

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:	Y35RX05		
Name of Registered Provider:	Liz Dillon		
Service type:	Full Day, Part Time, Sessional		
Date of Inspection:	29/08/2023		
No of pre-school children:	AM	15	PM 19
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		

Description of service

Kidz Korner is a privately operated early years 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 birth to six years of age. The service operates from a detached bungalow which has been adapted and consists of an entrance hallway, a toddler room, a baby room and a playschool 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. There were five staff working directly with the children on the day of inspection including the manager of the service. The registered provider was on the premises on the day of inspection and works directly with the children. 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 inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations:

- Regulation 9 Management and Recruitment (1) (2) (a) (b) (c) (d) (4),
Regulation 11 Staffing levels (1) (2),

Regulation 16 Record in relation to a pre-school service. (1)(b).
 Regulation 19 Health, Welfare, and Development of the Child (1) (a)(b),
 Regulation 20 Facilities for rest and play (1)(b).
 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.

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 day of inspection in relation to Regulation 9 (c) management and recruitment. There were two staff on the premises who did not have Garda vetting on file in the service prior to commencing work in the service. It is acknowledged that the registered provider responded indicating the actions underway to address the non-compliance.

The registered provider returned an initial corrective and preventative action on 6 October 2023. Following a review of this response the inspector requested that the registered provider send a second response to adequately address the noncompliance found on inspection. A second corrective and responsive response with evidence was received 17 of October 2023.

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 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. The registered provider was also in the service on the day of inspection.

(2) There were eight staff employed in the service all eight staff files were examined on the day of inspection.

(a)(b)

There were 13 written and validated references available on file from past employers.

(c)

Garda vetting disclosures were available on file in the service for six staff members.

(d)

Police vetting disclosures were available on file for two staff members.

(4)
Certificate of qualifications for all staff members working directly with the early years children was available on file.

Non-Compliance Information

(2)(a)(b)

1.

There were four past employers references on file for two staff members that were not validated.

2.

There was one new staff member in the service who did not have any written and validated references in place when two were required.

3.

There was one new staff member who had one written and validated reference in place when two were required.

(2)(c)

There were two new staff members who did not have Garda vetting on file in the service. An immediate action notice was issued to the registered provider who responded the day after inspection advising of the steps that were underway to address this non-compliance.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

A staff meeting was held in the service. All staff members were made aware of the recruitment policy in place in the service. The registered provider proposes to carry out regular checks of all staff files in the service to ensure they are following regulation 9.

(2)(a)(b)

1.

There are now four written and validated references available on file for the two staff members.

2.

There are now two written and validated references available on file in the service.

3.

There are now two written and validated references available on file in the service for the new staff member.

(2)(c)

There is now Garda vetting available on file for the two new staff members.

Supporting Documentation Submitted

(2)(a)(b)

1.

Four written and validated references were received by the inspector for the two staff members.

2.

There are now two written and validated references were received by the inspector for the new staff member.

3.

Two written and validated references were received by the inspector for the new staff members.

(2)(c)

Evidence of Garda vetting was received by the inspector for the two new staff members.

Summary Comment

The registered providers response and evidence submitted meets the requirements of the Child Care Act 1991 (early years services) regulations 2016.

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)

There was an adequate number of staff working directly with the children at all times for the duration of the inspection:

Playschool room

At 10.30 am there were 7 children aged from 3 to 6 years in the care of 1 staff.

At 3.15 pm there were 12 children from 3 to 6 years in the care of 2 staff.

Toddler room

At 10.35 am there were 5 children aged between 1 and 2 years of age, and 1 child aged between 2 and 3 years of age in the care of 1 staff.

At 3.20 pm there were 5 children aged between 1 and 2 years of age in the care of 1 staff.

Baby room

At 10.40 am there was one child aged under one and one child aged between 1 and 2 years in the care of 1 staff.

At 3.25 pm there was 1 child aged under 1 and 1 child aged between 1 and 2 years in the care of one staff.

The manager was available in the service to assist across the rooms if required. The registered provider also arrived on the morning of the inspection to assist with the inspection process.

(2)

The minimum ratio of adults to children specified in column (3) of Part 1 of Schedule 6 was maintained at all times during the period of inspection.

Part IV – Information and Records

Regulation 16 – Record in relation to pre-school service

(1) A registered provider shall ensure that a record in writing is kept of the following information in relation to the service:

(i) details of staff rosters on a daily basis;

Compliance Information

There was a staff rota available in the service which included a rota for staff breaks.

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)

The manager ensured that each child's learning, development, and well-being was facilitated within the daily life of the service. Children were engaged in a variety of appropriate activities observed during the inspection including eating together, playing in the outdoor areas, and enjoying tabletop activities in the play school room. Staff who spoke to the inspector said the service placed an emphasis on outdoor play, this was evident on the day of inspection. The children in the wobbler and preschool room spent the majority of their time playing in the outdoor area on the day of inspection.

Children were encouraged to be independent, appropriate to their age and stage of development, for example older children in the outdoor area were observed lifting and rolling painted tyres during free play. The staff were attentive and were observed to be constantly engaged with the children in their care. There was a smaller area

separated by fencing for the children under two attending the service. This area consisted of a soft ground covering and various toys for the children to play with. For example, bricks and small world shapes. Staff were observed playing with the children and engaging them in imaginative games.

The materials and equipment available included a large range of developmentally appropriate, arts and crafts materials and other open-ended materials which were easily accessible to children. All early years rooms were developed with care and attention for the stimulation and play needs of the children attending. For example, the baby room had a music board attached to the wall of the early years room. This board consisted of several ways of making music such as a small bell, a xylophone and a circular dial which also made noise. There was a range of equipment and materials available in the outdoor area, such as, a jungle gym, picnic tables, ride on toys, a covered sand pit and an outdoor play kitchen. There was a large, grassed area where children could also run and play.

1(b)

The manager ensured that appropriate and suitable care practices were in place. Nutritious and varied food was offered to the children in the wobbler and baby rooms on the day of inspection.

Children in the baby and toddler room were served a freshly cooked dinner served from the onsite kitchen. The dinner was made from minced beef, potatoes and carrots. Children had water to drink from their water bottles and cups. Children who asked for extra portions were provided with them. Children were given water to drink throughout the day of the inspection. Children were seated in comfortable and good quality chairs.

After dinner time at 12.45pm the children in the wobbler room were observed as the staff put them in to the cots to sleep. Their nappies were changed, and they were placed in the cots to sleep. Individual linen was provided for each child.

Children in the baby room had their nappies changed regularly throughout the day. Nappy changing was observed by the inspector. Staff were consistent in washing their hands before and after the procedure. Older children were supported to use the toilet independently and were encouraged to wash their hands afterwards. Safe sleep practices were adhered to. The children's position, colour and breathing were observed and recorded every 10 minutes.

Staff communicated with parents at collection and drop off times. There was a system in place in the baby room where staff recorded the daily routine of the children in notebooks. A photo was taken of the notes made and then sent to parents from the service mobile phone.

Non-Compliance Information

(1)(b)

Children in the preschool room were served a dinner consisting of pasta and sausages on the day of inspection. This was not in line with guidelines for the provision of adequate nutrition to early years children. These guidelines require children who are attending for a full day to be served food from three food groups at their main meal of the day.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider will continue to work in partnership with parents in relation to the provision of nutritious snacks and meals in the service. The services healthy eating policy was reviewed at a staff meeting. All staff have signed that they have read and understood the policy. Going forward all main meals will include from three food groups in line with best practice in relation to the provision of main meals in childcare facility.

Supporting documentation submitted

Not submitted.

Summary Comment

The registered providers response and evidence submitted meets the requirements of the Child Care Act 1991 (early years services) regulations 2016.

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-

(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.

Compliance Information

(1)(b)

There were five standard cots in the sleep room in the service. There were also stackable cot beds available for children over two years of age to sleep on. The lighting was dimmed, and the temperature of the room was maintained at 20°C for the comfort of the sleeping children.

Non-Compliance Information

(1)(b)

1.
There were insufficient sleep facilities available to meet the needs of all the children attending the service.

For example:

- At 1.00pm a child under one years of age, was observed showing signs for sleep. The child was crying rubbing their eyes and was difficult to soothe and settle. Staff who spoke to the inspector said the child had only slept for a short time that morning in the cot in the sleep room, however there was no cot available at 1.00pm to place the child down to sleep.
- At 1.30pm another child aged between 1 and 2 years of age in the baby room also showed signs they needed sleep. The child was crying holding on to their blanket and sucking on their soother. Staff who spoke to the inspector said there was no available cot for the child until the children from the wobbler room woke up.
- At 1.30pm a child who was under one was observed asleep on the lap of a staff member as there was no cot available for the child. This practice was contrary to safe sleep guidelines which require all children under the age of one to sleep in a cot. The child slept for 45 minutes on the staff member's lap. The child was observed to continue to be upset and unsettled during the afternoon of the inspection. A staff member contacted the child's parent when prompted by the inspector to collect the child earlier than planned as the child continued to be unsettled even when given constant attention by a staff member.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider has purchased additional sleep bed to meet the needs of the children under two years of age sleeping in the service.

Supporting documentation submitted

A receipt for the purchase of an additional sleep bed suitable for use by children under two was received by the inspector.

Summary Comment

The registered provider's response and evidence submitted meets the requirements of the Child Care Act 1991 (early years services) regulations.

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 by ringing a bell. The openings of the windows were restricted with appropriate restrictive opening devices. The fire doors were not obstructed. The outdoor area was observed to be safe, suitable, and secure. Cleaning products were stored on shelves that were inaccessible to the children.

Infection Control:

The service was observed to be clean with no obvious maintenance requirements required on the day of inspection. The service had been recently painted throughout. Staff who spoke to the inspector said the service was closed to children while the painting was in progress and staff had facilitated a deep clean of the service. Daily cleaning schedules were on display in all the early years rooms. Staff who spoke to the inspector were clear when describing the cleaning practices in the service. Warm water, liquid soap and disposable hand towels were freely available.

Safe sleep

The sleeping children's colour, breathing and position were observed and recorded every 10 minutes as outlined in the services safe sleep policy.

Non-Compliance Information

Infection Control

1.
The hand towel disposal bin in the children's toilet was not pedal operated. Children were observed washing their hands and frequently touching the lid of the bin. This posed a risk of cross infection in the service.
2.
The straps on the baby chairs in the baby room were stained and needed to be replaced.
3.
Children's hands were not washed prior to dinner time in the baby room. This posed a risk of cross infection in the service and was not in line with the service hand washing policy.
4.
One staff member in the service was observed with long pointed varnished nails. This posed a risk of scratching to the children. The wearing of nail varnish is not in line with safe hand washing practice and the management of infectious disease within childcare settings.

Action submitted by the Registered Provider

Corrective & Preventive Action

1.
The bin has been replaced with a pedal operated bin.
2.
The straps on the baby chairs have been cleaned.
3.
The hand washing song "washing with Rufus" has been taught to the children. Staff have been reminded of the hand washing policy in place in the service. Staff have signed to confirm they have read and understood the policy.
4.
The staff member has removed the nail varnish. A copy of the services dress code has been circulated to all staff members.

Supporting documentation submitted

1. A photo of the bin was received by the inspector.
2. A photo of the recently cleaned baby straps was received by the inspector.
3. No evidence received.
4. No evidence received.

Summary Comment

The registered providers response and evidence submitted meets the requirements of the Child Care Act 1991 (early years services) regulations.

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 and conspicuous position in the premises 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 completed in the service. A fire drill was last carried out in July 2023.

(1)(b)

A record was maintained of when the firefighting equipment was serviced. The last maintenance carried out in the service was recorded as having taken place in November 2022.

(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.

Non-Compliance Information

(b)

There was no evidence available to demonstrate that the fire detection system was serviced on a regular basis:

- There was no record of the annual maintenance of the wired smoke alarm in the premises.
- The inspector observed that the fire detection system displayed a faulty light on the day of inspection.

This was brought to the managers attention at feedback in the afternoon of the inspection.

The fire detection system also showed a fault on the last inspection on 15 September 2021. The corrective and preventative response received following that inspection did not prevent a recurrence of the non-compliance on this inspection.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The fire detection system was last serviced in September 2023.

Supporting documentation submitted

A copy from a reputable professional stating the fire alarm in the service was serviced in September 2023 was received by the inspector.

Summary Comment

The registered providers response and evidence submitted meets the requirements of the Child Care Act 1991 (early years services) regulations.

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 there was insurance in place for 30 children attending for full day care.