

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2016FL015
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Name of Service:	Best Bee Kids-Unit 2
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Address of Service:	Unit 2 Main Street, Donabate, Co. Dublin
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Eircode:	K36 D272
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Name of Registered Provider:	Berta Lazarovici
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Service type:	Sessional
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Date of Inspection:	08/10/2024
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No of pre-school children:	AM	15	PM	10
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Address of the Early Years Inspectorate:	Early Years Inspectorate, 181-189 Lakeshore Drive, Airside Business Park, Swords, Co. Dublin K67 Y5C6.
Inspection undertaken by:	S. Taaffe
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
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Description of service

A sessional early years service commenced operating in this setting in 2016 which the registered provider acquired in October 2022, operating since as Best Bee Kids – Unit 2. This service is one of the registered provider’s two early years services located in close proximity to each other in the coastal town of Donabate in north Co Dublin, in addition to 5 stand-alone school age childcare services operated by the registered provider in separate settings in north Co Dublin. Best Bee Kids – Unit 2 is registered to operate from 9.15am to 12.15pm each weekday, accommodating a maximum of 22 pre-school children aged 2 – 6 years on a sessional basis. School aged children are not accommodated in this service. The service is conducted from one care room located on the ground floor of a commercial unit with the main entrance to the service located to the rear of the premises, entering through the service’s enclosed outdoor play area which adjoins a supermarket car park off the main street in Donabate.

Staffing

The registered provider employs 6 core staff members who work directly with the pre-school children in this service only, or in both of the registered provider’s early years services. One of these 6 core staff members is employed as the service manager and one is employed to reduce the adult to child ratio, and when necessary, to work with a child with additional needs in a post which is funded by the Minister as part of the Access and Inclusion Model scheme. An additional staff member is employed in a relief capacity to work directly with the pre-school children in the services on an intermittent basis when necessary. The registered provider does not work directly with the children in the service and generally engages in administrative duties off-site.

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. 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

An immediate action notice was issued to the registered provider on the day of inspection in relation to the absence of a Garda vetting disclosure for an adult who was present in the service on a trial basis in advance of possibly taking up employment as an early years practitioner. On the same day, the registered provider provided written assurances to the Inspectorate that this adult would not be present in the service again until a Garda vetting disclosure was supplied to the service.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the service manager, staff and children who were present on the day of the inspection.

Part II - Registration and Register

Regulation 8 - Notification of change in circumstances

(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.

Non-Compliance Information

(1) The registered provider failed to notify the Early Years Inspectorate of a change in circumstances in relation to the following as per the schedule 4 Form for Notification of Change in Circumstances:

- The operating hours of the service was at variance with the hours the service is registered to operate. The service is registered to operate from 9.15am to 12.15pm but is currently operating from 9.00am to 12.00midday and from 12.45pm to 3.45pm.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

(1) A Change in Circumstance application has been submitted and approved. The approved changes are as follows:

- Addition of a session (sessional only) – from morning to morning and afternoon session (existing sessional room)
- Change in hours of operation: from 09:15-12:15 to 09:00 - 12:00; 12:45 - 15:45.

Preventive Action

(1) Tusla will be notified in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.

Supporting documentation submitted

Copy of relevant approval email from the Inspectorate's Change in Circumstances office.

Summary Comment

The corrective action and evidence submitted by the registered provider has been reviewed and accepted. The non-compliance observed under Regulation 8(1) has been adequately addressed.

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.

(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 manager was the designated person in charge of the service and there was a named person available to deputise as required.

(b) The service manager was present and in charge of the service when the inspector arrived unannounced at 9.30am on the morning of the inspection and remained on the premises for the duration of the inspection.

The records maintained for a total of 9 adults were sought for inspection, in relation to the registered provider, 6 core staff members, 1 staff member employed in a relief capacity and the adult who was present in the service on a trial basis on the day of inspection.

(2)(a)(b) The following references were available for the 9 adults in the service:

- The registered provider had 2 written references available.
- Seven adults had 2 written, validated references available.

(c) Garda vetting disclosures were available for the registered provider and 7 adults in the service. These Garda vetting records demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) International police vetting was available for 5 adults who had resided outside of the Irish jurisdiction for more than 6 consecutive months as adults.

(4) All 6 core staff members who work directly with the children in the service and the staff member employed in a relief capacity when required each held a major award in Early Childhood Care and Education at Level 5 - 8 on the National Framework of Qualifications (NFQ) or a qualification deemed by the Minister to be equivalent.

Non-Compliance Information

(2)(a)(b) The following was not in place in relation to staff references:

- There were no written and validated references available for inspection in relation to the adult who was present in the service on a trial basis in advance of possibly taking up employment as an early years practitioner.

(c) A Garda vetting disclosure was not available for the adult who was present in the service on a trial basis.

- (d)
1. In respect of the 5 adults who had resided outside of the Irish jurisdiction for more than 6 consecutive months as adults, 1 of these adults did not have international police vetting available for 1 of the 3 countries that they had resided in for longer than 6 months as an adult. Additionally, 1 of the 2 international police vetting certificates available for this staff member was written in a language which had not been translated into English or Irish.
 2. In respect of the adult who was present in the service on a trial basis, there was no document such as a curriculum vitae available to show their history of past employment and relevant experience in order to determine whether police vetting from other jurisdictions outside of Ireland was required on their behalf or not.

(3) Based on a review of the staff files maintained, it was evident that 1 staff member and the adult present during the inspection on a trial basis were both present in the service in advance of written references being validated and in advance of the Garda vetting disclosures being issued to the registered provider by the National Vetting Bureau of the Garda Síochána in accordance with the Children and Vulnerable Persons Act of 2012.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

(2)(a)(b)(c)

The adult who was in the service on a trial basis is employed by another School Aged Childcare company of the registered provider and she is Garda vetted with verified references available and CV. A full staff file has been copied and made in the service for this adult.

Garda vetting for this adult was applied for and received by the service. The adult does not have access to or contact with children, they are not a part of ratio, and they will not be back on site until vetting is received.

(d)

1. International police vetting has been applied for to the relevant authority for the staff member who was on an ERASMUS for 9 months in 2004-2005. The available police vetting has also been translated into English only by a sworn translator.
2. The adult who was in the service on a trial basis is employed by another School Aged Childcare company of the registered provider and she is Garda vetted with verified references available and CV. A full staff file has been copied and made in the service for this adult.

(3)

The staff member who started with the service in September was completing her induction process and training while waiting on Garda vetting. During this induction, references were checked. The staff member was not 'in ratio' or with the children.

The adult who was in the service on a trial basis is employed by another School Aged Childcare company of the registered provider and she is Garda vetted with verified references available and CV. A full staff file has been copied and made in the service for this adult.

Preventive Action

(2)(a)(b)(c)

No adults will be allowed on site for a 'trial basis' unless they have validated references, Garda vetting, police vetting (in English or Irish only) if applicable, CV, relevant qualifications and required training certificates held on file and in date.

Staff files will be reviewed on an annual basis to ensure that the necessary documents as required are held on file.

(d)

1. The staff files of all adults working in the service have been thoroughly checked to ensure that validated references, Garda vetting, police vetting (in English or Irish only) if applicable, CV, relevant Qualifications and required training certificates are held on file and in date.
2. No adults will be allowed on site for a 'trial basis' unless they have validated references, Garda vetting, police vetting (in English or Irish only) if applicable, CV, relevant Qualifications and required training certificates are held on file and in date.

Staff files will be reviewed on an annual basis to ensure that the necessary documents as required are held on file.

(3) No adults will be allowed on site unless they have validated references, Garda vetting, police vetting (in English or Irish only) if applicable, CV, relevant qualifications and required training certificates are held on file and in date.

Staff files will be reviewed on an annual basis to ensure that the necessary documents as required are held on file.

Supporting documentation submitted

Copies of relevant validated references, Garda vetting, translated international police vetting and newly-issued international police vetting, CV and staff file records were submitted.

Summary Comment

An immediate action notice was issued to the registered provider on the day of inspection in relation to the absence of a Garda vetting disclosure for an adult who was present in the service on a trial basis in advance of possibly taking up employment as an early years practitioner. In response to the issued immediate action notice and on the same day, the registered provider promptly provided written assurances to the Inspectorate that this adult would not be present in the service again until a Garda vetting disclosure was supplied to the service. The non-compliances found on inspection under Regulation 9 have been adequately 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.*
- (3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 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) therefore at that reference number is satisfied.*

Compliance Information

- (1) During the inspection there were an adequate number of adults working directly with the children attending the service.
- (3) The adult to child ratio was correct in the service for the duration of the inspection with 3 staff members working directly with the 15 pre-school children aged 3 years to 4 years 7 months who were present during the morning session. A further adult was present in the service a supernumerary capacity during the morning session, in advance of possible employment in the service. Two staff members were observed working directly with 8 pre-school children during the afternoon session.

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) The following are examples of how each child's learning, development and well-being was facilitated in the service:

Basic Needs of the Children:

- There was a warm, welcoming and child centred atmosphere in the service as evidenced in the kind and supportive interactions observed taking place between the adults and the children.
- Healthy snacks and drinks were provided by the parents for the children to have in the service. The service implemented a rolling snack system, allowing children to have their snack when wished to which supported children's choice and encouraged their independence.
- The close proximity of the sanitary accommodation to the pre-school room facilitated the children who were able to use the toilet independently with assistance provided to the children when necessary. Two children wore nappies and these were changed when required during the session.
- Soft matting, a bean bag and cushions were provided in the library area and children were observed relaxing in this area at times during the inspection until they were ready to resume play and activity.
- All children were afforded the opportunity for a change of environment to the outdoor play area and were dressed appropriately prior to going outside. Children were given a choice as to how long they wished to play outdoors. One staff member remained outdoors with the children who were happy to continue playing outside while children who preferred to return to play indoors were readily facilitated to do so.

Supporting Relationships around Children

- The staff members demonstrated sensitivity and responsiveness to each child's needs (both individual needs and, for some children, their additional needs) and their likes and preferences which fostered each child's inclusion and involvement in activities. The staff members were observed speaking positively and warmly to and about all the children who were present during the inspection.

- The children were supported in their choice of activities with moments of joint laughter and shows of affection frequently observed taking place between the staff members and the children during the inspection. The staff members were observed acting as play partners with the children, providing space and opportunity for children to lead and direct play while readily supporting children when they chose to change or opt out of activities.
- The staff members were observed using a problem solving approach which effectively supported the children to find positive solutions when they experienced challenges when participating in play and interactions. This prevented any of the minor issues observed from escalating.
- Transitions were well supported in the service. Throughout the session timers and verbal strategies including tidy-up-themed songs were used by the staff members to inform and prepare children for upcoming activities and movement.
- Family links were nurtured in the service with the children's family photographs contained in a book-style display folder which children were observed holding and looking at during the inspection. Partnership with parents was demonstrated during the inspection with photographs of the children engaging in activities shared with the parents on a mobile phone application. Parents were greeted warmly and communicated with in an unhurried manner on their arrival to the service.

Physical and material environment:

- Toys, play materials and equipment were stored appropriately on open-fronted low level shelving units and in open-top pictorially labelled transparent storage boxes to guide the children as to what toys and play materials were contained within. This ensured that the equipment was visible and within easy reach of the children at their height, thereby facilitating child-led play.
- The pre-school room was bright and laid out in clearly defined interest areas containing a broad range of developmentally appropriate play materials. The environment supported the pre-school children in initiating and sustaining play activities. The interest areas included a well-resourced home corner with supportive real life materials including delph plates, ladles, stainless steel cutlery and real-life packaging, dress up costumes and baby care items; an arts and crafts trolley with paint in pots, brushes and paper; and a construction area with cars, trucks, wooden and plastic bricks and blocks, and play materials to support the children's fine motor and problem-solving skills including jigsaws, magnets, connecting and interlocking toys, stacking toys, threading equipment, peg boards and puppets.

- A suitable broad range of books were provided and the children’s language development was facilitated during the inspection through conversations heard, story-telling and singing.
- Sensory play was facilitated in the service. This was evidenced during the inspection when the children were observed engaging in water play at various times during the day at the low-level trough-style sink provided in the care room, the provision of playdough, and a layer of lentils provided with a broad range of animals and sea creatures in a tray-top activity table.
- The outdoor play area located to the rear of the premises was fully enclosed and surfaced in artificial grass with shade provided by a mature tall tree. The play equipment provided opportunities for children to engage in active physical play and outdoor related activities including a spacious outdoor kitchen with a hob and sink unit, a wooden climbing frame with a standing platform accessed by steps with a slide attached, a wooden-surrounded ball pool, a wooden table and a range of seating for children and adults.

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

The following are examples of the measures undertaken by the registered provider and staff members to safeguard the health, safety and welfare of the children attending the service:

General Safety:

- The tall entrance gate leading into the outdoor play area was appropriately secured to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the service. A bell was fitted at the entrance gate to facilitate parents and visitors to notify staff members of their arrival to the service, and gain entry if appropriate. The outdoor play area was fully enclosed by high fencing and walls.
- The water temperature in the sanitary accommodation in the service and the low-level sink in the care room did not exceed the recommended maximum water temperature of 43°C. This reduced the risk of scalding for the children in attendance. The inspector was informed that the warm water supply was thermostatically controlled.
- Cleaning agents were stored safely out of the reach of children.

- The play materials and equipment were stored on stable low level shelving which reduced the risk of the furniture from toppling over and causing injury.
- A door latch was in place and used to make the kitchen inaccessible to children during the inspection. This reduced the risk of children gaining access to items that would pose a risk to the children's safety including the kettle, cutlery, sharp utensils and cleaning agents.

Infection Control:

- There was running warm water, liquid soap and paper hand towels provided for hand hygiene at the wash hand basins in the sanitary accommodation of the service. The children in the service were encouraged by the adults to wash their hands before eating, after using the toilet and after outdoor and messy play.
- A refrigerator was available and used to store lunch boxes provided by the parents for the children's snacks. This reduced the risk of bacteria growth in perishable food items.
- The premises play equipment and materials were in a clean and hygienic condition. There was a process in place for the cleaning of toys and equipment.
- Disposable aprons and suitable disposable gloves were available for nappy changing procedures.

Administration of Medication:

- A detailed care plan was in place for a child in attendance who had a specific health condition. The manager demonstrated comprehensive knowledge of the relevant safety issues and record-keeping requirements associated with administration of medication to a child in the service.
- The service had a medication administration record template available to be used in the event of a child requiring medication to be administered at the service.

Fire Safety:

- The emergency exits in the service were clear and unobstructed.

Part VI - Safety

Regulation 24 - Checking in and out and record of attendance

(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.

(3) A registered provider shall ensure that-

(a) no person other than-

(i) pre-school child attending the service,

(ii) a person dropping or collecting such a child,

(iii) an employee, or

(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and

(b) a daily record in writing is kept of the entry on the premises of any such person.

Compliance Information

(1) The service maintained accurate details of all children in attendance during the inspection. The children were electronically entered as present on the mobile tablet device used to record attendance, noting each child's arrival and departure times.

(3)(a)(b) A system was in place to ensure that no person other than the children and their parents or guardians, employees, approved students or authorised visitors could enter the service. The inspector was requested to record her attendance on the premises and the purpose of the visit.

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) The service manager, 2 core staff members and the relief staff member held in-date First Aid Response (FAR) training. The registered provider ensured that a person with FAR training was scheduled to be present and available to the children attending the service at all times when the service was operating.

(2)(a)(b) The first aid boxes were suitably equipped and easily accessible to the staff, stored on high shelving in the service kitchen, and these were available at all times for the children attending the service.

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 record was maintained of fire drills which had been completed in the service. Based on the records maintained and as reported by staff members, fire drills were carried out monthly. The last recorded fire drill took place on 19/09/2024.

(b) A record was kept of the number, type and maintenance of the firefighting equipment and smoke alarms in the premises. Fire extinguishers were certified as having been serviced in February 2024 and the smoke detection system was certified as having been serviced on 31/07/2024.

(4) A notice of the procedures to be followed in the event of a fire was conspicuously displayed in the service.

Part VI - Safety

Regulation 28 - Insurance

A registered provider shall ensure that the pre-school service is adequately insured.

Compliance Information

The registered provider had insurance cover in place for 22 pre-school children attending the service on a sessional basis. The in-date policy showed that the service was insured until 27/03/2025.