

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2015SO002

Name of Service: Anne Carton Creche

Address of Service: The Hawthorns, Carraroe, Co. Sligo

Eircode: F91 PW96

Name of Registered Provider: Anne Carton

Service type: Full Day

Date of Inspection: 01/11/2023

No of pre-school children:	AM	21	PM	15
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Address of the Early Years Inspectorate: Donegal Early Years Inspectorate,
St. Conal's Campus,
Letterkenny,
Co. Donegal.
F95 XK94

Inspection undertaken by: N McEndoo

Title: Early Years Inspector

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

Anne Cartons Crèche is a private full day care early years' service. It is located in a housing development on the edge of Sligo Town. The service caters for a maximum of 61 preschool children ranging in age from 18 months to 6 years. The operating hours are 7:30am to 6pm. School aged children are also catered for in the service. The service operates from a purpose-built building. There are four care rooms available to the children including a Toddler room and three Preschool rooms. There is an office, a kitchen and a separate sleep room located off the main corridor. There are two nappy changing rooms for younger children and sanitary facilities for older children accessible off the care rooms. There is a large outdoor play area and one smaller covered area to the left of the building. A larger grassed area is accessible to the rear of the building.

Staffing

The registered provider is the owner of the service and is involved in the daily operations of the service. There are fifteen adults employed in the service, which include three office admin, with the remaining staff working directly with 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.

The inspection focused on an examination of compliance under Regulations 9 Management and Recruitment, Regulation 11 Staffing levels, Regulation 15 Record of pre-school child, Regulation 19 Health Welfare and development of the child, Regulation 23 Safeguarding Health, safety and welfare of the child, Regulation 25 First Aid. These findings are outlined within the relevant regulation 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.

Additional Information

On the day of inspection, an immediate action notice was issued to the registered provider, to ensure three adults for whom Garda Vetting had not been obtained, ceased direct contact with children until the vetting was obtained. On the 6th of November, evidence of Garda Vetting for all three adults was submitted.

Acknowledgments

The inspector wishes 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, 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) There was a designated person in charge and a named adult to deputise in their absence.
 - (b) The designated person in charge was available on the premises throughout the period of inspection.
- (2)
- On the day of inspection, it was confirmed with the registered provider that the vetting files for six adults had not been previously reviewed. Five adults were employed to work directly with the children, and one adult employed to work on office administration.

The following vetting information was available for these six adults:

- (a) 9 written validated references from past employers for 6 of the adults.

- (b) 1 written validated reference from reputable source for 1 of the adults.
- (c) Vetting disclosures from the National Vetting Bureau of the Garda Síochána for 3 adults.

- (4)
- 6 of the adult files reviewed, evidenced they held a major award at level 5 or above in early childhood care and education on the national qualification framework.

Non-Compliance Information

- (1)
- (c) Two staff members, when asked by the inspector, were unaware of a clear management structure in the service, identifying the lines of authority and accountability in the service.
- (2)
- (a) A second written validated reference was required in relation to two adults from a past employer.
 - (c) It was established that Garda Vetting had not been obtained by the service for three adults who were present in the service and working directly with the children. An immediate action notice was issued to the registered provider requiring the adults to cease to have access or contact with the children.
 - (d) International police vetting was not available for two adults from the relevant jurisdictions. It could not be determined from the employment records of one adult if international police vetting was required due to gaps in their employment history.
- (3)
- One adult file did not have a start date available on the day of inspection, therefore it could not be determined if relevant checks and considerations in relation to the adult being suitable and competent were carried out prior to the adult being appointed.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (1)
- (c) All staff have been informed and are aware of lines of authority. The Registered Provider spoke individually to each member of staff. Staff's attention drawn to Notice on Notice board in main hallway.
- (2)
- (a) Staff Files have been updated.
 - (c) Immediate action was taken as outlined above. Garda Vetting was on file for the 3 adults from previous employment and had been checked and was still in Date. Garda Vetting had been applied for by this service prior to inspection. Garda Vetting for this service arrived some days later for the 3 adults.

- (d) Staff files have been reviewed, updated as required.
- (3) Staff File has been updated and full employment history and start date included. CV's will be thoroughly gone through at interview and explanations sought and recorded of any gaps identified as advised by the Inspector.

Supporting documentation submitted

- (1)
 - (c) Documentary evidence submitted.
- (2)
 - (a) Documentary evidence submitted.
 - (c) Photographic evidence submitted.
 - (d) Documentary evidence submitted.
- (3) Documentary evidence submitted.

Summary Comment

The actions submitted by the registered provider in the CAPA have been reviewed by the inspectorate and the non-compliances found on inspection have been rectified. 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)
The registered provider ensured that there was an adequate number of adults working directly with the children attending the service. When the inspector arrived unannounced, there were 6 staff members working directly with 21 children. The Registered provider was also available to the staff as and when required.

(2)

The registered provider ensured that on the day of inspection, the adult to child ratio was always maintained at the minimum specified ratios.

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.*

(2) A registered provider of a pre-school service in a drop-in centre or of 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 particulars specified in subparagraphs (a), (d), (e) and (f) of paragraph (1).

Compliance Information

(1) On day one of the inspection, a sample of 10 children’s registration forms were reviewed. There was a record in writing containing the following particulars for each of these children.

- (a) The name and date of birth of the child.
- (b) The date on which the child first attended the service was available for 6 of the files reviewed.
- (c) Provision to record 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 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 where the family has registered with a general practice was available for 8 of the files reviewed.

(h) Record of each child's immunisation.

(i) Written parental consent for appropriate medical treatment of the child in the event of an emergency was available for 9 of the files reviewed.

(2) The registered provider ensured that a record in writing was kept in respect of each pre-school child attending the service containing (1) (a), (d), (e) and (f) above.

Non-Compliance Information

The registered provider did not ensure there was a record in writing for the following,

(b) The date on which the child first attended the service was not available for 4 of children who attended the service out of the 9 files reviewed.

(g) The name and telephone number of the child's registered medical practitioner was not available for 2 of the children who attend the service.

(i) Written parental consent for appropriate medical treatment of the child in the event of an emergency was not available for 1 of the children who attends the service..

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(b) The files have been checked and updated where necessary.

(g) All files have been checked and updated where necessary. In the case of the 2 files mentioned both families were new to the area and did not have a GP at the time of enrolment. This information had been requested and they agreed to provide this information once they had registered with a GP. The families advised us that in the meantime they would use the service of Care Doc Sligo.

(i) All files have been checked and updated where necessary. Checklist will be placed at front of the Enrolment Folders verifying that all enrolment forms have all been checked and the information verified with parents

(j)

Supporting documentation submitted

- (b) Documentary evidence submitted.
- (g) None Submitted.
- (i) Documentary evidence submitted.

Summary Comment

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

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) The children's learning, development and well-being was observed to be facilitated on the day of inspection.
- The service promoted healthy eating. Snacks were provided by parents and stored in fridges in the care rooms.
 - Children were supported to be independent and were free to choose their own activities with support from the adults available if they required it. The materials supplied in the rooms were age and stage appropriate for the children in each of the care rooms.
 - There was a range of equipment in the outdoor area to support play. This included slides, climbing areas, and a large, grassed area to the rear. The use of the outdoors was not observed on the day.
 - Short, medium, and long-term curriculum plans that were displayed and documented on the notice board were reflective in the children's art displays on the walls of the care rooms.

(b) The inspector observed appropriate care practices during the inspection.

- Staff interacted very well with the children in a respectful, and responsive manner throughout the day in the care rooms and during nappy changes. Interactions were carried out by staff, using low tones and down at the child's level, labelling for children as they engaged. Staff were also observed to sit and chat with children during mealtimes.
- Children were observed to be listened to, cuddled, and comforted throughout the service on the day.
- Children's nappies were changed both on a regular basis and as required. The children were handled in a sensitive and kind manner.
- Children of toileting age were able to do so independently as there was an adjoining sanitary area in each of the care rooms. They did not have to wait to be brought, and support was given to children as and when required.

Non-Compliance Information

(1)

(a) The registered provider did not ensure that children's well-being was facilitated on the day of inspection.

- In the Room 4 there was a limited range of equipment available to children. Baskets of toys were stored up high in the room and not within the children's reach, rather than on the open shelving within the room. This prevented the toys and play equipment from being freely accessed, limiting the opportunities of choice and play for the children.
- Opportunities for sensorial and natural play were not observed in the care rooms 3 and 4, a limited opportunity was observed in room 2. There was a lack of real, sensory, and natural materials available within the rooms. This provided insufficient stimulation of the senses curtailing children's learning and development experiences. It is acknowledged a sink with running water was available in the rooms, however these were only observed in use at times of hand washing on the day of inspection. Room 1 was not observed in use by preschool children on the day of inspection.

(b) The registered provider did not ensure that suitable care practices were in place on the day of inspection.

- On the day of inspection, a child was observed to be visibly tired in Room 4 at 11.26am. The child had a soother and was holding a comfort blanket. The child was observed to be sliding off a padded vinyl couch in an attempt to make themselves comfortable. No suitable rest facilities were available in the care room that were suitable for the ages, development stages and individual needs of the children in the room.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(a)

- The children have access to the toys on lower shelving. Unfortunately on the day of inspection these toys having been washed over the long weekend had not been fully returned to the lower shelves. See attached photo.
- There are 4 sand/water pits available to children at all times (see attached photo). These are located in the outside area for the children. The outside area was not inspected due to the area being power-washed. We regularly provide sensory activities for the children in the classroom as part of the curriculum. For example activities with water, homemade playdoh, and sand play although it was not planned for the day of Inspection. Please see photos attached for recent activities.

(b)

- Suitable rest areas are available in all rooms. Unfortunately, on the day of inspection the mats were not taken out. The attached photos are an example of all the mats available. These are available if needed to sleep or relax. The Service Provider will review each room along with the Room Leaders to ensure that a Nature Table and Sensorial materials are always available in the care room and that all the rest areas are fully operational for children who are tired

Supporting documentation submitted

- (a) Photographic evidence submitted.
- (b) Photographic evidence submitted.

Summary Comment

The actions submitted by the registered provider to address the non-compliances found on inspection in relation to regulation 19 have been reviewed and accepted. 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 registered provider ensured the following,

- The front entrance door to the premises was found to be locked and secured upon arrival to the service, preventing unauthorised exit or entry. A buzzer system was in place to gain entry to the service. The rear, and two side entrance doors to the premises were also locked and secured.
- Finger guards were in place on internal doors.
- The outside garden areas were fenced and gated, the area was not observed in use on the day.
- Grapes in children's lunch boxes were observed to be cut in half to reduce the risk of choking.
- Play materials and equipment appeared in good order throughout the premises.
- Cleaning products were stored out of reach of children.
- 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:

The registered provider ensured the following,

- The premises was observed to be maintained in a clean and hygienic condition.
- Warm running water, hand paper towels and liquid soap was available in the sanitary accommodation and in the pre-school rooms. Children were observed to wash their hands before meals and after toileting.
- Each room had a refrigerator for the storage of perishable food products.
- Foot pedal bins were observed throughout the premises.

Administration of Medication:

The registered provider ensured the following,

- No medication was observed to be administered on the day of the inspection. Temperature reducing medication was available in the service if required. Staff were aware of the procedures around administering medication.

Safe Sleep:

The registered provider ensured the following,

- A dedicated sleep room was provided to cater for the children who slept. Four standard cots were provided for children under two years of age and two low level beds were provided for children over two years of age.
- All linen provided was clean and individual to each child.
- Regular sleep checks were observed to be carried out for children aged under 2 years.

- On the day of inspection, the sleep room temperature was maintained between the recommended range of 16-20°C.

Fire Safety:

The registered provider ensured the following,

- 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

The registered provider did not ensure that reasonable measures were taken to safeguard the health, safety and welfare of a pre-school child.

General Safety:

- A low hanging flex was observed beside a cot in the sleep room. This could pose a risk of strangulation to a child.

Infection Control:

- The internal nappy changing rooms were ventilated by mechanical ventilation, the ventilation system was not in use causing a strong malodour in the room.
- A nappy bin that required the user to handle the lid during the disposal process was observed in operation in the nappy changing area, increasing the risk of infection to the user.
- After Nappy changing, children's hands were observed not to be washed therefore increasing the risk of cross contamination.

Safe Sleep:

- A second child was observed by the inspector at 15:45pm to have just woken in Room 4 and was lying on a child size padded vinyl couch. The inspector was informed that the child had fallen asleep on the couch, remaining there until they woke. It is acknowledged the room had been darkened and soft music was playing to make the room conducive to sleep. A sleep mat or low-level bed was not used for the sleeping child who was aged over 2 years. Couches, sofas, settees, and chairs are prohibited items for sleeping children.
- Two cots were unsafe due to the sides of the equipment being very loose.
- Fitted sheets observed on the cot mattresses were ill fitting causing all corners of the mattresses to curl upwards.

Fire Safety:

- Record of attendance books were not fully completed with children's details or parents contact numbers. In the event of an evacuation, this could cause unnecessary delays.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

- The issue has been rectified by P and B Kilcullen Electrical contractors.

Infection Control:

- Please see report from P and B Kilcullen Electrical contractors. Works have been carried out.
- Staff have been instructed to use the nappy pedal bins provided. We carry out regular risk assessments on all rooms and speak to staff on the importance of being aware of the infection control policy and nappy changing policy.
- New signs are now in place with this issue highlighted.

Safe Sleep:

- Suitable rest areas are available in all rooms. Unfortunately, on the day of inspection the mats were not taken out. The attached photos are an example of all the mats available. These are available if needed to sleep or relax.
- Both Cots have now have been repaired by our maintenance man.
- All sheets have been replaced. Please see attached photos of new sheets and bedding. Room Leader to check all bed linen is a proper fit for each mattress and carry out a weekly risk assessment.

Fire Safety:

- All records have now been updated in the attendance books.

Supporting documentation submitted

General Safety:

- Photographic evidence submitted.

Infection Control:

- Report from P and B Kilcullen Electrical contractors.

- Photographic evidence submitted.
- Updated policy.

Safe Sleep:

- Photographic evidence submitted.
- Photographic evidence submitted.
- Photographic evidence submitted.

Fire Safety:

- Photographic evidence submitted

Summary Comment

The actions submitted by the registered provider to address the non-compliances found on inspection in relation to regulation 23 have been reviewed and accepted. This regulation is now complaint 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

The registered provider ensured that.

(2) (a) (b).

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

Non-Compliance Information

The registered provider did not ensure that,

(1) at all times, a person trained in first aid for children was not immediately available to the children attending the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (1) A number of qualified paediatric first aid staff are always immediately available to the children attending the service.
- (2) First Aid Training is scheduled for remaining staff and those who require refresher training on Monday 12th and 26th. February with Safetech. This training is planned to take place within the Creche setting. HR records will be checked and training schedules for staff who require updating will be highlighted for retraining. Induction checklist to be introduced for all new staff going forward Periodic review of HR records Checklist will be carried out by admin staff under the direction of the service provider

Supporting documentation submitted:

Documentary evidence submitted.

Summary Comment

The actions submitted by the registered provider to address the non-compliances found on inspection in relation to regulation 25 have been reviewed and accepted. This regulation is now complaint and will be reviewed on next inspection