

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015WW186
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Name of Service:	Cosy Kids Creche
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Address of Service:	Johnstown Lodge, Kilpeddar, Greystones, Co. Wicklow
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Eircode:	A63 VW89
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Name of Registered Provider:	Carolyn Marx
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Service type:	Full Day
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Date of Inspection:	21/06/2023
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No of pre-school children:	AM	44	PM	35
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Address of the Early Years Inspectorate:	Loughlinstown Drive, Loughlinstown, County Dublin. A96P3Y6
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Inspection undertaken by:	M. Condon
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Title:	Early Years Inspector.
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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 is located in a rural area in Kilpedder, County Wicklow. The service provides full day-care, part-time day care and a sessional service to pre-school children who are presently aged between one and five years of age. The service is open from Monday to Friday between 08.00am and 18.00pm. The premises is located in an adapted detached bungalow with two extra care rooms located in the garden area. A total of five rooms are available to accommodate the pre-school children attending.

Staffing

There were ten adults present on the day of inspection who were working directly with the pre-school children. The person in charge and her deputy were available to assist in the rooms during the day as needed. One staff member was employed to carry out kitchen and cleaning duties. A total of ten adults are employed to care for the pre-school children.

Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Child Care Act 1991 (Early Years Services) Regulations 2016 define the duty of a registered provider to ensure the safety and well-being of children and to comply with these regulations. This Act also gives Tusla the authority to assess compliance with the regulations. The purpose of regulation in relation to early years services is to ensure that the care, safety, and well-being of children attending such services is upheld. Inspections of early years services are planned based on the following:

- Previous inspection history
- Any information received in relation to the service

The findings on inspection are based on:

- Information obtained through examination of documentation
- Direct observation
- Discussion with relevant staff

This inspection was announced and focused on the area of governance, health, welfare and development of child, safety and premises and facilities. The inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under the following regulations:

Regulation 9-Management and recruitment

Regulation 11-Staffing Levels

Regulation 19(1)(a)-Health welfare and development of child

Regulation 23-Safeguarding health, safety and welfare of Child

Regulation 25-First aid

Regulation 26 Fire safety measures, parts (1),(2)(a)&(b) and (4)

Regulation 27-Supervision

Regulation 28-Insurance

However, on inspection additional non-compliance which posed significant risk was identified under Regulation 30-Minimum space requirements. These findings are outlined within the relevant regulation within this report.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re-occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered providers, 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*

(2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,*
- (b) consideration of references from reputable sources in the case of a person who has no past employers,*
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and*
- (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.*

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

Compliance Information

(1)

(a)(b) The service had a designated person in charge and a named person to deputise as required who were both on the premises throughout the inspection.

(2)

Documentation was reviewed in respect of all 15 staff members:

(a)&(b) Two validated written references were available for each staff member.

(c) Garda vetting disclosures from the National Vetting Bureau of An Garda Síochána were available for 15 adults.

(4) A record was available evidencing that all staff members who were employed to work directly with the children held the required qualification, or a qualification deemed to be equivalent. One staff member who did not have the required qualification had obtained a letter of eligibility to practice from the Department of Children, Equality, Disability, Integration and Youth (DCEDIY).

Non-Compliance Information

(3) One staff member was employed in the service, and had access to children, prior to their Garda vetting disclosure being available for them. The evidence provided indicated that the Garda Vetting disclosure was available to the service on 02/11/2021. However, the staff member had started employment in the service on 27/10/21 as per the documentation provided on the day of inspection.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

A new starter checklist has been put in place to ensure that the start date does not occur before the Garda clearance has come through.

Supporting documentation submitted

A copy of the new starter checklist with the start date and the date of receipt of Garda Vetting Disclosure.

Summary Comment

The registered provider has put steps in place to address the non-compliance in relation to Regulation 9. This is a practice issue 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) At all times during the inspection an adequate number of adults were working directly with the children attending the pre-school service.

(2) The minimum ratio of adults to children for full day care services was adhered to at all times during the inspection. There were forty-four children attending the service being supervised by ten adults on the day of inspection.

(8)(a) The staff roster demonstrated two adults are on the premises at all times during the hours of operation.

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

Compliance Information

(1)(a) Basic Needs of Infants & Children

- Children attending all rooms were observed availing of fresh air and sunlight in the outdoor area during the day.
- The service provided healthy nutritious snacks in line with the healthy eating policy . An outside catering company provided the main meal for the children.
- Drinking water was available for the children while indoors and outdoors throughout the day.
- Hand washing was observed before lunch, after using the toilet and children were supervised toileting independently with assistance offered as needed.
- The staff were observed to be kind, caring and patient in their interactions with the children. Staff sat with the children during meal times engaging the children in conversation and encouraging them to participate.
- Younger children's nappies were changed as required and good engagement in conversation with the children was noted during this time. Older children used the toilet independently and assistance given if required.

Supporting Relationships around Children:

- There was evidence that the service worked in partnership with parents. A written record of each child's day recording details regarding the child's meals, nappy changing, activities and sleeping pattern was available to parents via an electronic device. A daily verbal report detailing the child's day was given to parents upon collection.

Physical and Material Environment:

- The playrooms were spacious, warm and comfortable and laid out to meet the needs of the children in each room.
- A variety of toys and equipment were easily accessible to the children in all of the rooms from low level shelving.

- Areas of interest in the rooms included a home corner, art area, construction, transport and a library.
- There was evidence of the children’s artwork on display in the rooms.
- An outdoor area divided into two sections was available to accommodate the younger and older age groups. Play equipment available include, picnic tables, see-saws, sit-in cars, bikes, mud kitchen, playhouse, activity climbing frame and slide, sand play and water play.

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 kitchen and storage areas were inaccessible.
- All toys and play equipment were safe for the age group using them and in good condition.
- All electrical wiring was secured.

Infection Control:

- The environment was clean and cleaning schedules were available.
- Liquid soap, paper towel and pedal operated bins were provided in most areas to facilitate hand hygiene. Children were supervised washing their hands after using the toilet, outdoor play and prior to eating.
- Children’s soothers were sterilised as required and stored in labelled individual containers.
- Individual linen was provided for children’s cots and sleep mats. Staff confirmed that linen is laundered weekly or as required.

Safe Sleep:

- Staff were familiar with the safe-sleep guidelines when questioned. Sleeping children were checked by staff every 10 minutes and a record of all checks was maintained.
- Nine standard cots were used for children under two years of age when sleeping. Two of the cots were shared and a record of cleaning was available to confirm that they were cleaned between use.
- An adult remained in the room at all times where children were sleeping on low beds.

Fire Safety:

- Fire exits were unobstructed.

Non-Compliance Information

Safe Sleep:

The temperature of the sleep room on the day of inspection was 21.7 degrees Celsius. Despite efforts made to cool the room, by use of fans and a portable air conditioning unit, the temperature did not decrease in the room. When the written record of the temperature of the room for the previous 13 working days were reviewed, this showed that on nine of those days the temperature recorded was between 20.7 and 23.7 degrees Celsius. This poses a risk to sleeping babies and is not best practice in relation to the prevention of Sudden Infant Death.

Action submitted by the Registered Provider

Corrective & Preventive Action

Safe Sleep:

Corrective Action

The Cot room was changed to a different room at the back of the building where the temperature is cooler. We have attached the temperature charts for the last 2 weeks.

Preventive Action

We have put two portable air conditioning units in the room to use if the temperature goes above 18.5 degrees. We have also posted guidelines beside the temperature sheet stating what to do if the temperature exceeds 18.5degrees.

Supporting documentation submitted

Temperature records of the sleep room for the last two weeks.
Written guidelines of steps to be taken to control the temperature in the sleep room .

Summary Comment

The actions taken and supporting documentation have been considered by the inspector. The registered provider has addressed the non-compliance in relation to Regulation 23.

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) The registered provider ensured that a person trained in first aid was at all times immediately available to the children attending the pre-school service. Two staff members had a certificate in First Aid Response, three of which expired in July 2024 and the third expired in May 2025.

(2) (a) and (b)

A first aid box was safely stored in a conspicuous position and available 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.

(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

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(a) A written record was available detailing monthly fire drills that had taken place in the service. The last fire drill had been recorded as undertaken on the 15th of May 2023.

(b) A record was available detailing the number, type and maintenance of fire-fighting equipment and smoke alarms dated September 2023 and June 2023 respectively.

(4)

A notice was displayed detailing the procedures to be followed in the event of fire.

Part VI - Safety

Regulation 27 – Supervision

A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Compliance Information

During the inspection all children were supervised by staff members while indoors and outdoors at all times.

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 valid until 27th of March 2024. The insurance provides cover for up to 45 children attending for full day care

Part VII - Premises and Space Requirements

Regulation 30 - Minimum Space Requirements

(2) A registered provider of a full day care service or a part-time day care service shall ensure that the minimum amount of clear floor space specified in column (3) of Schedule 7 opposite a particular reference number specified in column (1) of that Schedule in respect of the age range of children specified in column (2) thereof at that reference number is available for each child in that age range attending the service.

Non-Compliance Information

Overcrowding occurred in the following two rooms in the service on the day of inspection.

1. In the Baby room five babies were present. Considering the ages of these children and the length of time they were to attend the service on the day of inspection a total of 14 square metres was required. However, 11.51 square metres was available.
2. In the Twinkler room nine children were present. Considering the ages of these children and the length of time they were to attend the service on the day of inspection, a total of 22.4 square metres was required. However, 18.2 square metres was available.

Action submitted by the Registered Provider

Corrective & Preventive Action

Corrective Action

We have changed our Baby room to a bigger room and moved children from our Baby and Twinkler room to ensure the correct floor space is adhered to. The number of children per room is now written on the attendance record to ensure that the number allowed is not exceeded.

Supporting documentation submitted

A copy of the written attendance record for each room which includes the maximum number allowed in each room.

Summary Comment

The actions taken by the registered provider and the evidence submitted has been considered by the inspector. The registered provider has addressed the non-compliance in relation to Regulation 30. This will be reviewed on next inspection.