

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015WX062		
Name of Service:	Kidz Korner Creche and Montessori		
Address of Service:	No.9, Ardbeg, Newbawn, Co. Wexford		
Eircode:	X35RX05		
Name of Registered Provider:	Liz Dillon		
Service type:	Full Day, Part Time, Sessional		
Date of Inspection:	16/05/2024		
No of pre-school children:	AM	24	PM 33
Address of the Early Years Inspectorate:	Tusla Child and Family Agency, Early Years Inspectorate, Ely Hospital, Ferrybank, Wexford.		
Inspection undertaken by:	E Mc Garry		
Title:	Early Years Inspector		

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

Kidz Korner is a privately operated preschool service located in a housing estate just outside the village of New Bawn Co Wexford. It is registered to provide full day care, part-time and sessional services to children from 0 to 6 years of age. The service is registered to cater for a maximum of 30 preschool children at any one time. The service operates from a detached bungalow. The service consists of an entrance hallway, a toddler room, a baby room and an Early Years Care and Education (ECCE) room. There is a kitchen, toilets, nappy changing facilities and a large outdoor area to the rear.

Staffing

There were eight staff employed in the service. All staff held the minimum of level 5 and above on the National Framework of Qualifications (NFQ).

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.

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The inspection focused on an examination of compliance under regulations:

Regulation 9 Management and Recruitment (1) (2) (a) (b) (c) (d) (4),
Regulation 10 Policies and Procedures,
Regulation 11 Staffing levels (1) (2),
Regulation 20 Facilities for rest and play (1)(b).
Regulation 22 Food and Drink,
Regulation 23 Safeguarding Health, Safety, and Welfare of the Child,
Regulation 25 First aid (1) (2) (a) (b),
Regulation 26 Fire Safety (1) (a) (b) (4),
Regulation 28 Insurance,
Regulation 30 Premises and 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.

Additional Information

The registration office was informed on the 17 May 2024 that the service was operating outside its registered status. The service is registered to accommodate a maximum of 30 preschool children at any one time. On the afternoon of the inspection there were 33 children in the service after the children from the registered provider's sessional service joined the children in the ECCE in the full day care service.

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 II - Registration and Register

Regulation 8 - Notification of change in circumstances

(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C (2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.

Non-Compliance Information

The registered provider did not notify the agency in writing that they had increased the maximum number of children in the service. On the afternoon of the inspection there were 33 preschool children in the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider has personally contacted families to inform them that the service will no longer be able to provide them with full day care places. The registered provider and manager will monitor parents requests for flexibility when reserving care for their children to ensure ratios and space requirements are maintained at all times.

Supporting documentation submitted

No evidence submitted.

Summary Comment

The response submitted is adequate to meet the requirements of The Childcare Act 1991 (Early Years Services) Regulations 2016. This regulation will be reviewed on the next 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 manager was the designated person in charge and remained in the service for the duration of the inspection. There was a second named staff available to deputise as required. There were eight staff employed in the service all eight staff files were examined on the day of inspection.

(2)(a)(b)

There were 16 written and validated references available on file from past employers.

- (c)
Garda vetting disclosures were available on file in the service for eight staff members. The service also demonstrated compliance with the Inspectorate regulatory notice requiring all services to renew Garda vetting every 3 years.
- (d)
Police vetting disclosures were available on file for two staff members.
- (4)
Certificate of qualifications for all staff members working directly with the preschool children were available on file.

Part III – Management and Staff

Regulation 10 - Policies, procedures etc. of pre-school service

A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.

Compliance Information

There were policies and procedures specified in schedule 5 in place in the service. The policies reviewed on this inspection were the policies on infection control and the policy on safe sleep provision in the service.

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

(8)(a)

There were at least two staff on the premises during the period of inspection.

Non-Compliance Information

(1)

On the day of inspection there was not an adequate number of staff working directly with the children attending the preschool service at all times. The following was observed:

(2)1.

The attendance records were reviewed. On the morning of the inspection there were 20 children registered between 8.00am and 9.00am. There were 2 staff in the service as noted on the staff roster. Based on the number and ages of the children 3 were required at that time.

2.

The children from the baby room were in the outdoor area at 11.20am. There were 6 children aged between 1 and 2 years of age in the care of 1 staff member. Based on the number and ages of the children 2 staff were required.

2.

At 11.20am in the outdoor area the children from the toddler room were in the care of one staff member. There were 8 children in the care of 1 staff. 3 children aged from 1 to 2 years of age; 5 children aged from 2 to 3 years of age. Based on the numbers and ages of the children 2 staff were required.

3.

At 12.50pm 11 children from the provider's second service joined the children in the ECCE room. The ECCE sessional group was completed, and the children remaining were now attending for full day care. At that time there were 2 staff members with 20 children in the ECCE room. Based on the numbers and ages of the children 3 staff were required.

4.

At 2.40pm the service remained out of ratios with regard to the children attending the ECCE room. There were 18 children from the ECCE room aged between 3 and 6 years in the outdoor area in the care of 2 staff. Based on the numbers and ages of the children 3 staff were required.

The registered provider was found non-compliant under Regulation 11 on previous inspections carried out in the service on 6 June 2019 and 16 September 2021. A corrective and preventative action was submitted to the inspectorate following these two inspections. The corrective and preventive actions stated by the registered provider failed to ensure that minimum ratios of adults to children were maintained on the day of inspection.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider has advertised to recruit additional staff to the service. Parents have been informed that their children will only be facilitated in the service when staff ratios can be maintained. There is a new staff roster in place in the service.

Supporting documentation submitted

A screen shot of the advertisement to recruit additional staff was received by the inspector.

Summary Comment

The response submitted is adequate to meet the requirements of The Childcare Act 1991 (Early Years Services) Regulations 2016. This regulation will be reviewed on the next inspection.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

(1) Subject to this regulation, a registered provider shall ensure that-

(a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child 19 to play indoors and, where required by these Regulations, outdoors, during the day, and

(b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

(2) A registered provider-

(a) of a full day care service, a part-time day care service, a sessional preschool service or a childminding service that is registered for the first time on or after 30 June 2016, shall ensure that a suitable, safe and secure outdoor space to which the preschool children attending the service have access on a daily basis is provided on the premises.

Compliance Information

(1)(a)

There were suitable facilities for each child to play indoors and outdoors, during the day. All preschool rooms were adequately resourced with age-appropriate toys and equipment for children to play with. The baby room was well laid out and resourced with treasury baskets for children to play with. There was a stimulating board at a low level that children could play with. It consisted of mirrors and small puzzles to stimulate the babies gross motor development. There was a good supply of story books available for staff to read and show the pictures to the babies in their care.

The ECCE room was well resourced with a variety of toys stored on numerous accessible shelves in the room. There was a supply of plastic bricks, small trucks, dinosaurs and a supply of paints, crayons and paper for children to draw on. Original artwork was displayed in the room. The outdoor class room attached to the ECCE room was equipped with toys and play equipment for the children. There were jigsaws, story books and small world toys for the children to play with.

(2)(b)

There were adequate and suitable facilities for a pre-school child to rest during the day. For example, there was a cosy couch in the ECCE room for children to rest on. There were five cots in the sleep room and there were a

supply of suitable floor beds and mattresses. These beds and mattresses had been purchased by the registered provider since the last inspection for older children to sleep on. The older children were facilitated to sleep in the ECCE room on the afternoon of the inspection while the children attending that room were in the outdoor area. The room was dimmed with suitable blinds and a staff member stayed in the room to help settle and supervise the sleeping children.

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

The service had a healthy eating policy which included the schedule of meals and snacks provided for the children. Staff who spoke to the inspector said that a breakfast of cereal and toast was provided for the children who arrived in the service between 8.00am and 9.00am if their parents requested it.

At lunch time the children in the baby room were served a dinner consisting of chicken, potatoes, gravy, and vegetables. The older children were served a dinner consisting of fish fingers, mixed vegetables, and pasta. This dinner was cooked fresh from the onsite kitchen. Water was freely available to the children in all the rooms. The main meal was staggered to ensure it was served hot and staff were available to assist the children. For example, the children in the baby room were served first and all got their dinner at the same time. Staff who spoke to the inspector said this was to ensure no child was left waiting while others were being fed their meal.

Staff were observed to be vigilant in ensuring that children who were playing in the outdoor area were well hydrated as it was a particularly hot day on the day of inspection. Water bottles were refreshed regularly, and children were reminded to drink. The afternoon snack of sausage rolls, fruit and crackers was served to the children from the ECCE room and the toddler room in the outdoor area on picnic benches. There was a 4-week menu of all snacks and meals on display in the hall of the service for parents to see when dropping and collecting their children.

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

Access to the service was gained through the front door which was locked on arrival. The fire doors were not obstructed. Staff were observed to be careful in ensuring all the children playing in the outdoor area had their sun cream reapplied at mid-day. Parents had provided individual cream for the children. All suncream bottles were labelled with the children's names. Staff were observed wearing gloves and sitting down with the children to carefully apply the suncream.

Infection Control

Nappy changing procedures observed on the day were in line with the service's nappy changing policy. There was warm running water to support handwashing, liquid soap, and paper hand towels available for hand drying throughout the service. Staff were seen to attend to children's personal hygiene during the day. The service was clean. Cleaning schedules were on display. Children were supervised washing their hands before meals and after using the toilet.

Safe Sleep

The service had one designated sleep room. Individual bed linen was available, which was laundered as needed. Staff who spoke with the inspector were aware of safe sleep practices for example, how often a sleeping child is physically checked, recording of the observations such as colour, position and breathing rate. One staff member was observed remaining in the room with the children until they settled to sleep on the cot beds in the ECCE room. Sleep checks were carried out on the sleeping children every 10 minutes as per the service policy on safe sleep.

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.

Compliance Information

Each child attending the service was checked in and out by a relevant staff member. The record was kept daily and was available and readily accessible to all relevant staff. The record of attendance included the date and time each child arrived and left.

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 person trained in a first aid responder course available to the children attending the service at all times on the day of inspection.

(2)(a)(b)

There was a suitably equipped first aid box stored in an easily accessible position on the premises and was available to the children 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 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)

There was a record of fire drills that had taken place in the service. The last fire drill that had taken place in the service was recorded in May 2024.

(b)

There was a record of the number, type and maintenance of the firefighting equipment last carried out in December 2023. The fire alarm was last service in May 2024.

(4)

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

Part VI - Safety

Regulation 28 - Insurance

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

Non-Compliance Information

There was an in-date insurance certificate to cover a maximum of 30 children to attend the service at any one time. At 12.50pm there were 33 children in the service which exceed the number of children the service was adequately insured for.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Parents have been informed that children will only be accommodated in the service when the service can comply with staff ratios at all times. The registered provider and manager will ensure the numbers of children in the service do not exceed 30 at any one time to ensure the service is adequately insured at all times.

Supporting documentation submitted

No evidence received.

Summary Comment

The response submitted is adequate to meet the requirements of The Childcare Act 1991 (Early Years Services) Regulations 2016. This regulation will be reviewed on the next inspection.

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

(1)

There was adequate clear floor space available in the premises for the work, play and movement of children attending the baby room and the toddler room on the day of inspection.

Room	Room Measurements/Space available	Age of children	No of full day care children that can be accommodated
Baby room	16.8 square meters	1 to 2 years	6
Toddler room	23.4 square meters	2 to 3 years	10

Non-Compliance Information

(1)

There was not adequate clear floor space to accommodate the children attending the ECCE room on the afternoon of the inspection.

Room	Measurements	Age of children	No of full day care children that can be accommodated	No of sessional children that can be accommodated.
ECCE room.	26.6 square meters	3 to 6 years	11	14

At 12.50pm 11 children aged from 3 to 6 years from the registered provider's sessional service joined the 9 children who were in the ECCE room. At that time there was a total of 20 full day care children in a room where the space only allowed for 11 full day care children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Parents have been informed that children will only be accommodated in the service when the service can comply with ensuring there are no more than 30 children at any one time in the service. The registered provider and manager will ensure the numbers of children in the service do not exceed 30 at any one time to ensure the service is adequately always insured.

Supporting documentation submitted

No evidence received.

Summary Comment

The response submitted is adequate to meet the requirements of The Childcare Act 1991 (Early Years Services) Regulations 2016. This regulation will be reviewed on the next inspection.