

# Early Years Inspectorate Regulatory Report

## Pre School

**TUSLA Identifier:** TU2015LK171

**Name of Service:** Tall Trees Childcare

**Address of Service:** Springfield, Old Singland Road, Limerick.

**Eircode:** V94 K577

**Name of Registered Provider:** Pamela Walsh

**Service type:** Full Day

**Date(s) of Inspection:** 07/12/2023

<b>No of pre-school children:</b>	<b>AM</b>	73	<b>PM</b>	47

<b>Address of the Early Years Inspectorate:</b>	Tusla, Early Years Inspectorate, Estuary House, Henry ST, Limerick
<b>Inspection undertaken by:</b>	E Browne J Ryan
<b>Title:</b>	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

This is a privately owned full day care service which first opened in 2007.

The service provides sessional, part-time and full day education and care to preschool children.

A school aged service is also available on the premises.

The premises are a purpose built, two storey childcare facilities located in the outskirts of Limerick city close to shops, schools and residential settings.

The service has 6 playrooms in operation, one sleep room, a kitchen, nappy changing and sanitary facilities for children and adults and outdoor play areas to the back of the premises.

### Staffing

There are 18 staff working directly with the children each day. The person in charge and the deputy person are available on site too if required and an additional 2 staff are working in the kitchen and on cleaning duties.

### 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, 24, and 25, however, on inspection additional non-compliances which posed a risk were identified under Regulations 23 and 29. These findings are outlined within the relevant regulation in 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 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.*

### 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. The organisations head of services 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 was a clear management structure that identified the lines of authority and accountability in the service and the specific roles and responsibilities of each member of the management team.

(2) The files of 22 staff working in the service were viewed on the day of inspection.

(a) Two written and validated references were 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.

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

(d) Police vetting was available for 5 staff members 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.

### Part III – Management and Staff

#### Regulation 11 - Staffing levels

*(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

(2) There were 73 pre-school children aged 1 – 6 years being supervised by 18 staff at the time of the inspection. The adult/child ratio in all areas was correct and there were sufficient relief staff to assist at busy periods and to cover staff break times throughout the day.

The person in charge and the deputy person were available on site too if required and an additional 2 staff were working in the kitchen and on cleaning duties.

### 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. The children's drinking cups were accessible to the children in each of the rooms. A vegetable pasta dish was served at dinner time on the day of the inspection and children were all offered extra helpings of dinner if they were hungry. Staff in each room had supplies of snacks if children required more food between mealtimes.

Sanitary accommodation was located next to each room in the service. Nappy changing facilities were provided next to the Baby and Toddler room. All toiletries for the children were safely stored and clearly labelled and were located within easy reach of the staff. The nappy changing policy was clearly displayed next to the changing unit.

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 room was located next to the Wobbler and Toddler rooms. There was a sufficient number of standard cots accessible to facilitate children to rest when needed. Children were closely observed during all sleep periods and all sleep checks were recorded on the digital equipment. The children over 2 years who required a sleep had access to low level beds with sheets and blankets provided in the Toddlers playroom.

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. The children had regular change of environment. They spend long periods of time outdoors and each age group had access to their own play area.

The service supported children to form and sustain positive relationships with their adult carers with the same staff present with the children each day. All staff throughout each room were observed being actively involved in children's play, where appropriate initiating games and joining in helping when invited by the children. Lots of social conversations between staff and children was evident in all areas of the service.

### **PHYSICAL AND MATERIAL ENVIRONMENT**

The physical and the material environment of each room in the service was carefully developed, full of activities which were aimed at developing social, emotional, cognitive, physical and communication skills. The Wobbler and Toddler playrooms had a calm atmosphere with lots of soft floor space for workers and children to relax and play. Adult seating was available for staff to hold children while feeding and comforting them. Low level tables and chairs were used at mealtimes and for many tabletop activities. Low level climbing frames encouraged children to further challenge their gross motor skills.

The preschool rooms had environments that were flexible and responsive to the emerging changing needs, preferences and interests of the children.

Photographs displayed throughout all rooms showed the many activities and events children participated in. Reading areas with a variety of books was available in all rooms. Toys and equipment were rotated, and internal and external spaces rearranged and redesigned depending on each child's preferences, interests and abilities. Suitable outdoor gear was worn by the children.

The outdoor space provided ever-changing opportunities for new experiences as the environment changed with the seasons and the weather. Sheltered areas were available outside for storage areas and for tabletop activities.

### 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. A child in the Toddler playroom was observed to be wearing amber beads. The Competition and Consumers Protection Agency states that amber beads are unsafe and pose serious safety risks to children under 3 years of age.

##### Infection Control:

2. A staff member was observed in the nappy changing facility not to wash her hands on two occasions prior to commencing nappy changing. This was at variance with the nappy changing policy which stated that 'hands were washed prior to putting on the gloves.
3. The children's hands were not washed after their nappies were changed. This increased the risk of cross infection.
4. Hand operated nappy bins were in use in the nappy changing facility for the disposal of soiled nappies. This increases the risk of cross infection. Disposable nappies should be disposed of in a foot-operated, lined, lidded bin that's leak proof, sealable and easy to clean.

#### Action submitted by the Registered Provider

##### Corrective & Preventive Action

##### General Safety:

1. The person in charge stated in the corrective action plan that amber beads worn by the children were removed and a new policy stating that amber beads are not long permitted in the service. The staff were updated on the new policy.

##### Infection Control:

2. and 3. The person in charge stated in the corrective action plan that the nappy changing policy was amended to include that adults will wash their hands before and after each nappy changing procedure and that children's hands will be washed after their nappy has been change too.

Staff have been made aware of the changes in the amended nappy changing policy.

4.

The person in charge stated in the corrective action plan that new pedal operated bins have been purchased for use in the nappy changing units.

### **Supporting documentation submitted**

#### **General Safety:**

No

#### **Infection Control:**

No

### **Summary Comment**

The actions as stated by the person in charge in relation to the non-compliances identified under Regulation 23 have been adequately addressed. This will be reviewed at the next inspection.

## 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 pre-school child attending the service was checked in and out of the service by staff. This record was available on the attendance register.

(3)(a) The registered provider ensured that no person other than the following were allowed enter the service.

- (i) Pre-school child attending the service.
  - (ii) A person dropping or collecting such a child.
  - (iii) An employee.
  - (iv) An unpaid worker can enter the premises without his or her entry being approved by an employee.
- (b) A record in writing was kept of persons who entered the service on the visitor's logbook.

### 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 trained in first aid response immediately available to the children attending the pre-school service.

(2)(a) Suitably equipped first aid boxes for children were available and easily accessible throughout the premises.

(b) The first aid boxes will be available to the children attending the pre-school service at all times.

### Part VII - Premises and Space Requirements

#### Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-  
(e) equipped with adequate and suitable sanitary facilities.*

#### Non-Compliance Information

(e) There were insufficient toilets/nappy changing units and wash hand basins available to facilitate the number of preschool children 103 registered to attend the service.

There were 8 toilets, 1 nappy changing facility and 10 wash hand basins available to cater for 103 preschool children. The ratio of toilets/nappy changing units is 1 toilet/nappy changing unit and 1 wash hand basin must be available for every 11 preschool child attending the service.

The facilities available allowed for a maximum 88 toilet trained children and a maximum of 11 children in nappies at any given time.

The proposed time frame as stated by the person in charge on the day of the inspection will be January 2024 for works to commence on the addition of 2 toilets, a nappy changing facility and corresponding wash hand basins.

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

##### Corrective and Preventive Action

(e)  
The person in charge had stated in the corrective action plan that work has commenced on the addition of 2 toilets, a nappy changing unit and a wash hand basin.

##### Supporting documentation submitted

No

#### Summary Comment

The action as stated by the person in charge in relation to the non-compliance identified under Regulation 29 is in the process of being addressed. A further review of this area of the service will be carried out at the next inspection. These issues remain non-compliant until all works have been completed