

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015WX041
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<b>Name of Service:</b>	Discoveryland Creche and Montessori
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<b>Address of Service:</b>	14 Newlands, Wexford, Co. Wexford
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<b>Eircode:</b>	Y35 C2YK
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<b>Name of Registered Provider:</b>	Ailish Lee
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<b>Service type:</b>	Full Day, Sessional
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<b>Date(s) of Inspection:</b>	17/04/2024
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<b>No of pre-school children:</b>	AM	45	PM	41
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspector Tusla Child and Family Agency Ely Hospital, Ferrybank Wexford
<b>Inspection undertaken by:</b>	C. Ryan Liz Mc Garry
<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

Discoverylands Creche is a privately operated preschool service which opened in 2000. It offers a full day care service to children aged between 6 months and 6 years of age. The service operates from 7.30am to 6.00pm and is registered to accommodate 46 preschool children at any one time. The service operates from a house in a residential estate in Wexford town. The service consists of four preschool rooms: Baby room, Pre-Montessori room, Junior Early Childhood Care and Education (ECCE) room and Senior ECCE room. There is one designated sleep room and sanitary accommodation. Staff facilities and an office are available in an adjacent building. An outdoor garden play area is available to the rear of the property which the children have direct access to.

### Staffing

There were nine staff present on the day of inspection. The manager was the designated person in charge and assisted directly with the children attending the service. The staff working with the children held the minimum level 5 and above qualifications in Childcare and Early Childhood Care and Education.

### 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.

Regulation 9 (1)(a)(b)(2)(a)(b)(c)(d)(4) Management and Recruitment,  
Regulation 11(1)(2) Staffing levels,  
Regulation 19 Health, welfare and development of the child,  
Regulation 22 Food and drink,  
Regulation 23 Safeguarding Health, Safety, and Welfare of the Child,  
Regulation 25 First aid,  
Regulation 26 Fire Safety,  
Regulation 28 Insurance and  
Regulation 29 Premises.

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 to the registered provider on the 17 April 2024 regarding two non-compliances identified under regulation 23 safety and regulation 25 first aid. The registered provider submitted a response to the office of the Early Years Inspectorate on the 18 April to demonstrate the actions taken to correct the non-compliances.

### 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.

### art 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)

On the day of the inspection the manager was the designated person in charge of the service.

The staff files for all staff working in the service were reviewed on the day.

(2)(a)(b)

There were validated references for all employees kept in each staff members file.

(c)

Garda vetting disclosures were available for all staff working in the service. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

- (d)  
Police vetting disclosures were maintained on file for staff who had worked or lived outside the state for more than six consecutive months.
- (4)  
Certificates of qualifications for all staff members working directly with the preschool children were available on file.

## 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

- (1)(2)  
Throughout the period of the inspection there were adequate numbers of staff working directly with the children attending the service.
- During the morning there were 45 children being directly cared for by 8 staff. During the afternoon there were 41 children being directly cared for by 8 staff, ensuring there were adequate staff available to work with the children and to maintain staff/child ratios at all times. One additional staff member was rostered on the staff roster to cover for lunch breaks between 12pm and 2pm.

### 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)

The following observations and discussions with staff reflected the children's experience within the service on the day of inspection:

The service consisted of four playrooms. On arrival to the service, the children were engaged in a variety of free play activities within the rooms. Evidence of artwork was displayed throughout the rooms. The staff interactions were positive, with staff interested and attentive when talking with the children.

Staff picked up on cues from children who needed help with toileting and nappy changing was attended to regularly. Personal hygiene was attended to, with staff seen cleaning hands and faces after eating and wiping children's noses. Children had access to the outdoor play area to the rear of the building. Children from all the rooms enjoyed time in the outdoor area, and staff advised that they had a rota for outdoor play.

#### Non-Compliance Information

##### Physical and material environment:

The outdoor environment was limited in materials and resources with a number of toys, equipment and materials unsuitable for use by children due to wear and tear. The following was observed outside:

1. A large number of toys and equipment were weather worn and unclean.
2. A timber work bench and shelving unit were bare, unclean and showing signs of wear and tear.
3. Two tables were left stacked onto each other.
4. The timber playhouse had rotten timber and peeling paint evident.
5. Broken toys were left on the roof of a plastic playhouse.

These non-compliances were found on the previous inspection on 31 May 2023. Following this inspection the registered provider submitted a corrective and preventative response. However, this submission did not prevent a reoccurrence of the same non-compliances found on this inspection.

## Corrective & Preventive Action submitted by the Registered Provider

The registered provider submitted the following response to address the non-compliances:

### Corrective and Preventive Action

1. All toys in the outdoor area have been cleaned.
2. The work bench has since been removed.
3. The tables in question have been separated.
4. The timber playhouses have had the rotten timber replaced and it has been painted up.
5. Broken toys have been removed and discarded off the playhouse roof.
6. On an ongoing basis the manager will carry out a risk assessment every week in the outdoor area
7. Staff have been spoken too and will make the manager aware off any issues arising in the outdoor area.

### Supporting documentation submitted

Photographs of the outdoor areas.

## Summary Comment

The registered provider submitted a response that was satisfactory to meet the requirements of the regulation.  
The outdoor area will be inspected on the next inspection.

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

#### Regulation 22 – Food and drink

*A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.*

#### Compliance Information

Children were seated at suitable tables and chairs for mealtimes, which they ate in their rooms. High chairs were available for younger children in the baby room.

#### Non-Compliance Information

1. The food and nutrition requirements of children attending a full day care were not adequately met and in line with the nutrition standards for early learning and care services. The service policy also did not clearly outline to parents the food and snack requirements required for their children in childcare. For example, two children had ham sandwiches as their main meal of the day. In the Pre Montessori room, staff advised the inspector that they had to supplement food with snacks as children don't have sufficient food with them for the day. One child had one chopped sausage for his main meal.
2. Children in the pre-Montessori room and Montessori room 2 were observed drinking large quantities of juice drinks which is contraindicated due to tooth decay. The service was found to be non-compliance in relation to provision of adequate food and nutrition to the children on inspection 17 May 2022.

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

##### Corrective and Preventive Action

1. The healthy eating policy was sent out, including the food pyramid to all parents. The team have spoken to the parents and some families want the children to have their main meal with them in the evening.
2. Parents have again been advised about the juices. Most of the children however do bring water and do drink it through the day. Staff have advised parents not to send in juices but there are children that won't drink water.
3. Manager and staff will keep an eye on the food being provided and again advise the parents.

##### Supporting documentation submitted

Healthy eating policy was reviewed on inspection.

#### Summary Comment

The registered provider submitted a response that was satisfactory to meet the requirements of the regulation. The food and nutrition will be inspected on the next inspection.

## 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 entrance to the premises was secured. Visitors to the service were required to sign the visitors book on arrival to the premises. The outdoor play areas were fully enclosed to the rear of the premises.

##### Infection Control:

The playrooms were clean and well maintained. There was warm water, liquid hand soap and hand towels available in the toilets. Nappy changing practices observed during the inspection were in line with the services policy and included good hand hygiene.

##### Administration of Medication:

There were no children currently requiring administration of medication. Staff were aware of the procedure to follow if a child required administration of medication while attending the service.

##### Safe Sleep:

Children were placed to sleep when they showed signs of tiredness or required a sleep. The sleep room was located in the baby room with five cots.

#### Non-Compliance Information

##### General Safety:

1. A timber seating/bench in the outdoor area, had rotten timber with exposed rusty nails which was accessible to the children. These posed a risk of laceration or penetrating wound injuries to a child or staff member if they sat or fell against the bench/nails.
2. There were trip hazards observed in the outdoor all weather soft floor covering, with holes and uneven surfaces observed.
3. There was no toilet seat cover on one of the toilets in the main bathroom. The two metal screws used to attach the toilet seat were left exposed which posed as a risk of grazing and lacerations to the children.

##### Infection Control:

1. There was one staff member who was wearing long pointed gel varnished nails. This posed a potential risk of injury to the children. The wearing of gel nail varnish also posed a potential risk of cross infection to the

children. It is not possible to adhere to adequate hand hygiene practice wearing gel nails as bacteria adheres to the nails.

2. The inspectors observed that bottles of premade infant formula were not stored in the fridge but left on a shelf in the corner of the baby room. The service was previously found non-compliant in relation to safe food hygiene on the inspection 31 May 2023.
3. Clean nappies were observed stored on a shelf over the staff toilet which was located within the nappy changing area. This posed as risk of cross contamination.
4. During a nappy changing procedure, a staff member was observed to contaminate the tubs of barrier creams belonging to all the children by touching them with their gloved hand during the procedure. All the tubs of cream were stored together on an open shelf and not with the individual child's nappies/supplies.
5. The children in the senior ECCE room did not have their hands washed before eating their morning snack.
6. The inspectors were not assured by staff that there was a system in place to ensure that soothers were washed and sterilised daily.
7. Sleep beds used in the pre-Montessori room were not adequately spaced apart to prevent cross infection and allow access for supervision by staff.

### Action submitted by the Registered Provider

#### Corrective Action

1. The timber seating bench in the outdoor area with the rusty nails was fixed within 48 hours.
2. The holes have been filled in with the all-weather soft floor covering. The outdoor play areas ground being unlevelled creates an opportunity for risky play for the children which is beneficial to their development. The outdoor will be monitored in the outdoor risk assessment by manager.
3. The toilet seat has been ordered and awaiting delivery. The toilet areas will be monitored by staff reporting to the manager.

#### Infection Control

4. Staff member has been spoken to about the length of their nails and has had them reduced in length. The manager will carry out a weekly meeting with each room to monitor each task is being carried out correctly, including monitor the nails on the staff member.
5. Staff in the baby room have been told to keep all bottles in the fridge and remove them half hour before they are needed, and to discard them 2 hours after.

6. The nappies were removed the day of the visit and have been stored in an area separate to the toilet.
7. The staff member has been spoken to and gone through the nappy changing policy again. Creams have been separated on the shelves and are more easily assessable.
8. The staff in the senior ECCE have been reminded of the hand washing policy and that the children wash their hands before all meals and after all activities. The room leader in the ECCE room will make sure regular hand washing is carried out.
9. The team have gone through the protocol for washing and sterilising soothers on a daily basis. A sign has been put up in the baby room reminding the staff how to carry out soother washing and sterilising. The team have gone through the sleeping policy's with the room leader and staff in the pre-Montessori room to adequately space apart the beds. The room leader and manager will keep supervision of the beds being spaced apart.

### **Supporting documentation submitted**

Photograph of toilet seat receipt.

### **Summary Comment**

The registered provider submitted a response that was satisfactory to meet the requirements of the regulation. The infection control measures, and safety will be inspected on the 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**

(2)(a)(b)

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

### Non-Compliance Information

(1)  
On review of the staff files and staff roster it was evident that there was insufficient staff trained in FAR first aid responder course to cover at all times of opening. It was observed that there was only one staff member trained in FAR. An immediate action notice was issued to the manager requesting that action be taken to address the non-compliance as a matter of urgency.

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

The registered provider submitted the following response to address the non-compliances:

#### Corrective and Preventive Action

A staff member was enrolled on a FAR first aid course within 48 hours of inspectors visiting.  
Manager will review all staff first aid certs to (a) make sure they are all in date (b) make sure we have the required amount with on the premises at any one time.

#### Supporting documentation submitted

Email confirming enrolment to the FAR course sent to the inspector.

### Summary Comment

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

## 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 14 March 2024.

(1)(b)

A record was maintained of when the firefighting equipment and smoke alarm were serviced in December 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.

### 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-*

- (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 service was clean and well maintain and had recently been painted.

#### Non-Compliance Information

- (c)
1. There was inadequate ventilation in the baby room. There was a foul smell present in the room throughout the day. The inspector noted that it was not possible to open the openable window in the baby room. It is acknowledged that the double doors to the outdoor area could be opened, however if the doors were opened for too long it was cold on the children.
- (d)
2. There was a patch of damp, with a black substance observed on the wall in the corner of the Pre Montessori room.
  3. On the windowsill in the outdoor area there was approximately 4-feet of exposed broken plaster which was accessible.

## Corrective & Preventive Action submitted by the Registered Provider

The registered provider submitted the following response to address the non-compliances:

### **Corrective and Preventive Action**

1. Management spoke to the staff to make them fully aware that the top windows over the doors can be opened and left open on the latch which we carried out that day. The windows will be opened first thing in the mornings and monitored throughout the day.
2. The damp patch in the pre-Montessori room was washed and sealed with damp proof paint and then repainted over. Manager will monitor the room on a weekly basis for damp.
3. The windowsill has been replastered. This area will be assessed in the risk assessment by manager.

### **Supporting documentation submitted**

Photograph of wall in the pre-Montessori room and replastered windowsill.

## Summary Comment

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