

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2016DY035				
<b>Name of Service:</b>	Safari Childcare (Rathmines)				
<b>Address of Service:</b>	The Park Building, William Park, Rathmines, Dublin 6				
<b>Eircode:</b>	D06 V0V2				
<b>Name of Registered Provider:</b>	Kevin McGuinness, Cian Powell				
<b>Service type:</b>	Full Day				
<b>Date(s) of Inspection:</b>	23/04/2024				
<b>No of pre-school children:</b>	<table border="1"> <tr> <td>AM</td> <td>80</td> <td>PM</td> <td>55</td> </tr> </table>	AM	80	PM	55
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Floor 7 Brunel Building, Heuston South Quarter, St. John's Road West, Kilmainham, Dublin 8				
<b>Inspection undertaken by:</b>	E. Finnegan Hayes & E. Griffin				
<b>Title:</b>	Early Years Inspectors				

### Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

<b>Conditions if applicable</b>	Not applicable.
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### Description of service

Safari Childcare Rathmines is a privately operated full day care service located in a residential area in Dublin 6. The service currently operates reduced hours Monday to Friday, 8am-6pm catering for up to 100 children aged 1-6 years. The service is comprised of eight care rooms, a cot room, sanitary facilities, and a kitchen. The care rooms include; Wobbler 1, Toddler 1, Toddler 2, Preschool 1, Preschool 2, ECCE 1, ECCE 2 and ECCE 3. The service participates in the Early Childhood Care and Education (ECCE) Scheme. An outdoor area is located on an enclosed balcony on the second floor of the building.

### Staffing

The service employs twenty-two staff. On the day of inspection there were eighteen staff rostered and present on the premises, fifteen working directly with the children, two managers who are available for support if required and a chef. An additional adult who was not listed on the roster worked with the children during staff breaktime. Three students were also present on the day of inspection. The registered providers do not work in the service or directly with 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 the child and safety. The inspection may also focus on other areas as required.

A sampling process was used to assess compliance under the following:

- Regulation 20 Facilities for rest and play
- Regulation 21 Equipment and materials
- Regulation 23 – Safeguarding Health, Safety and Welfare of Child

As a result, the scope of the inspection included the Wobbler room 1, Toddler room 1, Toddler room 2 and Preschool room 2.

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 24<sup>th</sup> April 2024 in relation to concerns under Regulation 23- Safeguarding the Health, Safety and Welfare of Child and Regulation 25 First Aid. A response which adequately addressed the concerns was received on 25<sup>th</sup> April 2024. Further details are available under the respective regulations below.

An immediate action notice was issued to the registered provider on 24<sup>th</sup> April 2024 in relation to concerns under Regulation 9- Management and Recruitment. A response which adequately addressed the concern was received on 24<sup>th</sup> April 2024. Further details are available under Regulation 9.

### Acknowledgments

The inspectors wish to acknowledge the cooperation of the managers, staff, students, 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
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.

(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.

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(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 designated person in charge and two named persons to deputise when required.
  - (b) A review of the roster showed that a designated person in charge is available at all times in the service.
  - (c) The service had a clear management structure in the service and staff were aware of their own role and responsibility.
- (2) A review of the roster and discussion with management and staff established that eight new staff have been employed to work in the service since the last inspection in March 2023. The files of these staff were reviewed

along with the files of the adult who provided cover for staff breaks and the files of three students present on the day. Garda vetting disclosures were also reviewed in relation to all staff currently employed in the service. Evidence of police vetting was also sought in relation to one adult in relation to an outstanding non-compliance from the previous inspection in 2023.

- (a) Twelve written and verified references were available from a past employer in relation to seven adults.
  - (b) Six written and verified references were available from a source other than a past employer in relation to four adults.
  - (c) Garda vetting disclosures had been obtained for twenty-five adults. However, the service did not adhere to the re-vetting timeframes as 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) Police vetting was available for twelve adults who had lived in a country other than Ireland for a period of more than 6 months.
- (4) Evidence was available to show that nine adults who worked directly with the children held 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.

### Non-Compliance Information

- (2)
- (a) Evidence was not available to show that one reference from a past employer in relation to one adult had been verified.
  - (b) Evidence was not available to show that five references from a source other than a past employer in relation to three adults had been verified.
  - (c) A Garda vetting disclosure was not available for one staff member who commenced employment in recent weeks. An immediate action notice was issued to the provider on the day following the inspection.
  - (d) Police vetting was not available for two adults who had lived in a country other than Ireland for a period of more than 6 months. The police vetting for one adult is an outstanding non-compliance from the previous inspection in March 2023.
- (3) A review of the documentation available showed that the checks required under (2) had not been completed before the employment start date of nine staff members. This was a non-compliance on the previous inspection in March 2023.

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

#### Corrective and Preventive Action

- (2)
- (a) The reference for the one adult is now verified. In the future all references will be verified before a staff member starts work.
  - (b) The 5 references have now been verified. In the future all references will be verified before a staff member starts work.
  - (c) The garda vetting arrived the following day. All garda vetting will be on file before a staff member starts work.
  - (d) Police vetting was sought for one adult. The second adult is in the process of obtaining police vetting. We will make sure these are completed before the teachers start work.

#### Supporting documentation submitted

- (a) Copies of the verified references have been received by the inspectorate.
- (b) Copies of the verified references have been received by the inspectorate.
- (c) Garda vetting disclosure submitted.
- (d) Police vetting has been reviewed in relation to one adult. No evidence was provided in relation to the application for police vetting by the second adult.

#### Summary Comment

The registered provider has addressed the non-compliances under Regulation 9 (2)(a)(b)(c) and partially addressed the non-compliance under (9)(2)(d). The requirement under (9)(2)(d) remains outstanding for 1 staff member and the registered provider has been requested to submit the police vetting to the inspectorate once it has been obtained.

### 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) The registered provider ensured an adequate number of adults were working with the children in the service at all times throughout the day. Eighteen staff were available in the building to meet the care needs of 80 children who were present.

(2) The registered provider ensured that ratios were maintained at all times throughout the day for example;

- In Wobbler room 1 two staff were caring for nine children aged 1-1.5 years old.
- In Toddler room 1 two staff were caring for eight children aged 1.5-2 years old.
- In Toddler room 2 two staff were caring for eight children aged 2.5-3 years old.
- In Preschool room 1 three staff were caring for fourteen children aged 3-4 years old.
- In Preschool room 2 two staff were caring for eighteen children aged 4-5 years old.
- In ECCE room 1 one staff member was caring for ten children aged 3-4 years old.
- In ECCE room 2 one staff member was caring for seven children aged 4-5 years old.
- In ECCE room 3 one staff member was caring for six children aged 4-5 years old.

Two service managers and one additional childcare worker were available throughout the day to offer support in the rooms as required. An additional adult also attended the service during staff lunchtimes to provide cover.

## 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.*

### Compliance Information

(1)(a) The registered provider ensured there was adequate facilities for children to play indoors and outdoors during the day. The following was observed;

- A range of equipment was provided in all care rooms accessible to the children which allowed for spontaneous play experiences.
- A range of books which were maintained in good condition were readily available to the children in each room supporting the development of pre-reading skills.
- The registered provider ensured a safe and suitable outdoor area was available onsite for children to use during the day.

(b) The registered provider ensured adequate and suitable facilities for sleep and rest were available to all children who required them. For example;

- A cosy corner was available in each care room for children to rest and take a break from activities as needed throughout the day.
- An adequate number of cots, low-level beds and associated bedlinen were available for children who required sleep during the day.

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

### Regulation 21 – Equipment and materials

*A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.*

#### Compliance Information

The registered provider ensured that an adequate supply of suitable materials and equipment were available to the children in the service. The following was observed;

- The furniture and equipment in the care rooms were observed to be well maintained, durable, easy to clean, and suitable for the age and stage of the children attending.
- A range of toys and equipment which supported a variety of play experiences. Low level shelving ensured accessibility of materials, facilitated choice, decision making and supported independent play experiences.
- The outdoor area was well equipped and provided opportunities for a range of play including role play, gross motor and sensory play.

## 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 entrance was secured throughout the day which prevented unknown persons entering the premises. An internal coded door with a push button release prevented children leaving the service unsupervised.
- Staff were observed to accompany children to the toilets which were located in the hallway opposite the care rooms on all three floors.
- Nappy changing units were sturdy and secure for changing children.
- Medication was stored out of reach of children.
- The kitchen area was inaccessible to the children.
- TVs were mounted securely in rooms where they were present.

##### Infection Control:

- Thermostatically controlled warm water, liquid hand soap and dispensed handtowels were available in the sanitary facilities.

- Pedal operated bins were available for disposal of contaminated items.

### Safe Sleep:

- An ambient temperature of 18-22°C was maintained in rooms where children over 1 year old were sleeping.
- Staff were observed to physically check sleeping children at 10 minutes intervals and a record of these checks were available for review.

### Fire Safety:

- Staff were knowledgeable of the procedure for evacuation in the event of a fire emergency.

### Non-Compliance Information

#### General Safety:

1. Garda vetting was available for seven adults. However, these vetting disclosures were not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.
2. Cleaning agents were stored in an under sink press accessible to the children in Preschool room 1. While a safety lock was in place this was observed to be broken. This posed a risk of injury to the children. This was a non-compliance on the previous inspection in March 2023 the corrective and preventive actions provided by the registered provider have not been sufficient to prevent recurrence.
3. The piece of flooring in the entrance to the nappy changing area on the ground floor was raised slightly posing a potential trip hazard.
4. The front panel of the radiator cover in Toddler room 1 was not secured appropriately and posed a potential risk of injury to the children.

#### Infection Control:

5. Handwashing practices were not adequate in line with best practice or the service policy for example in Toddler room 1 children were given wet cotton wool to clean their hands with before dinner time. Staff advised this method is used before all meals. While in Toddler room 2 a child returned to the care room without completing handwashing following toileting. This posed an infection control risk.
6. Paper handtowels were not hygienically dispensed in Wobbler room 1 and a roll of paper hand towel was observed on the counter beside the sink. Handtowels should be hygienically dispensed to prevent cross contamination.

- A material of a chair in the Preschool room 1 was observed to be heavily worn and frayed preventing adequate cleaning and posing an infection control risk.

### Fire Safety:

- The back stairwell which forms part of the evacuation route and emergency exit door adjoining the stairwell were observed to be used to store art materials and items which are awaiting disposal. These items were observed to partially block the route and emergency exit door and may impede the safe evacuation of children from the service in the event of a fire emergency. An immediate action notice was issued to the registered provider on the day following the inspection.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### General Safety:

- All garda vetting disclosures are now renewed and up to date. One adult is no longer in employment in the service. The service will make sure to check all files and make sure all the garda vetting is in date.
- The cleaning agents were removed from the press on the day of inspection. The service will make sure no cleaning agents or any products posing a risk to children will be stored there.
- The handyman has been informed about the raised floor at the nappy changing room door. The service will carry out a risk assessment of the building to make sure we find any issues that can cause danger. This will be added to our check list on the ground floor.
- The radiator cover is now secured safely. The service will make sure to check all radiator covers on a regular basis.

#### Infection Control:

- The teachers in toddler 1 have changed their practice of hand washing before meals and each child uses the sink with lukewarm water and soap. The teachers in toddler 2 are aware of the importance of hand washing but will try to keep a closer eye to make sure all children wash their hands after using the bathroom. The teachers had a chat with the children during circle time about the importance of hand washing and will continue to remind them going forward.
- Paper towels are now available in wobbler 1. The staff were made aware of the importance of using the dispenser to avoid cross contamination.
- The chair has now been removed. All furniture in the rooms will be fit for purpose and easy to clean.

### Fire Safety:

8. The rubbish was placed on the back stairs the day before waiting on the handyman to take it away. It was removed straight away. The service understand the importance of fire safety and will not store anything on the back stairs.

### Supporting documentation submitted

Copies of updated vetting have been reviewed.  
Photographs in relation to 2, 4, 6 and 8 have been submitted and reviewed.

### Summary Comment

The registered provider has addressed the non-compliance under Regulation 23 points 1,2,4,5,6,7 and 8. The non-compliance under point 3 has not yet been addressed and will remain outstanding for review on the next inspection.

## Part VI - Safety

### Regulation 25 - First aid

*(1) A registered provider shall ensure that a person trained in first aid for children is, at all times, immediately available to the children attending the pre-school service.*

*(2) A registered provider shall ensure that a suitably equipped first aid box for children-*  
*(a) is safely stored in an easily accessible and conspicuous position on the premises, and*  
*(b) is available to the children attending the pre-school service at all times.*

### Compliance Information

(2) (a)(b) Suitably equipped first aid boxes were available on each floor of the service. These were stored safely out of reach of children, readily available and easily accessible to the adults if required.

### Non-Compliance Information

(1) The registered provider did not ensure that a staff member trained in First Aid Response (FAR) was available to the children in the service. On the day of inspection there was no evidence to show that any staff member had up to date first aid training. An immediate action notice was issued to the registered provider.

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

#### Corrective and Preventive Action

(1) Three staff members are booked in to do the Far training. All staff members are booked in to do the first aid training.

### Supporting documentation submitted

Email confirmation of booking reviewed.

### Summary Comment

The registered provider has attempted to address the non-compliance however as the training is not yet completed the non-compliance remains outstanding and will be reviewed on the next inspection. It is acknowledged that training is booked for 3 staff members.

## Part VII - Premises and Space Requirements

### Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-*

- (a) of sound and stable structure,*
- (b) safe and secure,*
- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

### Compliance Information

- (b)
- The entrance door to the service was secured which prevented unauthorised persons accessing the service.
  - Coded doors are present at the entrance to each floor of the service which prevents access to the care rooms by unauthorised persons and also prevented children leaving the area unsupervised.
  - The stairs were maintained in good condition with non-slip flooring and a suitable handrail.
- (c)
- Windows were opened in the service throughout the day to allow fresh air to circulate.
  - An ambient temperature was maintained in the care rooms.
  - Large windows allowed natural light to circulate in all rooms, this was supplemented by artificial light as needed.
- (d)
- Cleaning schedules were available in care rooms and sanitary areas and were completed to date.
  - Cleaning products were available to support staff to maintain the service in a clean manner.

(e)

- An adequate number of sanitary facilities were available for use by the children. The following was observed;
  - 8 toilets and 8 sinks were available for use by toilet trained children.
  - 3 nappy changing units and sinks were available for children who required nappy changing.

## Non-Compliance Information

(a)

1. The glass panels in several of the windows of the service are observed to have large cracks in them and some were observed to be shattered completely. The strength of the glass may be compromised and could pose a risk to the children. This was noted as a non-compliance on inspections in 2022 and 2023. It is acknowledged that the registered provider has engaged in talks with the building owners regarding a resolution.

(d)

2. Roof tiles were observed to be lifted out of place in the floating ceiling in Wobbler room 1 and the cot room thereby increasing the risk of dust and debris or the unsecured tiles falling into the room potentially injuring the children.
3. The wall in the nappy changing area on the ground floor were observed to be soiled and in need of cleaning. Paint was also observed to be worn away on the corners which prevented adequate cleaning.
4. The wall behind the sinks in the sanitary area on the 2<sup>nd</sup> floor was in need of maintenance and repair. Paint was observed bubbling and flaking off the wall.
5. Adequate flooring was not present on a section of the floor in the sanitary area on 2<sup>nd</sup> floor where a wall had previously been removed. The flooring was cracked with crevices which could harbour dirt and bacteria. This prevented adequate cleaning of the floor.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

(a)

1. Safari Childcare are still in talks with the landlord over this issue.

(d)

2. The handyman was informed of the loose tiles and will repair them as soon as possible. We will pay closer attention to the general upkeep of the building.

3. The wall in the nappy changing area is now clean. The cleaner was informed to add the general cleaning of the nappy room to the cleaning routine. The staff were also made aware of it. The handyman will touch up the painting.
4. This issue was also mentioned to the handyman. He assures us he will get to us to carry out all the required jobs as soon as possible. The Handy man has the list of jobs he needs to carry out.
5. This issue was also mentioned to the handyman. He assures us he will get to us to carry out all the required jobs as soon as possible. The Handy man has the list of jobs he needs to carry out.

**Supporting documentation submitted:**

Photograph in relation to point 2 was submitted and reviewed.

**Summary Comment**

The registered provider has addressed the non-compliance under Regulation 29 point 3. The non-compliances under points 1, 2, 4 and 5 have not yet been addressed and will remain outstanding for review on the next inspection.