

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015WW162			
Name of Service:	Little Harvard Childcare Ltd			
Address of Service:	Riversdale, Upper Dargle Road, Bray, Co. Wicklow			
Eircode:	A98 TX65			
Name of Registered Provider:	James Hargrave			
Service type:	Full Day, Part Time, Sessional			
Date of Inspection:	12/07/2023			
No of pre-school children:	AM	38	PM	38
Address of the Early Years Inspectorate:	Tusla Child and Family Agency First Floor Trinity Building IDA Business Park Southern Cross Road Bray Co. Wicklow			
Inspection undertaken by:	H. Bourke and M. Redmond			
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

This full day care service was first established in 2009. The premises is a purpose built, two storey building with five pre-school rooms, afterschool rooms, an office, staff room, laundry room and kitchen. There is a large outdoor area to the rear of the premises, which the children have access to on a daily basis. The service is located in the urban setting of Bray Co. Wicklow. The service is privately owned and is registered to provide care and education for children aged between two years and six years of age. The service is open from Monday to Friday between 07.00 hrs and 18.30 hrs (including a sessional Early Childhood and Education Scheme (ECCE) service from 09.00 hrs to 12.00 hrs for 38 weeks of the year). A school age service is also provided.

Staffing

There were twelve members of staff present on the day of inspection. Eight staff members were working directly with the children. The registered provider was not on the premises and does not work with the children. The additional staff members were the service manager, the deputy manager, the regional manager and the chef. The managers provided additional support if required.

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 inspections 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 manager, assistant manager, 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.

(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.

(6A) is inserted by S.I. No.632 of 2016 CHILD CARE ACT 1991 (EARLY YEARS SERVICES) (AMENDMENT) REGULATIONS 2016 which states; Regulation 9 of the Child Care Act 1991 (Early Years Services) Regulations (S.I. No. 221 of 2016) is amended - in paragraph (4), by the substitution of “paragraphs (5), (6) and (6A)” for “paragraphs (5) and (6)”, and (b) by the insertion of the following paragraph after paragraph (6): “

(6A) Paragraph (4) shall not apply to an employee of a registered provider where - (a) the registered provider receives funding for the employment of the employee pursuant to a scheme funded by the Minister and known as the Access and Inclusion Model, and (b) the employment of the employee is for the purpose of providing support, pursuant to the scheme referred to in subparagraph (a), for a child attending the service to enable the child to participate in the programme known as the Early Childhood Care and Education (ECCE) funding Programme.”

Compliance Information

A total of eighteen staff are employed in the pre-school service, these files were reviewed.

(1)(a)

The service had a manager and a named person who was able to deputise as required.

(b)

The manager was on the premises at the time of the arrival of the inspector and remained on the premises for the duration of the inspection.

(c)

There was a clear management structure within the service.

(2)(a)

Written past employer validated references were available in respect of fourteen adults.

- (b)
Written validated references from reputable sources were available in respect of four adults.
- (c)
Completed Garda Vetting Disclosures were available for eighteen adults employed.
- (d)
International police vetting was available for twelve adults who had lived outside the jurisdiction for more than six consecutive months as an adult.
- (4)
Seventeen staff members held a major award in Early Childhood Care and Education at Level 5 or higher on the National Framework of Qualifications or a qualification deemed equivalent.
- (6)(A)
No adult was employed under the scheme known as the Access and Inclusion Model.

Part III – Management and Staff

Regulation 11 - Staffing levels

(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

- (2)
There were eight adults employed and present with 38 pre-school children on the day of inspection. Between the hours 07.00 am and 11.45 am and between 12.30 pm to 06.30 pm the minimum adult/child ratios were maintained.
- (8)(a)
There were more than two adults present on the premises throughout the inspection and the staff roster confirmed there were at least two adults present at all times.

Non-Compliance Information

(2)
The adult child ratio was not maintained at the time listed below.
In Pre-school 1 between 11.45 am and 12.30 pm there was one adult present with nine children aged between two years and three years of age asleep on low level beds. This is outside the required adult to child ration for this age group which is one adult to six children. An additional staff member was not available as they were maintaining ratios in other rooms.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)
New rosters have been drawn up to ensure that ratios are maintained at all times. Local and senior management will carry out unannounced inspection of the facility to ensure compliance with all aspects of this regulation.

Supporting documentation submitted

(2)
Photographic evidence in the form of revised staff rosters was submitted.

Summary Comment

The non-compliance found on the day of inspection in relation to Regulation 11 (2)- Staffing levels has been addressed and will be revised on next inspection.

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.

(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-

(c) an authorised person.

(4) A registered provider shall ensure that a record in writing referred to in paragraph (1) is retained for a period of 2 years from the date on which the child to whom it relates ceases to attend the service.

Compliance Information

(1)(a)-(i)

The manager ensured that a record in writing of the above particulars, were kept in respect of each child attending the pre-school service.

(3)(c)

The manager ensured that these records were available for inspection to an authorised person.

(4)

The manager had evidence that all children's records were kept for a period of two years from the time a child left the pre-school service.

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:

(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;

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

(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.

Compliance Information

(1)(h)

There were details of attendance by each pre-school child on a daily basis available for inspection.

(i)

There was evidence of staff rosters on a daily basis.

(j)

There were recorded details of medication administered to a child attending the service with signed parental consent.

(k)

There were recorded details of all accidents, injuries or incidents involving a child attending the service.

(3)

The above listed documentation was open to inspection by an authorised person.

Part IV – Information and Records

Regulation 18 – Copy of Act etc.

A registered provider shall ensure that a copy of Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act and of these Regulations is kept on the premises and the said copies shall be open to inspection on the premises by-

- (a) a parent or guardian of a child attending or proposing to attend the service,*
- (b) an employee, unpaid worker or contractor, and*
- (c) an authorised person.*

Compliance Information

The manager had a copy of the Act on the premises on the day of inspection and this copy was open to inspection by-

- (c)
An authorised person.

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

(1)(b)

The manager of the service ensured that appropriate and suitable care practices were in place. Children were asked what activity they wished to pursue, and children’s participation was encouraged in all activities throughout the day. The transition between one activity and the next was smooth and unhurried, aided by the language used by the adults to the children. Positive reinforcement of children’s behaviour contributed to a pleasant environment for the children in the service, with minor problems handled promptly. One to one attention was given to a child if it was required.

The mealtime was relaxed and observed to be a positive social experience for children, all children sat on low level chairs at a table and were encouraged to feed themselves, with assistance given as necessary.

Children were addressed by their name and were given plenty of time to eat their food. All food was provided by the service, with a three-week menu displayed in all care rooms.

Special dietary needs were also accommodated for children in the service. It was observed that children with sensory needs had mealtimes modified for them to make it a positive experience.

All children were offered the opportunity to sleep during the day if they required it. Each care room had a cosy area for the children to use should they need some personal space or rest during their day.

Childrens parents are spoken to on an individual basis at collection time. Parents are encouraged to make direct contact with the service, should they have any concerns or issues.

Children are supported to be independent with looking after their belonging, in the tidy up process and with using the toilet. All with adequate supervision.

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 door to the service was securely locked on arrival of the inspectors to the service.
- Documentary evidence was available of daily risk assessments being carried out in the service.
- All toys were in good condition and equipment was suitable, age appropriate and in good working order.
- Each care room had access to their own individual access to the outdoor area, that was suitable, safe and secure.
- All cleaning products were stored safely out of the reach of children.
- The emergency exit route in each pre-school room was free from obstruction and clearly marked.

Infection Control:

- Each pre-school room had its own sanitary area. There was warm running water, liquid soap and paper towels available.
- A foot pedal bin was available in each area for the safe disposal of used paper towels.
- Table cleaning was observed before and after mealtimes.
- Hand washing by adults and children was observed before snacks, after using the toilet and outdoor play.
- A cleaning schedule was present and maintained in the pre-school rooms.
- Hand sanitiser gel was available in the pre-school rooms and at prominent points throughout the service.

Part VI - Safety

Regulation 24 - Checking in and out and record of attendance

(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.

(3) A registered provider shall ensure that-

(a) no person other than-

(i) pre-school child attending the service,

(ii) a person dropping or collecting such a child,

(iii) an employee, or

(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and

(b) a daily record in writing is kept of the entry on the premises of any such person.

(4) A registered provider shall ensure that a record in writing referred to in paragraph (3)(b) is retained for a period of one year from the date to which it relates.

Compliance Information

(1)

The manager ensured that all children attending the service were checked in and out on the service register.

(3)(a)(i-iv)

The manager ensured that no other person other than the agreed list of people had access to the service.

(b)

The manager had a record in writing, in the form of a visitors' book, of all such persons who accessed the service.

(4)

The manager was able to demonstrate that the visitors book was kept for a period of one year from the dates to which it related

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)
There was a staff member trained in FAR first aid present and available to the children throughout the inspection.

(2)(a)
A suitably equipped first aid box was located in an accessible place within each pre-school room.

(b)
The first aid box was available to the children attending the service at all times.

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 fire fighting equipment and smoke alarms in the premises.

(2) The record referred to in paragraph (1) shall be open to inspection by-
(c) an authorised person.

(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)
There was evidence of regular fire drills haven taken place within the service. The most recent fire drill took place on the 7th of July 2023.

- (b)
There was a maintenance record of the firefighting equipment and smoke alarms in the premises dated 20th of April 2023 and the 9th of March 2023 respectively.
- (2)(c)
These records were open to inspection by an authorised person.
- (4)
There was a notice of the procedures to be followed in the event of a fire, displayed within each pre-school room.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

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

- (a) of sound and stable structure,*
- (b) safe and secure,*
- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

Compliance Information

The premises was observed to have the following.

- (a)
Appeared to be of a sound and stable structure.
- (b)
Appeared to be safe and secure.
- (d)
Appeared to be clean, well maintained and in a good state of repair.
- (e)
Each room was equipped with adequate sanitation and where needed, nappy changing facilities.

Non-Compliance Information

- (c)
The registered provider did not ensure that the premises was adequately ventilated as evidenced by the following.

On the day of inspection, the temperatures of care rooms in use for pre-school children were not maintained within the required range of 18 to 22 degrees Celsius for habitable rooms.

The temperatures of four pre-school rooms ranged between 23.2 and 24.1 degrees Celsius and despite mitigation measures such as opening windows and doors the temperatures of the rooms did not reduce to within the required range at any time during the inspection.

The ambient outdoor temperature varied between 15 and 17 degrees Celsius.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(c)

Air conditioning has been installed throughout premises. Manager and staff will carry out daily and monthly checks on ventilation and make sure that they are working properly at all times.

Senior management will include this area in their inspection process going forward.

Supporting documentation submitted

(c)

Photographic evidence of new air conditioning units in the service was submitted.

Summary Comment

The non-compliance found on the day of inspection in relation to Regulation 29 (c)- Premises has been addressed and will be reviewed on next inspection.