

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2016LK013
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Name of Service:	TLC Childcare
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Address of Service:	Woodfield Grove, Killeline, Newcastle West, Co. Limerick
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Eircode:	V42 X934
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Name of Registered Provider:	Joan Hester
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Service type:	Full Day
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Day 1 of Inspection:	23/01/2024
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Day 2 of Inspection:	24/01/2024
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No of pre-school children:	AM	89	PM	76
Day 2	AM	79	PM	No.

Address of the Early Years Inspectorate:	Tusla, Early Years Inspectorate, Estuary House, Henry St, Limerick
Inspection undertaken by:	E Browne and J Ryan
Title:	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).

Conditions if applicable	Not applicable
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Description of service

This full day service was set up in 2016 and it offers full day care and part time care from 07.30hrs to 18:00hrs Monday to Friday. It also offers an Early Childhood Care and Education (ECCE) pre-school programme and a sessional care programme from 09.00hrs to 12.00hrs. The premises are a purpose built two storey childcare facility located in the town of Newcastle West, Co Limerick close to shops, schools and residential settings. The service has 7 playrooms, 4 sleep rooms, a kitchen, nappy changing and sanitary facilities for children and adults and outdoor play area to the back of the premises

Staffing

There are a total of 21 staff working in the service. On the days of inspection there were 17 childcare staff working with the children and this includes the person in charge who is available to cover breaks.

The registered provider visits the service and was present on the days of the inspection and will covers breaks and office duties as required.

There were 2 additional staff working in the kitchen and a staff available to work with the school aged children.

All staff working directly with the children have childcare qualifications which range from level 5 to level 8 on the National Qualifications Framework.

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 focused on an examination of compliance under regulations 9, 11, 19, 21, 23,24, 25 and 26. These findings are outlined within the relevant regulations within this report.

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

25/01/2024

An Immediate Action Notice was issued to the registered provider as there was 1 adult working in the service who did not have evidence of Garda vetting disclosure.

Please refer to Regulation 9 – Management and Recruitment in the body of the report.

26/01/2024

Garda vetting for the 1 adult was sent to the Inspectorate on the 26/01/24.

Acknowledgments

The inspectors wish 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.

(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) There was a designated person in charge and a named person who was able to deputise as required.

(b) The person in charge and the deputy person in charge were available on the premises as outlined in the staff roster. The registered provider arrived in the service at 10:30 am on the 23rd of January and 24th January 2024.

(c) There was a clear management structure in the service that identified the lines of authority and roles and responsibilities of each employee. Team leaders were appointed in each room of the service.

(2) The files of all staff members were checked, and the following documents were available for inspection:

(a) References from the person's past employers and in particular the most recent employer were available for the staff.

(b) References from sources other than past employers in the case of a person who had no past employers were available where required.

(c) Vetting disclosures received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 were available in respect of 20 staff. 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 in place for the 12 staff members who had lived in another state for a period of longer than 6 consecutive months.

(4) All staff working directly with children attending the service had an award in Early childhood Care and Education ranging from Level 5 to 8 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

Non-Compliance Information

(2)(c)

1. Vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 was not available in respect of one staff who worked in the service.

An Immediate Action Notice was issued to the registered provider on the 25/01/2024 requesting that this adult must not have access to the children until Garda Vetting disclosures has been obtained and reviewed by the registered provider.

A copy of Garda vetting was received for this one staff into the Early Years Inspectorate at 13:00 hours on the 26th January 2024.

(2)(d)

Police vetting was not available for 1 staff member who had lived in another state for a period of longer than 6 consecutive months.

(3) The vetting procedures specified in paragraph (2) (c),(d) Garda and Police vetting were not carried for all staff members prior to commencing employment in the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider has stated that:

1. and 2. Vetting documents have been obtained and submitted to Early Years Inspectorate.

(3) The vetting procedures will be carried out on all staff prior to commencing employment in the service.

Supporting documentation submitted

Copies of the Garda vetting and Police vetting

Summary Comment

The actions as stated by the registered provider meet the regulatory requirements of the non – compliances identified.

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)

At all times during the period of the inspection the person in charge ensured that an adequate number of staff were working directly with the children.

(2)

On inspection day 1 there were 16 staff working across 7 playrooms with 89 children present in the morning and 76 children present in the afternoon.

- Bunny room - there were 8 (6mts- 1.5 years) children and 3 staff present.
- Ducky room - there were 10 (1.5- 2 years) children and 2 staff present.
- Dolphin room- there were 11 (1.5-2 years) children and 2 staff present.
- Octopus room- there were 12 (2-3years) children and 2 staff present.
- Elephant room - there were 11(2-3) children and 2 staff present.
- Giraffe room - there were 20 (3-4 years) children and 2 staff present.
- Zebra room - there were 17 (3-5 years) children and 2 staff present.

On inspection day 2 there were 17 staff working across 7 playrooms with 79 children present in the morning.

The minimum ratio of staff to children was maintained in each room.

The deputy manager and the registered provider were available to cover for staff breaks /office management and other service duties.

An additional 2 staff were available to work in the kitchen

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

Basic Needs:

The healthy eating policy of the service detailed a well-balanced and nutritious menu. The full-time cooks freshly prepares all meals daily. Dinner consisted of pasta, mashed potatoes, vegetables and a meat-based sauce. Snack consisted of a selection of fresh fruit. Drinking water was available throughout the day in each room if a child was thirsty and needed a drink. The children were given plenty of time to eat and enjoy their food and staff sat with the children which allowed for a quieter, calmer and unhurried atmosphere at mealtimes.

The children who were toilet trained toileted on their own with assistance given to those who needed it. Nappy changing facilities were provided close to the playrooms for ease of access for the staff and children. All toiletries for the children were safely stored and clearly labelled and were located within easy reach of all staff.

Hand washing was facilitated in the sanitary accommodation with a supply of hot and cold running water, paper towels and liquid antibacterial soap.

Children could rest and relax as desired throughout the day in each room in the library area on child sized couches, cushions and on the floor mats. Children under 2 years of age slept in traditional type cots and were observed to be checked by staff every 10 minutes in line with the safe sleep policy of the service.

Children were encouraged to behave appropriately for their age and stage of development through having simple rules to follow and a good level of choice of activities. The adults modelled positive behaviour for the children and the children were praised for their good behaviour.

The staff used the keyperson system in each room of the service and they had a good understanding of the benefits of the use of the keyperson system.

Physical and Material Environment:

The service was operated from a purpose-built building in a large town in West Limerick.

The rooms were equipped with open shelving units where children could access play equipment and materials independently. Shelving units were also used effectively as room dividers to create play spaces, such as the library area, home corner construction area, small world area and arts and crafts area. Other interest areas included: sand and water play areas, homemade play dough and tabletop activities area.

The children were not outdoor on the first day of the inspection. The day was windy and there was a weather warning in place. The staff said that children do go outdoors most days weather permitting.

On the second day of inspection the children from all the playrooms had the opportunities to be outdoor throughout the morning and into the afternoon. Each child appeared to be appropriately dressed for the cold weather with hats, coats and some had their all-weather clothing in place. The children were observed to have many moment of fun and laughter with their friends and their key workers.

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

Overall, a wide variety of age and developmentally appropriate play equipment and materials were available indoors and outdoors for the children throughout the day. There was access to a sufficient quantity of books, crayons, paper, paints, art materials and sand and water.

The furniture and equipment for example the low-level shelving to hold and display the children’s toys and equipment and the child sizes tables and chairs met the individual needs of the children.

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 entrance door to the pre-school premises was secured with an electronic security system. Safe storage was available for the cleaning agents and equipment used in the service. Fire doors throughout the building were unobstructed. The external outdoor play areas were secured. Work was due to commence to ensure the doors leading to the outside play area were secured when open.

Infection Control:

A supply of cleaning agents stored out of reach of children were available in the service. Playrooms, sleep rooms, communal areas and sanitary areas were adequately ventilated by natural and mechanical forms of ventilation. Each hand basin was equipped with running hot and cold water and the hot water temperature was no more than 43 °C for children's use. There was liquid soap at the wash hand basins to facilitate hygienic hand washing for children and adults. Paper towels were provided in the dispensers in all the sanitary areas used by the children and adults to facilitate hygienic hand drying. The nappy changing policy was displayed in the designated areas and nappy changing procedures were carried out in an appropriate manner. Children were encouraged to develop good personal hygiene skills for example children were observed hand washing before and after snacks and meals, after toileting and outdoor play.

Fire Safety:

The service records indicate that the fire drills were carried regularly .

Non-Compliance Information

General Safety:

Garda vetting was available for 2 staff members. 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'.

It is acknowledged that the registered provider applied immediately for Garda vetting for the 2 staff members when it was identified that they were not in date. The vetting for these 2 staff members was received into the Early Years Inspectorate on the 25th of January 2024.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety: The registered provider has stated that:

All required staff had their Garda vetting renewed.

This renewal of Garda vetting within the previous three years will be incorporated into the services system to ensure procedures are in place to comply with the regulatory requirement Renewal of Garda Vetting.

Supporting documentation submitted:

General Safety:

Copies of the Garda vetting renewal documents.

Summary Comment

The actions as stated by the registered provider meet the regulatory requirements of the non – compliance identified.

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) Each child on arrival is checked in by a staff member at the service. Children are signed out of the service at home time. Accurate daily records were maintained of all children present at the facility

(3) The registered provider ensured that-

(a) No person other than-

(i) Pe-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.

Non-Compliance Information

(3)(b)

Visitors to the service were not signed in and signed out by a staff member . The visitors record must include the reason for the visit, contact details of each visitor and the name of the person who approved their access and the check in and out times.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action:

The registered provider has stated that:

A digitised visitor system has been implemented that the manager in charge will complete when there are visitors at the premises.

Supporting documentation submitted:

None submitted

Summary Comment

The actions as stated by the registered provider meet the regulatory requirements of the non – compliances identified.

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 registered provider had ensured that a person trained in first aid response for children was at all times, immediately available to the children attending the pre-school service. There were 6 staff members trained in first aid response with an expiry dated for October 2025.

(2) A suitably equipped first aid box for children-

(a) was safely stored in an easily accessible and conspicuous positions in the premises.

(b) was available to the children attending the pre-school service at all times.

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 fire fighting 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)

Fire drills were carried out regularly and the most recent drill took place on the 9/01/2024. The previous fire drills records were dated 31/10/2023, 02/10/23, 22/08/23, 28/07/23, 23/05/23 04/04.23 and 08/03/23.

(b)

A record of the number, type and maintenance of firefighting equipment was available on the premises, serviced in September 2024. There was a maintenance record available for the smoke alarm system and the most recent servicing of the fire alarm system for the service was May 2023.

(4)

The fire evacuation procedures were displayed at the main entrance area of the service and in all the playrooms and the fire assembly point was clearly visible at the front entrance to the service

Part VII - Premises and Space Requirements

Regulation 29 - Premises

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

- (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

(c) The premises appeared to be adequately maintained, appropriate lighting in the playrooms with a balance between natural and artificial, heated and ventilated. The flooring in 2 playrooms has been replaced which has eliminated the malodour that was identified in the previous inspection.

(d) The premises appeared to be clean, maintained and repaired, as required. There was ongoing work in progress with painting walls in the playrooms, hallways and sanitary areas.

(e) There were appropriate climbing steps in place in the nappy changing units to help the children to climb on to the changing areas, if needed.

Paper towel dispenser were in place in each sanitary area to facilitate ease of access to the paper towels for the children to dry their hands.

There were leak proof, cleanable and sealable airtight containers available in each of the nappy changing units for disposing used nappies, gloves and aprons. Pedal bins were available for the disposing of paper towels.