

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015LK135
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Name of Service:	Nursery Times
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Address of Service:	28 Mallow Street, Limerick, Co. Limerick
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Eircode:	V94 TF21
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Name of Registered Provider:	Sarah O'Doherty
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Service type:	Full Day
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Date of Inspection:	31/01/2025
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No of pre-school children:	AM	60	PM	52
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Tusla, Estuary House, Henry St, Limerick
Inspection undertaken by:	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

Description of service

Nursery Times is a private, full day childcare service located in Mallow Steet in Limerick city centre. It offers a service to children of all preschool ages. It is opened Monday to Friday from 7.00am to 7.00pm.

The service operates from an old-style Georgian building which was repurposed as a childcare service. It operates from 3 floor levels and the basement of the building. There is a Wobbler room and a Toddler room on the ground and first floor and 2 preschool rooms in the basement. There are two sleep rooms in operation to cater for the children under 2 years of age and for the older children who may require a sleep.

There are kitchen facilities, sanitary accommodations and manager offices in the building. There is an outdoor play area located to the rear of the building for the children.

A service for the school aged children is available each afternoon. A separate building behind the premises and one of the basement playrooms are used to accommodate the school aged children.

Staffing

The registered provider and the deputy manager work at the preschool service each day.

There are 20 staff employed to work at the pre-school service. Additional staff are available to work in the kitchen preparing snacks and meals, cleaning duties and caring for the school aged children

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.

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 registered providers, manager, 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.

(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) The registered provider was the designated person in charge and there was a named person who could deputise as required.
 - (b) The registered provider and the deputy were present in the service on the day of the inspection.
 - (c) There was a clear management structure in the service that identified the lines of authority and roles and responsibilities of each employee.
- (2) The staff files were viewed on the day and the following information was in place:

- (a) There were written, past employer's references available in respect of the adults working in the service, with recorded validations where required.
- (b) There were references available from sources other than past employers on file where required.
- (c) Garda vetting disclosures were available in respect of all the adults in the service. The vetting was dated within the last three years as per the regulatory notice, EYI-RN12.3 renewal of garda vetting, published by the inspectorate in September 2023 and effective from Jan 01/01/2024.
- (d) Police vetting was available for 3 of the 6 adults that had lived outside the jurisdiction.
- (4) The adults working directly with the children in the service all held an award in Early Childhood Care & Education ranging from Level 5 to 8.

Non-Compliance Information

(2)(d) Police vetting was not available for 3 adults that had lived outside the jurisdiction for 6 months or more.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action: The registered provider has said in the CAPA document that:

(2)(d)

Police Vetting has been received for 1 of the 3 staff members who had no police vetting on file.

The other two staff members have applied for their police vetting and the service will inform the inspectorate as soon as the process is completed. This may take some time due to circumstances within their country.

Supporting documentation submitted

A copy of police vetting was sent for 1 member of staff.

Evidence was submitted to demonstrate that the 2 staff members have applied for police vetting to the country that they had lived in for longer than 6 months.

Summary Comment

The evidence submitted was assessed and it remains non-compliant for (2)(d) in relation to the 2 staff members who have no police vetting on file.

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) At all times during the period of the inspection the registered provider ensured that an adequate number of staff were working directly with the children.

(2) There were 18 staff members working directly with 60 preschool children across 4 rooms present in the morning and 52 preschool children with 18 staff members present in the afternoon.

- Baby/Wobbler room there were 8 preschool children (8 aged 1 – 2 years, and 1 aged 2 -3 years) and 3 staff members present.
- Toddler room there were 17 preschool children (3 aged 1-2 years and 14 aged 2-3 years) and 5 staff members present.
- Preschool room 1 there were 20 preschool children (all aged over 3 years) and 5 staff members present.
- Preschool room 2 there were 15 preschool children (all aged over 3 years) with 5 staff members present.

The minimum ratio of staff to children was maintained and an adequate number of staff were working directly with the children in each room.

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:

Healthy eating was promoted throughout the service. Nutritious hot meals and snacks were prepared fresh each day and were served at regular intervals. Food trolleys delivered meals and snacks to each room at the service. Jugs of water and cups were accessible to all children in each of the rooms. Chicken curry, rice, peas, sweetcorn was served at dinnertime for the older children, and a chicken and broccoli bake for the younger children, if they were hungry. Staff in each room had supplies of snacks if children required more food between mealtimes.

Sanitary accommodation was located close to each room in the service. Nappy changing facilities were provided for the Wobbler and Toddler rooms. All toiletries for the children were safely stored and clearly labelled and were located within easy reach of the staff.

Each room had a supply of tissues and wipes within easy reach of the staff while changing. Pedal operated, lidded bins were easily accessible for the safe disposal of waste.

Clearly labelled individual spaces and coat hooks for each child's belongings were available to support organised access and independence for the children.

The sleep rooms were located close to the Wobbler and the Toddler playrooms. There were a sufficient number of standard cots and two cocoon low level beds accessible to facilitate children to rest when needed. The children over 2 years who required a sleep had access to low level beds with sheets and blankets provided in their playrooms.

Rest areas with soft seating, soft floor coverings, cushions and blankets were accessible in each of the rooms at the service. Staff throughout the service encouraged quiet periods during the day to facilitate each child's need for comfort, rest and relaxation.

Staff responded to the children in a timely and appropriate way when they cried or became upset. Children were picked up and cuddled when they were tired or cried. The atmosphere in each room was calm and unhurried. The

staff used soft tones of voice, the child's individual name and got down to their level and made eye contact when talking to a child.

The children had regular change of environment in the outdoor play area at the rear of the premises.

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

General Safety:

1. The staff personal belongings such as handbags were stored in the children's preschool bathroom facilities. This posed a safety risk to the children.

Infection Control:

2. There was a hand operated bin in use instead of the pedal operated sealed air tight bin for the disposing of nappies in the nappy changing area for the Toddler preschool children. This increased the risk of cross infection for staff and children.

Safe Sleep:

3. The physical safe sleep checks and the recording of these checks were not carried on the children from the Wobbler playroom (aged between 1 and 2 years of age) when asleep in their sleep room for appropriately 4 weeks, the month of January 2025. This posed a safety risk to the children.

- For week commencing the 6th of January only 3 days the sleep checks were completed.
- For week commencing the 13th of January, only one day sleep checks were completed.
- For week commencing the 20th of January, no sleep checks completed.
- For week commencing the 27th of January, the sleep checks were completed on the day of the inspection only, the 31/01/25.

This was not in line with the service safe sleep policy which stated that the staff go into the sleep room, observe and physically check each sleeping child every 10 minutes, including completing a sleep record.

Action submitted by the Registered Provider

Corrective & Preventive Action: The registered provider has said in the CAPA document that:

General Safety:

1. Staff belongings were immediately removed from the children's bathroom and stored in the staff room. The management had a staff meeting to discuss the Tusla inspection and the dangers of keeping personal belongings in the children's bathroom. All the bathrooms are checked periodically during day to ensure that there are no staff belongings stored there.

Infection Control:

2. A new pedal operated, sealed airtight bin was purchased immediately after the inspection and is in use in the Toddler changing room.

Safe Sleep:

3. The 10 minutes physical safe sleep checks and the recording of these checks were commenced immediately. The safe sleep policy was given to and explained to the staff, regarding its importance of safeguarding the children in the services care, particularly during their sleep time.

Supporting documentation submitted

Photographic evidence was submitted demonstrating the actions taken by the service.

Summary Comment

The evidence submitted was assessed and deemed to meet the regulatory requirement of Regulation 23 General Safety, Infection Control and Safe Sleep.

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) The pre-school child who attended the service on the day were recorded on the attendance register and it included their time of arrival and their time of departure.

(a) No persons could enter the premises without his or her entry being approved by an employee other than the following:

(i) A pre-school child.

(ii) A person dropping or collecting a child.

(iii) An employee.

(iv) An unpaid worker.

(b) A daily record in writing was kept of the entry on the premises of any such person on the visitors' book.

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 8 staff members who had up to date first aid responder training completed.

(2)(a) The registered provider ensured that suitable equipped first aid boxes for children were safely stored in an easily accessible and conspicuous position on the premises.

(b) The first aid boxes were available to the children attending the preschool.