

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2017DS502
--------------------------	-------------

Name of Service:	Learn And Laugh Childcare
-------------------------	---------------------------

Address of Service:	13 Foxborough Gardens, Balgaddy, Co. Dublin
----------------------------	---

Eircode:	K78 RK09
-----------------	----------

Name of Registered Provider:	Jennifer Lowney Corcoran
-------------------------------------	--------------------------

Service type:	Full Day, Part Time, Sessional
----------------------	--------------------------------

Date(s) of Inspection:	25/06/2024
-------------------------------	------------

Date 2 of Inspection:	26/06/2024
------------------------------	------------

No of pre-school children:	AM	11	PM	10
Day 2	AM	10	PM	N/A

Address of the Early Years Inspectorate:	Floor 7, Brunel Building, Heuston South Quarter, Kilmainham, Dublin 8
---	--

Inspection undertaken by:	F Carty and S Quigley
----------------------------------	-----------------------

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
---------------------------------	----------------

Description of service

Learn and Laugh is an early learning and care centre located in Balgaddy, Co Dublin offering full time, part time and sessional care and education. The service is located in a purposely adapted domestic dwelling for the provision of a pre-school service. The service operates from 7.30am to 6.30pm, Monday to Friday and offers a sessional service for 38 weeks of the year from 9.30am to 12.30pm.

The service consists of 3 care rooms, a kitchen and sanitary accommodation. There is a secure outdoor area to the rear of the building.

There were two care rooms in operation on the day of inspection, the preschool room and the Montessori room.

Staffing

The service currently employs six adults to work with the preschool children. An additional two adults are employed to work with school age children including the person in charge. The registered provider does not work directly with the children. On the first day of inspection there were three adults working with the preschool children and on the second day there were two adults working with the preschool children.

The registered provider was not available to attend the inspection on either day.

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, information and records, health, welfare and development of child, safety and premises and facilities. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 8, 9, 11, 16, 19, 22, 23, 24, 26, 29 and 30. 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

A Regulatory compliance meeting was held on the 11th October 2024 to discuss outstanding and repeat non-compliances found on inspection.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the 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.

(2) A registered provider of 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 7 days before it is proposed that the change would take effect.

Non-Compliance Information

(1)(2)

The registered provider did not notify the Agency in writing that the number of children registered and attending the service had increased from twenty-five to thirty-two. Staff and attendance records confirmed that thirty-two children were registered and attending the service from September 2023 to June 2024.

This non-compliance was found on the last inspection dated 22nd November 2022. The corrective and preventive actions submitted by the registered provider did not prevent the reoccurrence of the non-compliance.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Our explanation as to why the change was not notified to the regulator before implementation on the 29th of August 2023 is that all classes were done to staff ratios rather than floor space, again we apologize and realise that this is a serious matter. We do understand that our floor space cannot accommodate over 25 children, and we are following this requirement most definite from September 2024.

I as the owner and all staff members have had serious meetings over this matter. Classes going forward from September 2024 will meet all space requirements:

Toddler Room: 5 Children

Preschool downstairs: 11 Children

Montessori room: 9 children

Afternoon Preschool: 8 Children

Supporting documentation submitted

No supporting documentation submitted.

Summary Comment

Following a regulatory compliance meeting on the 11th October the inspector is satisfied that the registered number of children will attend the service. The requirements of regulation 8 has been met.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(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

The files of all nine adults were reviewed:

- (2)
- (a)(b) Sixteen references from a past employer were available and adequately verified.
- (c) Garda vetting disclosures were available for all adults.
- (d) International Police vetting was available for four adults who had lived outside the State for a period exceeding six months.

(4)

Five adults had a qualification at a minimum Level 6 on the National Framework of Qualifications.

Non-Compliance Information

(2)

(a)(b) There were no references available for one adult.

(4)

Two adults who were working directly with the preschool children on the day of inspection did not hold a qualification at a minimum Level 5 on the National Framework of Qualifications.

The non-compliance under (9)(4) was identified on the last two inspections dated 24th February 2021 and 22nd November 2022. The corrective and preventive actions submitted by the registered provider to address the issue had not been implemented.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a)(b)

References were not available for registered provider as registered provider does not work directly with children. Registered provider now has a folder with verified references for future inspections.

(4)

On the day of inspection, there was one adult working directly with children in the downstairs class our ECCE class had finished up on Friday the 21st of June. Only adults with a minimum level QQI Level 5 will work with early years children transitioning will not take place again.

Supporting documentation submitted

(2)(a)(b)

Two outstanding references submitted.

(4) No supporting documents submitted.

Summary Comment

The corrective and preventive actions submitted by the registered provider are deemed to meet the requirements of Regulation 9.

The requirements of Regulation 9 have been met.

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

Compliance Information

(1)

There were an adequate number of adults working directly with the preschool children. There were eleven children being supervised by two adults on the first day of inspection and nine children being supervised by two adults on the second day of inspection.

(2)

The minimum adult to child ratios was maintained on both days of inspection.

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;

(i) details of staff rosters on a daily basis;

Compliance Information

(h)

Attendance of each child was recorded accurately on both days of inspection.

Non-Compliance Information

(i)

There was a staff roster available however, it was not reflective of the staff compliment on both days of inspection. The roster detailed the staffing for the previous weeks which included staff members who were not present on the day of inspection.

This non-compliance was found on the last inspection dated 22nd November 2022. The corrective and preventive actions submitted by the registered provider did not prevent the reoccurrence of the non-compliance.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

This was the end of year new staff rosters have been processed for summer months. New rosters have now been put in place. All staff Rosters have now been updated these are updated weekly to comply with staff absences and cover work if needed.

Supporting documentation submitted

A copy of a roster for one week was submitted.

Summary Comment

The corrective and preventive actions as stated by the registered provider during a regulatory compliance meeting on the 11th October will meet the requirements of Regulation 16.

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-

(b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.

Compliance Information

(1)(b)

The parents of the children in the service provide snacks whilst the service provides a hot meal.

Children were encouraged and supported to be independent including using the toilet independently and cleaning up after their play. Children's nappies were changed regularly and staff were observed engaging warmly with children when providing this care.

Staff demonstrated a good awareness of the needs of each child in their care and responded to children's cues promptly. Staff interacted warmly with the children throughout the inspection and were observed to use encouragement, gentle tones and praise when promoting positive behaviour in line with the service's behaviour management policy. Staff provided an appropriate level of supervision whilst supporting the children's independence during play and mealtimes.

The play experiences in the service were observed to be child-led. Children were observed exploring their environment, engaged in activities and playing with each other and the staff.

Staff communicated with parents at drop off and collection times.

Part V - Care of Child in Pre-school Service

Regulation 22 – Food and drink

A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.

Non-Compliance Information

1. There was no specified menu in place in the service to detail what meal the children were going to be served each day. The person in charge showed inspectors a list of eight specified dinners which were displayed on a page in the kitchen, and reported staff decide each morning what to cook the children. This is at variance with the corrective actions submitted by the registered provider following the last inspection of the service which stated a nutritious rotating menu would be in place.

This was found non-compliant on the previous three inspections dated 6th June 2018, 24th February 2021 and 2nd November 2022.

The corrective and preventive actions submitted by the registered provider did not prevent the reoccurrence of the non-compliance.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

There was a menu available, but the menu didn't have specific days, but each parent was noted verbally each day of what dinner their child had. A two-week menu has now been put in place this is up in our parents notice board for parents to see and one in the kitchen area.

Supporting documentation submitted

A two-week menu was submitted. Following the regulatory compliance meeting a menu was submitted from an outside catering company which the registered provider stated would supply the service with hot meals.

Summary Comment

The corrective and preventive actions together with the supporting documents are deemed to meet the requirements of Regulation 22.

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 inspectors found by observation of practice, review of documentation, discussion with staff and inspection of the premises that the registered provider had taken the following steps to safeguard children attending:

General Safety:

- The entrance door to the service was adequately secured to ensure the safety of the children within and to avoid unauthorised persons accessing the service or children exiting unsupervised.
- The toys and play equipment observed in use by the children on the day of inspection appeared in good working order.
- All blind cords were secured.

Infection Control:

- Liquid soap, warm water and paper towels were available to facilitate hand washing.
- Waste was managed appropriately with the use of pedal bins.
- The Pre-school rooms and sanitary facilities were observed to be in a clean condition.

Fire Safety:

- All emergency exits were kept clear.

Non-Compliance Information

General Safety:

1. A cupboard containing the boiler on the first floor was accessible to children. The temperature recorded on an exposed pipe was 59.0° Celsius which could cause injury to a preschool child.

This was found non-compliant on the last inspection dated 22nd November 2022.

2. The kitchen was accessible to the children attending the preschool room. A number of hazards were contained within including electrical cables, cooker and kettle were accessible.

Infection Control:

3. The nappy change observed was at variance with the service policy. The staff member re-dressed the child with soiled gloves used during the nappy change which poses a risk of cross contamination.
 4. The children in the Montessori room did not wash their hands following outdoor play. This is not conducive with the service policy.
 5. A number of rubber couches in the Toddler and Montessori rooms were torn in places with exposed foam. These can't be cleaned effectively and poses a risk of cross contamination.
- This was found non-compliant on the last inspection dated 22nd November 2022. The corrective and preventive actions submitted by the registered provider did not prevent the reoccurrence of the non-compliance.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. A lock was put up on cupboard after last inspection unfortunately a staff member forgot to lock it the night before. A new lock has been put in place, and all staff are aware of how important it is to keep the lock closed at all times.
2. There was a gate on the door into kitchen yes it was damaged but always closed with the door shut. This gate has now been replaced.

Infection Control:

3. Staff member was approached after inspection, staff said she however change the gloves before re-dressing the child, but inspector turned into toddler room to the other inspector and didn't notice gloves been changed. This nappy policy has always been followed.
4. Staff members are well aware of the importance of hand washing. We Have addressed our infection control policy at our staff meeting.
5. Couches have since been removed and we are waiting on new ones. Couches are waiting delivery.

Supporting documentation submitted

General Safety:

1. Photo of lock in place.
2. Photo of new gate at kitchen door. Photo of lock on kitchen door.

Infection Control:

3. No supporting documentation submitted.
4. No supporting documentation submitted.
5. Photos of new couches purchased.

Summary Comment

The corrective and preventive actions submitted by the registered provider at the regulatory compliance meeting on the 11th October 2024 have met the requirements of Regulation 23.

Part VI - Safety

Regulation 24 - Checking in and out and record of attendance

(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

(a)(b)

A visitor book was available and the inspectors were asked to sign it upon entry into the service on both days of inspection.

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.

Non-Compliance Information

- (1)
- A person trained in First Aid Responder was not available to the children in the service at all times. It s acknowledged that a number of staff members had paediatric first aid however the requirement for a person trained in First Aid Responder was not met.
- This was found non-compliant on the last inspection dated 22nd November 2022. The corrective and preventive actions submitted by the registered provider did not prevent the non-compliance from re-occurring.
- (2)
- (a) The first aid box was not stored in a conspicuous position within the service. The inspectors had to ask where the first aid box was located and it was stored in a cupboard under a desk in the kitchen. There was no signage identifying it's location.
- (b) The first aid box was not suitably equipped. There was no sterile wipes or water available to clean cuts and only two plasters were available.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (1) Staff member was trained in FAR did finish up on the previous Friday all other staff do have First Aid certs. Two More staff have now been signed up to do FAR Training, this means a staff with FAR training will always be on the premises.
- (2)(a) Signage was in all rooms but clearly too small for the inspectors to see, all staff are aware of the first aid box location. Signage has been updated in larger print in all areas.
- (b) As it was the end of year our first aid box was due an update, these products are stored in the kitchen as spare and a list is sent to registered provider by management of what is needed. New first aid box ordered from early childhood.

Supporting documentation submitted

- (1) FAR training booked for two staff members in September 2024.
- (2)
- (a) Photos of signage for first aid boxes.
- (b) Photo of new first aid box purchased.

Summary Comment

The corrective and preventive actions together with the supporting documents were reviewed by the inspector and are deemed to meet the requirements of Regulation 25.

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.

Compliance Information

- (1)
- (b) The fire fighting equipment was last serviced on the 5th June 2024 and the smoke alarms were last serviced on the 31st May 2024.

Non-Compliance Information

- (1)
- (a) It is acknowledged that there was a record of fire drills kept in the service however the details recorded were at variance with the opening times and attendance records of the service. A fire drill was recorded to have taken place on the 6th May 2024, however the service was closed on this day due to it being a bank holiday. On the 7th February 2024 the record stated there were 5 staff and 23 children present however, attendance records showed that there were 31 children present that day. On the 17th January 2024 the fire drill record stated that there were 5 staff and 24 children who took part in the drill however the attendance records on that day stated that there were 31 children present at the time the fire drill took place. A failure to practice fire drills can cause a risk to the safe evacuation of children in the event of a fire.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (1)(a) Unfortunately, this was a mistake on my behalf of my manager. Dates were incorrect as she had thought it was a Monday after the bank holiday.

Manager has been approached by registered provider of how serious fire drills are and to make sure these are done correctly every month.

Staff member has been spoken to about the importance of the safety of fire drills, staff member was reminded to look at dates and to count the children correctly on days of fire drills. As the registered provider I have stood in on recent fire drills and checked the fire drill has been done and recorded correctly.

Supporting documentation submitted

No supporting documentation submitted.

Summary Comment

The corrective and preventive actions submitted by the registered provider are deemed to meet the requirements of Regulation 26.

This will be reviewed on the next inspection.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-
(e) equipped with adequate and suitable sanitary facilities.

Non-Compliance Information

Adequate sanitary facilities were not available in the service. There were three toilets, a nappy changing unit and three wash hand basins available on the premises. On the busiest day there were 32 preschool children attending the service and 8 staff.

The required number of nappy changing units, toilets and wash hand basins are 1 nappy changing unit and sink to every 11 nappy wearing children, 1 toilet to every 11 children and 1 toilet to every 8 adults.

This was found non-compliant on the last inspection dated 22nd November 2022. The corrective and preventive actions submitted by the registered provider did not prevent the re-occurrence of the non-compliance.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Once again, we went on staff ratios rather than space and sanitary facilities. From September our numbers are 25 children whom some will still be in nappies therefore we will and always remain this way.

We have now reduced the number of children in upstairs Montessori room to 9 children therefore the ratio now matches the sanitary facilities of 1:11

We have now reduced the number of children in the downstairs pre-school class to 11 children therefore the ratio now matches the sanitary facilities of 1:11

The Toddler class has 5 Toddlers therefore the ratio now matches the nappy changing facilities of 1:5

Supporting documentation submitted

No supporting documentation submitted.

Summary Comment

The corrective and preventive actions will address the non-compliance under Regulation 29.

Part VII - Premises and Space Requirements

Regulation 30 - Minimum space requirements

(1) Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.

(2) A registered provider of a full day care service or a part-time day care service shall ensure that the minimum amount of clear floor space specified in column (3) of Schedule 7 opposite a particular reference number specified in column (1) of that Schedule in respect of the age range of children specified in column (2) thereof at that reference number is available for each child in that age range attending the service.

(4) Where a registered provider contemporaneously provides-

(a) a sessional pre-school service, and

(b) a full day care service or a part-time day care service, or both,

the minimum clear floor space applicable for the duration of the sessional preschool service in respect of the children attending that service shall be the floor space specified in paragraph (3).

Non-Compliance Information

The registered provider did not ensure that there was adequate clear floor space available to the children all care rooms in the service as follows:

Room Name	No of Children currently attending the Room	Floor Space Available	Required Floor Space
Montessori Room	12 children on a sessional basis.	17.85sqm	21.81sqm for 12 children on a sessional basis
Preschool Room	16 on a sessional basis	23.72sqm	29.08sqm
Preschool Room following the sessional service	16 children on a full daycare basis.	17.85sqm	36.8sqm

This was found non-compliant on the last inspection dated 22nd November 2022. The corrective and preventive actions submitted by the registered provider did not prevent the re-occurrence of the non-compliance.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Again, I went on ratios rather than floor space. As explained in an email previously to Tulsa this will never happen again, and we completely understand the risks involved.

Supporting documentation submitted

Documentation submitted that stated the maximum capacity and registration of the children attending the service.

Summary Comment

The corrective and preventive actions together with the supporting documentation have met the requirements of regulation 30.