

# Early Years Inspectorate Regulatory Report

## Pre School

<b>2TUSLA Identifier:</b>	TU2015WX011
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<b>Name of Service:</b>	Barleyhill Childcare Centre Limited
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<b>Address of Service:</b>	Coolnahorna, Enniscorthy, Co. Wexford
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<b>Eircode:</b>	Y21 C7P3
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<b>Name of Registered Provider:</b>	Pauline O'Byrne
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<b>Service type:</b>	Full Day
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<b>Date of Inspection:</b>	13/11/2023
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<b>2<sup>nd</sup> day of Inspection:</b>	14/11/2023
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<b>No of pre-school children:</b>	Day 1 AM	51	PM	33
	Day 2 AM	53	PM	NA

<b>Address of the Early Years Inspectorate:</b>	Early Years Inspector, Tusla Child and Family Agency Ely Hospital, Ferrybank Wexford
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<b>Inspection undertaken by:</b>	C. Ryan      E. Cullen
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<b>Title:</b>	Early Years Inspectors
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<b>Authority to Inspect</b>
The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Childcare 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

Barley Hill Childcare Ltd. is a privately operated early years service which offers a full day care, part-time, and sessional service to children aged 6 months to 6 years of age. The service operates from 8am to 6pm Monday to Friday. The service operates from a building to the side of the registered provider's home. The building consists of three playrooms, a sleep room, sanitary accommodation, entrance hall and kitchenette. There is log cabin located to the rear of the building. It is an L shaped building, divided into two smaller rooms, where the focus is on outdoor play. All the children have direct access to a variety of outdoor play areas to the side, front and rear of the premises.

### Staffing

There were 12 staff working on the day of inspection. The manager was the designated person in charge and assisted across the rooms. The registered provider was on the premises and assisted as needed. The service also employed a chef and admin support.

### Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Childcare 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 under the following regulations.

Regulation 9- Management and recruitment

Regulation 11- Staffing levels

Regulation 19 - Health, welfare and development of child

Regulation 23 – Safeguarding health, safety and welfare of the child

Regulation 25 -First aid

Regulation 26 – Fire safety measures

Regulation 28 – Insurance

Regulation 29- Premises, and

Regulation 30 -Minimum space requirements.

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 provider, 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.

(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 employs a manager, who is the designated person in charge on the premises and there was a deputy named person available as required. The registered provider was on the premises and assisted when needed in the rooms.

(2) The staff files for 14 staff members were reviewed on inspection.

(a)(b)

Validated references for all staff were kept in each individual's file.

(c)

Garda vetting disclosures were available for all staff working in the service.

(d)

Police vetting disclosures were on file for the staff who had lived outside the state for more than six consecutive months.

(4)  
Certificates of qualifications for 13 staff members working directly with the early years children were available on file.

### Non-Compliance Information

(4)  
A certificate of qualification was not available for one staff member.

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

**Corrective Action:**

The staff member is no longer working directly with the preschool children until they have completed their final modules.

**Preventative Action:**

Three new staff members have been employed.

**Evidence submitted:**

The names of the new staff were submitted to the early years inspector.

### Summary Comment

The registered providers response was satisfactory to meet the requirements of the regulation.

## 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.*

### Compliance Information

(2)

The registered provider ensured that the minimum ration of adults to children was adhered to in these rooms:

Day 1:

During the morning:

- Jungle room: There were 15 children in the care of 2 staff. (aged between 3 and 5 years).
- Baby room: There were 2 babies in the care of 2 staff. (1 under 1 years and 1 aged between 1 and 2 years).
- Ladybird room: There were 8 children in the care of 2 staff. (All aged between 1 and 3 years).
- Lodge/Cabin: There were 18 children in the care of 3 staff. (aged between 3 and 5 years).

During the afternoon:

- Jungle room: There were 17 children in the care of 2 staff. (aged between 3 and 5 years).
- Baby room: There was 1 baby in the care of 1 staff. (under 1 year).

After lunch time:

- Ladybird room: There were 8 children in the care of 2 staff. (All aged between 1 and 3 years).
- Lodge/Cabin: There were no preschool children.

Day 2:

During the morning:

- Jungle room: There were 15 children in the care of 2 staff. (aged between 3 and 5 years).

- Baby room: There were 2 babies in the care of 2 staff. (1 under 1 years and 1 aged between 1 and 2 years).
- Ladybird room: There were 9 children in the care of 2 staff. (All aged between 1 and 3 years).
- Lodge/Cabin: There were 18 children in the care of 3 staff. (aged between 3 and 5 years).

### Non-Compliance Information

(1)(2)

The minimum staffing ratio was not adhered to in the following areas of the service:

- During the lunchtime hour there was not sufficient staff to meet the needs of the number and ages of the children. There were 16 children aged between 1 and 3 years in the ladybird room in the care of 2 staff, where 4 were required.
- On both days of inspection, the Wobbler room was out of ratios. There were 8 children (aged between 1 and 3) in the care of 1 staff member where 2 were required.

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

#### Corrective Action:

The manager and registered will be available to provide cover for lunch breaks. Three new staff members have been employed.

#### Preventative Action:

The registered provider obtained support for the recruitment process.

#### Evidence submitted:

The names of the new staff were submitted to the early years inspector.

### Summary Comment

The registered providers response was satisfactory to meet the requirements of the regulation.

### 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)(b) The following observations and discussions with staff reflected the children's experience within the service focusing on the areas of basic needs and supporting relationships on the day of inspection.

The routine was flexible, and child led in the baby and wobbler rooms. Children in the baby room were held, and settled to sleep when they showed signs of tiredness. A staff member was observed to comfort a child who fell over.

The children enjoyed a variety of activities during the day including yoga, colouring, outdoor play and free play. Parents were able to drop and collect their children to and from the individual rooms, which allowed the parents and staff to discuss their children's day. The service had four well developed outdoor areas with resourced interest areas and sufficient toys, materials and equipment. Each of the different areas offered a variety of experiences for the different ages and stages of the children. The ladybird room had a covered area with astro grass flooring directly off their room.

The parents supplied the morning and afternoon snacks, which were stored in fridges in each of the rooms. The service's chef cooked the main meal daily. The chef planned a weekly menu around the children's favourite and more popular dinners. On the day of inspection children enjoyed pasta bolognese.

The children washed their hands before eating and the staff sat with the children, helping as needed. There was plenty of dinner available, with children provided with extra portions if they wanted more.

#### Non-Compliance Information

1. Basic needs were not attended to in a timely manner in the wobbler room. Three children did not have their nappy changed for a period of over 4-hours, with one child observed to have a visibly wet nappy, not changed till after afternoon snack.

2. A young child who required help with toileting was left alone by a staff member to use the toilet. The inspector had to request the staff member to assist the child.

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

#### Corrective Action:

1. All staff have been reminded of the importance of checking children's nappies more frequently.
2. All staff have been reminded that young children need assistance while using the toilet and should not be left alone.

#### Preventative Action:

Our policies regarding nappy changing and toilet assistance has been printed out and displayed in our nappy changing area. The manager will follow up with staff.

#### Evidence submitted:

Photographs of the nappy area.

### Summary Comment

The registered providers response was satisfactory to meet the requirements of the regulation.

## 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

#### Infection Control:

There was warm water, liquid soap and paper hand towels readily available for hygienic handwashing. Children's hands were washed after outdoor play, toileting and before eating.

#### Safe Sleep:

The service had a sleep room to meet the sleep needs of the children. There were eight cots available, with individual bed linen for each child. Mattresses were available for older children who required sleep during the day. Staff were seen to physically check sleeping children in line with the service's safe sleep policy. A room thermometer in the sleep room monitored the room temperature to ensure it was maintained between 16-20°C as per safe sleep guidelines. The sleep room temperature on the day was recorded at 18.6°C. Individual sleep care plans showing each child's sleep preference was displayed on the wall in the sleep room.

### Non-Compliance Information

#### General Safety:

1. Access was not restricted to building materials and building site beside the outdoor area and pathway. The fencing around the materials had fallen over. It is acknowledged that this was addressed on the first day.
2. A young child was observed being fed by a staff member while sitting in a bouncer chair, which increases the potential risk of choking.
3. The front entrance hall and door was locked and cluttered obstructing the exit. It is acknowledged that this was cleared by the second day.

#### Infection Control:

4. The mattresses in the cots did not have waterproof covers on them which poses as a risk of cross infection.
5. A buggy was stored in the toilet area which poses as a risk of cross contamination.
6. Mops and brushes were left in the toilet lobby between the wobbler and ladybird room.
7. A large bin was accessible to babies in the baby room.

### Action submitted by the Registered Provider

#### Corrective Action:

1. Building site is now screened off and there is no access to building work or building materials.
2. Staff have been reminded of safe feeding policies and have been instructed to use feeding chairs from now on.
3. Front entrance door is now back in use and the hall is being kept clear so as not to obstruct the exit.
4. All mattresses now have waterproof covers
5. The buggy has been stored away from the toilet area.
6. Mops and brushes have now been stored away.
7. Bin has been removed from the baby room.

#### Preventive Action:

1. The team will continue to check that pathway is clear for kids to get to the garden and to ensure that access remains closed to the building work and materials.
2. A new feeding chair has been purchased, so each child has their own. The team have also bought four small new chairs.
3. Staff will continue to keep the entrance door and hallway clear.
4. Staff will ensure that all mattresses have their waterproof covers on.
5. Staff will keep buggies away from the toilet area.
6. Mops and brushes will not be left in the lobby in future.
7. A small bin has been installed in one of the presses that children have no access too.

**Evidence Submitted:**

Photographs from the rooms.

**Summary Comment**

The registered providers response was satisfactory to meet the requirements of the regulation. This regulation will be reviewed on next inspection.

**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 were staff trained in first aid for children available to the children attending the early years service.

(2)(a)(b)

There was a suitably equipped first aid box stored in an easily accessible position and was available for use.

### 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)

Monthly fire drills were carried out in the service. The last recorded fire drill was carried out on the 4 October 2023.

(1)(b)

A record was maintained of when the firefighting equipment and smoke alarms were serviced. The last maintenance carried out in the service was recorded as having taken place in September 2023.

(4)

There was a notice of the procedures to be followed in the event of fire displayed in a conspicuous position in the hallway of the service.

### Part VI – Safety

#### Regulation 28 – Insurance

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

#### Compliance Information

An insurance certificate was available to demonstrate that insurance was in place.

### Part VII - Premises and Space Requirements

### Regulation 29 – Premises

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

- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

### Compliance Information

(e)  
The lodge and cabin rooms had three toilets and sinks allocated to children and one toilet and sink allocated to the staff. In the jungle room there were two toilets and sinks allocated to the children. Between the ladybird room, wobbler room and baby room, there was two toilets, one allocated to children and one for staff.

### Non-Compliance Information

(d)  
The service was not cleaned and maintained as required and in need of maintenance due to wear and tear. The wallpaper was peeling off the wall in the sleep room. Skirting boards were visibly dirty. Hand rails were worn. Paint on walls, doors, and skirting boards had marks visible and frayed areas. The lino flooring in some of the rooms was torn.

(e)  
There were insufficient nappy changing units available for the number of children attending the service requiring nappy changing. One nappy changing unit was available for 18 children, where 2 was required.

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

#### Corrective Action:

(d)  
Wallpaper has been removed from the sleep room. Walls have been freshly painted.  
Skirting boards and handrails have been repainted. New lino was laid on the 9 December.

(e)  
A second nappy changing area has been put in place.

#### Preventative Action:

We will close for 2-weeks every year, starting in August 2024 to enable each room to be freshly painted and have all maintenance works carried out.

#### Evidence submitted:

Photographs of new nappy changing units, new Lino flooring and painting.

### Summary Comment

The registered provider submitted a response that was satisfactory to meet the requirements of the regulations.

### Part VII - Premises and Space Requirements

#### Regulation 30 - Minimum space requirements

(1) Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.

(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.

#### Compliance Information

(2)  
A review and measurement of all the rooms was carried out on the inspection. The following table demonstrates the rooms which were compliant with the space requirements taking into account the ages and numbers of children for each of the rooms:

Room	Size	Age	Number of children	Max capacity
Jungle room	48.42 m <sup>2</sup>	3-5 years	15	22 sessional/20 FDC
Baby room	14 m <sup>2</sup>	0-2 years	2	4 babies ≤ 1-year FDC
Wobbler room	28.34 m <sup>2</sup>	1-3 years	8	10 FDC
The lodge/The cabin room	60 m <sup>2</sup>	3-5years	18	22 sessional/15 FDC

#### Non-Compliance Information

(1)  
During the lunchtime hour, children from the wobbler room and ladybird room joined together in the ladybird room. There were 16 children in the room. The ladybird room was measured at 35.36 m<sup>2</sup>. Based on the number and ages of the 16 children, (8 children under 2 and 8 children under 3) the space requirement was 41.2 m<sup>2</sup>. Therefore, there was insufficient space to accommodate 16 children.

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

##### Corrective Action:

Toddlers and Wobblers have been divided and are using their two separate rooms for lunch each day.

**Preventative Action:**

The staff will ensure that sufficient space is available with sufficient staff cover for each room.

**Evidence submitted:**

No evidence submitted.

**Summary Comment**

The registered provider's response was satisfactory to meet the requirements of the regulations.