

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015WW168			
<b>Name of Service:</b>	The Park Academy Childcare Bray			
<b>Address of Service:</b>	Bray Retail Park, Southern Cross Road, Bray, Co. Wicklow			
<b>Eircode:</b>	A98 CK63			
<b>Name of Registered Provider:</b>	Louise Barrett			
<b>Service type:</b>	Full Day			
<b>Date of Inspection:</b>	04/07/2024			
<b>No of pre-school children:</b>	AM	105	PM	105
<b>Address of the Early Years Inspectorate:</b>	Tusla Child and Family Agency First Floor Trinity Building IDA Business Park Southern Cross Road Bray Co. Wicklow			
<b>Inspection undertaken by:</b>	H. Bourke and M. Condon			
<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 Park Academy Childcare service was first established in 2006. This full day care 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 0 and six years of age. The service is open from Monday to Friday between 07.30 hrs and 18.30 hrs. All children attend on a full-time basis and the Early Childhood and Education Scheme (ECCE) is taken into consideration as part of full day care hours for 38 weeks of the year for eligible children. This service does not provide an after-school facility. The service operates from a purpose-built single-story premises located in a retail park. Seven pre-school rooms are provided, and there are three dedicated sleep rooms. Further accommodation includes a kitchen, staff room, office and a dining area for children. All pre-school rooms lead directly to their individual outdoor play areas. Parking is available outside the premises.

### Staffing

There are thirty-two staff employed to work in the service including the person in charge and the chef. Twenty-eight staff are employed to work directly with the children. There is an appointed manager, with two assistant managers who cover for breaks and where extra staff may be needed throughout the day. On the day of inspection, there was a person contracted for recreational exercise for the children present 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/ 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.

### Additional Information

An Immediate Action Notice was issued on the 5<sup>th</sup> of July under Regulation 23 General Safety, the registered provider responded to the notice on the same day and the response was accepted.

### Acknowledgments

The inspectors wish to acknowledge the cooperation of the person in charge, staff and children who were present on the day of the inspection.

## Part III – Management and Staff

### Regulation 9 – Management and recruitment

*(1) A registered provider shall ensure that-*

- (a) the service has a designated person in charge and a named person who is able to deputise as required,*
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, 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.*

### Compliance Information

Following a discussion with the manager and inspecting the staff roster it was confirmed that thirty-two adults are employed in the service, and one outside contractor, these files were reviewed.

(1)(a)

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

(b)

The person in charge was on the premises at the time of the arrival of the inspectors and remained on the premises for the duration of the inspection.

(c)

There was a clear management structure within the service.

(2)(a)(b)

Written validated references were available in respect of thirty-three adults.

(c)

The required three-year Garda Vetting Disclosures were available for thirty-three adults employed.

(d)  
International police vetting was available for twenty adults working in the service had lived outside the jurisdiction for more than six consecutive months as an adult.

(4)  
Thirty-one 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.

### Non-Compliance Information

(2)(d)  
International police vetting was not available for two adults who had lived outside the jurisdiction for more than six consecutive months as an adult.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

(2)(d)  
1<sup>st</sup> staff member clarified that he worked from home in Spain for a Portuguese company so was not outside the jurisdiction for more than 6 months.  
2<sup>nd</sup> Staff member misunderstood the question on the day (Language barrier) Has since confirmed he was in Romania for 5 months, so was not outside the Jurisdiction from more than 6 months. At screening stage candidate's CV's are checked for employment outside the jurisdiction and are now required to put the number of months on the CV at this stage of the employment process.  
If Police clearance not available, they are then advised to apply for police clearance at this stage of the process.

#### Supporting documentation submitted

(2)(d)  
Revised CV's were sent with the CAPA response.

### Summary Comment

The above actions have resolved the non-compliance found on the day of inspection in relation to Regulation 9 (2)(b) and will be reviewed on next inspection.

### 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)  
Throughout the inspection there were an adequate number of adults working directly with the children attending the pre-school service.

(2)  
The correct adult/child ratio was maintained at all times. There were 28 adults employed and present with 105 children on the day of inspection.

(8)(a)  
The manager ensured that there were two adults on the premises at all times. This was confirmed by reviewing the staff roster.

### 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 premises was securely locked on arrival of the inspectors to the service.
- The kitchen area was inaccessible to the children.
- 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.
- 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.
- A notice of the procedure to be followed in the event of fire was displayed in a conspicuous place in each pre-school room and around the pre-school.

### Infection Control:

- Cleaning schedules for all pre-school rooms and for the remainder of the premises were available and maintained.
- Each pre-school room had access to a suitable sanitary area, with toilets, running water, liquid soap and paper towels.
- Hand washing by adults and children was observed before meals.
- Children's soothers were stored in individual containers and named accordingly, cleaning and storing of soothers was included in the daily cleaning policy of the service.
- A foot pedal bin was available in all sanitary areas for the safe disposal of used paper towels. Foot pedal bins were also available in all pre-school rooms and the nappy changing areas.
- Table cleaning was observed before and after snack time as was hand washing by adults and children before snacks and after using the toilet.

### Administration of Medication:

On the day of inspection, the administration and recording of medication given to a child was observed to be in keeping with the pre-schools policy.

### Safe Sleep:

Staff were aware of the key principles required for safe sleep of young children. The sleep rooms were maintained at 20°C throughout the inspection.

There was written evidence that staff recorded the safe position, colour and breathing of children who are sleeping, in addition to recording the room temperature, at 10-minute intervals. This practice was observed during the inspection.

Cots were well spaced at 50cms apart and all cots had waterproof mattresses. The service had an adequate number of cots to accommodate the age profile of the children who required cots for safe sleep and low-level beds to accommodate the children who no longer slept in cots.

### Non-Compliance Information

#### General Safety:

1. On the day of inspection of the Bunnies room it was noted that the gates at either end of the designated outdoor area were in a state of very poor repair, did not have adequate locking mechanisms and the fences were not sufficiently high enough to prevent being accessed by an unauthorised person.  
An Immediate Action Notice was issued on the 5<sup>th</sup> of July and the registered provider responded to the notice on the same day, this response was accepted.
2. On the day of inspection, the door from the Bunnies room to the outdoor area was found to be unlocked on both occasions the inspectors accessed the outdoor facility.
3. On the day of inspection, the hot water in the taps in the sanitary areas and the care rooms was recorded between 46°C and 48°C. Hot water in services should not exceed 43°C for child safety purposes.

#### Infection Control:

1. On the day of the inspection the adult observed carrying out a nappy change in Bunnies room, failed to remove their gloves and apron until after the clean nappy was put on. Following a discussion with the room leader, on the process to follow in a nappy change, the staff member described not removing their gloves until after the new nappy had been put on. This is not the nappy changing procedure of the service and is not effective for infection control purposes.
2. The surface of one large outdoor area used by the children was covered in sand. It was confirmed by staff that this area is not covered when not in use. This is an infection control risk due to possible contamination by animals.
3. The seams and straps of the highchairs in the Bunnies room showed visible ingrained debris and were in need of a deep clean. Regular deep cleaning of highchairs is essential for infection control purposes.
4. The seams between the blow-up sections of the Ball Pool in the Bunnies room showed evidence of encrusted dirt and debris and there was no record available to demonstrate when it last had a deep clean. This is not effective for infection control purposes.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

##### General Safety:

1&2. Baby Garden was immediately closed off to the children and they were relocated to another garden as a temporary measure whilst new gates and fencing is being installed.

Sign on Bunnies door to advise staff to lock door after each garden use.

Before the inspection we had actioned an engineer to quote for the works of new gates and fencing for Bunnies gates. This work was approved and is due to be complete the week of the 12<sup>th</sup> of August

3. Maintenance person came immediately to site and adjusted boiler to cool water. Electrical engineer came on the 9<sup>th</sup> of July to fix a fault on the boiler to ensure water does not exceed 43 degrees.

##### Infection Control:

1. Manager spoke to the Bunnies team on the importance of following the procedure step by step and mixing up steps. Team retrained on the nappy procedure on the 5<sup>th</sup> of July. Specific spot checks on nappy changing is carried out by management team will be ongoing

2.

Sand cleared from Mulch area and new mulch laid which does not require a cover. Sand pits moved away from Mulch area to prevent sand being mixed with Mulch.

3.

Immediately after the inspection all straps were removed from highchairs and washed in the washing machine

4. On the evening of the inspection the Ball pit was emptied and cleaned thoroughly Both cleaning actions have been added to the Health and Safety diary under the weekly cleaning

#### Supporting documentation submitted

##### General Safety:

Photographic evidence was supplied with the CAPA response of the new fencing, safety signage and engineers' receipt of works carried out.

##### Infection Control:

Photographic evidence of a revised nappy changing policy and retraining of staff, a new mulched area with sand removed and a revised cleaning schedule, to include the ball pit and highchairs, were submitted with the CAPA response.

# Early Years Inspectorate Regulatory Report

## Pre School

### Summary Comment

The non-compliances found on the day of inspection in relation to Regulation 23 General Safety and Infection Control have been addressed and will be reviewed on next inspection.