

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2018DR502		
Name of Service:	Wise Little Owls		
Address of Service:	1(Upstairs)Lower Kilmacud Road, Stillorgan, Blackrock, Co. Dublin		
Eircode:	H94 CT88		
Name of Registered Provider:	David Owens		
Service type:	Part Time, Sessional		
Date of Inspection:	13/10/2023		
No of pre-school children:	AM	60	PM 32
Address of the Early Years Inspectorate:	1st floor Trinity Building, IDA Business Park, Southern Cross Road, Bray, Co. Wicklow.		
Inspection undertaken by:	Sarah Quigley & Fiona Carty		
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

Wise Little Owls is a privately owned service which was established in 2019. The service is registered to provide part-time care to preschool children aged 2-6 years. The service operates an Early Childhood Care and Education Scheme on a school calendar basis. The programme of care is facilitated through a blend of a play based and Montessori curriculum. The service is registered to operate from 08:00 to 13:00 each weekday. Wise Little Owls is located in an urban area in Stillorgan, South County Dublin and operates from a purposely adapted premises on the upper floor of a commercial unit. The service consists of five preschool care rooms. A school aged care service is provided on the premises outside the operating hours of the preschool service. A fully enclosed outdoor play area is available on the premises.

Staffing

The preschool service currently employs 11 staff members, including the registered provider. On the day of inspection, 10 adults were present and working directly with the children. The registered provider arrived subsequent to the inspector's arrival to facilitate the inspection.

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 inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11, 15, 16, 19, and 23.

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

Corrective and preventive actions (CAPA) were submitted by the registered provider on the 17th November 2023 in response to non-compliances identified on inspection. The actions provided did not appropriately address each of the non-compliances. The registered provider was afforded a second opportunity to submit a CAPA which was received on the 30th November 2023, the details of which are outlined in this report.

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

(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.

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(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

(2) Documentation was assessed under Regulation 9(2)(4) for all 11 adults currently employed to work in the service. Regulation 9(3) was assessed for 5 adults who had commenced employment in the service following the last date of inspection on the 23/6/21. The following records were available:

(a) (b)

The registered provider demonstrated that they had verified the references obtained from 2 sources for one of the adults and from one source for 2 other adults.

(c) A Garda vetting disclosure from The National Vetting Bureau for the 11 adults.

(d) International police vetting was available for 2 of the adults who required it and had lived outside the state for a period exceeding six months as an adult.

(4) There was evidence that 9 of the adults had attained at least a major award in Early Childhood Care and Education at Level 5 on the National Framework for Qualifications, or a qualification deemed to be equivalent.

Non-Compliance Information

- (2) (a)(b)(d) There was no evidence to show that the registered provider had ensured that adults employed to work in the service were suitable and competent as outlined below:
- There was no 2nd reference available for one of the adults.
 - Two references on file for 7 adults and 1 reference on file for 3 other adults had not been appropriately verified by the registered provider.
 - International police vetting was not available for 5 adults working in the service who had resided outside the state for a period exceeding 6 months as an adult.
- (3) Documentation reviewed evidenced that the procedures specified under part 2(a)(b)(c) and (d) of regulation 9 had not been carried out for adults who commenced employment since the last date of inspection prior to the adults commencing employment in the service as follows:
- International police vetting was not available for the 3 of the adults as outlined above as outlined above under Regulation 9(2)(d).
 - Garda vetting disclosures had not been obtained for 4 of the adults prior to them commencing employment in the service and working directly with the children.
 - Two references had not been obtained and appropriately verified in respect of 4 of the adults, and a 2nd reference had not been appropriately verified for 1 of the adults as outlined above under Regulation 9(2)(a)(b).
- (4) There was no evidence available to show that 2 of the adults had attained at least a major award in Early Childhood Care and Education at Level 5 on the National Framework for Qualifications, or a qualification deemed to be equivalent.

Corrective & Preventive Action submitted by the Registered Provider

The following response was submitted by the registered provider:

Corrective and Preventive Action

(2)(a)(b)

All references have been audited and it now clearly states they have been appropriately verified and documented. A verification checklist is now in place on all staff files.

(d)

Police vetting has been obtained for 3 of the staff members. One staff member from has not yet been able to obtain vetting as the country in question requested they are there in person.

Every effort has been made to complete this and it will be applied for when the adult returns home in December 2023 and added to the file once received.

(3)

Going forward no staff will commence employment until full vetting disclosures have been obtained.

(4)

Documentation has now been obtained for one adult who holds a relevant level 6 qualification. The second staff member is studying to achieve a relevant major award. No staff members will be permitted to work with ECCE children unless a full award is verified on the DCYA approved qualification list.

Supporting documentation submitted

Supporting documentation was submitted and reviewed by the early years inspector.

Summary Comment

International police vetting is still outstanding for 2 staff members. One adult is yet to complete a full relevant major award. The regulatory requirement has not 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 children specified in column (2) thereof at that reference number is satisfied.

Compliance Information

- (1) An adequate number of adults were working directly with the pre-school children attending the service during the inspection.
- (2) The registered provider ensured that the minimum ratio of adults to children was maintained in the service on the day of inspection. There were 60 children present in the service being supervised by 9 adults during the inspection. The designated person in charge provided relief cover as required.

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.*

Compliance Information

(1)
A sample of 12 records of preschool children maintained in the service were reviewed by the inspectors to assess compliance. The documentation reviewed evidenced that 1 of the records detailed all of the required information outlined under Regulation 15(1), and that 11 of the records detailed the required information under 15(1)(a) and (d) to (i).

Non-Compliance Information

11 of the 12 records reviewed did not detail the date on which the child first attended the service as required under Regulation 15(1)(b).

Corrective & Preventive Action submitted by the Registered Provider

The following response was submitted by the registered provider:

Corrective and Preventive Action

This has now been updated and all enrolment forms have the date the child first attended now updated. No preventive action was submitted.

Supporting documentation submitted

No supporting documentation was submitted.

Summary Comment

The actions outlined as stated by the registered provider will address the non-compliance. The regulatory requirement has been met.

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.*

Compliance Information

- (1)
- (h) A written record was available in the care room detailing the attendance of each preschool child on the day of inspection.
 - (i) Details of a staffing roster was available in the service and accurately reflected the staff in attendance on the day of inspection.
 - (j) Records of the administration of medication available in the service and a sample reviewed on the day of inspection detailed signed parental consent.
 - (k) Written records of accidents and incidents which occurred in the service were available on the day of inspection. A sample reviewed documented the necessary details.

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

The inspectors observed appropriate care practices in place in the service during the inspection.

Staff reported that lunch and snacks are provided daily by the parents or guardians of the children in attendance. Children's drinks were available to them in the care rooms at all times. Children were encouraged to assist in the preparation for lunch, handing out lunch boxes and drinks. Staff members sat and ate with the children during lunch time creating a relaxed and sociable atmosphere.

The play experiences in the service were observed to be child-led. Staff were observed supporting the children's learning, sitting and engaging with the children and using prompts to extend play experiences. The children all played outdoors during the inspection. Children all accessed the toilet independently during the inspection and staff supported younger children where required. Staff demonstrated kindness and warmth during interactions observed by the inspectors. Comfort was offered to children promptly when required and the children appeared happy and content throughout the inspection.

Staff supported the children to wash their hands and clean their faces at appropriate times throughout the inspection. Rest areas were available in the care rooms so children could take time away from the group or rest if required. Children were also encouraged to be independent in assisting with various tasks within the classrooms which were displayed on a job chart.

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 were safe and in good working order. The registered provider had taken measures to ensure the indoor and outdoor play environments were safe and free from hazards. Cleaning products, medications, and hazardous materials were stored securely out of reach of the children.

Infection Control:

Staff stated an infection control policy was in place to inform practice. Schedules were in place and maintained to ensure the service, equipment and materials are regularly cleaned. Staff stated appropriate exclusion periods for adults and children with infectious illnesses were implemented in the service as per the policy. Children were supported to wash their hands at regular intervals.

Administration of Medication:

There was written evidence of prior parental consent for the administration of both temperature reducing and prescribed medications, and there were procedures in place to safely administer and document such medication if required, including in the case of an emergency. Staff adequately detailed the procedures for administering medication when required during discussions with the inspectors. Documentation was available to record such administration if required, a sample of this documentation was reviewed by the inspectors and was appropriate.

Fire Safety:

The designated fire escape routes were clearly indicated and free from obstruction on the day of inspection. Staff members adequately outlined the evacuation procedures in place in the event of a fire and stated that fire drills are practiced regularly on a monthly basis.

Non-Compliance Information

Infection Control:

Some practices were observed which were at variance with the infection control policy in place in the service and posed a risk of cross contamination as follows:

1. Appropriate bins were not available for disposal of waste in the service.
 - In the Green room, the pedal operated bin in the bathroom was broken and a swing lidded bin was in place in the care room.
 - In the Blue room a swing lidded bin was in place. Children were observed repeatedly handing the lid throughout the inspection, pushing the lid down with soiled tissues that had been used to clean their noses.
 - Unlidded bins were in use in the Red room 1 and 2 for disposal of waste.
2. The children's bathrooms were equipped with electrical hand dryers. Staff reported many of the children are frightened of the dryers and will not use them. Children were observed using facial tissues to dry their hands which stuck to their hands and did not adequately dry them.

Action submitted by the Registered Provider

The following response was submitted by the registered provider:

Corrective & Preventive Action

Infection Control:

1. New foot pedal bins have been purchased and are now in place in each classroom. Unlidded bins have been removed and staff notified.
2. If children are not happy to use the dryers, parents need to send in a face cloth or small towel for each child. This has been communicated to parents via email and signage within the service, and children who do not wish to use the hand dryers need to have their own hand towels. Children are requested to take in a clean towel each day. The towel will be stored on an individual shelf between uses.

Supporting documentation submitted

Infection Control:

Supporting documentation as submitted and reviewed by the early years inspector.

Summary Comment

The actions outlined as stated by the registered provider will address the non-compliance, these actions will be reviewed on the next inspection of the service. The regulatory requirement has been met.