of attendance by each pre-school child daily. This was recorded manually and electronically.
 - (i) Staff rosters were maintained on a daily basis and available for inspection. These correlated with the numbers that were present on the day of inspection.
 - (j) The service had a medication administration record template available that could be used in the event of a child requiring medication to be administered at the service.
 - (k) Details of any accident, injury or incident involving a pre-school child attending the service. These reports were viewed and were deemed to be detailed and comprehensive.

Part V - Care of Child in Pre-school Service

Regulation 19 - Health, Welfare and development of child

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

Compliance Information

(1)(a) **BASIC NEEDS:**

Healthy eating was promoted within the service. Nutritious hot meals and snacks were prepared fresh each day and were served at regular intervals to the children in their individual rooms and in the dining room. On the day of the inspection a beef hotpot and mashed potatoes were offered for dinner. A vegetarian option was available if required.

Sanitary accommodation was located close to each room in the service. Nappy changing facilities were provided near the Baby/Wobbler and Toddler rooms. Easily accessible, waist high, changing units were available. Steps for older children to access the units were provided. All toiletries for the children were safely stored and clearly labelled and were located within easy reach of the staff when changing the children's nappies. Nappy changing policies were clearly displayed on the wall and all practises observed were in line with the procedures in the policy. Sanitary accommodation for the older children was located next to each of the pre-school rooms.

Each room had a supply of tissues and wipes within easy reach of the children. Lidded bins were accessible for the safe disposal of waste.

There was a separate sleep room available with a sufficient number of standard cots accessible at all times to the children in the Baby/Wobbler room. Low level sleep beds were used for sleep for children over 2 years. Children were closely observed during all sleep periods and all sleep checks were recorded.

Relaxation areas were provided in all rooms of the service with comfortable seating, soft floor mats, blankets and cushions accessible. These rest areas provided cosy spaces for children to relax and take time out and away from active play areas when tired. Staff throughout the service encouraged quiet periods during the day to facilitate each child's need for comfort, rest and relaxation. Main room lights were switched off for periods each day and soft fairy lights helped create a relaxed atmosphere in the service.

The children had regular change of environment. They spend long periods of time outdoors. Younger children had exclusive access to their own space for safe outdoor play time.

PHYSICAL AND MATERIAL ENVIRONMENT:

The service operated from a purposely designed building. Throughout each room of the service the physical layout was designed to be stimulating, challenging and interesting for children.

Each room in the service was planned to meet the developmental needs of the age group in the room. The rooms accommodating the younger children had lots of soft floor coverings to facilitate floor play and activities. Low level wash hand basins facilitated regular handwashing for the children.

Low level tables and chairs were used for tabletop activities and for dining at mealtimes. Low-level open shelving was used to store and display all equipment. Family pictures were displayed at children’s eye level. Small world spaces, construction areas, home corners, imaginative play areas and messy play areas were noted in all rooms. Each group had access to their own outdoor play spaces and weather permitting children had uninhibited access to this area of the service throughout the day. The outdoor areas provided space and opportunities for children to run, jump, climb steps, balance, play ball games and use ride on toys. A large, sheltered area was provided outside for children to use in all weather conditions.

(1)(b) Where children attending the service had any specific or additional needs, detailed care plans were developed. Where regulation for children was difficult, behaviour guidance plans were created. These were developed in conjunction with, and after consultation with the parents and guardians of the children. Advice from any outside agency or professional involved with the child were also taken into consideration.

Non-Compliance Information

(1)(a) BASIC NEEDS:

1. At mealtimes it was observed children between the age of 2 and 3 years from the Toddler room were served food on disposable paper plates with disposable cutlery. Drinks were served in plastic cups. Appropriate crockery and cutlery should be used at all mealtimes in the service.

PHYSICAL AND MATERIAL ENVIRONMENT:

2. The tables and chairs in the dining room were too high for the Toddlers using them at dinner time and it was observed the children’s feet did not reach the floor when sitting at the tables. More appropriate lower-level furniture was needed in this area of the service to accommodate the younger children.

3. There was no sensory or open-ended play materials such as sand and water in the outdoor spaces for the children’s imaginative and sensory play. The mud kitchen and the associated play props were inaccessible as the area was closed pending a deep clean of the space.

4. The Dinosaur and fairy garden area at the rear of the outdoors was inaccessible at the time of the inspection as this area was closed pending a deep clean.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. Disposable paper plates and cutlery are no longer used at the service. Appropriate hard plastic plates and cutlery are now used by the toddlers at mealtimes.
2. Adjustable height tables are now in use in the dining area to ensure that all age groups can sit comfortably when dining at mealtimes.

3. Outdoor sensory tables have been added to the outdoor play area. These provide the children with sensory play opportunities both inside and outside.
4. Power hosing of all areas outside was scheduled to take place on the 2nd of December 2023.

Supporting documentation submitted

The corrective and preventative action plan adequately outlined the details of all works completed since the inspection.

Summary Comment

The inspector has reviewed the actions as submitted. The noncompliance identified under Regulation 19 has been adequately addressed.

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) There were staff available at the service at all times who had an up-to-date certificate in first aid.

(2)(a) A first aid box was observed to be wall mounted in each room of the service. A person was assigned responsibility to check and restock the contents of these boxes on a regular basis.

(b) The first aid box was always available to the staff when needed.

Part VI - Safety

Regulation 27 – Supervision

A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Compliance Information

Each child attending the service was under the supervision of a qualified staff member on the day of the inspection. Children were supervised primarily by sight except for short periods by sound, when for example children were using the toilet independently.

Quiet areas used by the children as rest spaces were designed with visibility in mind that allows constant adult supervision in an unobtrusive way. Equipment in all rooms was arranged to ensure effective supervision while respecting children’s opportunities to be alone and have space.

In the outdoor areas staff moved around all areas to ensure effective supervision. Where risks outside were higher extra staff supervision was in place.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The registered provider had a current insurance certificate which outlined that adequate insurance was available for 98 preschool children to attend the full day care service. The insurance cover commenced on the 28th of March 2023 and expired on the 27th of March 2024.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-

- (a) of sound and stable structure,*
- (b) safe and secure,*
- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*

Compliance Information

- (a) The building appeared to be of sound and stable structure both internally and externally.
- (b) The building appeared safe and secured. A buzzer system on the entrance door ensured all who entered the building were checked in by an authorised person in the manager's office. Outdoors the play areas were surrounded by high walls and gates where no unauthorised access to or exit from the area was allowed.
- (c) Air conditioning units in all rooms ensured the rooms were adequately heated and ventilated. All areas were well lit by natural light and by artificial light when needed.

Non-Compliance Information

- (d)
 1. Outside in the outdoor play areas the rubber matting covering much of the ground surface was muddy. The playhouses and the climbing equipment were dirty and slippery and needed to be cleaned to prevent children sliding on dirty surfaces.
 2. Indoors the floor covering in many areas throughout the premises was marked and stained, in particular around the building corridors, wall corners and door edges.
 3. In Preschool Room 2 some of the shelving needed resanding and repainting with the surfaces worn in many places.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (d) 1. All areas outside were power hosed to ensure all climbing surfaces were clean and free from slipping hazards. More regular cleaning of all outside areas was scheduled.
- 2. All floor areas were deep cleaned, and marks and stains were removed from the floor covering. Routine cleaning schedules were revised with a focus on high-traffic zones and vulnerable spots prone to staining.
- 3. New shelving units were fitted in the upstairs rooms where required.

Supporting documentation submitted

The corrective and preventative action plan outlined the details of all works completed since the inspection.

Summary Comment

The inspector has reviewed the actions as submitted. The noncompliance identified under Regulation 29 Premises has been adequately addressed.

Part VIII - Notifications and Complaints

Regulation 32 – Complaints

- (1) A registered provider shall ensure that the complaints policy of the service specifies-
- (a) the procedure to be followed by a person for the purposes of making a complaint in relation to the service,
 - (b) the manner in which such a complaint shall be dealt with, and
 - (c) the procedures for keeping a person who makes such a complaint informed of the manner in which it is being dealt with.
- (2) A registered provider shall ensure that-
- (a) a record in writing is kept of a complaint made to the provider in respect of the pre-school service, and
 - (b) the complaint is duly dealt with in accordance with the provider's complaints policy.
- (3) A record in writing referred to in paragraph (2)(a) shall-
- (a) include the nature of the complaint and the manner in which the complaint was dealt with, and
 - (b) be open to inspection on the premises by an authorised person.

Compliance Information

- (1) The complaints policy of the service was reviewed and the policy stated the following:
- (a) The procedure to be followed by a person making a complaint in relation to the service.
 - (b) The manner in which a complaint is dealt with.
 - (c) The procedures for keeping a person who makes a complaint informed of how the complaint is dealt with.

- (2) In relation to a recent complaint the registered provider had kept the following
- (a) a record in writing of a complaint made.
 - (b) Records to demonstrate that the complaint was dealt with in accordance with the provider's complaints policy.
- (3) The records contained information that included
- (a) The nature of the complaint and the manner in which the complaint was dealt with, and
 - (b) This record was available for inspection.