

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2018CC507				
Name of Service:	Cherry Blossoms Kilbrin				
Address of Service:	Kilbrin National School, Kilbrin, Co. Cork				
Eircode:	P51 Y223				
Name of Registered Provider:	Christina Dunstan				
Service type:	Full Day, Part Time, Sessional				
Date of Inspection:	08/10/2024				
No of pre-school children:	<table border="1"> <tr> <td>AM</td> <td>15</td> <td>PM</td> <td>6</td> </tr> </table>	AM	15	PM	6
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Address of the Early Years Inspectorate:	13 Market Place, Mallow. Cork. P51 DD5Y				
Inspection undertaken by:	E. Friel				
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	N/A
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Description of service

Cherry Blossoms Kilbrin is a private early years care and education service in operation since 2018, providing full-time, part-time and sessional services. While registered to accommodate children aged from 2 to 6 years of age, currently children attending are aged from 2 years 6 months to 6 years of age. Operating hours are from 7:00 until 18:30, 50 weeks of the year. The service facilitates the Early Years Care and Education (ECCE) Scheme from 9:00 until 12 noon, term time only. A school aged care service is available in the morning from 7:00 until 9.00 in the morning and in the afternoon from 14:40 until 18:30.

The service operates from a classroom, located at the rear of Kilbrin National School, in the rural village of Kilbrin in North Cork. It comprises of an entrance hallway, off which there is closed access to the school, a wheelchair accessible toilet including a children's nappy changing area, and an entrance door which leads to a large care room from which the children's sanitary areas and outdoor play area are accessible. A dedicated kitchen area has been cordoned off within the main care room.

Staffing

There are currently three staff members working in the service, one of whom is employed under the Access and Inclusion Model (AIM). The registered provider is not service based.

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 and safety. The inspection may also focus on other areas as required.

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 provider, Manager, deputy, 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.

Non-Compliance Information

(1) Through conversation with the manager, at the introductory meeting, it was found that the service had not informed the agency of a change in circumstances regarding a change in the designated person in charge, which had occurred in January 2024. Not ensuring this change had been communicated to the Agency, and updated on the national register, does not allow for accurate service operations details to be retained and published.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The following statement was received from the registered provider:

(1) The change in circumstances was submitted to the registration department.

Supporting documentation submitted

(1) Copies of communications with the registered provider and the registration department, regarding the change in circumstances, were received in the office of the inspectorate.

Summary Comment

The non-compliance identified under Regulation 8 has been adequately addressed.

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,
- (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 ensured that that there was a designated person in charge, known as the manager, and a named person available to deputise.
- (b) The manager answered the bell upon arrival to the inspector and remained on the premises, along with the named person, throughout the period of inspection.
- (c) There was a clear management structure in place. In conversation, staff were aware of their roles and responsibilities.
- (2) Recruitment files for all three adults were reviewed;
- (a) There were six validated references from previous employers.
- (c) Garda vetting disclosures were available for all three adults. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d) An international police disclosure was available for one adult who had lived outside of the State for a period of six consecutive months or longer as an adult.
- (4) All three adults, working directly with the children, held at least a major award in Early Childhood Care and Education at level 5 or above on the National Framework of Qualifications.

Part III – Management and Staff

Regulation 10 - Policies, procedures etc. of pre-school service

A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.

Compliance Information

The following policies, procedures and statements were reviewed by the inspector and were found to contain the necessary requirements;

- Healthy Eating Policy
- Infection Control/Toileting Policy

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) The registered provider ensured that there were an adequate number of adults working directly with the children at all times.

(2) The adult/child ratios were met. In the morning there were two full day care, five part-time and eight sessional children in attendance with two full time adults in the morning and a third staff member who was rostered on from ten o'clock until two o'clock to cover breaks. There were three children remaining for lunch at one o'clock with two staff members.

(8)

(a) The registered provider ensured that there were two adults on the premises at all times as demonstrated on the staff roster.

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.*

Compliance Information

(1) Of the 15 children present on the day of the inspection a sample of 12 children's Pre-school records were examined. The following sections of the Regulation (a), (b), (c), (d), (e), (f), (h) and (i) were found to be compliant across 12 records.

(3) (c) The records, as identified above, were available for inspection in the service.

Non-Compliance Information

(1)

(g) Five general practitioner telephone numbers were missing from five children's Pre-school records. Not having general practitioners telephone numbers completed for each child may delay care or compromise the safety of the children being cared for by the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The following statement was received from the registered provider:

(1)

(g) The missing general practitioner's telephone numbers have been added to each child's pre-school record.

Supporting documentation submitted

The following documentation was received in the office of the inspectorate:

(1)

(g) Copies of the completed general practitioner's telephone numbers for each child's pre-school record.

Summary Comment

The non-compliances identified under Regulation 15 (1) (g) have been adequately addressed by the registered provider.

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:

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;*
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;*
- (c) details of the adult: child ratios in the service;*
- (d) the type of care or programme provided in the service;*
- (e) the facilities available;*
- (f) the opening hours and fees;*
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*
- (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)
- (a) The name, position, qualifications and experience of the manager, deputy and staff were observed to be kept in the staff recruitment files in the service.
 - (b) Details of the class of service and the age profile of children for which the service is registered to provide were available on the Tusla Registration Certificate displayed in care room and in the information sent to parents/guardians at the beginning of term.
 - (c) The details of the adult child ratios were available in the Parent Information.
 - (d) (e) (f) The type of care programme available was in the Parent Information along with the facilities available, opening hours and fees.
 - (g) The service's policies and procedures, required for Regulation 10, were kept in digital format on a device in the service.
 - (h) The attendance records for each child were available in the service sign in/ sign out book.
 - (i) The staff rosters, including breaks and cover, were furnished to the inspector and were noted to be stored on an application on a digital device in use in the service. A service book was also available to record the sign in/sign out details of each staff member.
 - (j) A template was available for use for the administration of medication; however, staff stated none had been administered since the beginning of term.
 - (k) A sample of 12 accident/Incident forms were reviewed; these were found to contain all of the particulars required.
- (3) The above records were available in the service when requested by the inspector.

Part V - Care of Child in Pre-school Service

Regulation 19 - Health, welfare and development of child

(1) A registered provider shall, in providing a pre-school service, ensure that-

(a) each child's learning, development and well-being is facilitated within the daily life of the pre-school service through the provision of the appropriate activities, interaction, materials and equipment, having regard to the age and stage of development of the child.

Compliance Information

BASIC NEEDS:

- The service promoted healthy eating and food provided by the service and snacks provided by the parents/guardians were observed being served at regular intervals throughout the day.
- Nappy changing was observed to be carried out as and when required. Staff stated children are checked every three hours. Older children were observed accessing the sanitary areas independently with staff available nearby.
- Children, in the outdoor play area, wore hats, coats and wellies which reflected the weather on the day.
- There was sufficient space, in both the indoor and outdoor areas, for the children to move and explore their environments.
- Interactions between the staff and children were noted to be sensitive and caring. Examples included a staff member comforting a child who had hurt their finger and providing first aid care.
- Staff were observed helping children to find positive solutions to minor issues, supporting them, and talking to children in a variety of ways. Examples included discussing issues and assisting with sharing and turn taking in both the indoor and outdoor areas.
- Independence skills were promoted by staff with children observed putting on and taking off their outdoor clothing by themselves. Staff were observed assisting children who required help with zips.

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-
- (a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child to play indoors and, where required by these Regulations, outdoors, during the day, and
 - (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.

Compliance Information

- (1)
- (a) With regard to the number of early years children, their respective ages and the amount of time they spent on the premises; there was a variety of age and developmentally appropriate materials and equipment in both the indoor and outdoor play areas. These provided opportunities to enhance the learning needs of all of the children across all developmental areas. The indoor play materials and equipment were available from baskets and drawers placed on low-level shelving which were easily accessible, encouraged independence and offered choice.

The secure outdoor area was accessible from the care room, providing an alternative learning environment for the children to play in. Staff stated they also have shared use of the school playground. The children were observed playing in the secure outdoor area which provided opportunities for practicing gross and fine motor skills such as balancing on the balance bikes, pushing scooters and pedalling tractors all of which help to improve the children's co-ordination skills. A large sand box, with suitable equipment, was available for sensory experiences.
 - (b) The children had the opportunity to rest/relax on soft furnishings in the quiet area. Stackable beds were available with individual bed linen should a child require to rest/sleep. Staff stated there are no children currently sleeping in the service and this was observed on the day. The amount of light in the area could be adjusted by lowering the blinds on the windows and the lights could be switched off in the care room to provide ambient lighting. A book rack was available, with age and stage appropriate books on each tier of the rack, where the children could choose a book while resting/relaxing.

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.

Compliance Information

The service promoted healthy eating; food and snacks were provided at regular intervals during the day.

- Staff stated breakfast is available from 7:00 until 8:30 and consists of oat or wheat-based cereals along with milk, water and juice. The inspector observed that these were accessible in both the kitchen cupboards and in the fridge.
- Mid-morning snack was observed being served from 10:15 onwards, with children being brought in from the outdoor play area in groups of four children. The snacks, which had been prepared by parents/guardians, included filled sandwiches, cheese, yogurt and vegetables and were observed to be healthy and nutritious in line with the service’s healthy eating policy.
- A hot lunch of sausages and pasta, prepared by staff, was available from 13:10 onwards for children availing of part-time and full day care. Additional food was available from the freezer and from the cupboards for children who were hungry throughout the day or did not want their snack which had been prepared at home. Staff stated afternoon snack is served from 15:00.
- Children were observed accessing individual water bottles throughout the day. These were placed within easy reach of the children and were located on a nearby shelf beside the fridge in the care room.
- Individual cutlery and crockery were available on the table at mealtimes. Children were observed using a variety of cutlery, including spoons and forks, to eat their food.

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 care room door could be secured by a key preventing children leaving the area unsupervised.
- The three blind cords were secured with hooks, placed out of reach of the children.
- Handrails were provided to assist children to walk safely between the care room and the outdoor play area.
- Heavy storage equipment was anchored, preventing them tipping or falling on children.
- Flexes and cables were stored out of the reach of children.
- Storage facilities, located in the kitchen area, were inaccessible to the children.
- Cleaning agents were stored out of reach of the children in the nappy changing area and in a locked cupboard in the care room
- The outdoor play area was secured with a low concrete wall upon which there is metal fencing and a metal gate with a sliding bolt, ensuring the children could not leave the outdoor play area unsupervised or unauthorised adults enter the area.

Infection Control:

- Handwashing was observed before toileting, snack and after outdoor play. Adults were nearby to provide assistance, should it be required.
- Wash hand basins were fitted with disposable soap, thermostatically controlled hot water and paper towels.
- Children's belongings were stored in individually labelled cubby houses in the reception hallway, away from the floor area.
- Perishable food was stored in the fridge, preventing the food from spoiling. Children were observed removing the food from the fridge at snack time.

Administration of Medication:

- Anti-febrile medication was stored in its original container, within a sealed container, in a cupboard which was inaccessible by the children.
- Auto-injector pens were available for a child in the event of an emergency.

Safe Sleep:

- No children were observed sleeping on the day of inspection.

Fire Safety:

- Fire assembly point visible on fencing in the outdoor play area, a suitable distance from the service.
- Fire extinguishers were secured to the walls in the service.

Non-Compliance Information

General Safety:

- (1) Two of the windows in operation in the care room were observed not to be secured to prevent accidents occurring. The inspector noted children climbing on the window sill, beside one of the open windows throughout the inspection, while staff in the outdoor play area were communicating with staff in the indoor care room through the open window.
- (2) A wooden toy box, in a poor state of repair, was accessible to the children walking to the outdoor play area, posing a safety risk should a child catch their hand/fingers on the splintered wood on the box.
- (3) The mud kitchen sink was filled with dirty water and the resources in use were covered in dirt and left lying on the ground. In discussion, staff were unable to state the last time the water had been replaced or the area had been cleaned, posing a general safety risk from possible contaminants in the water which staff stated children use for play. It was acknowledged that when informed a staff member removed the water and cleaned the area. In addition, there was no cleaning schedule available or risk assessment in place for the outdoor area.
- (4) The cover for the sand was observed to be embedded in the sand and the material had perished. In conversation, staff stated that the sand box is left open, posing a risk to the children from contaminants.
- (5) The main entrance door was not secured from the inside. The door, which leads to the school playground, was operated by a push bar mechanism located at the children's level which was easily accessible, posing a safety risk should a child leave the service unsupervised.

Infection Control:

- (6) Contrary to the service's infection control policy which stated "...that staff understand that maintaining a good standard of environmental hygiene is important" this was not found in practice on the day. The inspector observed that the children's sanitary areas were generally unclean; toilet bowls were stained,

one wash hand basin had sand and mud residue around both taps and the window of one of the toilets had spider's webs on it. Not ensuring daily cleaning increases the risk of infection and cross contamination.

- (7) The service maintained a daily tick sheet to evidence that daily cleaning indoors was being carried out. The manager stated that although the cleaning schedule is ticked as being completed each day, cleaning in fact only takes place every second day and on each Friday. Maintaining false cleaning records poses a risk to the children attending the service.
- (8) In contrast to the waste section of the service's infection control policy which stated "foot operated pedal bins are used to dispose of disposable gloves and aprons" the inspector observed a swing bin in operation in the nappy changing area of the adult toilet. It was jammed open with a disposable apron and gloves sticking out the top, posing a risk of cross contamination from the adults touching the lid to insert the disposable items and from touching the used items that were preventing the lid from closing properly.
- (9) One pedal operated bin, outside the children's toilet area, was broken preventing the lid opening and closing automatically, posing a risk from cross contamination as the inspector observed multiple children opening the lid themselves, with their hands, to dispose of used paper towels after handwashing.
- (10) A leather couch, in use in the quiet/rest area, was noted to have a large area of exposed wadding and foam, making it difficult to clean effectively.

Action submitted by the Registered Provider

Corrective & Preventive Action

The following statements were received from the registered provider:

General Safety:

- (1) Window restrictors have been fitted to the windows to ensure the safety of the children in the service.
- (2) The wooden box was removed from the area in order to prevent any safety issues.
- (3) Staff cleaned the mud kitchen and the immediate area on the day, while the inspector was present. Staff were reminded at a recent staff meeting of the need to risk assess the area before the children go out to play and to ensure the area is cleaned after use.
- (4) A new cover has been purchased and staff have been reminded of the importance of ensuring that the sand area is covered when it is not in use to prevent contamination.
- (5) A safety device has been fitted on the main entrance door to alert staff in the event that a child attempts to leave the service unsupervised.

Infection Control:

(6) and (7) Staff have been reminded of the need to ensure that daily cleaning is carried out and that only those areas which are cleaned should be ticked on the cleaning schedule. In addition, the post of cleaner has been filled with the intention of assisting staff in ensuring the service is kept clean.

(8) A small pedal operated bin for paper waste has been installed.

(9) A new pedal operated bin is now available outside the children's sanitary area.

(10) The couch in the rest/quiet area has been replaced with the new sofa which was on order.

Supporting documentation submitted

General Safety:

The following photographic and documentary evidence was received in the office of the inspectorate:

(1) Photographs of window restrictors fitted to the care room windows.

(2) A photograph of the area with the splintered wooden box removed.

(3) The mud kitchen and the immediate area were cleaned on the day of inspection. A copy of a memo addressed to staff regarding risk assessing the outdoor play area before use along with a reminder to ensure that the areas are kept clean.

(4) A photograph of the new sand cover on top of the sand box.

(5) A photograph of the secure device attached to the push bar main exit door.

Infection Control:

(6) and (7) A copy of the memo sent to staff.

(8) and (9) The statements from the registered provider have been accepted.

(10) A photograph of the new sofa in the rest/quiet area.

Summary Comment

The actions taken by the registered provider have adequately addressed the non-compliances identified under Regulation 23.

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) A certificate was available to evidence that one adult had First Aid Responder (FAR) training completed. The roster indicated that the adult was available at all times.

(2) (a)(b) The suitably equipped first aid box and bag were stored within easy reach of the adults; as they were located in a basket above the fridge. Both were observed to be available throughout the inspection process.

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) Written records were available of the monthly fire drills which took place in the service. The date recorded of the most recent fire drill was 26 September 2024, with previous dates including 20 August and 21 July 2024.

- (b) Written records were available detailing number, type and maintenance of firefighting equipment in the service and the smoke alarms. The firefighting equipment certificate was dated October 2024 and the smoke alarm certificate was recorded as 15 November 2023.
- (2)
- (c) Both the firefighting equipment certificate and the smoke alarm certificates were open to review on the day of inspection.
- (4) The notice of the procedures to be followed in the event of evacuation were located on the notice board in the in the care room.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

A certificate was available to evidence that the registered provider had insurance for the service. The service was insured 22 children on a full day care basis and the expiry date was noted as 27 March 2025. Details included cover for contents and professional indemnity.