

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015MO029		
<b>Name of Service:</b>	Care & Education Academy		
<b>Address of Service:</b>	Castlebar Retail Park, Knockraver, Breaffy Road, Castlebar, Co. Mayo		
<b>Eircode:</b>	F23 CD70		
<b>Name of Registered Provider:</b>	John McGowan		
<b>Service type:</b>	Full Day, Part Time, Sessional		
<b>Date of Inspection:</b>	22/11/2023		
<b>No of pre-school children:</b>	AM	67	PM 60
<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, TUSLA Child & Family Agency, Markievicz House, Barrack St, Sligo, F91 XC84		
<b>Inspection undertaken by:</b>	L Costello and L McGlynn		
<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).

<b>Conditions if applicable</b>	Not applicable
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### Description of service

Care & Education Academy is a privately owned and operated service located in a retail business park on the outskirts of the large town of Castlebar in Co. Mayo. The service provides full day, part-time and sessional preschool care to children aged 0-6 years and operates from 8.15am to 6.00pm. The service is also registered to provide school age care.

The service operates from a single-story purpose-built building which has five care rooms. A kitchen, dining room, two sleep areas, an office and sanitary accommodation are also on site. Children have access to two designated outdoor areas which are located along one side of the building and can be directly accessed from some of the care rooms.

### Staffing

There were 23 staff members employed to work in the service at the time of inspection. This is not including the registered provider who is not on the premises on a daily basis. There is a named person in charge and a named person to deputise in the event of their absence. Of the 23 staff members, 19 were employed to work directly with the preschool 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. 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 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,*

*(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) There was a named person in charge in the service and a person appointed to deputise in the event of their absence.

(b) The person in charge confirmed that at all times during the hours of operation, either the person in charge or the named deputy are on the premises. This was further confirmed by a review of the staff roster.

(2) The employment records of seven staff members and one student recruited to the service since the most recent inspection on 7 December 2022 were reviewed as part of this inspection. A review of qualifications documents for four staff members and police vetting requirements for one staff member was also undertaken as these remained outstanding following the last inspection.

The following documents were available on file or not required for the staff members:

(a) There were 15 validated references from past employers, in particular the most recent employer for seven of the staff members.

(b) There was one validated reference from a source other past employers for one staff member.

(c) Vetting disclosures from the National Vetting Bureau of the Garda Síochána were available for the eight staff members.

(d) International police vetting documentation was on file for three staff members.

(4) Evidence of the completion of a major award in Early Childhood Care and Education at Level 5 on the National Qualifications Framework or an equivalent qualification was available for seven newly recruited staff members. Evidence was also available for the four staff members previously employed in the service whose qualifications were not available on the last inspection.

## Non-Compliance Information

(d) There was no international police vetting documentation available on file for one staff member who had lived outside of the State for a period longer than six consecutive months as adult. This requirement was also found to be non-compliant on the previous inspection of 7 December 2022.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

International police vetting has been received.

### Supporting documentation submitted

Documentary evidence received.

## Summary Comment

The corrective and preventive actions submitted by the person in charge on behalf of the registered provider have been reviewed by the inspectorate and the non-compliance found on inspection in relation to regulation 9 have been resolved and 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

(3) The following adult child ratios were observed on the morning of inspection.

- In the sessional room, two adults cared for seven children aged 3-4 years attending on a sessional basis.
- In Montessori 1, there were three adults caring for 15 children aged 2 years 6 months to 3 years attending the full day care service.

- In the toddler room, 13 children aged 2 years were cared for by 3 staff members. All children attended the full day care service.

## Non-Compliance Information

(1) (2) The registered provider did not ensure that the minimum ratio of adults to children was maintained at all times as evidenced by the following:

1. During the staff lunch period from approximately 12.10pm until 12.50pm, there were 14 children in the wobbler room being cared for by 2 staff members. The children were aged 1-2 years. The required ratio of adults to children for this age group is one adult to every five children therefore one additional adult was required to be present and caring for this number of children.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

1. Staff will stick to their allotted breaks as per the rota, you could see that we had adequate staff to adhere to the ratios and regulations, but one staff member went on lunch early. We will ensure that staff will adhere to their lunchtime break times.

### Supporting documentation submitted

No supporting documentation submitted.

## Summary Comment

The corrective and preventive actions submitted by the person in charge on behalf of the registered provider have been reviewed by the inspectorate and the non compliance found on inspection in relation to regulation 11 have been resolved and this regulation is now compliant and will be reviewed on the next inspection.

## Part IV – Information and Records

### Regulation 17 – Information for parents

*A registered provider shall ensure that a parent or guardian of a child proposing to attend the service is provided with the information referred to in subparagraphs (a) to (g) of Regulation 16(1).*

#### Compliance Information

The registered provider ensured that parents and guardians received all necessary information in relation to regulation 16 (1) (a-g) on enrolment to the service in a welcome pack.

The registered provider had also provided information on notice boards at the entrance to the service. The notice boards displayed the statement of purpose and function, information on how to make a complaint, the menu plan for the service, information on fees and opening hours, details of the adults working in the service and their qualifications. The service also displayed their child safeguarding statement for the attention of parents and guardians.

## 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 secured with a buzzer system requiring staff to permit entry to the building. The door leading to the care rooms from the lobby area was secured with keypad entry which prevented unauthorised access. All external doors were appropriately secured to prevent children exiting the service unsupervised.
- Cleaning products were stored up high in cupboards out of reach of children. Lower cupboards containing hazardous materials were secured with safety latches.
- The kitchen was inaccessible to children at all times during the inspection.
- All windows had safety restrictors in place. Lower-level glass panels were identifiable by visibility indicators.

- Large equipment was sturdy and stable to prevent tipping over. The toys and play equipment available to children was appropriate for the age group using it and appeared in good condition.
- Leads and flexes were secure and inaccessible to the preschool children.

### Infection Control:

- Liquid soap and single use paper towels were available to promote adequate hand hygiene practices. Childrens hands were routinely washed prior to mealtimes.
- Tables were observed to be cleaned prior and post mealtimes. Cleaning schedules were in place and up to date in all care rooms. The toys and play equipment appeared to be maintained in a clean, hygienic condition.
- A fridge was available in the care rooms for the safe storage of perishable items.

### Administration of Medication:

- On discussion with staff members, staff were aware of the service policy on administration of medication and are aware of their roles and responsibilities in relation to the administration of medication.

### Safe Sleep:

- The air temperature in the sleep rooms was maintained between the required temperature of 16°C to 20°C.
- Standard cots were provided for children under two years of age and floor beds were provided for those children over two years of age.

### Fire Safety:

- Fire doors throughout the building were observed to be unobstructed.
- Emergency plan notices were displayed throughout the building.

### Non-Compliance Information

#### General Safety:

1. Medication for children was observed to be stored in the refrigerator in both the wobbler and toddler room. Both refrigerators were low level and unsecured therefore were accessible to children posing a safety risk.
2. The highchairs used in the wobbler room were not equipped with a five-point safety harness as required. They also did not have a stable footrest for children to sit comfortably while eating.

- The running water temperature at one of the wash hand basins in the nappy changing unit between the wobbler and Montessori 1 rooms measured above the safe maximum limit of 43°C. The water temperature when measured by the inspector was 44.2°C. It is acknowledged that a second wash hand basin with thermostatically controlled warm water was available in the area however both wash hand basins were required to comply with regulation given the number of children attending.

### Infection Control:

- The nappy changing process observed in the wobbler and Montessori 1 rooms did not promote effective infection control practices and presented a risk of cross contamination as evidenced by the following;
  - Staff members did not routinely wear a protective apron when changing children's nappies.
  - Staff did not remove their disposable gloves and protective aprons prior to dressing children.
  - Staff members were observed on occasion, to return children to the care room and escort another child to the nappy changing area while wearing the protective apron and disposable gloves.
  - Staff did not always wash their own hands following each nappy change.
  - Staff did not routinely clean the nappy mat after each child's use.
  - Staff members did not always dispose of the soiled nappies immediately. On one occasion there were three soiled nappies sitting on the nappy bench.
- The soiled nappies were placed into a shoot in a wall, that moves into a large bin. The staff were observed to use a stick to push the soiled nappy into the shoot. The wooden stick was not observed to be routinely cleaned after each use, therefore posing a risk of cross contamination. The stick was also not sealed in a way to allow for effective cleaning after each use. This is a recurring non-compliance from the previous inspection on 7 December 2022.
- There was an accumulation of dust and dirt on the bench under the nappy mat posing an infection control risk.
- It is acknowledged that staff, when questioned, demonstrated an understanding and awareness of the services procedure for the management of toys that children placed in their mouth. However, in the wobbler room, one child placed a number of toys in their mouth while playing, none of which were removed by the staff for cleaning and sterilising.
- The soft floor mats in the wobbler room were stained and required cleaning to prevent the risk of cross infection, particularly as the children in this room spend a significant amount of time playing on the floor.

- The waste disposal bin in the toddler room was not foot pedal operated, thus posing a risk of infection control when disposing of waste.

### Administration of Medication:

- While the medication administration records recorded parental consent for administration, there was no evidence that parent had been informed of medication administration after each administration. It is acknowledged that a phone call is made to parents prior to administration and verbally informed on collection of the child however a written record is required.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

##### General Safety:

- Fridge locks were put on the two fridges.
- We purchased 7 new highchairs that meet regulations.
- The temperature in the sink has been reduced by 1.5deg in one sink

##### Infection Control:

- The policy has been updated to increase infection control practices. See attached. All staff are aware of this.
- A new nappy bin has been purchased in both nappy changing rooms so the nappy shoot is no longer used.
- Staff have been advised to ensure under the changing mat is checked more regularly and cleaned
- All staff have been made aware to remove toys when children put them in their mouth and put them in the container for cleaning.
- New floor mats have been purchased for the wobbler room.
- The waste disposal bin in the toddler room has been changed to a foot operated bin.

##### Administration of Medication:

- Parents are now asked to initial medication form at the end of the day to ensure they are aware that their child has received medication.

#### Supporting documentation submitted

##### General Safety:

- No evidence submitted.
- Photographic evidence submitted.
- No evidence submitted.

## Infection Control:

4. Documentary evidence submitted.
5. Photographic evidence submitted.
6. No evidence submitted.
7. No evidence submitted.
8. No evidence submitted.
9. Photographic evidence submitted.

## Administration of Medication:

10. No evidence submitted.

## Summary Comment

The corrective and preventive actions submitted by the person in charge on behalf of the registered provider have been reviewed by the inspectorate. The non compliances found on inspection in relation to regulation 23 have now been resolved and this regulation is now compliant and will be reviewed at 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

The registered provider ensured that.

(1) At all times, there was a person trained in first aid for children immediately available to the children always attending the service. On the day of inspection there was five adults rostered with first aid responder training.

(2) (a) (b).

The first aid equipment was readily available and safely stored in visible positions throughout the service.

## Part VI - Safety

### Regulation 28 - Insurance

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

#### Compliance Information

The registered provider ensured the service had a certificate of insurance valid until the 23 August 2024 showing that adequate insurance cover was in place for the service's maximum number of 106 children.