

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015LM014				
Name of Service:	Eivers Lane Childcare Centre (FDC)				
Address of Service:	Eivers Lane, Mohill, Co. Leitrim				
Eircode:	N41 RX25				
Name of Registered Provider:	Padraig McWeeney				
Service type:	Full Day, Part Time, Sessional				
Date(s) of Inspection:	09/02/2024				
No of pre-school children:	<table border="1"> <tr> <td>AM</td> <td>63</td> <td>PM</td> <td>54</td> </tr> </table>	AM	63	PM	54
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Address of the Early Years Inspectorate:	Early Years Inspectorate, TUSLA Child & Family Agency, Markievicz House, Barrack St, Sligo, F91 XC84				
Inspection undertaken by:	L Costello and M Farrell				
Title:	Early Years Inspectors				

Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

Conditions if applicable	Not applicable
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Description of service

Eivers Lane Childcare Centre (FDC) is a full day care service located in the town of Mohill in County Leitrim and provides childcare services to children aged between 0 and 6 years of age. The service is open from Monday to Friday between 8:00 to 18:00 hours including sessional services from 9:00-12:00 hours. The service is also registered to provide school age services. The service is located in a purpose-built childcare facility and has six care rooms, a dedicated sleep room, office, kitchen and ancillary services. Outdoor play areas are provided to the rear and side of the premises.

Staffing

The service employs 23 adults of which 18 adults work directly with the preschool children. There is one administrator, two adults are employed in the kitchen and the person in charge.

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, safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11, 15, 16, 23, 25, 26 and 28. These findings are outlined within the relevant regulations within this report.

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

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

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

Acknowledgments

The inspectors wish to acknowledge the cooperation of the 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.

(4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

Compliance Information

(1) (a) (b)

There was a designated person in charge and a named person to deputise as required.

(c)

There was a clear management structure within the service, with all staff aware of their roles and responsibilities and lines of accountability.

(2) The records of the 8 adults employed in the service since last inspection confirmed with person in charge were reviewed with the following vetting documents available for inspection:

(a) Two written and verified past employer references in particular their most recent employers were available in respect of five adults. One written and verified reference from their most employer for two adults.

(b) One written and verified references from a source other than a past employer were available in respect of two adults.

(c) Garda vetting disclosures had been obtained for 22 staff. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.

(d) International police vetting was available for one the adults employed in the service that had lived outside the state for a period longer than six consecutive months.

(4) Four adults new to the service working directly with the children had attained major awards in Early childhood care and education at level 5 or above on the national framework of qualifications, or qualifications deemed by the Department of Children, Equality, Disability, Integration and Youth (DCEDIY) to meet the regulatory requirement.

Non-Compliance Information

(2) (a) and (b)

There were no references available on file for inspection for one staff member new to the service since the last inspection of 17 May 2022.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2) (a) & (B) References received in writing for staff member

Supporting documentation submitted

Documentary evidence submitted.

Summary Comment

The information submitted by the person acting on behalf of the registered provider, to address the non-compliances found on inspection has been reviewed by the inspectorate and accepted. This regulation is now compliant.

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) On the inspectors' unannounced arrival to the service there were 13 adults working directly with 62 children in the service. A further child attended the service after the inspectors' arrival bringing the total number of children present to 63. The designated person in charge was available to the children as required. A review of a sample of attendance records showed that an adequate number of adults worked directly with the children during service hours of operation.

(2) The minimum adult to child ratios were provided on the day of the unannounced inspection in accordance with the required ratios considering the ages of the children and the length of time each child spent in the service as outlined below:

Baby care room: One adult cared for three children aged under 12 months in the morning and afternoon.

Wobbler care room: Two adults cared for four children aged one to two years of age in the morning and afternoon.

Toddler care room: Two staff cared for nine children aged two years of age to three years on the day.

Full Day Care 1 care room: Three adults cared for 14 children aged 2 years and 8 months to 5 years in the morning and two adults cared for 12 children in the afternoon.

Full Day Care 2 care room: Two adults cared for 16 children aged three to four years in the morning and 13 children in the afternoon.

Full Day Care 3 care room: Three adults cared for 16 children aged 5 in the morning and two adults cared for 12 children in the afternoon.

(8) (a) There were more than two adults always present during the unannounced inspection. The attendance records and staff rosters reviewed showed that at least two adults were always present in the service during opening hours.

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.*

(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-

- (a) a parent or guardian of a pre-school child but only in respect of the record relating to that child,*
- (b) an employee who is authorised in that behalf by the registered provider, and*
- (c) an authorised person.*

Compliance Information

(1) (a) to (i)

A sample of 10 children's records from across the care rooms were randomly selected for review from the children currently enrolled in the service. Each of the records was found to be compliant and contained the required details as laid out under the regulation.

(3) (c)

The required details relating to each child sampled was made readily available to the inspectors on request by the designated person in charge.

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.*

(2) A registered provider shall ensure that-

- (a) all documents and records relating to references and Garda and police vetting obtained under Regulation 9(2) are retained for a period of 5 years from the date on which the person to whom the document or record relates commences working in the service, and*

(2) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.

Compliance Information

(1) The registered provider ensured that all documents in relation to (a) to (k) were recorded and adequate information was kept on file. This included details of the opening hours of the service, the adult child

ratios, details of rosters and all adults employed in the service. All policies required in relation to regulation 10 were available in the service.

(2) (a)

The person in charge confirmed that all records are kept for the required timeframe as outlined in regulation.

(3) All records in relation to (a-k) were made available on the day to the inspectors for review.

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:

- All cleaning products in the care rooms were stored on high level shelving out of the reach of children.
- Materials and resources were maintained in a good state of repair.
- The kitchen was inaccessible to the preschool children.
- Leads and flexes were secure and inaccessible to the preschool children.
- Concrete posts and corners in the outdoor area were covered with a protective foam padding.
- Sand trays and sensory boxes in the outdoor area were kept covered when not in use.
- Window blinds were secured with appropriate securing mechanisms.

Infection Control:

- There were adequate handwashing facilities provided throughout the service with warm water, liquid soap and paper towels. Disposable plastic aprons and gloves were provided for staff to wear during nappy changes.
- Tables were observed to be cleaned prior to mealtimes and after messy play and snack times in all care rooms.
- The materials and resources throughout the service were visually clean, with cleaning schedules displayed and up to date in each care room. Cleaning record checklists were kept on an electronic system by the staff.
- Children were observed to wash their hands regularly including before snacks and meals. Boxes of tissues were available and accessible to children to clean their noses with.
- Child-friendly hand washing posters with picture instructions were placed above the wash basins to guide children.
- Individual storage containers were provided and used for the storage of soothers. Children's changes of clothing were stored separately.
- The staff advised the inspectors that infant formula was stored in the refrigerator in the Wobbler care room.

Administration of Medication:

- The service had a medication administration policy in place and when interviewed staff were aware of their responsibilities for the safe administration of medication.

Safe Sleep:

- The staff showed awareness through discussion with the inspectors of the service's procedures in relation to safe sleep. Sleeping children were supervised by staff at all times during inspection with written observations of their colour, breathing patterns and position recorded at ten-minute intervals. Cellular blankets were used by the younger children resting/sleeping in standard cots in the Baby care room and Wobbler sleep room. The air temperatures in the Baby care room and Wobbler sleep rooms were recorded between the required range of 16-20°C.

Fire Safety:

- Fire doors were unobstructed throughout the service.
- Fire evacuation procedures were clearly displayed in the care rooms.

Non-Compliance Information

General Safety:

- The gate in the outdoor area was found to be unsecured at 12:48 hours and posed a risk of a child leaving unsupervised or an adult gaining unauthorised access to the service. When this was brought to the attention of the person in charge, immediate action was taken to secure the gate.
- Garda vetting was available for 23 staff members. However, one of these vetting disclosures was not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.
- A section of wood in the outdoor area fencing was damaged with a sharp end protruding posing a risk of injury to a child.

Infection Control:

- The nappy bin in the Toddler sanitary area was not the required foot operated pedal bin, posing a risk of contamination.
- The foot operated waste bin in the sanitary area in Full Day Care 1 room was broken and required replacement.
- Temperature reducing medication was stored in the first aid boxes in the Full Day Care 2 and Baby rooms posing risks of cross contamination.
- One of the cot mattresses covers in the Wobbler sleep room was stained and required cleaning.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. New lock purchased to ensure the gate is always locked from 9.30am onwards. Only staff members have access to the code to open lock. The Gate is locked with a key pad.
2. Garda vetting updated for all staff. Garda vetting will be updated every three years.
3. Fence repaired. Risk assessment is completed to ensure fence remains in good repair.

Infection Control:

4. New nappy bin in Toddler sanitary area, nappy bins will be checked daily to ensure foot pedal is in operation.
5. New bin in full day care room, bins will be checked daily to ensure they are in good operation.

Administration of Medication:

6. FDC 2 & Baby room temperature reducing medication removed into covered box. All temperature medication is stored in its own lidded box. No medication will be stored in first aid boxes

Safe Sleep:

7. New mattress purchased for Wobbler room. Mattress will be checked daily to ensure no staining.

Supporting documentation submitted

General Safety:

Photographic and documentary evidence submitted.

Infection Control:

Photographic evidence submitted.

Administration of Medication:

Photographic evidence submitted

Safe Sleep:

Documentary evidence submitted.

Summary Comment

The information submitted by the person in charge on behalf of the registered provider to address the non-compliances found on inspection in relation to regulation 23 have been reviewed by the inspectorate. This regulation is now compliant and will be reviewed on next inspection.

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) On the day of inspection Seven staff members on duty were trained in first aider response (FAR) training and were available to children attending the preschool service.

(2) (a) (b)

Fully stocked first aid boxes are available in each of the care rooms and are available to children at all times.

Part VI - Safety

Regulation 26 - Fire safety measures

- (1) A registered provider shall ensure that a record in writing is kept of-
- (a) any fire drill that takes place in the premises, and
 - (b) the number, type and maintenance record of fire fighting equipment and smoke alarms in the premises.
- (2) The record referred to in paragraph (1) shall be open to inspection by-
- (a) a parent or guardian of a pre-school child attending or proposing to attend the pre-school service,
 - (b) an employee, and
 - (c) an authorised person.
- (4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.

Compliance Information

- (1) (a)
All care rooms had records in place of all monthly fire evacuation drills taking place in the premises.
- (1) (b)
Records of the number, type and maintenance record of firefighting equipment and smoke alarms were available in the premises. The records showed that the firefighting equipment was last maintained on the 17 August 2023 and the fire alarm system was last serviced on the 9 October 2023.
- (2) (c)
All records were made available to the inspectors on the day of inspection.
- (4)
Fire evacuation procedures were displayed clearly in a conspicuous location in each of the care rooms.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

A certificate of insurance for up to 81 children attending full day care services at any one time with an expiry date of the 27 March 2024 was displayed in the office.