

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015LM037				
Name of Service:	Tots Haven Childcare Facility				
Address of Service:	Shannon Haven, Dromod, Co. Leitrim				
Eircode:	Not applicable.				
Name of Registered Provider:	Derek Cox				
Service type:	Full Day				
Date of Inspection:	03/10/2023				
No of pre-school children:	<table border="1"> <tr> <td>AM</td> <td>63</td> <td>PM</td> <td>37</td> </tr> </table>	AM	63	PM	37
AM	63	PM	37		

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 N. McEndoo
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

Description of service

Tots Haven Childcare Facility is a privately operated full-day-care service for children aged between 0 and 6 years. The service is registered to open from Monday to Friday from 7.30am to 6:30pm. The service is a full day care and sessional service registered to cater for 95 children. A sessional service is offered from 9:15am to 12:15pm for 38 weeks of the year.

The service operates from a purpose built two-storey building located in Dromod, Co Leitrim. There are two care rooms on the ground floor and four on the first floor. There are sanitary facilities on both floors and two sleep rooms on the ground floor. An outdoor area is located to the rear of the building

Staffing

On the day of inspection there were eleven staff working directly with the children. The manager is supernumerary however provided relief cover on the day. There was one adult working in the kitchen.

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.

The inspection focused on an examination of compliance under regulations 9 Management and Recruitment, 11 Staffing levels, Regulation 19- Health Welfare and Development of the child, Regulation 23 – Safeguarding Health, Safety and Welfare of the child., Regulation 28- Insurance and Regulation 29- Premises., however, on inspection additional non-compliance which posed significant risk was identified under Regulation 22- Food and Drink, Regulation 27 -Supervision and Regulation 31 - Notification of Incidents. These findings are outlined within the relevant regulation within this report.

A sampling process was used to assess compliance under regulation (number and name of regulation) ...As a result, the scope of the inspection included the rooms, Sunshine Tots, Little Lambs, Preschool 1, Preschool; 2, Preschool 3 and Preschool 4.

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 registered provider, 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) (b).

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

(c).

The service ensured that each room had a room leader and there was a deputy manager on duty on the day of inspection. Staff were clear on the management structure of the service.

2 (a) (b).

The records of all 17 staff employed in the service were reviewed.

Two written and verified past employer references or references from a reputable source, in the absence of a past employer, were available in respect of all adults employed in the service.

(c)

A garda vetting disclosure was available for all 17 adults employed in the service.

(d)

International police vetting was available for the two adults who had lived outside the state for a period of six consecutive months or more.

(3).

The procedures specified in paragraph (2) had been completed prior to any person being appointed, assigned or allowed access to or contact with a child attending the preschool service.

(4).

16 adults employed and working directly with the children held a major award at level five or above in Early Childhood Care and Education on the national framework of qualifications.

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.

(3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 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) therefore at that reference number is satisfied.

(4) Subject to paragraph (5), where a registered provider contemporaneously provides-

(a) a sessional pre-school service, and

(b) a full day care service or a part-time day care service, or both, the minimum ratio of adults to children applicable for the duration of the sessional pre-school service in respect of the children attending that service shall be the ratio specified in paragraph (3).

Compliance Information

- 1) The registered provider ensured that an adequate number of adults were working directly with the children at all times. On the inspectors' unannounced arrival to the service there were 11 staff providing direct care to the 63 children attending the service on the day.
- (2) The minimum adult to child ratios were provided on the morning 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.

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) (b).

On the day of inspection, a Garda was present to talk the older children about Road safety. Participation packs were observed to be given to the children. Classrooms were brought together two at a time giving the children a shared experience with their peers. Images of local garda in various modes of transport was observed on the wall of preschool 4, children felt comfortable and confident in themselves to discuss the images, and the participation packs with the inspector and staff member who was present.

The service promoted healthy eating and food and snacks were provided at regular intervals during the day. Young children had the opportunity to feed themselves appropriate to the age and stage of their development. Children's drinks were available within their reach throughout the day on shelving, should they feel thirsty at any stage.

Children were observed to be given clear instructions and time to adjust to times of transition.

Children were supported to be independent. The room layouts across the service supported the children to choose their own activities. In preschool room 3 children were asked if they needed help putting on their coats, staff were observed to celebrate children's achievements with praise when children put their coats on themselves.

During circle time in little lambs, the children were facilitated to make their own choice in selecting songs they would sing. Children were encouraged to sing along but were afford opportunity to listen if they wanted. All the children had the opportunity to play outside. In the fully enclosed outdoor area, the children were observed running, chasing, and playing with equipment that gave opportunity for safe risk and challenge. The all-weather synthetic grass surface added additional opportunities for physical activity, as younger children were observed to crawl and roll on the ground. There was also a covered area which meant children could remain outdoors when it began to rain.

Preschool room 2 was observed to be set up with several tabletop activities around the room, giving children a varied opportunity for choice when they returned to the classroom in the afternoon. The room was calm and inviting.

Non-Compliance Information

1. The nappy changing facility provided for children did not provide adequate privacy for a child when nappy changing. Two nappy changing units were located side by side with no partition to preserve the dignity of each child. At approximately 10.12am the inspector observed two children from different rooms having their nappy changed simultaneously placed head to toe.

- On the day of inspection, in Preschool room three, there was limited engagement or interactions between children and staff observed between the hours of 10.29hrs to 11.25hrs. Two children, requiring additional support, were observed to be upset. Several attempts were made by the two staff present to meet the needs of both children. At 10:48, one staff member left the room to begin nappy changing. Consequently, the staff member then present in the room was not able to engage or interact appropriately with the remainder of the children present.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- A divide has been secured between the two nappy changing mats to provide privacy for each child. Going forward the service will ensure there is adequate privacy for children getting their nappy changed at all times.
- The curriculum has been updated to ensure all children in the room are receiving full engagement and interactions. For example, one group are participating in table top activities while another is taking part in circle time. The curriculum will be followed with any changes to be made accordingly to ensure all children are receiving full engagement.

Supporting documentation submitted

Documentary evidence submitted.

Summary Comment

The inspectorate has reviewed the corrective and preventative actions submitted by the registered provider. The non compliances found on inspection in relation to regulation 19 have now been addressed and this regulation is now compliant. These actions will be reviewed on next inspection.

Part V - Care of Child in Pre-school Service

Regulation 22 – Food and drink

A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.

Non-Compliance Information

- In the Dining room, one child from preschool 2 was observed not to try the food served for the main meal and expressed dislike to the staff members. Staff encouraged the child to try the dinner, however the child refused. A second child from preschool 1 refused to eat the meal offered and drank three cups of milk.

Staff members confirmed an alternative meal was available, however on the day no alternative meal was offered to the children.

2. One child from preschool 1 was observed by the inspector to accidentally drop his potato on the floor. The child requested more potato from the staff member, however no more potato was left. The child did not like the pasta or vegetables. There was no extra supplied or an alternative meal offered to the child.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. When the children returned to the playrooms, breadsticks and crackers along with fruit were given to the children who did not eat their meal. Breadsticks, crackers and fruit are available throughout the day. Food and snacks are provided and offered at regular intervals during the day.
2. The kitchen assistant was absent on the day of inspection and relief cover was supplied. The relief cover was not fully familiar with the food portions given out for children and resulted in all the potato being used up on the day as extra portions was given to another room. Food and snacks are provided and offered at regular intervals during the day. Extra potato has been ordered to ensure there is enough for extra portions across all rooms.

Supporting documentation submitted

Documentary evidence submitted.

Summary Comment

The information submitted by the registered provider in the corrective and preventive actions have been reviewed by the inspectorate and the non-compliances found on inspection have been resolved. This regulation is now complaint and will be reviewed on next inspection.

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:

- The main entrance to the service was found to be secure on the inspectors unannounced arrival to the service, which prevented persons from entering unauthorised and children from leaving unsupervised.

- Cleaning products in use in care rooms were stored on high shelving out of the reach of children.
- The kitchen was inaccessible to children on the day of inspection.
- Highchairs provided in sunshine tots room were fitted with harness safety straps in good condition.
- The hot water provided at the children's wash hand basins was controlled to a safe temperature below 43°C for hand washing.

Infection Control:

- Adequate hand washing facilities were provided in the service with warm water, liquid soap, and paper towels.
- Tables were observed to be cleaned prior and after mealtimes.
- Children were observed to wash their hands regularly, including before mealtimes, following using the toilet, nappy changing and messy play.
- Child friendly hand wash posters with picture instructions were placed above wash hand basins.

Administration of Medication:

- Staff confirmed medication was stored in the office should a child require.
- An individual care plan for a child with an allergy was available across the service.

Safe Sleep:

- The air temperature of the sleep room was maintained between the required temperature of 16°C to 20°C at 17.5°C
- Standard cots were provided for children less than two years of age.
- In the sleep room adjacent to little lambs at sleep time the children's stackable beds were positioned with the recommended 50cm apart.

Fire Safety:

- Fire doors were unobstructed on the day of inspection to ensure safe evacuation in the event of a fire or other emergency.

Non-Compliance Information

General Safety:

1. Children in the preschool room were observed to have whole grapes and cherry tomatoes in their lunch box which created a potential risk of choking.
2. Trailing flexes from televisions and fans were observed in, preschool 1, preschool 4 and little lambs room. Trailing flexes pose a risk of strangulation to children. Trailing flexes were noted as a previous noncompliance in 2022.

3. The room adjacent to the little lambs room was being used as a sleep room and also a storage area for play equipment. The equipment was stored in floor to ceiling wooden shelving and overloaded. This poses a risk of falling equipment on a sleeping child.
4. The doors of the sleep room in little lambs were covered with black plastic bags. This posed a risk of suffocation should they fall on a sleeping child below, or should an unsupervised child pull one down.
5. The sanitary area adjacent to preschool 4 has a shower door which is broken, lying up against the wall, posing a risk of falling on a child.

Infection Control:

6. There was no soap available for children in preschool room 3 to ensure effective hand washing after toileting and before snack.
7. The foot pedalled bin in the sanitary area adjacent to little lambs room was rusty and unable to be cleaned effectively.
8. Two circular tables within the setting, in little learners and sunshine tots, were worn making them porous and unable to be cleaned effectively.

Safe Sleep:

9. It was observed that sleep checks were not carried out in accordance with sleep safe guidance. The requirement for this age group is that physical checks, comprising of breathing, colour and position of the child are completed a minimum of every ten minutes. On the day of inspection, sleep checks were completed through the window of the sleep room therefore the breathing, colour, and position of the children could not be adequately monitored or recorded. Sleep checks, via the window, took place at 15:09 hrs, 15:15hrs and 15:31hrs.
10. In the sleep room, adjacent to the little lambs room, play equipment was stored in floor to ceiling wooden shelving. The shelves were observed to be unsafe and overloaded. Childrens beds were situated on the floor, beside the unit. The placement of storage in proximity to sleeping children could cause significant harm should anything fall from the shelving on to a child and therefore not a safe place for children to sleep.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. Staff have been advised to check children's lunch boxes at snack time and ensure whole grapes and cherry tomatoes are cut up safely. An email has been sent out to all parents to advise of the potential risk of choking with whole fruit. Staff are checking lunch boxes at snack time.
2. The trailing flexes in all rooms have been secured. Any fans currently not needed have been stored away. All trailing flexes will be reported to maintenance and secured by same.
3. Toys have been organised in the wooden shelving area and stoppers have been put in place to prevent any toys or equipment falling off or being pulled down. Stoppers have been put in place to prevent any toys or equipment falling off or being pulled down. Staff have been advised to keep shelves neat and tidy.
4. The black plastic bags have been removed and black-out card has been fitted on the glass area.
5. The shower door has been fixed in place. Staff have been reminded to inform management of any maintenance required and document it in the maintenance book.

Infection Control:

6. The soap dispensers have been refilled. Ensuring all soap dispensers are filled regularly. Staff have been reminded to inform management if empty.
7. The foot pedalled bin has been replaced with a new purchased one.
8. Two circular tables in Little Lambs and Sunshine Tots have been cleaned, sanded and varnished

Safe Sleep:

9. Staff are now taking physical checks as discussed with them after the inspection and are carried out every 10 minutes. Regular 10-minute physical checks are being carried out by staff on sleeping children. Staff have been reminded of the importance of safe sleep at a recent staff meeting. Management will monitor this going forward.
10. Toys have been organised in the wooden shelving area and stoppers have been put in place to prevent any toys or equipment falling off or being pulled down Staff have been advised to keep shelves neat and tidy.

Supporting documentation submitted

General Safety:

Photographic and documentary evidence submitted.

Infection Control:

Photographic and documentary evidence submitted.

Safe Sleep:

Photographic and documentary evidence submitted.

Summary Comment

The corrective and preventive actions submitted by the registered provider have been reviewed by the inspectorate and the non-compliances found on inspection have been resolved. This regulation is now compliant.

Part VI - Safety

Regulation 27 – Supervision

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

Non-Compliance Information

Children were not supervised at all times on the day of inspection.

- At 10.10hrs one child from preschool room three attended the bathroom, the classroom door was observed to be closed over at 10.11hrs. The child returned at 10.13hrs.
- At 10.57hrs, a staff member went to change a child's nappy, but returned to advise that she had to wait as another child was already there and using the facilities. The staff member proceeded to close the door behind her whilst still in the room.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Staff have been reminded to ensure full supervision of a child when attending the bathroom and at all times.

This has been communicated individually and at a recent staff meeting. One staff member will go to the bathroom with each child at all times.

Supporting documentation submitted

Documentary evidence submitted.

Summary Comment

The actions submitted to the inspectorate by the registered provider in the corrective and preventive actions have been reviewed and the non-compliances found on inspection have now been resolved. This regulation is now compliant and will be reviewed on next inspection.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

There was evidence of current insurance cover valid until the 05.11.2023. The insurance provided cover for the number of children registered in full day care.

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*
- (e) equipped with adequate and suitable sanitary facilities.*

Compliance Information

The registered provider has ensured the following:

- (a)
On a visual inspection the external walls, Internal walls, floors and ceilings in the service were in a good state of repair and maintenance on the day of inspection. Windows, glass panels and doors were both water-tight and weather-tight with no evidence of dampness or mould growth.
- b)
Entrance to the service was through a secured door operated by a keypad system. Access to the preschool rooms upstairs was through a keypad system. The perimeter of the building was secured by high level fencing and metal gates.
- (c) An adequate source of heating was provided in the service and sanitary accommodation. The lighting was provided by a mix natural light leading from glass windows supplemented with fluorescent ceiling light fittings. The lighting was sensor operated only switching on when movement was observed in the room.
- (e)
The service had a sufficient number of sanitary accommodation suitable to the numbers of the children using the service.

Non-Compliance Information

d)

1. The service was observed to be dusty with high levels of dust observed as followed:
 - Ventilation extractor fans contained dust.
 - Convector fins within the radiators contained dust.
 - High surface areas such as lighting and heaters were unclean and dusty.
2. The sanitary area adjacent to little lambs room required a thorough cleaning as evidenced by the rusty bolts and residue at the base of the toilet. The sink in this area required resealing also.
3. Storage space for play equipment not in use was accessible to children and was not stored safely. Floor to ceiling wooden shelving in the sleep room adjacent to the little lambs room was inadequate for the volume of equipment it contained. Shelves were observed to be over filled and physically buckling from the weight of the equipment.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. Regular dusting will be carried out and checked on all areas and in particular where dust builds.
2. The toilet has been thoroughly cleaned and the sink has been resealed.
3. Toys have been organised in the wooden shelving area and stoppers have been put in place to prevent any toys or equipment falling off or being pulled down.

Supporting documentation submitted

Documentary evidence submitted.

Summary Comment

The actions submitted to the inspectorate by the registered provider in the corrective and preventive actions have been reviewed and the non-compliances found on inspection in relation to regulation 29 have now been resolved. This regulation is now compliant and will be reviewed on next inspection

Part VIII - Notifications and Complaints

Regulation 31 - Notification of incidents

A registered provider shall notify the Agency in writing within 3 working days of becoming aware of any of the following incidents occurring in the preschool service:

- (a) the death of a pre-school child while attending the service, including the death of a child in hospital following his or her transfer to hospital from the service;*
- (b) the diagnosis of a pre-school child attending the service, an employee, unpaid worker, contractor or other person working in the service as suffering from an infectious disease within the meaning of the Infectious Diseases Regulations 1981 (S.I. No. 390 of 1981);*
- (c) an incident that occurs in the service and that results in the service being closed for any length of time;*
- (d) a serious injury to a pre-school child while attending the service that requires immediate medical treatment by a registered medical practitioner whether in a hospital or otherwise;*
- (e) an incident in respect of which a pre-school child attending the service goes missing while attending the service.*

Non-Compliance Information

(d)
On the day of inspection, a past physical injury of a child was brought to the attention of the inspector. The inspector was informed that an incident had happened in the service. The child later received medical attention in the local hospital. The Notification of Incident form was not submitted to the Early Years Inspectorate prior to the day of inspection.

Corrective & Preventive Action submitted by the Registered Provider

The Notification of Incident Form was sent in the next day after inspection to the Early Years Inspectorate
The Notification of Incident Form will be returned within 3 days if an injury occurs that requires medical attention in the future.

Supporting documentation submitted

Documentary evidence submitted.

Summary Comment

The actions submitted to the inspectorate by the registered provider in the corrective and preventive actions have been reviewed and the non-compliances found on inspection in relation to regulation 31 have now been resolved. This regulation is now compliant.

Early Years Inspectorate Regulatory Report Pre School