

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2016MO003		
<b>Name of Service:</b>	Bright Beginnings Childcare Centre		
<b>Address of Service:</b>	Castlebar Road, Westport, Co. Mayo		
<b>Eircode:</b>	F28 A6W7		
<b>Name of Registered Provider:</b>	Bronwyn O'Donnell, Sarah Mortimer		
<b>Service type:</b>	Full Day, Part Time, Sessional		
<b>Date of Inspection:</b>	24/07/2023		
<b>No of pre-school children:</b>	AM	28	PM 28

<b>Address of the Early Years Inspectorate:</b>	Early Year's Inspectorate, TUSLA, Child and Family Agency, 2nd Floor, St. Mary's HQ., Castlebar, Co. Mayo.
<b>Inspection undertaken by:</b>	M. Farrell & S. Gallagher
<b>Title:</b>	Early Years Inspectors

### Authority to Inspect

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

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

Bright Beginnings Childcare Centre is registered to provide full day care, part-time and sessional services to preschool children and is located in Westport in County Mayo. The service is registered to cater for children aged between one and six years of age between 8:00 to 17:30 hours. The service operates from a converted commercial building. There are four playrooms of which one is located on the ground floor and three playrooms are located on the first floor of the building. A separate sleep room is provided on the ground floor and a kitchen is located on the first floor. There is an enclosed outdoor play area to the rear of the building directly accessible from the ground floor playroom.

### Staffing

There were ten staff working in the service at the time of the inspection including the registered provider and relief staff members. Nine staff work directly with the children and one staff member carries out caretaking, catering and administrative work.

### 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 inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 8, 9, 11, 23, 25, 26 and 28.

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 regarding the unavailability of garda vetting for a staff member was issued by the Early Years Inspectorate to the registered provider on the 25 July 2023. The registered provider responded on the 25 July 2023 stating that the staff member would not be present in the service until their garda vetting disclosure document had been obtained. The required garda vetting disclosure documentation was submitted by the registered provider to the Early Years Inspectorate on the 10 August 2023.

## 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 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.*

*(3) Where a registered provider has been unable for good and proper reason to notify the Agency within the time specified in paragraph (1) or (2), as the case may be, of a 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), the registered provider shall notify the Agency in writing of the change as soon as possible thereafter.*

#### Non-Compliance Information

(1) & (3)

One of the named persons in charge in the service had been changed without the registered provider notifying the Agency.

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

The service advised in a written response that:

#### Corrective and Preventive Action

(1) & (3)

An email has been sent to the relevant Tusla department informing of the change of manager. The service is reviewing policies and procedures with an employment/human resources company so as to not fall behind with procedures.

#### Summary Comment

The actions taken by the registered provider have been reviewed by the Early Years Inspectorate and found to have addressed the non-compliance under this regulation.

### 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) The registered provider was a named designated person in charge and there was a named staff member to deputise in the event of her absence.
  - (b) The registered provider or deputy person in charge was present throughout the period of inspection.
- (2)
- The inspectors were informed by staff that three new staff had started working in the service since the last focused inspection of the 23 May 2022. The vetting information for the other five staff members had been reviewed on previous inspections. The following vetting documentation and qualifications were available on file for the three new staff members:
- (a) There were two written validated references from past employers in particular the most recent employer for one staff member.

- (c) Vetting disclosures from the National Vetting Bureau of the Garda Síochána for two staff.
- (d) International police vetting was available for a required time frame for one staff member.

(4)  
Evidence of the required qualification in Early Childhood Care and Education or equivalent was available on file for the two of the staff new to the service who worked directly with the children since the last inspection.

## Non-Compliance Information

- (2) The following documents were not available on file or inadequate for the three staff members new to the service since the last focused inspection of the 3 May 2023:
  - (a) There were no written validated references available on file for one staff member. There was no evidence of the validation of two written references from past employers available on file for a second staff member and a reference from their most recent employer had not been obtained for this staff member.
  - (c) Vetting disclosure from the National Vetting Bureau of the Garda Síochána was not available for one staff member.
  - (d) There was no curriculum vitae/employment history available on file for one staff member and there were gaps in the employment history information provided for two staff members. It was unable to be confirmed if international police vetting was required for these three staff members.
- (4) There was no evidence available on file to show that one of the staff held the required childcare qualification.

## Corrective & Preventive Action submitted by the Registered Provider

The service advised in a written response that:

### Corrective and Preventive Action

- (2)
  - (a) Staff files have been updated including curriculum vitae and references updated and validated.
  - (c) The garda vetting was updated and submitted to the Inspectorate previously.
  - (d) Staff files have been updated including curriculum vitae information.

The service confirmed in writing that one of the staff members whom vetting documentation was required for has left the service. The service advised the inspectorate that an international child protection certificate has been applied for one staff member and will be submitted to the inspectorate when the service receive it.

(4) The staff files have been updated. The service now follows a step by step staff checklist before staff start employment.

**Supporting documentation submitted**

Copies of vetting documents were submitted by the service.

**Summary Comment**

An Immediate Action Notice regarding the unavailability of garda vetting for a staff member was issued by the Early Years Inspectorate to the registered provider on the 25 July 2023. On the 26 July 2023 the registered provider submitted a response to the Early Years Inspectorate stating that the staff member would not be present in the service until their garda vetting disclosure document had been obtained. The required garda vetting disclosure documentation was submitted by the registered provider to the Early Years Inspectorate on the 10 August 2023.

The actions taken and evidence submitted by the service has been reviewed by the Early Years Inspectorate and the majority of the non-compliance has been addressed. However, an international child protection certificate remains outstanding for one staff member. The service has informed the inspectorate that this will be forwarded to the inspectorate for review following receipt. This outstanding non-compliance will be reviewed on next inspection.

**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) There were 5 adults working directly with 27 children on the inspectors' unannounced arrival to the service. A further child arrived subsequently to the service. A review of a sample of attendance records showed that an adequate number of adults worked directly with the children during service hours of operation.
- (2) The minimum adult to child ratios were provided on the morning of the unannounced inspection in accordance with the required ratios considering the ages of the children and the length of time each child spent in the service as outlined below:
- Wobbler room: 1 adult cared for 2 children aged from 1 to 2 years and 2 children aged from 2 to 3 years of age.
- Toddler 1 room: 1 adult cared for 4 children aged 2 years of age.
- Toddler 2 room: 1 adult cared for 3 children aged 2 years and 3 children aged 3 years of age.
- Preschool room: There were at least 2 adults caring for 14 children aged between 3 and 5 years of age and at times 2 additional adults were present.
- (8) The registered provider ensured that there were at least 2 adults on the premises at all times when children were present in the service as evidence in sample attendance records reviewed.

### 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:

A bell system was in place on an internal entrance door to the service to control admission of people to the service. This door was secured during the inspection to prevent children from leaving unauthorised. Cleaning products were safely stored on high shelving and out of reach of children.

#### Infection Control:

Adequate hand washing facilities were available throughout the service with warm running water, liquid soap and paper towels available. Hand hygiene was observed to be practiced frequently by the adults who were observed to prompt children to wash their hands for example before eating and after toileting. Gloves and aprons were provided for nappy changing purposes. The service had cleaning schedules in place. Records were observed to be kept by the staff in the playrooms of the cleaning and disinfecting undertaken in the service. The playrooms and play equipment were observed to be in good repair and clean during the inspection. Refrigerators were provided to store children's snacks provided from home for morning snack time.

### Administration of Medication:

No medication was observed to be administered to a child by staff on the day of inspection.

### Safe Sleep:

The sleep-room temperature was recorded at 19.8°C between the required range of 16-20°C for a sleep-room. Six standard cots with mattresses containing safety standard markings were provided for the children aged under two years to sleep in. Records were available to show that observations of sleeping children were recorded at 10-minute intervals by staff.

### Fire Safety:

Emergency exit routes were clear from obstruction during the inspection.

## Non-Compliance Information

### General Safety:

1. The door to the kitchen was unsecured on the inspectors' arrival to the service with the potential for children to access the area containing items such as a kettle and sharp knives. It is acknowledged that the staff took immediate steps to secure the door when this risk was highlighted to them by the inspectors.
2. One of the sinks in the downstairs sanitary unit was not properly anchored to the wall posing a safety risk to children using it.
3. Damaged wood with jagged edges exposed was observed in the top section of the fixed play equipment system with slide in the outdoor area and on the base of a door in the sheltered area in the ground level outdoor play area.

### Infection Control:

4. The nappy disposal bins were not foot pedal operated to reduce the risk of cross infection as required.
5. Art equipment, clothes and sweeping brushes were stored in the downstairs sanitary unit and posed cross infection risks.

### Fire Safety:

- Fire drills were not carried out at the required monthly intervals. The registered provider informed the inspectors that the last fire drill carried out in the service was on 12 December 2022 as demonstrated in the fire drill records.

### Action submitted by the Registered Provider

The service advised in a written response that:

#### Corrective & Preventive Action

##### **General Safety:**

- The key to the kitchen is hung beside the door with a new sign in place to remind staff that the door is to remain locked if not in use. Random checks will be carried out throughout the week ensuring the door remains locked if not in use.
- The sink has been fixed to wall. Review of the sinks will be added to the service's check list.
- The damaged wood was sanded down, filled, and freshly painted.

##### **Infection Control:**

- New nappy bins were ordered and are now in use in the service. The service has updated the relevant policies.
- New shelves were placed on walls and the art equipment was transferred. Clothes were placed in sealed containers

##### **Fire Safety:**

- Three fire drills have been carried out since the last inspection. The fire drills are to be carried out the second week of every month.

#### Supporting documentation submitted

The service submitted photographs of actions taken and copies of the fire drills undertaken in the service since the inspection.

### Summary Comment

The actions taken and evidence submitted by the service has been reviewed by the Early Years Inspectorate and accepted as having addressed the non-compliances found on inspection under this regulation.

### 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) Certificates were available in the service showing that three staff members held the required First Aid Responder (FAR) training in first aid for children.
- (2)
- (a) Suitably equipped first aid boxes were safely stored in an easily accessible and conspicuous positions in areas of the service including the upstairs hallway and Preschool playroom.
- (b) The first aid supplies were available at all times if the children attending the pre-school service required them.

## 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) Records in writing of the monthly fire drills that had been completed in the service were kept and available for inspection.
- (4)
- Notice of the procedures to be followed in the event of a fire were conspicuously displayed on the walls of the service.

### Non-Compliance Information

- (1)
- (b) The record of the number, type and maintenance record of smoke alarm was dated for the 15 June 2022 and there was no evidence that the system had been maintained as required.
- There was no record available of the number, type and maintenance record of the firefighting equipment.

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

The service advised in a written response that:

#### Corrective and Preventive Action

- (1)
- (b) The information file was found in the kitchen and updated accordingly. The file has been moved to the hallway so as not to be misplaced.

#### Supporting documentation submitted:

The service submitted copies of the maintenance of the firefighting equipment dated the 3 August 2023 and the smoke alarm maintenance dated for June 2023.

### Summary Comment

The actions taken by the registered provider have been reviewed by the Early Years Inspectorate and been found to have addressed the non-compliance under this regulation.

### Part VI - Safety

#### Regulation 28 - Insurance

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

#### Compliance Information

The service provided evidence of insurance for full day care services for a maximum of 50 children commencing on the 28 March 2023.