

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015LK069
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<b>Name of Service:</b>	Family Tree Creche
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<b>Address of Service:</b>	Limerick Enterprise Development Partnership, Roxboro Road, Limerick, Co. Limerick
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<b>Eircode:</b>	V94 VK19
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<b>Name of Registered Provider:</b>	Niall O Callaghan
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<b>Service type:</b>	Full Day, Sessional
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<b>Date of Inspection:</b>	12/12/2023
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<b>No of pre-school children:</b>	AM	30	PM	27
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<b>Address of the Early Years Inspectorate:</b>	Tusla Early Years Inspectorate, 2 <sup>nd</sup> Floor, Estuary House, Henry Street, Limerick
<b>Inspection undertaken by:</b>	M Riordan
<b>Title:</b>	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).

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

The Family Tree Creche is a community childcare service located in the outskirts of Limerick City. It offers a service to children of all preschool ages. It is opened Monday to Friday, from 8.00am to 6.00pm. At the time of inspection there were 40 preschool children registered to attend the service. The service operates from a purposely designed single story building. The building includes a Baby room, a Wobbler/ Toddler room, a Junior Pre-school room, and a Senior Preschool room, a manager's office, a Kitchen and a staff area, sanitary accommodation, nappy changing areas and designated sleep rooms. There are well-resourced outdoor play areas located on the grounds of the service.

### Staffing

The registered provider has appointed a manager to oversee the operation of the service. An assistant manager is also available. There are 10 additional staff employed to work at the facility. There is a person employed to work in the kitchen to prepare and cook fresh meals each day. All staff have achieved a major award in Early Childhood Care and Education. All staff participate in continuous professional development with courses such as manual handling, first aid and child safeguarding offered on site.

### 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.

A sampling process was used to assess compliance under regulation 15 Record of a Preschool Child.

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 wishes to acknowledge the cooperation of the people 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) The deputy manager was present on the day of the inspection. The manager was present in the afternoon to attend the closing meeting.

(b) During the period of the inspection, the deputy manager was present, and the staff roster indicated that the manager or their deputy were always available on the premises.

(c) There is a clear management structure in place 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) All staff files were reviewed. There were two written and validated references available for all staff members employed to work at the service.

(b) References were submitted by staff from either their past employers or from other reputable sources such as previous schools and colleges.

(c) Garda vetting disclosures received from the National Vetting Bureau of An Garda Síochána were available for all staff working at the service.

(d) Police vetting was not required for any staff member as none of the staff 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.

(7) All staff had induction training and were briefed 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)

On taking up employment at the service each new staff member completed 1 week of induction training. New staff completed a 6-month probation period. Appraisals were then completed at 1 month, 3 months, 6 months, 9 months and an annual review was carried out at 12 months. All staff have supervision meetings with their manager at regular times throughout the year.

### 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.*

#### Compliance Information

(1) The manager at the service ensured that at all times there were an adequate number of adults working directly with the children at the pre-school service.

(2) On the day of the inspection there were 30 pre-school children and 8 adults on the premises working directly with the children. The adult child ratio was correct overall in the facility.

There were no preschool children in the Baby Room as all children were out sick.

There were 5 preschool children and 2 staff in the Wobbler/Toddler Room

There were 9 preschool children and 2 staff in the Junior Preschool Room

There were 16 preschool children and 3 staff in the Senior Preschool Room

There were 2 relief staff available to replace staff while taking meal breaks. A designated person was available to prepare, cook and serve food to all children attending 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 children’s registration forms from all rooms at the service were reviewed. 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.
- (g) The name and telephone number of the child’s registered medical practitioner.

(h) Record of each child's immunisation was completed on 10 of the 13 samples reviewed.

(i) Written parental consent for appropriate medical treatment of the child in the event of an emergency.

### Non-Compliance Information

(h) Record of each child's immunisation were not completed on 3 of the 13 samples reviewed.

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

#### Corrective and Preventive Action

(h) Parents have submitted all up to date immunisation records for each child.

#### Supporting documentation submitted

In the corrective action plan the service management stated that all records will be completed in full at the time a child is enrolled at the service.

### Summary Comment

The inspector has reviewed the actions as submitted. The noncompliance identified under Regulation 15 has been adequately addressed.

## 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 service 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 parent handbook.

- (a) The name, position, qualifications, and experience of the persons in charge. This was also displayed on the notice board in the reception area 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. Regular newsletters were issued to the parents to keep them updated with this information.*
- (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. These were reviewed in 2024.*
- (h) Details of attendance by each pre-school child daily with the time of arrival and departure of each child documented.*
- (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

#### Compliance Information

##### BASIC NEEDS

A healthy eating policy was available at the service. Nutritious hot meals were prepared fresh and were served to all rooms throughout the day. A menu plan was displayed on the main corridor of the premises. Breakfast was served to children on arrival if needed. A nutritious snack was served at 10am and parents provided preschool children with a healthy mid-morning break. Dinner was at 12md and afternoon snack at 3pm. Chicken stew and mashed potatoes were served on the day of the inspection. Extra portions were offered if needed. Babies had access to highchairs for dining. Older children sat at low level tables and chairs for meals. Mealtimes were observed to be unhurried and relaxed. Drinking water and cups were accessible to children in each of the rooms. Each child had easy access to their own cup, beaker and bottle and no sharing of crockery, cutlery or utensils were allowed.

Sanitary accommodation and nappy changing facilities were located next to each room. Staff were familiar with the procedure outlined in the nappy changing policy to ensure appropriate infection control practices. Children's toiletries were stored close to each changing unit and within easy reach of the staff. Staff washed their hands before and after each nappy change, gloves and aprons were used for each change and all were removed when the nappy was changed. Each child had access to a change of clothes if needed. All rooms had a supply of tissues and wipes and foot pedal operated, lidded bins were accessible for the safe disposal of waste.

Separate sleep rooms with standard cots were located next to the Baby room and the Wobbler/Toddler room. Older children slept on low level beds in a designated sleep room. All children were monitored closely while sleeping. All checks were documented. Where children shared usage of a cot, fresh linen was used for each child. Children were closely monitored while sleeping and all checks were documented.

The staff interacted with the children in a caring and respectful manner. Staff were observed conversing with the children at their level, using a soft tone of voice and staff responded promptly to their cues for assistance. The staff demonstrated a good knowledge of the children's personal interests and capabilities.

### PHYSICAL AND MATERIAL ENVIRONMENT:

Room layout and designs were arranged to ensure the opportunity for different types of play and learning were available and accessible in all areas of the service. The atmosphere in each room was unhurried and encouraging and children in each room appeared content and all were actively engaged in numerous activities.

There were clearly defined, well developed interest areas in all rooms with age-appropriate resources available to children depending on their age and stage of development. The Baby room was laid out with lots of uncluttered, clear floor spaces for the children to play safely and lots of soft floor matting facilitated many floor-based activities. Adult seating in the room facilitated staff to sit and hold the children throughout the day. Family pictures were located low on the windows to facilitate children having a clear view of each picture.

The Wobbler/Toddler room had clearly defined interest areas, offering ample space for different types of play experiences and activities e.g. Library/book areas, home corner and kitchen areas, low level tables and chairs and construction play areas. A rest area was created with a large soft mattress on the ground covered by a canopy overhead. A large ball pool was accessible in the room. Lots of children's artwork for Christmas was displayed on the walls of the room.

The Junior and Senior Preschool rooms were large, spacious, and bright areas with low level open shelving available to display play equipment. Defined interest areas included library areas, construction areas, imaginative play areas with props for home corner, manipulative play areas and small world areas. Art and craft work for Christmas was displayed in both rooms. Children in the senior playroom were divided into 3 groups, each with their own key worker. Groups move between the rooms, the outdoors and an activity room with lots of opportunity for messy play activities.

Large outdoor areas were located around the perimeters of the building with lots of equipment and materials available to support children's play, movement, learning and exploration exclusive to the outside. Children could explore and experiment with nature in these areas with lots of spaces for digging and planting. A large timber ship located in the middle of the garden provided a space for imaginative play. Timber blocks were available to use as balance planks. Sand and water trays outside provide opportunity for messy play activities. Grassed and mulched ground surfaces provided safe areas for active play and sports.

## Non-Compliance Information

### BASIC NEEDS

1. The children in the Wobbler/ Toddler Room did not get outside on a daily basis. Time outdoors was weather dependent. It is acknowledged that work had commenced on the day of the inspection on all of the outside play spaces.

### PHYSICAL AND MATERIAL ENVIRONMENT:

2. There was no adult seating available in the Wobbler/ Toddler room. Staff were observed sitting unsupported on the ground holding children. An adult soft couch was required in this room.

3. Soft seating had been removed from the Senior Preschool room and had not been replaced. A rest relaxation area was required in this room for children who needed time away from active play areas.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

1. Upgrades to outside play areas have now been completed providing suitable facility for children to play outside daily.

2. Adult couches have been provided in the Wobbler/Toddler Room.

3. Soft seating has been re-installed in the Senior Pre-School Room.

### Supporting documentation submitted

Details of the above changes to the service were furnished in the corrective action plan

## Summary Comment

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

### 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

##### General Safety:

A health and safety check list was completed at regular intervals at the service. All external doors were appropriately secured to prevent children gaining unsupervised exit from the building and prevent unauthorised access to the building. The kitchen area was always inaccessible to the children.

All outdoor play areas were fenced securely, and all gates and doors were secured to prevent a preschool child gaining unsupervised access to a roadway or other source of danger and to prevent unauthorised access to the garden or external play areas.

##### Infection Control:

Infection control measures were in place in the service. Staff and children were observed washing their hands regularly throughout the day. Parents were given clear guidelines on when to keep children at home when they displayed signs and symptoms of infectious illnesses.

##### Administration of Medication:

All medicines were kept in their original containers and were stored safely next to the manager's office. Parents gave written consent for the administration of all medicines both prescribed and over the counter medication. All medicines were checked by 2 people and all medicines administered were documented in writing.

#### Non-Compliance Information

##### General Safety:

There was no restrictive opening or closing device on the door leading out to the playground in the Senior Preschool room. As children opened and closed this door throughout the day as they moved between the indoors and the outdoors, a restrictive device would prevent a child catching a finger should the heavy door close unexpectedly.

#### Action submitted by the Registered Provider

##### Corrective & Preventive Action

##### General Safety:

Restrictive devices to safeguard children's fingers are being replaced on all doors internal and external at the facility, as part of the Crèche refurbishment project.

## Supporting documentation submitted

### General Safety:

Details of the services refurbishment plan were outlined in the corrective action plan.

## Summary Comment

The inspector has reviewed the actions as submitted. The noncompliance identified under Regulation 23 has been adequately addressed.

## Part VI - Safety

### Regulation 24 - Checking in and out and record of attendance

*(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.*

*(3) A registered provider shall ensure that-*

*(a) no person other than-*

*(i) pre-school child attending the service,*

*(ii) a person dropping or collecting such a child,*

*(iii) an employee, or*

*(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and*

*(b) a daily record in writing is kept of the entry on the premises of any such person.*

## Compliance Information

(1) Each child was checked in by an adult on arrival to the service. At home time each child was checked out by an adult. The time of arrival and departure was documented in each room.

(3) No person other than a child attending the service, a person dropping or collecting a child, an employee or an unpaid worker could enter the premises without prior approval.

(b) All visitors were signed in and out, documenting their time of arrival and departure and the reason for their visit.

## 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 on duty at all times who had completed first aid responder training.

(2)(a) There was a well-stocked first aid box located on the premises.

(b) The first aid box was readily available and easily accessible if required.

## 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 39 preschool children to attend the service. The insurance cover commenced on the 1st of January 2023 and expired on the 31<sup>st</sup> of December 2023.