

Early Years Inspectorate Regulatory Report

Pre School

(TUSLA Identifier:	TU2016MN003
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Name of Service:	Tree Tops
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Address of Service:	46 Park Road, Monaghan, Co. Monaghan
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Eircode:	H18RF78
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Name of Registered Provider:	Michelle Woods, Nicola Myers
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	09/05/2024
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No of pre-school children:	AM	35	PM	13
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Address of the Early Years Inspectorate:	Early Years Inspectorate No.18 The Grange Plantation Walk Monaghan
Inspection undertaken by:	S. Skinnader
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

Tree Tops have been operating as a privately run childcare service since 2016. They provide full day care, part-time and sessional education and care to pre-school children aged from 2 to 6 years of age. The service is open from 08:30 to 18:00 each weekday and partakes in the ECCE scheme Monday – Friday in the morning. It caters for a maximum of 56 preschool children. The service operates from a purpose-built building located in the town of Monaghan. The service has 2 care rooms in operation namely: The Oaks and Acorn Rooms. There are nappy changing and sanitary accommodations, a kitchen, and an office. The service has an outdoor area to the rear of the service.

Staffing

There are 11 members of staff employed in the service, 7 of whom including the 2 registered providers work directly with the preschool children. One staff member is employed as cook, 2 work directly with the school age children and 1 staff member present in a supernumerary capacity. There was 1 student in the service.

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.

The inspection focused on an examination of compliance under regulations 9, 11, 20, 23 and 25; however, on inspection an additional non-compliance which posed a risk was identified under Regulation 16 and 29. 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.

Acknowledgments

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

Part III – Management and Staff

Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

- (a) the service has a designated person in charge and a named person who is able to deputise as required,
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and

(2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,
- (b) consideration of references from reputable sources in the case of a person who has no past employers,
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and
- (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.

(4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

Compliance Information

(1)(a) & (b) The service had a designated person in charge and named deputy person to deputise as required. Both were on the premises when the inspectors arrived and were present throughout the inspection.

(2) Twelve staff files were reviewed:

- (a) and (b) There were 2 written and validated references available for the 11 members of staff.
- (c) A processed Garda Vetting Disclosure was available for all 11 members of staff and the student.
- (d) Documentary evidence of international police vetting was available for 1 of 3 staff members who had resided outside the Irish jurisdiction for a period of six months or more.

(4) Seven members of staff working directly with the preschool children had a minimum Level 5 childcare qualification.

Non-Compliance Information

(2)(a) and (b) The student did not have 2 written and validated references.

(d) Two adults who had lived outside the Irish jurisdiction for a period of 6 months or more did not have international police vetting.

(4) One staff observed working directly with the preschool children did not have documentary evidence of a major childcare award at a minimum Level 5.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a) and (b) The student's documents were submitted on the next day of their placement.

The registered provider will ensure all documents for students are received prior to their start date.

(d) Both staff members have contacted the relevant embassies regarding correct vetting.

The registered provider will ensure relevant international police vetting is sought before commencement of work.

(4) This person no longer works in the morning and is employed in the afternoon with the school age children.

The registered providers will always ensure anyone working directly with the preschool children will have a.

Supporting documentation submitted

Copies of references.

Summary Comment

The registered providers responses in relation to references and staff qualifications were accepted and the non-compliances have been addressed.

The non-compliance in relation to international police vetting remains outstanding.

Part III – Management and Staff

Regulation 11 - Staffing levels

(1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.

(2) Subject to paragraphs (4) and (5), a registered provider of a full day care service or a part-time day care service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 1 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) thereof at that reference number is satisfied.

(8) Without prejudice to paragraphs (2) to (7)-

(a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times,

Compliance Information

(1) When the inspector arrived unannounced to the service, there were 2 rooms in operation. During the inspection there was an adequate number of adults working directly with the preschool children attending the service.

(2) The following adult: child ratios were observed in the care rooms when the inspectors arrived at the premises:

The Acorn Room (Downstairs):

There were 20 preschool children (aged 3 - 4 years) attending this room with 3 staff members one of whom was supernumerary.

The child adult ratios were correct.

The Oaks Room (Upstairs):

There were 15 preschool children (aged 3 – 5 years) attending this room with 3 childcare staff.

The child adult ratios were correct.

In addition, there was a student present who spent time in each room during the inspection.

(8)(a) Following a review of the available documentation e.g. staff rotas and children’s attendance records this information demonstrated that the registered provider ensured that there were at least 2 adults on the premises at all times.

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;

Non-Compliance Information

(1)(h) The details of all children attending the Acorn Room were not documented on the attendance records. For example, two children present in the care room were not recorded as being present. In addition, attendance was being recorded by a “tick” instead of the actual arrival and departure times being recorded.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1)(h) Times of arrival are now written down, rather than being recorded by a “tick”.

The tablet is now in the Acorn room for staff to log children in and out through the service electronic application.

Summary Comment

The registered providers response has been accepted and the non-compliance addressed. This will be for review at the next inspection.

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-

(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.

(3) A registered provider of a full day care service, a part-time day care service or a childminding service, other than such a service to which paragraph (2) applies, shall ensure that-

(a) a suitable, safe and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises,

Compliance Information

(1)(b) There were soft areas in the rooms which consisted of floor mats in each room, which a child could sit and relax on or take a break from an activity. A day bed was also available for those children aged over 2 to rest on or for those who required a sleep.

(3)(a) There was an outdoor area to the rear of the premises.

Area 1 had a concreted surface and was partially covered. There was a mud kitchen, water and sand trays. There were also some push toys and plastic blocks.

Area 2 was a tarmacked area and there were tables and chair with tabletop activities for the children set out.

There were ride on cars, balance bikes, a bike, tractors x 2 and a basketball hoop.

Non-Compliance Information

(3)(a)

1. The steering wheel of 3 of the ride on cars in use had their steering wheels broken off and this was a potential injury hazard.
2. The tarmacked surface around the manhole was raised and uneven, a hole had also developed in it. This was a trip and injury hazard.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(3)(a)

1. The bubble cars have now been removed from the service.

All staff members made aware to check toys for broken parts and if necessary remove straightaway.

- Traffic cone is being placed over the hole as a precaution.

Tarmac is due to be replaced during October break, postponed earlier in the summer due to poor weather.

Supporting documentation submitted

Photographic evidence.

Summary Comment

The registered providers response is accepted and the non-compliances addressed. This will be for review at the next inspection.

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 entrance doors leading into the premises were appropriately secured to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the premises.
- The external outdoor play area was secured with metal fencing.
- Cleaning agents were stored safely out of the reach of children.
- The kitchen was inaccessible to the children.

Infection Control:

- The premises, play equipment and materials were in a clean and hygienic condition.
- Up-to-date cleaning schedules were on display in the service.
- There was thermostatically controlled hot water, liquid soap and single use paper towels available in the service.
- Appropriate disposable gloves and aprons were available and observed being worn for each individual nappy change.
- Lunches were stored appropriately in the fridge.

Fire Safety:

- Fire doors in the building were unobstructed.

Non-Compliance Information

The Inspectorate is not assured that adequate steps have been taken to ensure the health, safety and welfare of the pre-school children attending the service based on the following observations made during the inspection:

General Safety:

1. While it is acknowledged that Garda vetting was available all staff members 2 of 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. There were unprotected sharp corners on the white shelving unit and wall mounted bookshelf in the Oaks room and the white shelving in the Acorn Room.
3. There was a microwave oven in the home corners in both rooms which were unsecured and accessible to the children. These were a potential impact hazard.
4. One of the door handles in the Acorn Room was broken and sharp. This was an injury hazard.

Infection Control:

5. There were 2 cloth towels in the Acorn Room which were used for drying the children's hands. This was an infection control and cross infection risk.

Corrective & Preventive Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. Garda vetting has been renewed for all staff members.
Ensure Garda vetting is re-applied for before expiry date.
2. Rubber edge protectors have now been added to all exposed edges.
The registered provider will keep up to date with any items that may need to be covered or protected.
3. Microwaves have been removed.
The registered provider will ensure that any unsecured items are screwed down or on the floor.
4. The door handle has been since replaced.
All door and window handles will be checked regularly.

Infection Control:

5. The towels have now been removed from the classroom.
Staff are reminded that blue roll is available in the rooms for drying children's hands.

Supporting documentation submitted

General Safety:

Photographic evidence.

Summary Comment

1. While it is acknowledged that the Garda vetting applications are in progress however non-compliance remains outstanding.
- 2 – 5. The Inspectorate have reviewed the registered providers responses and supporting documentation and they have addressed 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

(2)(a) and (b) There were first aid boxes available to the preschool children.

Non-Compliance Information

(1) The registered providers did not ensure that there was a person trained in First Aid Response for children, on the premises at all times. There was 1 person with FAR training and they were not present at all times during the inspection.

(2)(a) and (b)

1. The first aid boxes were not suitably equipped. There were no antiseptic wipes in either box.
2. Temperature reducing medications and an anti -allergy medication was stored in the first aid box as were opened tubes of antiseptic creams, antibiotic ointment and mouth gel which are at risk of leaking and contaminating the contents of the box.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1) The registered provider will ensure that one FAR registered staff member is on the premises at all times.

When the service re-opens in September, 1 new staff member will have FAR training and 2 other staff members will be enrolled in FAR training.

(2)(a) and (b)

1. First Aid boxes have now been replenished.

First Aid boxes will be checked more frequently.

2. Medicines and ointments have been removed and are stored in a separate box/

Ensure medicines and ointments are always labelled and stored in a separate box to other first aid items.

Summary Comment

The Inspectorate have reviewed the registered providers response and further information given on 21/8/24 which confirmed there will be 2 staff in total with FAR training when the service re-opens in September 2024. The registered provider will ensure 1 staff member with FAR training is on the premises at all times. The non-compliance has been addressed and will be for review at the next inspection.

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.

Non-Compliance Information

(c) There was a strong lingering odour coming from 1 of the toilets on the ground floor. It is acknowledged that the toilet was only being used as a storage area.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(c) Items have been removed from the bathroom and the room cleaned thoroughly.
Toilet may be removed if the smell persists after continuous cleaning.

Summary Comment

The registered providers response has been accepted and the non-compliance addressed.