

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2016FL009
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Name of Service:	Gingerbear Daycare
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Address of Service:	Portersfield, Clonsilla, Dublin 15, Co. Dublin
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Eircode:	D15 TD42
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Name of Registered Provider:	Jennifer Lynch
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Service type:	Full Day, Sessional
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Date of Inspection:	12/01/2024
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No of pre-school children:	AM	19	PM	11
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Address of the Early Years Inspectorate:	Early Years Inspectorate 2 nd Floor, Unit 4/5 The Nexus Building Blanchardstown Corporate Park Ballycoolin Dublin 15 D15 CF9K
Inspection undertaken by:	C.Harte
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

Gingerbear Daycare is a full daycare service located in a residential area in Dublin 15. The service operates between 8:00am to 6:00pm Monday to Friday. The service participates in the Early Childhood Care and Education scheme (ECCE) from 9:00am-12:00pm.

The premises is a two-storey building with two main care rooms. The Toddler room (1 year – 2 years 10 months) and the Preschool room (2 years 10 months to 5 five years). There is a third room which is currently not in use and used occasionally for small group activities. There are two small cot rooms directly off the Toddler room and one separate sleep room. There is a large outdoor are at the rear of the premises.

Staffing

The registered provider employs 8 staff including 1 staff member who cooks and carry's out domestic duties. On the day of the inspection there were 3 staff working directly with the children. The registered provider arrived at the service shortly after the inspector.

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, safety, 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.

Additional Information

Following the inspection, a referral was made to the fire officer on the 18th of January 2024 due to a fire safety concern.

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
- (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.

(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 as required.
- (2) The files of nine adults were reviewed to assess compliance under Regulation 9 Management and recruitment.
 - (a) Eight written and validated references were available from a previous employer.
 - (b) Eight written and validated references were available from a source other than a previous employer.
 - (c) Garda vetting disclosures were available for in relation to all nine adults.
 - (d) A police vetting disclosure was available for a staff member who resided outside the jurisdiction for a period of longer than six consecutive months.

(4) Evidence was available to show that eight adults working directly with the children held at least a major award in Early Childhood Care and Education level 5 on the National Qualifications Framework or a qualification deemed to be equivalent.

Non-Compliance Information

(9)(4) A staff member without a relevant qualification was providing direct care to two children at 1:57pm and four children at 2:00pm as another staff member completed sleep checks in the cot room.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

All children are now sleeping downstairs in one room, as was recommended by the fire officers, this eliminates reason to call on support from other members of staff not directly working in that room, during sleep time.

Summary Comment

The inspector has reviewed the actions submitted. The non-compliance identified under Regulation 9 has been addressed.

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) On the day of the inspection the registered provider ensured there was an adequate number of adults working directly with the children attending the service. Three staff were caring for nineteen children aged between 1-4 years when the inspector arrived at the service. The registered provider was available to assist and cover in rooms between 10:00am to 1:42pm.

(2) Ratios were maintained on the day of the inspection the following was observed.

Preschool Room:

- At 9:43am 1 adult was caring for 10 children aged between 3-4 years.

- At 3:00pm 1 adult was caring for 5 children aged between 3-4 years.

Toddler Room:

- At 9:47am 2 adults were caring for 9 children aged between 1 year - 2 years 10 months.
- At 3:03pm 2 adults were caring for 6 children aged between 1 year - 2 years 10 months.

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:

(h) details of attendance by each pre-school child on a daily basis;

(j) details of any medication administered to a pre-school child attending the service with signed parental consent;

(k) details of any accident, injury or incident involving a pre-school child attending the service.

Compliance Information

(1) (h) A review of available records demonstrated an accurate reflection of the children’s attendance.

(j) Of the twelve medical administration forms reviewed on the day of inspection all the required details and signatures were present.

Non-Compliance Information

(1)(k) Of the sixteen accident and incident forms viewed on the day of inspection, six forms were incomplete and did not include the manager’s signature.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

All medication forms are up to date and all signed.

These records will be checked weekly to ensure they are being filled out correctly.

Supporting documentation submitted

No supporting documentation submitted.

Summary Comment

The inspector has reviewed the actions submitted. The non-compliance identified under Regulation 16 has been addressed.

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 furniture provided in the care rooms was low level and suitable for the children attending the service. There was equipment displayed on low level shelving visible to children allowing them to independently choose and access their activity.
- Toys and equipment in the preschool room were grouped into defined areas including, a construction area to facilitate physical and cognitive play, materials for sensory play including fidget toys and a balance board and a home corner with dress up and associated props supporting imaginative play experiences. The children’s daily routine and helpers of the week were displayed on the walls promoting a sense of belonging.
- Other equipment available to the children included small world play and animals, jigsaws, toys for threading and books aiding the development of literacy. Additional resources were observed stored at the service.

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 external doors were secured to prevent a child from exiting the service unsupervised and to prevent an unauthorised person from entering the building.
- Cleaning agents were stored out of reach of children.

Infection Control:

- Children in preschool room were supported and encouraged to wash their hands before snack time.
- Tables were disinfected following mealtimes.

- Soothers were stored in individually labelled containers.
- Weekly cleaning checklists for the Toddler room and bed linen were observed to be completed up to date.

Administration of Medication:

- Medication was stored out of reach of children.

Safe Sleep:

- An ambient temperature of 18-22°C was maintained in rooms where children over 12 months old were sleeping.
- Lighting was subdued and sleep rooms remained quite supporting rest for children.

Non-Compliance Information

General Safety:

1. Damaged equipment in the outdoor area posed a risk of injury to children. The following was observed:
 - The green stand-alone slide was cracked at top near the handles and along the side. This posed a pinch risk.
 - Four of the flower chalk boards fixed to the fence were cracked and damaged. This posed a pinch risk.
 - Two parts of the soft surface in the garden were damaged with holes. This posed a trip hazard.

Infection Control:

2. The nappy changing practice posed a risk of cross infection. The following was observed:
 - A staff member wore the same disposable gloves for three changes.
 - A staff member wore the same disposable apron for four changes.
 - A staff member was observed to wash children's hands while wearing disposable gloves worn for nappy changing.
 - Three children were brought to the sanitary area at one time. This resulted in children in sitting and laying on floor while waiting to have their nappy changed.

This was a non-compliance on the previous inspection in November 2022. The preventive actions proposed by the registered provider have not prevented recurrence.

3. A sensor operated bin present in the sanitary area was not working on the day of the inspection. This was confirmed when the bin was reviewed with the service manager at 3:52pm. A bin in the sanitary area operated by hand poses a risk of cross contamination.

Administration of Medication:

4. A care plan for a child with an allergy did not include the steps to be taken in the event of a reaction. During discussion with a staff member the inspector was advised the staff were unsure of what steps to take if the child had a reaction. This posed a risk of medication being administered incorrectly.

Safe Sleep:

5. No sleep record was available for a child who slept from 9:50am-12:00pm on the day of the inspection. It is acknowledged that sleep records were maintained for sleeping children later in the day.
6. Two children were observed sleeping in cots with soft toys. This is not in line with the services sleep policy that stated no soft toys in cots. This posed a choking hazard.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. Damaged equipment has been removed and disposed of. The damaged surface area has been covered and will be repaired/replaced within 60 days.
Daily risk assessment on the equipment will take place before using the area, any broken or damaged toys will be removed before the area is used.

Infection Control:

2. All staff have been retrained and reformed of nappy changing policy and have been supervised during changes for 5 days.
3. Sensor bin had been working that morning and simply needed batteries changed. This was done the following inspection.
Spare batteries will always be available, staff now know that this is usually the issue if the bin stops working.

Administration of Medication:

4. The care plan in place for the child with an allergy, is just to ensure that the child does not ingest any dairy products. The child does not require us to administer any medication, this was the instructions from the parents.
The care plan has been updated and clearly states that the child does not require any medication.

Safe Sleep:

5. All sleep must and will be recorded, going forward this will be easier to maintain as all the children are sleeping in the one room.
All staff underwent a briefing on our sleep policy, and were supervised and monitored during sleep time for 5 days. This will be addressed monthly.
6. All soft toys will be removed once the child has fallen asleep. Sleep policy has been updated.
All staff have been made aware of the change in the sleep policy.

Supporting documentation submitted

General Safety:

No supporting documentation submitted.

Infection Control:

Photographic evidence of bin.

Administration of Medication:

No supporting documentation submitted.

Safe Sleep:

Copy of updated safe sleep policy.

Summary Comment

The inspector has reviewed the corrective and preventive actions taken and evidence submitted. The non-compliances identified under Regulation 23 have been addressed.

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) A review of the available First Aid Responder (FAR) certificates for eight staff showed that the registered provider ensured that a person trained in FAR was available to the children during the opening hours of the service.

(2) (a)(b) Adequately stocked first aid boxes were available in the service. These were stored appropriately out of reach of the children but immediately available to the staff as needed.

Part VI - Safety

Regulation 27 – Supervision

A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Non-Compliance Information

Children sleeping on stackable cot beds positioned in the corner of the Toddler room away from the door were left alone, unsupervised, and out of sight of staff for periods during sleep.

For example:

- At 1:44pm to 1:50pm two children were left in the care room sleeping unattended as a staff member cared for a child in another care room at the opposite end of the hallway and then changed a child's nappy in the sanitary area outside of the room where the children slept.
- At 1:53pm till 1:57pm one sleeping child on a stackable cot bed was left unattended while a staff member cared for children in a separate care room at the opposite end of the hallway.

This is not in line with the services policy that states children in the sleep room are within sight and hearing of staff at all times, monitors and viewing panels accommodate this. The staff member did not have a monitor present in the care room and did not have sight of the sleeping children. This posed a potential risk of injury to the children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

All children are now sleeping in the one room, therefore eliminating any risk of children being left unsupervised during sleep checks. Beds and cots are brought out at sleep time and returned after sleep time.

Sleep room has been located downstairs permanently.

Supporting documentation submitted

Images submitted of cots in storage and placed in care room for sleep.

Images submitted of stackable beds in storage and placed in care room for sleep.

Summary Comment

The inspector has reviewed the corrective actions taken and evidence submitted. The non-compliances identified under Regulation 27 have been addressed.