

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015MN053
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Name of Service:	Tiny's Day Nursery Ltd
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Address of Service:	Monaghan Road, Castleblayney, Co. Monaghan
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Eircode:	A75 TP40
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Name of Registered Provider:	Lorraine Linton
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Service type:	Full Day, Part Time, Sessional
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Dates of Inspection:	08/10/2024
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Dates of Inspection:	24/10/2024
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No of pre-school children: Day 1	AM	51	PM	36
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Address of the Early Years Inspectorate:	No.18 The Grange Plantation Walk Monaghan
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Inspection undertaken by:	S. Skinnader and D. Murray
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Title:	Early Years Inspectors
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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

Tiny's Daycare Nursery Ltd is a privately owned service which provides full day care, part- time and sessional care to pre-school children from 0 - 6 years. The maximum number of children that can be accommodated is 100 and the service operates from 07:30 – 18:00 Monday to Friday.

The service operates from the converted basement of an industrial unit in the town of Castleblaney in Co. Monaghan. There is off street parking available for parental drop off and collection. There are 3 care rooms in operation namely Terrific Tigers Preschool Room based over 2 rooms, Marvelous Monkeys Baby and Toddler Room and Wonderful Wolves Preschool Room. Another room is set up as a dining room off the Marvelous Monkeys Room. The ancillary accommodation consists of a kitchen, large sleep room and sanitary accommodations with nappy changing facilities.

In the afternoon a 4th room and the Terrific Tigers Rooms accommodate the school aged children and the preschool children from Terrific Tigers attending on a full day care basis join the children in the Wonderful Wolves Preschool Room. There is an outdoor play area to the front of the premises.

Staffing

The service employs 16 staff, 13 of whom including the registered provider work directly with the preschool children. The 3 remaining staff are employed - 1 as service cook who also carries out school runs and 2 members of staff who work directly with the school age 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 inspectors wish to acknowledge the cooperation of the registered provider, 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,

(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) The service had a designated person in charge and a system in place to designate a named deputy person to deputise as required. The person in charge was on the premises when the inspectors arrived unannounced to the service.

The staff files were reviewed for 2 staff members who had commenced working in the service since the last inspection. The files for the remaining staff members had been reviewed at the last inspection.

(2)(a) & (b)

- There were 2 written and validated references from a past employer or an alternative source available for 1 member of staff.
- There was 1 written and validated reference for the 2nd member of staff.

(c) Documentary evidence of a processed Garda vetting disclosure was available for both new staff members. Garda vetting disclosures were reviewed for 2 other staff members and were found to be outside the re-vetting timeframes. The service was not adhering to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years as specified in Regulation 23 below.

(d) Following a review of the staff files presented on the day of inspection, international police vetting was available for the 1 staff member who had resided outside the jurisdiction for a period of greater than 6 months as an adult.

(4) Documentary evidence was available to demonstrate that the 1 member of staff, who worked directly with the pre-school children held at least the minimum required level 5 Childcare Qualification.

Non-Compliance Information

(2)(a) One member of staff did not have a second written and validated reference available for inspection. It is acknowledged that since this inspection, the registered provider did submit an appropriate reference on 11/10/24 dated 10/10/24.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a) A second reference was forwarded to the Office of the Early Years Inspectorate on the 11/10/24.

Extra care will be given to ensure the written references held on file for the after-school team are acceptable under Tusla guidelines. References relating only to earlier education and training and not personal character will no longer be accepted.

Supporting documentation submitted

Copy of written and validated reference.

Summary Comment

The Inspectorate reviewed the registered provider's response and the supporting document. The non-compliance has been addressed.

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.

(8) Without prejudice to paragraphs (2) to (7)-

(a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times,

Compliance Information

(1) During the periods of inspection there were an adequate number of adults working directly with the children attending the pre-school service.

(2) On day 1 of the inspection when the inspectors arrived unannounced to the service there were 3 rooms in operation and the following adult: child ratios were observed:

- In the Terrific Tigers there were 16 children aged 2 to 4 years with 2 staff members. The registered provider also assisted in this room.
- In the Marvelous Monkeys there were 17 preschool children aged 10 months to 2 years and 5 months with 4 staff members. An additional child arrived to the room at approximately 10.45am.
- In the Wonderful Wolves there were 17 preschool children aged 2 to 4 years with 3 staff members.

In addition, there was 1 member of staff present from 9.30am – 4.15pm employed as cook, who also completed the school collections.

A further member of staff arrived at the service at 12 midday, to assist in the Marvelous Monkey's Room and cover breaks.

(8)(a) Following a review of the available documentation e.g. staff rotas and children's attendance records, the information demonstrated that the registered provider ensured that there were at least 2 adults on the premises at all times.

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

There were 3 rooms in operation on the first day of inspection namely the Terrific Tigers, Marvelous Monkeys and Wonderful Wolves.

(1)(a) The following examples demonstrate how the registered provider ensured that children's learning, development and well-being was facilitated within the service:

Basic needs:

- In the Marvelous Monkeys the children were observed to move freely in the care rooms and the smaller children were supported on the floor with cushions or assisted with changes in position by the staff members.
- Child-led sleep needs were facilitated in the service as the staff followed the children's routines and also were alert to signs of tiredness displayed by the children. Children were observed sleeping when the inspectors arrived at the service and throughout the day.
- The toilet trained children were encouraged to be independent with toileting and discreet supervision was also provided by staff as required. Gentle handwashing reminders were also given to the children in the various rooms after toileting.
- Nappies were changed regularly and in a timely manner in the Marvelous Monkey's Room with pleasant interactions observed between children and staff.
- Attention was given to personal care such as nose blowing, the use of bibs for feeding and cleaning faces of the smaller children after their dinners.
- Dinners were homemade on the day and consisted of sausages, carrots, potatoes and gravy. Consistency was in general age appropriate and mashed further for the younger children. Dinners were saved for children who were sleeping and served once they woke up. Morning and afternoon snacks were provided by the parents. Drink cups were available to the children.

- Staff supported children’s learning with activities that were observed to be fun and creative. There were a variety of themes in the different care rooms such as “Autumn”, “Road Safety” and “Halloween” with children’s artwork displayed to reflect these themes.

Supporting Relationships

- Soft tones, positive and respectful language were observed in interactions between the children in all the rooms for example a young child who shared their toy was told “that was very kind” and “good girl”. The staff were observed down on the floor with the children in the Marvelous Monkeys Room and to interact with the children in a warm and supportive manner thereby ensuring minor behavioural issues did not escalate” let’s see if would like something different” and “come over here beside me, there is loads of space “.
- Staff used an electronic application (an ‘App’) to provide information to parents on their child’s care and daily routine which included details in relation to what they ate, when they slept, nappy changes and play activities. The staff also reported that communication with parents is conducted verbally at collection and drop off.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

- (1) Subject to this regulation, a registered provider shall ensure that-
- (b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

Compliance Information

(1)(b) There was 1 cot room adjacent to the Terrific Tigers Room with 11 cots for those children under 2 years of age who required a sleep and 8 daybeds set up for the children over the age of 2 who also required a sleep. Twelve additional daybeds were available if required.

There were cushions and a number of mats on the floor in the Marvelous Monkeys room. There was also a plastic covered child sized sofa and cubes for the children to sit or rest on.

Non-Compliance Information

1. The sleep room was very dark and not adequately lit to allow a staff member to view the colour and breathing pattern of a sleeping child. This is a recurrent non-compliance and at variance to the registered provider's response previously - "A new light has been installed in the sleep room and the emergency lights will be checked on the daily risk assessment."

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. The bulbs in the main lights were changed to a dimmer switch to allow for the lights to be left on during sleep time but to be lowered to a comfortable level for sleeping.
Checking that all lights work effectively has been added to the daily risk assessment.

Supporting documentation submitted

Copy of sleep room checklist and photographic evidence.

Summary Comment

The registered provider's response was accepted and the non-compliance addressed. This will be reviewed at the 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

The Inspectorate is assured that in general with the exception of the non-compliances below adequate steps have been taken to ensure the health, safety and welfare of the pre-school children attending the service, for example the following observations were made during the inspection:

General Safety:

- The external outdoor play area was secured and gated.
- The entrance doors leading into the premises were appropriately secured to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the premises and a door

alarm system was in place on the emergency exit doors which activated a loud alarm on opening, thereby reducing the risk of children leaving the premises unsupervised.

- Highchairs were in good condition and fitted with safety harnesses.
- The televisions in the service were wall mounted with the electrical cables out of the reach of the children.
- Cleaning agents were stored up high safely out of the reach of children.

Infection Control:

- The premises, play equipment and materials were in a clean and hygienic condition and up-to-date cleaning schedules were on display in the service.
- Staff were observed to wear appropriate disposable gloves and aprons when changing nappies and to dispose of appropriately after each nappy change.
- There was a constant supply of thermostatically controlled hot water, liquid soap and paper towels.
- During nappy changing the staff member was observed to wash both the child's and their own hands after each nappy change.
- Lunches were observed to be appropriately stored in the fridge.
- Individual lidded containers were available for the storage of each child's soother.

Safe Sleep:

Safe sleep practices were observed in the service as demonstrated by the following examples:

- Temperature of the cot room was maintained between 18 to 22^oC while children were sleeping.
- A sleep log recording the position, colour and breathing pattern was recorded at 10 minutes intervals on all sleeping children.
- Children on daybeds were supervised at all times by a staff member.

Fire Safety:

The following fire safety measures were observed:

- All fire exits were easily identifiable and unobstructed.
- Firefighting equipment was unobstructed.

Non-Compliance Information

The Inspectorate was not assured that adequate steps have been taken to ensure the health, safety and welfare of the pre-school children attending the service in relation to the following observations made during the inspection:

General Safety:

1. Garda vetting was reviewed for 2 staff members and these vetting disclosures were not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

Safe Sleep:

2. When the inspectors and the registered provider went into the sleep room after the feedback meeting there was a child in the sleep room with a fleece blanket fully over the child's head. This is a health and safety risk and smothering risk. It is acknowledged that the registered provider removed the blanket from the child's head immediately.

Fire Safety:

3. Fire drills were not being carried out on the recommended monthly basis in the service. Prior to the September fire drill the last recorded fire drill was dated 22/1/24.

Corrective & Preventive Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. Garda Vetting has since been updated for both staff in question.
Going forward, management will carry out quarterly and monthly checks on all Garda Vetting, to ensure this oversight does not happen again.

Safe Sleep:

2. Once noted, the blanket was removed by the registered provider. In-house safe sleep training was carried out with the nursery team to ensure a similar incident does not happen again. All staff were asked to re-read the Safe Sleep policy.

To ensure continued safety regarding safe sleep, the team leaders and designated person in charge will carry out unannounced safe sleep checks. Should any concerns arise from these checks, staff will be sent on additional safe sleep training.

Fire Safety:

3. A full fire drill alongside individual fire drills for each room were carried out. The team leaders have undergone additional in-house fire safety training. They have all also re-read the Fire Safety Policy.

To ensure continued safety regarding fire drills, the designated person in charge will ensure that every group have carried out their monthly fire drill, reporting to the Fire Officer if this has not happened. The Fire Officer will conduct quarterly checks to ensure the monthly fire drills have taken place.

Supporting documentation submitted

General Safety:

List of monthly fire drills.

Safe Sleep:

Evidence of staff safe sleep training.

Fire Safety:

Evidence of staff fire training.

Summary Comment

The Inspectorate have reviewed the registered provider's response and supporting documentation. The non-compliances identified in Regulation 23 have been addressed and will be for review at the next inspection.

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 firefighting equipment and smoke alarms in the premises.

(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) A record was maintained of all fire drills which had been completed in the service, the last recorded 9/9/24.

(b) A record was kept of the number, type and maintenance of the fire-fighting equipment dated 16/2/24 and 10/7/24 respectively.

(4) Notices of the procedures to be followed in the event of a fire were conspicuously displayed in the premises.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-

- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

Non-Compliance Information

- (c)
1. There was no means of ventilation in the nappy changing room off the Wonderful Wolves Room.
 2. In the sanitary and nappy changing area off the Marvelous Monkeys Room, two of the mechanical ventilation fans had accumulations of dust and were not working.
- (d) The child sized plastic covered sofa in the Marvelous Monkeys Room was in a state of disrepair with a tear in the seat and worn corners.
- (e) In the sanitary area off the Wonderful Wolves room there was no toilet seat on the children's toilet.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (c)
1. A new extraction fan has been fitted to the nappy changing room in the Wonderful Wolves classroom. A construction works checklist will be signed off, ensuring all areas of compliance are met.
 2. Two new extraction fans were fitted to the Marvellous Monkeys changing area. Extraction fans in clean and good working order have been added to the daily risk assessment for all sanitary areas within the nursery.
- (d) The sofa in question was removed and disposed of. Quarterly assessments will be made by management on all furniture within the nursery to ensure anything missed in the daily risk assessments are identified and dealt with in a timely manner.

(e) A new toilet seat was purchased and fitted. Functioning toilet seats have been added to the sanitary area daily risk assessment checklist.

Supporting documentation submitted

Photographic evidence and copy of toilet area risk assessment.

Summary Comment

The Inspectorate accepts the registered provider's response and supporting evidence. The non-compliances have been addressed.

Part VII - Premises and Space Requirements

Regulation 30 - Minimum space requirements

(1) Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.

(2) A registered provider of a full day care service or a part-time day care service shall ensure that the minimum amount of clear floor space specified in column (3) of Schedule 7 opposite a particular reference number specified in column (1) of that Schedule in respect of the age range of children specified in column (2) thereof at that reference number is available for each child in that age range attending the service.

Compliance Information

(1)(2)

On Day 2 of inspection the room measurement of the Marvelous Monkey's Room was recorded at 53m² which was sufficient to accommodate the 18 children attending the room on day 1 of inspection. Fifty-two square metres was required.

The deputy in charge on Day 2 also reported that the registered provider planned to develop and use the dining room area off the Marvelous Monkey's Room as additional care room space, which will provide approximately an additional 34 m² of space.