

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2016CC500
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<b>Name of Service:</b>	Sandcastles
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<b>Address of Service:</b>	White's Cross GAA Grounds, Upper Glanmire, Co. Cork
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<b>Eircode:</b>	T23 EY42
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<b>Name of Registered Provider:</b>	Catherine Cashman
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<b>Service type:</b>	Full Day
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<b>Date of Inspection:</b>	23/04/2024
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<b>No of pre-school children:</b>	AM	9	PM	7
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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
<b>Title:</b>	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).

<b>Conditions if applicable</b>	N/A
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### Description of service

Sandcastles is a full day care service, that accommodates children aged two to six years. Children attending sessional and part time care are also facilitated, including children availing of the Early Childhood Care and Education (ECCE) Scheme. Two daily sessional services are provided; from 9.00am to 12.00pm and from 12.30pm to 3.30pm. Opening hours are from 7.30am to 5.00pm, each Monday to Friday and the setting is also registered to cater for school age children.

Located on the grounds of White's Cross GAA Club, in Glanmire, Co. Cork, the service operates from two adjacent prefabricated cabins. The original cabin includes a spacious care room, referred to as the Butterflies room, children's sanitary facilities, a kitchen and an entrance area. The newer of the two buildings, consists of one care room, referred to as the Caterpillars room, which has adjoining children's sanitary facilities. This room was not in operation at the time of inspection. An enclosed outdoor play area is accessible from each of the cabins.

### Staffing

The childcare facility employs eight adults, seven of whom work directly with the children, including the registered provider. The eighth adult undertakes kitchen and cleaning duties and is not involved in the direct care of the children.

### 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.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

### Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, deputy 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) The registered provider oversaw the operation of the service and two deputies had also been identified, to deputise in her absence.
- (b) When the unannounced inspection commenced, one of the deputies was on duty at the setting. The registered provider arrived within an hour and thereafter, either the deputy or the registered provider were available to facilitate the duration of the inspection.
- (2) Recruitment records in respect of the eight adults employed at the service were reviewed.
- (a) All 16 of the required references had been provided by past employers and corresponding reference validations were in place for 14 of the references.
- (b) None of the references on file were from sources other than past employers.
- (c) Garda vetting disclosures were available for all eight staff. However, the service did not adhere to the re-vetting timeframes outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.
- (d) Review of the curricula vitae demonstrated that four police vetting records were required in respect of three of the adults and three of the required records were available.
- (4) Documentation on file confirmed that six of the seven adults, who were involved in the direct care and education of the children, held a major award in Early Childhood Care and Education, as listed on the National Framework of Qualifications.

### Non-Compliance Information

(1)(b)

The staff roster demonstrated that there were periods during the service's operational hours whereby neither the person in charge nor one of the deputies were present. For example, the roster for the current week evidenced two one-hour periods and a 30-minute period where this was the case and the previous week's roster indicated two half hour periods during which the person in charge or a deputy were not on duty.

(2)(a)(b)

Records of validation were unavailable for the two references held in respect of one adult.

(2)(d)

Required police vetting documentation was not in place for one of the adults, who had resided in another State for a duration that exceeded six consecutive months, while over the age of 18.

(4)

Evidence was unavailable to demonstrate that one of the adults had attained a minimum level 5 award in Early Childhood Care and Education, as listed on the National Framework of Qualifications.

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

#### Corrective and Preventive Action

(1)(b)

The registered provider's response stated that she will ensure that either she or one of the deputies will be on duty during lunch times.

(2)(a)(b)

The response stated that the validation had been completed but not documented and that the validation is now recorded.

(d)

Police vetting has been applied for.

(4)

As the staff member is unable to recover her certificate, they have been registered to repeat the level 5 award. This course will be completed within a few months.

### Supporting documentation submitted

(1)(b)

A copy of the current staff roster.

(2)(a)(b)

The statement from the registered provider is accepted as evidence.

(d)

A copy of the police vetting certificate.

(4)

A screen shot of the receipt of payment for the training course.

### Summary Comment

The corrective actions implemented by the registered provider have addressed the non-compliances identified under regulation 9(1)(b), (2)(a)(b) and (d).

Regulation 9(4) remains non-compliant. The registered provider has given assurances that the staff member is in the process of completing a level 5 award. This will be reviewed at the next inspection.

## 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) At the time of inspection, there was an adequate number of adults responsible for the direct care and supervision of the children in attendance.

(2) The adult child ratio was maintained. In the morning, there were nine children aged two to four years, who were in the care of two adults. In the afternoon, seven of these children remained to attend full day care and were under the direct care and supervision of two adults.

### Non-Compliance Information

(8)  
(a) While it was noted that at least two adults were available throughout the period of inspection, the staff roster demonstrated that two adults were not consistently present during the hours of operation, as required. From a sample review of a two-week period, it was established that only one member of staff was present at 7.30am each day, until a second adult arrived between 8.00am and 9.00am.

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

#### Corrective and Preventive Action

In the written response, the registered provider outlined that she is usually on the premises with the first member of staff, however, this is not noted on the roster. The registered provider has stated that going forward, she will have two members of staff on duty.

#### Supporting documentation submitted

A copy of the current staff roster.

### Summary Comment

The non-compliance identified under regulation 11 has been addressed.

### 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 inspector was advised that up to four daily meal breaks were accommodated at the setting; breakfast was typically offered between 7.30am and 9.00am, the mid-morning snack and lunch were respectively observed shortly before 10.30am and at 1.10pm and an evening snack was usually facilitated at 3.00pm.
- Mealtimes took place in a relaxed, unhurried environment, with an emphasis on conversation and social interaction. Adults were readily available to assist the children with opening food packaging and containers.
- The children's reusable water bottles were stored in cubby shelving, in the area adjoining the care room and were easily accessible throughout the morning.
- The children were observed to access and utilise the adjoining toilet facilities independently. A nappy changing unit had been installed since the previous inspection, to cater for children who were not toilet trained.
- The provision of a cosy area within the care room met the children's need for rest, relaxation and comfort.
- There was adequate space in the care room to accommodate a variety of play activities. Children also had opportunities to play in the outdoor area during the morning and afternoon.

### 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

- Food for the children’s meals and snacks was predominantly supplied by parents or guardians, with breakfast and some snacks available at the service.
- On the day of inspection, the suitably nutritious snacks provided for the children included sandwiches and fruit, while meals included shepherd’s pie and vegetable stir fry. Water was available as a drink.
- The deputy informed the inspector that some of the children had specific dietary requirements and food intolerances. In order to reduce the risk of the children ingesting such foods, it was reported that at the beginning of the school year, a notice had been sent to the parents, informing them of the relevant details.

### 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 service was accessible via a high-level gate, which was secured with a latch on the interior. A buzzer entry system was in place for parents and visitors. This reduced the risk of unauthorised persons gaining entry and also minimised the risk of a child exiting, while unsupervised.
- The outdoor play environment was fully enclosed by high-level fencing and secured gates.
- The risk of children gaining unsupervised access to the kitchen was managed through securing the kitchen door, when it was not in use.
- Wall mounted cases were in place to tether and protect firefighting equipment.
- Blind cords were anchored with suitable safety clips.
- There were no cables or trailing flexes within the children’s reach.
- The first aid box was stored at a height that was inaccessible to children.

### Infection Control:

- Handwashing facilities included warm running water, liquid soap and single use paper towel dispensers. The children were observed to wash their hands before the mid-morning snack.
- The care room and adjoining sanitary facilities were maintained in a clean and hygienic condition. The sample of cleaning records reviewed in relation to the sanitary facilities, was maintained up to date. Staff were also observed to undertake cleaning during the morning, for example, the floor was swept following messy play.
- Disposable aprons and gloves were available for use during nappy changing procedures.
- Open windows in the sanitary facilities ensured a supply of natural ventilation.
- Wall hooks were in place for the storage of children's bags and coats. Additional cubby shelves were also provided for the children's belongings.

### Administration of Medication:

- Medication was not observed to be administered to any of the children.
- Further to this, the inspector was advised that none of the children were in receipt of medication.

### Safe Sleep:

- The children who attended the service were not observed to sleep during the period of inspection.

### Fire Safety:

- Fire exits were maintained free from obstruction.

### Outing:

- An outing did not take place at the time of inspection.

## Non-Compliance Information

### General Safety:

1. The Garda vetting disclosures available for four of the adults were not dated within the previous three years, in adherence to the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

### Infection Control:

2. Refrigeration of the children's perishable snacks, which included yogurts and ham sandwiches, was not ensured before the mid-morning meal break was accommodated. This increased the risk of food spoilage and was also found at the previous inspection on 14 July 2022. The CAPA response at the time stated that parents had been informed of the requirement to refrigerate perishable foods and that a second fridge had been purchased to facilitate the number of children who attended the service. However, this remained an issue.

### Safe Sleep:

- Staff advised the inspector that one of the children slept in a buggy, which was stored in the main care room. This practice posed a risk to the sleeping child and was at variance with the service's Safe Sleep policy. It was acknowledged that the child's parent was informed of the safety issue during the inspection and that the buggy was subsequently removed.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### General Safety:

- Updated Garda vetting in respect of the four adults has been applied for.

#### Infection Control:

- The written response stated that the registered provider has spoken to the staff in relation to this and that parents are now putting yogurts into a sealed bag, labelled with their child's name. There are trays available at the entrance to the service, for children to place these bags on top of and the bags are then placed into the fridge. Perishable sandwiches must also be placed into a labelled bag for refrigeration. As a preventive measure, parents have been advised not to include perishables in sandwiches, if they do not want their child's sandwiches to be refrigerated.

#### Safe Sleep:

- In her reply, the registered provider stated that staff had previously discussed the importance of not using a buggy for sleep, with the child's parents and that this was reiterated to one of the parents during a phone call, on the day of the inspection. The use of a stackable bed has been reintroduced for the child and staff are working with the child in relation to this practice. The buggy was collected from the service on the day of the inspection.

#### Supporting documentation submitted

#### General Safety:

- Updated Garda vetting for the four adults was forwarded.

#### Infection Control:

- The statement from the registered provider is accepted as evidence.

#### Safe Sleep:

- The statement from the registered provider is accepted as evidence.

### Summary Comment

Based on the statements and evidence submitted by the registered provider, regulatory compliance is determined to have been met.

### 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) Certification was available to demonstrate that four of the adults held up to date First Aid Response (FAR) training.

### 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) Records were maintained in relation to the monthly fire drills which had been conducted at the setting. Said records indicated that a recent fire drill was carried out on 12 April 2024.
- (b) The number, type and maintenance of the available firefighting equipment were documented. According to the written information provided by a fire safety company, the firefighting equipment was serviced on 9 April 2024.

(4) The fire evacuation procedure was visible in both care rooms.

## Non-Compliance Information

- (1)
- (b) Annual servicing of the wired smoke alarm was not ensured, as required. The most recent record of servicing was dated 9 February 2023.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

The written response acknowledged that the servicing was overdue and outlined that the servicing company had been delayed in attending to same. The company were contacted on the day of the inspection and called to the premises to undertake the service the following Friday.

### Supporting documentation submitted

A photograph of the certificate of testing of the fire alarm system, dated 26 April 2024.

## Summary Comment

The corrective action implemented by the registered provider has addressed the non-compliance identified under regulation 26.