

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015WH034		
<b>Name of Service:</b>	Busy Kids Creche		
<b>Address of Service:</b>	Cloghanboy, Ballymahon Road, Athlone, Co. Westmeath		
<b>Eircode:</b>	N37 PV24		
<b>Name of Registered Provider:</b>	James Moore		
<b>Service type:</b>	Full Day, Part Time, Sessional		
<b>Date of Inspection:</b>	04/04/2024		
<b>No of pre-school children:</b>	AM	59	PM 59
<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Tusla, Child and Family Agency, SAP Office, St. Loman's Campus, Springfield, Mullingar, Co. Westmeath.		
<b>Inspection undertaken by:</b>	C.O' Connor Hughes & K. Murphy		
<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

The service is registered as a full day care service to accommodate children aged 0 to 6 years. The service is part of a multiple. The Early Years' Service is located in a two-storey purpose-built premises. Seven pre-school rooms, a kitchen, a laundry, a staff room an office and a breakout area are provided. Outdoor play areas are attached to the rear of the premises. Onsite parking and set down facilities are available. The service is urban in its location in a residential area in the town of Athlone, County Westmeath.

### Staffing

The designated person in charge, deputy designated person in charge and fifteen childcare staff were present and working directly with the children on the 4 April 2024. An adult on work experience was also present. The service was supported by a full time cook. The registered provider does not work in the service. The co-ordinator of the childcare service attended the closing meeting remotely.

### 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 co-operation of the designated person in charge, deputy designated 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.*

### Compliance Information

The service submitted a change in circumstance to the TUSLA registration office noting the change of the designated person in charge on the 19 December 2023. The change in circumstance was accepted by the registration office.

### 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)

The designated person in charge and a named person to deputise were available as required.

(b)

The designated person in charge and a named person to deputise were present for the duration of the inspection.

Twenty-three staff files, the file of the registered provider and student on work experience were reviewed and the following was noted:

(2)(a)

Forty written validated references were available from past employers in respect of staff members.

(b)

Eight written validated references were available from a source other than a past employer in respect of staff members and the registered provider.

(c)

A Garda Vetting disclosure was available in respect of the staff members and the registered provider. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d)

Police vetting was available in respect of five staff members who had lived outside the state for a period of longer than six consecutive months.

(4)

All staff members working directly with children attending the service and held a major award in Early Childhood Care and Education at Levels 5,6,7 or 8 on the National Framework of Qualifications.

## Non-Compliance Information

(2)(a)(b)

There were no written validated references in respect of the student on work experience.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

Management have obtained two written references in respect of the student on work experience.

Management have communicated the importance of validated references to all relevant management and HR employees.

Management have established regular reviews of the documentation process to identify and address any issues before they escalate every three months.

Management have implemented a file checklist for staff on work experience to streamline the documentation process and reduce the risk of errors or oversights.

## Supporting documentation submitted

Two validated references submitted.

## Summary Comment

Evidence submitted was reviewed by the Early Years Inspector and met the Regulatory requirement.

## 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)  
The minimum ratio of adults to children was maintained during the inspection.
- (2)  
There were fifty-nine pre-school children and thirteen school age children attending the service supervised directly by fifteen adults.
- (8)(a)  
The roster indicated that two adults are on the premises at all times.

## 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:*

*(j) details of any medication administered to a pre-school child attending the service with signed parental consent;*

*(k) details of any accident, injury or incident involving a pre-school child attending the service.*

#### Compliance Information

(1)

The service kept and maintained written records of information in relation to the service in accordance with Regulation 16 (1) (j) and (k).

## Part V - Care of Child in Pre-school Service

### Regulation 19 - Health, welfare and development of child

*(1) A registered provider shall, in providing a pre-school service, ensure that-*

*(a) each child's learning, development and well-being is facilitated within the daily life of the pre-school service through the provision of the appropriate activities, interaction, materials and equipment, having regard to the age and stage of development of the child, and*

*(b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.*

#### Compliance Information

(1)(a)(b)

Children enjoyed arts and crafts, tabletop activities, story time, themed activities and free play in the outdoor play area supported by staff. Children made choices as to what they played with and what activity to participate in.

The daily routine and suitable care practices were adhered to for the younger children in the baby, wobbler and toddler rooms. Babies slept on an individual needs basis in the adjacent cot rooms and were physically checked by staff every ten minutes. Nappy changing was carried out on a regular basis and as required. Staff supported and assisted children at mealtimes. Bibs were applied to protect children's clothes. Children explored their environment moving freely from one play experience to the next supervised by staff.

In ECCE room a staff member was able to describe and demonstrate appropriate care practices for a child with a defined medical condition.

Meals and snacks were prepared fresh by a cook. A hot meal consisting of bacon, turnip, broccoli and mashed potato with gravy was served to the children at 12:00. Dietary needs were catered for with a vegetarian meal and alternatives provided to children as required. Milk and water to drink was served. Self-serve drinking water was available in the pre-school rooms. In ECCE room one the children self-served their main meal supervised by a staff member.

Children went to the toilet independently. Staff reminded children to wash their hands after toileting and on return from outdoor play. Older children were encouraged to be independent in caring for their belongings and putting on their coats.

Good teamwork was observed amongst staff. Positive interactions were observed between staff and children. Eye contact was maintained, soft language tones were used and positive praise given to children on the completion of activities.

The pre-school rooms were bright and colourful. Age and stage appropriate toys and materials were accessible to children on low level wooden shelving and included books, jigsaws, bricks, blocks, dolls, prams, arts and crafts and fine motor skill toys. Children's artwork was displayed in the pre-school rooms.

The service worked in partnership with parents and used an electronic device to provide daily and weekly updates to parents of the child's daily routine, work and play activities. A learning journal incorporating the children's activities were outside the pre-school rooms for parents to view.

## 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 service met the necessary safety requirements in respect of the indoor environment, toys and equipment and the safe storage of cleaning agents. Safety checklists were in place and reviewed.

The service is accessed by parents and children through the main front door via an intercom and coded system.

Inspectors signed the visitors book on arrival.

##### Infection Control:

The premises were visually clean. All toys and materials were easily cleanable.

Cleaning schedules were available in each pre-school room and signed by staff.

Warm water, paper hand towel and liquid soap was available in the sanitary accommodation.

The water temperature recorded at the wash hand basins was 37 degrees Celsius.

Children were observed to wash their hands before snacks and after using the toilet.

The nappy changing procedure observed was carried out correctly as per the services' nappy changing procedure.

Refrigerators were available in each pre-school room for the storage of perishable foods.

Daily records of refrigerator temperatures were available for each pre-school room.

Soothers were stored correctly in individual containers in the baby room.

Baby formula was pre-prepared by parents and stored correctly in the refrigerator in the baby room.

Foot operated pedal bins were available in the sanitary accommodation and in the pre-school rooms for the hygienic disposal of waste.

Natural ventilation was available through openable windows in the pre-school rooms and in the sanitary accommodation and the wobbler nappy changing room.

Mechanical ventilation was in operation in the sanitary accommodation of the toddler room.

**Administration of Medication:**

Medication records reviewed indicated that correct procedures were in place for the administration of medication. Temperature reducing medication was stored in the office of the service if a child presented with a high temperature.

**Safe Sleep:**

Sleeping children were physically checked every ten minutes by a staff member in the baby and wobbler sleep rooms. Staff sat and observed sleeping children in the toddler room. Children from the toddler room not requiring sleep moved to the breakout area for play activities.

A record of the colour, position and breathing of sleeping children was noted in an electronic handheld device. The temperature recorded was 18.8 degrees Celsius in the baby sleep room and 18 degrees Celsius in the wobbler sleep room. Air conditioning units were in use in both sleep rooms.

**Fire Safety:**

Fire exit routes were unobstructed. A fire assembly point was noted in the outdoor play area.

**Non-Compliance Information**

**General Safety:**

1. Wooden units consisting of a bench and a climbing unit in the outdoor play area were worn with exposed wooden pulp and splinter formation developing which posed a potential injury risk to children.

**Infection Control:**

2. A second nappy changing mat was not in place in the sanitary accommodation to accommodate the seventeen children wearing nappies and pull ups attending the wobbler room.
3. The mechanical ventilation was not working in the sanitary accommodation adjacent to the baby room.
4. In wobbler sleep room a space of at least 50cm was not available between five out of the seven cots which was ineffective for infection control purposes.

In ECCE room two a space of at least 50cm was not available between eight out of eleven low level beds which was ineffective for infection control purposes.

This non-compliance was noted on the last inspection on the 18 September 2024.

The service's corrective and preventive actions response was not actioned by the service since the last inspection.

“The service acknowledges this oversight and have reminded all staff members of the importance of maintaining proper cot spacing, as outlined in our sleep policy.

The sleep policy was shared again with staff where it states that cots must be placed 50cm apart. Cots will be regularly checked by management to ensure correct cot spacing.”

### Outing:

5. The risk assessment presented in respect of outings to the local area was inadequate and did not provide sufficient detail regarding hazard identification and control measures. The risk assessment document presented did not include the following:
  - the date of the outing.
  - the duration of the outing including a start finish time for the outing.
  - The number of the staff members and children participating in the outing including the adult: child ratio.
  - The inclusion of a first aid kit and that a staff member on the outing is trained in first aid.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

##### General Safety:

1. Management have removed the wooden bench from the outdoor play area immediately to eliminate the risk of injury to children.

Management will replace the worn bench with new, safe equipment that meets safety standards and regulations.

Management taped off worn section of wooden climbing unit temporarily in the outdoor play area to eliminate the risk of injury to children.

Management have hired a carpenter to complete the repair works as soon as possible.

Management have retrained the health and safety officer on the regular maintenance schedule for outdoor play equipment, including wooden units, to proactively address wear and tear.

Management will apply durable sealants or coatings to all wooden units as part of routine maintenance to protect them from environmental factors and prevent splinter formation. We will ensure that sealants used are safe for children and comply with relevant safety standards.

Management have planned a staff meeting for 25/04/24, where will we:

- provide comprehensive training to staff members responsible for inspecting, maintaining, and supervising the outdoor play area.

- educate staff on the importance of proactive maintenance and the signs of wear and damage to watch out for on wooden play equipment.
- establish a system for ongoing monitoring and reporting of the condition of outdoor play equipment, with clear procedures for documenting and addressing any issues identified.
- encourage open communication among staff members to ensure that concerns about equipment safety are addressed promptly.

### Infection Control:

2. A second nappy changing mat has been put in place for the sanitary accommodation of the toddler room to ensure that there is adequate capacity to accommodate all seventeen children wearing nappies and pull-ups.

Management have established a schedule for regular inventory checks of childcare supplies, including nappy changing mats, to identify any shortages or deficiencies and take prompt action to address them.

During the staff meeting, we will encourage staff members to provide feedback on the adequacy of childcare facilities and resources, including suggestions for improvement, to support ongoing enhancement of the childcare environment.

3. Management engaged a qualified electrician to repair the ventilation system in the sanitary accommodation adjacent to the baby room and it is now working.

Management have implemented a regular maintenance schedule for all ventilation systems in the facility and will conduct routine checks to identify and address any issues promptly before they escalate.

4. Management have conducted a thorough review of the sleep room layouts in both the wobbler and ECCE rooms to identify opportunities for optimisation and ensure compliance with infection control requirements.

We rearranged the layout of the wobbler sleep room and ECCE room to ensure a space of at least 50cm between cots/low level beds is available.

Management will provide training to staff members on infection control practices and the importance of maintaining adequate spacing between sleep surfaces to minimise the risk of cross-contamination and the spread of infectious diseases.

Implement a schedule for management for regular inspection and monitoring of sleep areas to ensure ongoing compliance with infection control guidelines.

### Outing:

Management conducted a review of our risk assessment documents related to outings to the local area to ensure they contain sufficient detail regarding hazard identification and control measures. The new documentation templates include;

- the date of the outing
- duration with start and finish times
- the number of staff members and children participating
- the adult-to-child ratio.
- Inclusion of first aid kit on all outings
- designated staff member trained in FAR.

Management will provide training to staff members responsible for organising outings on the importance of conducting comprehensive risk assessments and ensuring all necessary information is included. We will educate staff on how to identify hazards, assess risks, and implement control measures effectively to ensure the safety of children during outings.

Management will ensure that all outings are accompanied by a staff member who is trained in First Aid Responder.

Management have developed and implemented a standardised procedure and document for conducting risk assessments for outings to the local area.

We will provide staff members with templates and training to follow when preparing risk assessment documents, ensuring consistency and completeness.

We will ensure that risk assessments are reviewed and updated by Management before each outing to account for specific factors such as weather conditions or route changes.

Management will carry out quality assurance checks to verify the accuracy and completeness of risk assessment documents before outings take place.

### **Supporting documentation submitted**

Photographic and written documentation was submitted.

## Summary Comment

Evidence submitted was reviewed by the Early Years Inspector and met the Regulatory requirement with the exception of the wooden play unit which requires repair by a carpenter. Evidence shall be submitted to TUSLA Early Years Inspectorate upon completion.

## 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

(1)

Nine staff members present were qualified in First Aid response (FAR) and available on the premises.

(2)(a)

Wall mounted first Aid boxes were available on the ground and first floor of the service.

(b)

A first aid box was accessible to children in the pre-school service.

### 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 written record for the completed monthly fire drills was available on the premises. The last fire drill was recorded as taking place on the 27 March 2024.

(b)

A record was available demonstrating the number, type and maintenance of the firefighting equipment and smoke alarms on the premises. The firefighting equipment and the smoke alarms in the premises were serviced in March 2024.

(4)

A notice of the procedures to be followed in the event of a fire was displayed in a conspicuous position in the premises.

### Part VI - Safety

#### Regulation 28 - Insurance

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

#### Compliance Information

There was evidence of current insurance cover for the number of children attending the service. The expiry date noted was 27 March 2025.

## Part VIII - Notifications and Complaints

### Regulation 31 - Notification of incidents

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

*(d) a serious injury to a pre-school child while attending the service that requires immediate medical treatment by a registered medical practitioner whether in a hospital or otherwise;*

### Compliance Information

(1)(d)

A notification of incident was submitted to the TUSLA registration office since the last inspection in respect of a child who required medical treatment.