

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015TY125
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Name of Service:	Little Treasures Creche & Playschool Ltd
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Address of Service:	Boytonrath, New Inn, Cashel, Co. Tipperary
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Eircode:	E25 CT92
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Name of Registered Provider:	Anita O'Dwyer
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Service type:	Full Day
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Date of Inspection:	04/08/2023
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No of pre-school children:	AM	18	PM	15
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Address of the Early Years Inspectorate:	Tusla Child and Family Agency, Ferryhouse, Clonmel, Tipperary.
Inspection undertaken by:	E Cullen 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
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Description of service

Little Treasures Creche and Playschool is a privately owned early years service which was first established in 2002. The service is located on the grounds of the registered provider's home in the rural area of New Inn, south Tipperary. The service caters for children from 6 months to 6 years of age on a full day care basis. A detached two-storey premises contains three early years rooms, a toddler room, junior and senior playschool rooms. Adjoining this premises there are two early years rooms attached to the private residence. Both these rooms and the toddler room were closed on the day of inspection. Several outdoor play areas are available for use to the rear of both buildings.

Staffing

The service currently employs eight staff members, seven of whom work directly with children. The service also employs an administrator. The registered provider works directly with children in the service.

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 and safety. The inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations:

9 (1)(2)(3)(4) – Management and Recruitment

10 - Policies, procedures etc. of pre-school service

11 (1)(2)(8) – Staffing levels

16 (1)(a)(h)(i)(j)(k) - Record in relation to pre-school service

19 (1)(b) - Health, welfare and development of child

23- Safeguarding health, safety and welfare of child

However, on inspection additional non-compliance which posed significant risk was identified under Regulation 8 - Notification of change in circumstances and 25 (1) – First Aid. These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under regulation 16. As a result, the scope of the inspection included time in the outdoor and indoor environments.

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

An immediate action notice was issued in respect of a non-compliance identified in relation to Regulation 9 (2)(c) Garda Vetting on 08 August 2023. A response was received 08 August 2023 which indicated the actions that would be taken to address the risk.

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 II - Registration and Register

Regulation 8 - Notification of change in circumstances

(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.

Non-Compliance Information

The registered provider was found not to have notified the registration department of the Early Years Inspectorate, in writing, of changes in the named person in charge. The named person in charge was no longer employed in the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Tusla have been sent written instructions to remove the previous person in charge from the certificate of registration. Will keep names up to date going forward.

Supporting documentation submitted

Copy of an automated receipt response confirming a submission of a change in circumstance form. The response did not confirm the registration number of the service.

Summary Comment

Evidence submitted does not meet the requirements Child Care Act 1991 (Early Years Services) Regulations 2016. The change in circumstances forms submitted were for the registered providers other registered services and not the service subject to this inspection report.

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

(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) The registered provider was identified as the named person in charge and there was a deputy appointed in the event of their absence.
- (b) The deputy person in charge was on the premises when the inspectors arrived, with the registered provider arriving at 14:25.
- (c) The deputy person in charge confirmed the management structure and identified the roles and responsibilities for each person in the service.

(2) The employment records for seven of the eight staff members were available for review on the day of inspection.

(a) (b) Nine of sixteen required references were available for staff members from either a past employer, or from a reputable source. Of these four were validated.

(c) Garda Vetting disclosures received from The National Vetting Bureau of an Garda Síochána were available to view for five staff members.

(d) Police vetting was available for one staff member had lived outside the state for a period over 6 months.

(4) Evidence of completion of a major award in Early childhood Care and Education at Level 5 or above was available for four staff members. This requirement was not applicable in respect of one staff member who did not work directly with the children.

Non-Compliance Information

(2)(a) (b) Seven references were not available for staff members from either a past employer, or from a reputable source. Five of the nine available references had not been shown to be validated.

(c) Garda vetting disclosures from the National Vetting Bureau of an Garda Síochána were not available to view for three staff members who were on the premises and had access to children on the day of inspection.

An immediate action notice was issued to the registered provider on the 8th of August 2023, which required that the adults cease to have access to, or contact with, children until such vetting had been obtained and reviewed.

(3) The vetting procedures required under paragraph (2) of this regulation were not carried out prior to some staff members having access to or contact with children as evidenced by the staff members presence on the day of inspection and the staff roster provided.

(4) Evidence of completion of a major award in Early childhood Care and Education or equivalent at Level 5 or above was not available for three staff members.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a)(b) References are now present, and all are shown to be validated, since the inspection and filed. Future references will be validated immediately and prior to new staff commencing.

(c) Of the three Garda vetting disclosures one was in another office and a copy was emailed the following day. The other two have been received since the inspection and filed correctly. All future Garda vetting disclosures will be applied for and filed prior to staff commencing.

(3) All future Garda vetting disclosures will be applied for and filed prior to staff commencing, so this won't happen again with staff.

(4) In the meantime, the staff in question have returned to college. All future staff members awards will be held on file prior to commencement.

Supporting documentation submitted

(2)(a)(b) Seven references and validations were submitted. Five validations of references were submitted.

(c) Garda vetting for one staff member and an action plan for two unvetted staff members was submitted in response to the immediate action notice 08 August 2023. Completed Garda vetting dated 20/08/2023 and 21/08/2023 for two staff members was submitted.

(3) Vetting records submitted.

(4) Updated staff roster submitted.

Summary Comment

Evidence submitted for meets the requirements Child Care Act 1991 (Early Years Services) Regulations 2016.

Part III – Management and Staff

Regulation 10 - Policies, procedures etc. of pre-school service

A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.

Compliance Information

There were written policies, procedures and statements, as specified in Schedule 5, available for the service. The policies reviewed for this inspection were the following: policy on accidents and incidents, policy on nappy changing and the policy on recruitment in the service. These policies and procedures were appropriate and specific to the setting.

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) On the day of inspection there were an adequate number of staff members working directly with the preschool children attending the service. In the afternoon the registered provider was available to care for the children from 14:45.
- (2) The minimum adult/child ratio was maintained throughout the inspection.
- On the inspector's arrival at the service 18 children were present, with 5 staff available to care for them. Both the Toddler room and Playschool room were mixed throughout the day of inspection.
- The toddler room comprised of 10 children, aged 2-3 years.
 - The play school room comprised of 8 children, aged 2-5 years.

Non-Compliance Information

- (8)(a) On discussion with staff and viewing of roster between the hours of 8:00 and 8:30 only one staff member was available onsite on the day of inspection.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

On the day of inspection the owner was present but left at 8.30 for an appointment and remained on the premises until the next rostered staff member arrived at 8.30. The service will have two staff members on the premises between 8:00 and 8:30 going forward.

Supporting documentation submitted

A revised staff roster was submitted.

Summary Comment

Evidence submitted meets the requirements Child Care Act 1991 (Early Years Services) Regulations 2016.
Implementation will be assessed on next inspection.

Part IV – Information and Records

Regulation 16 – Record in relation to pre-school service

(1) A registered provider shall ensure that a record in writing is kept of the following information in relation to the service:

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;*
- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;*

Compliance Information

(1)(a) A record of experience was available for seven staff members and photographic identification was available for six staff members.

(i) Staff rosters were available on the office door.

(h)(j) Records were available on the premises for the following: attendance and administration of medication.

Non-Compliance Information

(1)(a) A record of experience was not available for one staff member.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

All relevant work experience is now recorded on the staff files. Going forward all work experience records will be updated on file.

Supporting documentation submitted

A curriculum vitae.

Summary Comment

All evidence submitted meets the requirements Child Care Act 1991 (Early Years Services) Regulations 2016.

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-

(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

Parents supplied all food and drinks daily. A hot meal was served to each child at 12:30. A system was in place whereby small groups of children were brought in from the garden when their meal was ready. This avoided any unnecessary wait times while food was being reheated.

Mealtimes observed were unhurried social experiences, staff sat with children and engaged in conversation. The children were encouraged to feed themselves and were assisted as required. Staff were attentive to children's needs during meals, this was observed when one child was struggling to eat a pasta dinner with a spoon. A staff member noticed this and asked if they wanted a fork, ensuring the child could confidently feed themselves independently.

Drinks were freely accessible to the children throughout the day, drinks baskets were on low level shelves. Children were observed to return their drinks to the baskets after meals.

Regular nappy changing took place throughout the day and staff were observed to engage attentively with children during the process. Children who were toilet trained, toileted as needed. Attention was given to children's appearance with staff observed to clean children's faces and hands.

The room used for sleeping was sufficiently dark and quiet to promote a restful sleep. Low-level floor beds with pillows and blankets were available to meet the sleep needs of children over two years of age.

Children spent a large portion of the day in the outdoor area. Children made choices of who and what they wished to play with, promoting independence. Siblings had many opportunities to interact throughout the day both in the indoor and outdoor environments.

Staff members responded to minor conflicts among children with care and empathy. Getting down to the children's level and supporting them to resolve the issue.

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:

Staff areas were inaccessible to children. All cleaning agents were stored safely and out of reach of children. Room temperatures were monitored in each room by staff, temperatures were maintained between the required 18°C to 22°C in the early years rooms. Equipment and materials used by children were in good condition and suitable for use by the age range of children using them.

Infection Control:

A system was in place for the appropriate storage and sterilisation of children's soothers. Tables and equipment were cleaned prior to food being served to children and appropriate safe food storage and preparation was observed. Low-level beds in the sleep area were spaced the required 50cm apart.

Administration of Medication:

Medication record books were available for use when medications are required to be administered in the service. To date no medications have been required to be administered.

Safe Sleep:

Staff were familiar with best practices in safe sleep and carried out physical checks on individual sleeping children, every 10 minutes, recording individual children's sleep positions, colour and breathing. A staff member remained in the sleep area while children were sleeping. The temperatures were continually monitored by staff, with a digital thermometer located in the room.

Non-Compliance Information

General Safety:

1. The premises were not secured to prevent unauthorised persons gaining entry or children exiting unsupervised. The inspectors entered the premises unobstructed and located the children and staff in the outdoor area. The entrance door and exit ramp gate remained unsecured. During outdoor play a two-year-old child was observed to open a gate between the outdoor area and classroom, enter the classroom and open the main exit door unnoticed by staff members.

The inspectors observed from a distance to ensure the safety of the child. A staff member entered the room from the office and returned the child to the outdoor area. It is acknowledged that the entrance door and exit ramp gate were secured after this incident.

2. The kitchen door was wedged open throughout the day, posing a risk to children due to the presence of cleaning equipment. Children had regular access to this area as it was located beside the children's toilets and stairwell to the toddler room upstairs.
3. Two trailing electrical leads were observed in the toddler sleep area. A lead for an electric fan trailed close to the top of one child's bed. The second lead for an electric thermometer located on top of a radiator cover was close to a child's bed. There was potential risk of a child becoming entangled in a lead or pulling the thermometer down on themselves.
4. A ride on green tractor in the outdoor had a cracked and broken wheel. Posing a potential risk of injury to children.
5. Accident and incident books maintained a record of any incidents, two of the ten records reviewed were not signed by parents to confirm parents were informed of incidents.
6. There were multiple gaps in the soft fall tiles in the outdoor area, posing a potential tripping hazard for children.
7. A chair in outdoor area had exposed foam and the material was ripped. This posed a potential risk as a child could choke on the exposed foam.

Infection Control:

The following non-compliances were observed during the inspection which posed a risk of cross contamination to children:

8. Nappy changing processes observed during inspection were not in line with the service's nappy changing policy: Staff were not observed to wear a fresh disposable apron for each individual nappy change. The nappy changing unit was visibly dirty and was not observed to be cleaned before or after nappy changes as stated in the services policy. This posed a potential risk of cross contamination in the service.
9. The nappy disposal bin was not a foot pedal operated bin. Additionally, the lid was cracked and held together with tape.
10. A standard cot mattress was used for a child to sleep. The mattress was placed directly on the floor, had a cotton mattress protector and the sheet used did not cover the surface of the mattress. Each of the four corners were exposed. Other low-level beds were available for use.

Fire Safety:

11. On review of the children's attendance records it was observed that two of the nineteen children present were not signed in as being in attendance. This posed potential risk in the event of an emergency evacuation.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. Clearly written visual signs on entry and exit doors to rooms. All staff are aware of the procedures for locking the entrance room door and the entrance ramp gate. Door will remain closed at all times with visual instruction for all staff members to see.
2. Kitchen door wedge was removed and a written clear visual note on door insisting to remain closed at all times. Door will remain closed at all times with visual instruction for all staff members to see.
3. The electrical leads have been raised securely on a shelf since, so there is no risk to children. No electrical leads are in areas where they would cause potential risk to any children.
4. The damaged ride on tractor has been removed from the children's play area. A review of all the toys in playground has taken place, and will be assessed weekly, to ensure no other damaged toys are in the play area.
5. The team have reviewed the accident and incident books and all signatures are now present. All accident and incident books will be checked and signed immediately as and when required. Also, going forward a copy of the report will be given to the parent upon them signing same.
6. All soft tiles in the outdoor area have now been fitted correctly. All soft tiles in the outdoor area will be checked daily to ensure that they haven't moved as a result of the weather conditions.
7. The chair has been removed and is no longer in the yard. There is no other furniture in the yard.

Infection Control:

8. Staff meeting was held, and all staff were reminded that at all time's aprons needed to be changed after each child. The nappy changing unit was disinfected and cleaned thoroughly and is cleaned prior to and after each use going forward. Going forward all staff are aware of the service nappy changing policy and will use the correct procedure going forward.
9. The damaged nappy changing bin has been removed, and a new foot pedal bin is now in use. Going forward the pedal bin will be used by all staff.

10. The cot mattress has been removed and is no longer in use. All low-level beds going forward will have the four corners covered with sheets.

Fire Safety:

11. Attendance was recorded as soon as it was noticed. Procedures have been put in place to ensure that this doesn't happen again.

Supporting documentation submitted

General Safety:

1. Photographs of new signage.
2. Photograph of closed door and signage.
3. Photographs of electrical leads secured.
4. No evidence submitted.
5. Photographs of signed accident and incident records.
6. Photograph of tiles secured.
7. Photograph of outdoor area.

Infection Control:

8. Photograph of nappy changing area.
9. Photograph of new bin.
10. Photograph of sleep area.

Fire Safety:

11. Attendance records.

Summary Comment

All evidence submitted meets the requirements Child Care Act 1991 (Early Years Services) Regulations 2016.

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

(2)(a)(b) There was a suitably equipped first aid box stored in easily accessible position on the premises and were available to the children attending the early years service.

Non-Compliance Information

(1) While it is acknowledged that a staff member has been trained in PHECC first aid responder (FAR) training there was nobody available with that training until the arrival of the trained staff member at 14:45.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

All staff have first Aid courses completed. Staff member's name down for the nearest date to complete a course.

There will be a first aid responder present throughout the day in the creche.

Supporting documentation submitted

Confirmation of booking for FAR training.

Summary Comment

The action proposed is suitable to address the non-compliance. Completion of FAR training will be assessed on next inspection.