

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2016CC034
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<b>Name of Service:</b>	Mary Geary's Childcare
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<b>Address of Service:</b>	IDA Business Park, Carrigtwohill, Co. Cork
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<b>Eircode:</b>	T45 VY29
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<b>Name of Registered Provider:</b>	Oliver Sheehan
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date of Inspection:</b>	11/06/2024
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<b>No of pre-school children:</b>	AM	148	PM	93
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate Administration Building St Mary's Health Campus Gurrabraher Cork
<b>Inspection undertaken by:</b>	D Prendergast & C Stokes
<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>	N/A
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### Description of service

Mary Geary's Childcare is a privately owned service, that is registered to accommodate sessional, part time and full day care, for children aged 0 to 6 years. However, children from the age of eight months are currently attending. School age care children are also catered for. In conjunction with the Early Childhood Care and Education (ECCE) Scheme, two daily sessional service times are offered; from 8.45am to 11.45am and from 9.00am to 12.00pm. The childcare facility operates throughout the year, excluding public holidays, with registered daily opening hours from 7:45am to 6:00pm.

The premises is situated in an industrial estate in Carrigtwohill, in east Cork and consists of a purpose built, two storey building. There are 12 operational care rooms in total; 11 are located on the ground floor of the main building and 1 is provided from an adjacent modular structure. Children's sanitary facilities are available either adjoining or adjacent to the care rooms and each room also has direct access to its own enclosed outdoor play space. Beyond these individual play areas, a large-scale outdoor play environment is accessible, which comprises several wide-ranging interest areas. The ground floor of the main building also includes a reception area, two designated sleep rooms, a hall, which functions as a sleep room, staff sanitary facilities, a kitchen, a sluice room and a laundry room. An office, a staff room, a meeting room and a training room are located on the first floor. Since the previous inspection, a sensory room has also been developed on this floor. There is a car park available on site, which provides ample space for the safe drop off and collection of children.

### Staffing

There are a total of 80 adults attached to the service, including the registered provider, who is not involved in the direct care of the children. 48 of the adults are employed to work directly with early years children, of whom 8 also work with school age children. There are 14 staff members who work only with school age children. Other staff roles include 6 administrative staff, 3 of whom are available to provide cover in the care rooms, 5 adults assigned to kitchen duties, 5 cleaners, 1 driver and 1 maintenance staff.

### 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.

A sampling process was used to assess compliance under regulation 19 Health, welfare and development of child, regulation and regulation 23 Safeguarding health, safety and welfare of child. As a result, the scope of the inspection included the following rooms: Butterflies, Ladybirds, Honey Pots, Mighty Oaks, First Friends and Daisy Chains did not include the Caterpillars, Busy Bees, Buttercups, Little Acorns, or Bluebells rooms. The Tory Tops room was not in operation to accommodate early years children on the day of inspection.

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

During the inspection on 11 June 2024, an Immediate Action Notice (IAN) was issued to the registered provider in respect of one adult, who was observed to be working at the service, without appropriate Garda vetting. A subsequent response to the IAN was received on 12 June 2024.

### Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, person in charge, deputy, 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,*

*(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) The service had a named person in charge and three named deputies.
- (b) The registered provider, person in charge and one of the deputies were working at the service when the unannounced inspection commenced and at least one of the three remained available throughout the inspection process.
- (2) In the period since the previous inspection was undertaken on 27 November 2023, 16 adults had begun working at the service, including 6 school aged childcare staff. Therefore, the relevant files in relation to these adults were reviewed. In respect of the 10 new early years practitioners:
- (a) There were 18 written and validated references on file from past employers.
- (b) There were two written references available from sources other than previous employers, with satisfactory records of validation.
- (c) A Garda vetting disclosure from the National Vetting Bureau was in place for 15 of the 16 adults. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years.
- (d) Police vetting was in place for three early years practitioners, who had lived outside the jurisdiction.
- (4) A recognised award in Early Childhood Care and Education, or a Letter of Eligibility to Practice/Letter of Qualification Recognition from the DECDIY, had been attained by the 10 early year practitioners.

### Non-Compliance Information

- (2)(c)
- A Garda vetting record was unavailable for one adult, who was involved in the direct care of the early years children. An Immediate Action Notice was issued on 11 June 2024, in response to the breach of Regulation 9. The deputy person in charge responded to said notice on 12 June 2024 and stated that the adult in question would be assigned to administration duties and would not be working directly with children, until the Garda vetting was received.

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

## Corrective and Preventive Action

The written response stated that the employee was placed on administration duty, with no access to children, until their vetting was secured. The employee's garda vetting was obtained on 17 June 2024. The service's garda vetting policy has been reviewed and will be strictly adhered to going forward. New employees will not have access to any children until their vetting has been obtained and is available at the setting.

## Supporting documentation submitted

A copy of the required Garda vetting was received on 17 June 2024.

## Summary Comment

The corrective action implemented has addressed the non-compliance identified under regulation 9.

## Part III – Management and Staff

### Regulation 11 - Staffing levels

*(1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.*

*(2) Subject to paragraphs (4) and (5), a registered provider of a full day care service or a part-time day care service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 1 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) thereof at that reference number is satisfied.*

*(8) Without prejudice to paragraphs (2) to (7)-*

*(a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times,*

## Compliance Information

(1) During the inspection period, an adequate number of adults were observed to be available to the children in attendance.

(2) The registered provider ensured that the requirements of the regulation were adhered to. The adult child ratios were maintained as follows:

Room Name and Age Range of Early Years Children	Time of Day	Number of Children Present	Number of Adults Available
Caterpillars (11 months – 1 ½ years)	Morning	12	3
	Afternoon	11	3
Butterflies (1 - 2 years)	Morning	10	2
	Afternoon	10	2
Ladybirds (3 – 4 years)	Morning	15	2
	Afternoon	N/A	N/A
Honey Pots (3 - 4 years)	Morning	9	1
	Afternoon	10	2
Busy Bees (3 - 4 years)	Morning	18	2
	Afternoon	16	3
Buttercups (3 - 4 years)	Morning	15	2
	2Afternoon	N/A	N/A
Little Acorns (3 ½ - 5 years)	Morning	12	2
	Afternoon	11	2
Mighty Oaks (4 - 5 years)	Morning	21	2
	Afternoon	16	2
First Friends (3 ½ - 5 years)	Morning	15	2
	Afternoon	N/A	N/A
Bluebells (2 - 3 years)	Morning	13	3
	Afternoon	12	2
Daisy Chains (2 - 3 years)	Morning	8	2
	Afternoon	7	2

The Tory Tops room was not in operation on the morning of inspection.

Two adults in the First Friends room were not included in the adult child ratios.

- (8)
- (a) A minimum of two adults were consistently available on the premises throughout the inspection process and review of the staff roster also confirmed this practice.

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

#### Regulation 19 - Health, welfare and development of child

(1) A registered provider shall, in providing a pre-school service, ensure that-

(a) each child's learning, development and well-being is facilitated within the daily life of the pre-school service through the provision of the appropriate activities, interaction, materials and equipment, having regard to the age and stage of development of the child, and

#### Compliance Information

(1)(a)

##### Basic needs:

- The timing of meal and snack breaks for children ensured that there were no periods longer than two and a half hours in between. The registered provider advised that breakfast was served from 7.45am to 9.00am, the mid-morning snack was observed at 10.30am, followed by lunch shortly after midday and an afternoon snack at 2.20pm. The inspectors were also informed that an evening snack was typically available from 4.00pm.
- During mealtimes, staff members chatted to the children, as they offered appropriate assistance. This helped to create an unhurried environment, while the children enjoyed their food.
- Drinking water was available to the children throughout the day, should they become thirsty at any stage.
- Staff advised that nappy changing was undertaken regularly and as required. For example, in the Butterflies room, it was stated that nappy changing was carried out approximately every two, to two and a half hours and as the need arose. During subsequent observation of this care routine, the adults were noted to interact with the children in a kind and reassuring manner.
- The adults supported the older children to use the toilet facilities independently and offered prompts and reminders, in relation to handwashing practice.
- Cosy areas, which promoted rest and relaxation, were provided in each of the care rooms. It was noted that some of these areas had been moved to the outdoor environments, in keeping with the children's preference to play outdoors.
- In conversation with staff, the inspector was advised that needs led sleep was accommodated in addition to scheduled sleep and nap times.
- Upon waking from sleep, one of the children was gently supported to transition back into their care room; the adult was observed to speak to the child in a kind and reassuring manner, as they reminded the child about upcoming activities.

- The availability of sufficient space to facilitate the children’s play, exploration and participation was ensured in each of the care rooms. Outdoor activities were included as part of the daily routine for all children and it was noted that children could move freely between their indoor and directly accessible outdoor environments. The wider outdoor play spaces were also utilised, according to the children’s interests and requests.

### 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 food served at the setting was predominantly provided by the service, with the option available for parents to supply meals and snacks, if preferred.
- A team of kitchen staff prepared daily meals in the service’s commercial kitchen. There was a three-week menu in place, which was noted to include a wide variety of nutritious meal and snack options, in keeping with the promotion of healthy eating.
- At the time of inspection, the mid-morning snack included a selection of fruit. Lamb curry with rice was served at lunch time and an afternoon snack of crackers, with cheese, cucumber and cherry tomatoes was offered.
- In order to reduce the risk of a child accidentally ingesting certain foods, clear procedures were in place for managing children’s food allergies, intolerances and dietary requirements. These measures were described in detail by the registered provider and were subsequently observed in practice, prior to meals being served to the children. In addition, notices regarding children’s dietary requirements were displayed in each care room and all of said information was stored in a central file.
- During discussion with the registered provider, it was stated that if a child expressed hunger outside of normal mealtimes, snacks were available and would be offered.

### 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 risk of unauthorised access to the childcare facility was appropriately managed; the door that provided access to the main reception area was secured with a magnetic lock and remained closed when not in use. The risk of a child exiting through the same door while unsupervised, was minimised through the installation of a door release button, at adult height.
- A keypad operated gate was in place at the entrance to the Tory Tops room, which was located in an adjacent modular structure.
- The outdoor play spaces which were directly accessible from the care rooms were secured by fencing enclosures and gates and the wider outdoor areas were also found to be secured.
- Warm running water was thermostatically controlled, so as not to exceed 43°C. Recorded temperature readings ranged from 29.1°C to 36.9°C.
- First aid supplies and cleaning agents were inaccessible to children within the care rooms.
- Colourful adhesives were in place on glass panel doors, which reduced the risk of a child sustaining a collision injury.

##### Infection Control:

- Throughout the service, wash hand basins were equipped with warm running water, liquid soap and paper towel dispensers, for hygienic hand washing and drying. During the day, the children were noted to wash their hands before mealtimes and after using the toilet facilities.
- A staff member was observed to clean the sanitary facilities adjoining one of the care rooms after use by children and a cleaning schedule was also in place.
- Single use aprons and gloves were worn by staff while carrying out nappy changing.
- The care rooms included designated storage areas for the children's bags, coats and footwear.

##### Administration of Medication:

- Medication was not observed to be administered to any of the children during the inspection period.

##### Safe Sleep:

- Sleeping children were physically monitored by staff at regular intervals and an online application was used to record checks of the children's position, breathing and colour, as well as the sleep room temperature.
- Designated sleep rooms and the large hall, which was used to accommodate sleep, were fitted with air conditioning units. This allowed for consistent air temperatures in said areas, which subsequently supported safe sleep practice. An air temperature of 20.5°C was recorded in the Caterpillar sleep room, 19.6°C was the air temperature noted in the Butterflies sleep room and a temperature reading of 20.1°C was taken in the hall. All of the above air temperatures fell within the required range of 18°C to 22°C, for children aged over 12 months.
- Since the previous inspection, floor beds had been allocated to three of the children, who were aged under two years. Corresponding sleep plans had been completed for each of these children, in partnership with the children's parents and included risk assessments.

#### Fire Safety:

- Fire exit doors were maintained free from obstruction.

#### Outing:

- Not applicable, as an outing was not undertaken at the time of 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.*

#### Compliance Information

(1) First Aid Response (FAR) certification was on file for four of the adults who worked at the setting and review of the staff roster indicated that at least one of these adults was working at the service during the hours of operation.

### 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) A written record of completed monthly fire drills was presented for review and it was noted that a fire drill was recently undertaken on 10 June 2024.
  - (b) A record which contained details regarding the number and type of firefighting equipment was on file. According to the servicing documentation, the firefighting equipment was last checked on 6 June 2024 and the wired smoke alarm was tested on 19 April 2024.
- (4) Fire evacuation notices were visible in the care rooms and in several locations throughout the premises.