

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2017WW502
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<b>Name of Service:</b>	Little Explorers Childcare
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<b>Address of Service:</b>	The Meadows, Marlton Road, Wicklow Town, Co. Wicklow
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<b>Name of Registered Provider:</b>	Gina Mcgarry
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date of Inspection:</b>	01/06/2023
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<b>No of pre-school children:</b>	AM	80	PM	57
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<b>Address of the Early Years Inspectorate:</b>	Tusla Child and Family Agency, First Floor Trinity Building, IDA Business Park, Southern Cross Road, Bray, Co. Wicklow.
<b>Inspection undertaken by:</b>	H. Bourke and M. Redmond
<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

This privately owned full day care service was first opened in 2017. It is located in a single storey, purpose built property in a large residential area outside Wicklow town. The service consists of five care rooms, a sleep room, staff room, laundry room and office. The service provides sessional, parttime and full day care. It is registered to provide care and education to pre-school children aged 0 to six years of age. The service operates from Monday to Friday between 07.00 am to 06.30 pm. (including a sessional ECCE service from 9.00 am to 12 midday for 38 weeks of the year). A school age service is also provided.

### Staffing

There are currently twenty-six people employed in the service and this includes the manager, assistant manager and the chef. The registered provider was present on the day of inspection but does not work directly with the children attending the service. There were twenty staff present when the inspectors arrived at the service, seventeen staff were working directly with the children, two staff were in the office and the chef was in the kitchen.

### 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.

A sampling process was used to assess compliance under the following regulations:

Regulation 19 Health, Welfare and Development of child

Regulation 23 Safeguarding Health, Safety and Welfare of child

As a result, the scope of the inspection included the rooms The Cocoon and The Nest.

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 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.*

*(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.*

*(6A) is inserted by S.I. No.632 of 2016 CHILD CARE ACT 1991 (EARLY YEARS SERVICES) (AMENDMENT) REGULATIONS 2016 which states; Regulation 9 of the Child Care Act 1991 (Early Years Services) Regulations (S.I. No. 221 of 2016) is amended - in paragraph (4), by the substitution of "paragraphs (5), (6) and (6A)" for "paragraphs (5) and (6)", and (b) by the insertion of the following paragraph after paragraph (6): "*

*(6A) Paragraph (4) shall not apply to an employee of a registered provider where - (a) the registered provider receives funding for the employment of the employee pursuant to a scheme funded by the Minister and known as the Access and Inclusion Model, and (b) the employment of the employee is for the purpose of providing support, pursuant to the scheme referred to in subparagraph (a), for a child attending the service to enable the child to participate in the programme known as the Early Childhood Care and Education (ECCE) funding Programme."*

### Compliance Information

A total of twenty-seven staff files were reviewed this included the registered providers.

(1)(a)

The service had a manager and a named person who was able to deputise as required.

- (b)  
The manager was on the premises at the time of the arrival of the inspector and remained on the premises for the duration of the inspection.
- (2)(a)  
Written past employer validated references were available in respect of twenty-two adults.
- (b)  
Written validated references from reputable sources were available in respect of five adults.
- (c)  
Completed Garda Vetting Disclosures were available for twenty-seven adults employed.
- (d)  
International police vetting was available for five adults who had lived outside the jurisdiction for more than six consecutive months as an adult.
- (4)  
Twenty-six staff held a major award in Early Childhood Care and Education at Level 5 or higher on the National Framework of Qualifications or a qualification deemed equivalent.
- (6)(A)  
Two adults were employed under the scheme known as the Access and Inclusion Model.

### 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)  
Throughout the inspection there were an adequate number of adults working directly with the children attending the pre-school service.

(2)  
The correct adult/child ratio was maintained at all times. There were seventeen adults present with eighty children on the day of Inspection.

(8)(a)  
There were more than two adults present on the premises throughout the inspection and the staff roster confirmed there were at least two adults present at all times.

### Part IV – Information and Records

#### Regulation 15 – Record of pre-school child

*(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:*

- (a) the name and date of birth of the child;*
- (b) the date on which the child first attended the service;*
- (c) the date on which the child ceased to attend the service;*
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
- (e) authorisation for the collection of the child;*
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
- (g) the name and telephone number of the child’s registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.*

*(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-*  
*(c) an authorised person.*

*(4) A registered provider shall ensure that a record in writing referred to in paragraph (1) is retained for a period of 2 years from the date on which the child to whom it relates ceases to attend the service.*

#### Compliance Information

(1)(a)-(i)

The manager ensured that a record in writing was kept in respect of each child attending the pre-school service.

(3)(c)

The manager ensured that these records were available for inspection to an authorised person.

(4)

The manager had evidence that all children’s records were kept for a period of two years from the time a child left the pre-school service.

### 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;*
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

*(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.*

#### Compliance Information

(1)(h)

There were details of attendance by each pre-school child on a daily basis available for inspection.

(i)

There was evidence of staff rosters on a daily basis.

(j)

There were recorded details of medication administered to a child attending the service with signed parental consent.

(k)

There were recorded details of all accidents, injuries or incidents involving a child attending the service.

(3)

The above listed documentation was open to inspection by an authorised person.

## 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 manager of the service ensured that appropriate and suitable care practices were in place. Children were asked what activity they wished to pursue, and children’s participation was encouraged in all activities throughout the day. The transition between one activity and the next was smooth and unhurried, aided by the language used by the adults to the children. Positive reinforcement of children’s behaviour contributed to a pleasant environment for the children in the service, with minor problems handled promptly. One to one attention was given to a child if it was required.

The mealtime was relaxed and observed to be a positive social experience for children. In both Cocoon and The Nest rooms children’s hands were washed at a low-level sink in their room before their lunch arrived. The children in The Nest were encouraged to service themselves “family style” from serving dishes as adults engaged with them helping when required. In Cocoon, children who were able, sat on low level chairs at a table and were encouraged to feed themselves, with assistance given as necessary.

Children were addressed by their name and were given plenty of time to eat their food. All food was provided by the service, with a three-week menu displayed in all care rooms. Special dietary needs were also accommodated for children in the service. It was observed that children with sensory needs had mealtimes modified for them to make it a positive experience.

Childrens parents are spoken to on an individual basis at collection time. Parents are encouraged to make direct contact with the service, should they have any concerns or issues. An online secure website was also used to record children’s attendance, record events during the day and communicate with parents.

Children are supported to be independent with looking after their belongings, in the tidy up process and with using the toilet, all with adequate supervision.

### 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 main door to the service was securely locked on arrival of the inspector to the service. Documentary evidence was available of daily risk assessments being carried out in the service. All toys were in good condition and equipment was suitable, age appropriate and in good working order. Each care room had access to their own individual outdoor area, that was suitable, safe and secure.

All cleaning products were stored safely out of the reach of children. The emergency exit route in each pre-school room was free from obstruction and clearly marked.

##### Infection Control:

Each pre-school room had its own sanitary area. There was warm running water, liquid soap and paper towels available. A foot pedal bin was available in each area for the safe disposal of used paper towels. Table cleaning was observed before and after mealtimes.

Hand washing by adults and children was observed before snacks, after using the toilet and outdoor play. A cleaning schedule was present and maintained in the pre-school rooms. Hand sanitiser gel was available in the pre-school rooms and at prominent points throughout the service.

##### Safe Sleep:

Cocoon Room had its own sleep room and there were enough standard cots provided for each child under 2 years of age. The cots and mattresses were clean and in good condition. For safety reasons there were no duvets or fleece blankets in the cots and each cot was a minimum of 50cm apart and positioned safely away from any blinds and window in the room. The core room temperature was 19°C. Each child had their own bed linen and all linen was cleaned on a specific day of the week.

Children were physically monitored while asleep at 10-minute intervals and the same observations were recorded. Both staff members were aware of safe sleep guidelines to reduce the risk of SIDS.

In The Nest room rest facilities were provided for children over 2 years of age. The sleeping area was away from the general play area. Twelve children slept on low level beds with two adults present.

The room was darkened and relaxing music was playing. The reduced noise level and ambient mood supported restful sleep. Every child was afforded the opportunity to rest if they needed it.

### Non-Compliance Information

#### Infection Control:

On the day of inspection, the nappy changing procedure was not seen to be effective for infection control purposes. A staff member failed to remove their gloves after a nappy change was completed and then failed to wash the child's hands before bringing them back to their room. On further examination, the nappy changing Policy was not robust enough to ensure good infection control practices and needs updating.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### Infection Control:

The nappy changing policy was updated with clearer instructions on all procedures. All staff will be trained in the new nappy changing policy thoroughly and it will be displayed clearly in each changing area.

#### Supporting documentation submitted

#### Infection Control:

A copy of the new nappy changing policy and guidelines on the correct individual steps required for safe and effective nappy changing were submitted with the CAPA form.

### Summary Comment

The corrective and preventative actions submitted will address the non-compliance found in relation to Regulation 23 - Safeguarding health, safety and welfare of child (Infection Control) and will be reviewed on next inspection.

## 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.*

*(4) A registered provider shall ensure that a record in writing referred to in paragraph (3)(b) is retained for a period of one year from the date to which it relates.*

### Compliance Information

(1)

The manager ensured that all children attending the service were checked in and out on the service register.

(3)(a)(i-iv)

The manager ensured that no other person other than the agreed list of people had access to the service.

(b)

The manager had a record in writing, in the form of a visitors' book, of all such persons who accessed the service.

(4)

The manager was able to demonstrate that the visitors book was kept for a period of one year from the dates to which it related.

## 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)

There was a staff member trained in FAR first aid present and available to the children throughout the inspection.

(2)(a)

A suitably equipped first aid box was located in an accessible place within each pre-school room.

(b)

The first aid box was available to the children attending the 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 firefighting equipment and smoke alarms in the premises.
- (2) The record referred to in paragraph (1) shall be open to inspection by-
- (c) an authorised person.
- (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)

There was evidence of regular fire drills haven taken place within the service. The most recent fire drill took place on the 22<sup>nd</sup> of May 2023.

(b)

There was a maintenance record of the firefighting equipment and smoke alarms in the premises dated February 2022 and the 18<sup>th</sup> of May 2023 respectively.

(2)(c)

These records were open to inspection by an authorised person.

(4)

There was a notice of the procedures to be followed in the event of a fire, displayed within each pre-school room.

## Part VII - Premises and Space Requirements

### Regulation 29 - Premises

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

- (b) safe and secure,*
- (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

(b)

The service, on inspection was found to be safe and secure.

(c)

The service was adequately lit, warm and well ventilated.

(d)

The service appeared clean, well maintained and cleaning schedules were up to date.

(e)

Each room was equipped with adequate sanitation and where needed, nappy changing facilities.