

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2018DS505
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Name of Service:	Once Upon A Time
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Address of Service:	Ballymount Retail Centre, Ballymount Little, Ballymount, Dublin 24, Co. Dublin
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Name of Registered Provider:	Anne Marie Mc Cormack, David Mc Cormack
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Service type:	Full Day
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Date of Inspection:	13/06/2023
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No of pre-school children:	AM	65	PM	62
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Address of the Early Years Inspectorate:	2 nd floor Carysfort House, Carysfort Avenue, Blackrock, Co Dublin
Inspection undertaken by:	Linda Magee & Lisa McGeeney
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
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Description of service

Once Upon a Time Ballymount was established in 2018 and is privately operated. The service is registered to provide Full Day Care, part-time day care and a sessional Early Childhood Care & Education (ECCE) programme (9am – 12 midday) for children aged between one to six years of age. The hours of operation are from 7.30am until 6.30pm, Monday to Friday. This ground floor premises is purposely adapted and located in Ballymount retail business park, Dublin 24. There are five care rooms: Wobbler room 1, Wobbler room 2, Toddler room, Pre-Montessori and Montessori room. A separate sleep room was provided. An outdoor play area is available to the rear of the premises.

Staffing

There were fourteen adults present on the day of inspection, thirteen of these adults including the designated person in charge were working directly with the children. Additionally on the day of inspection, one of the area managers arrived at 10.20am to provide extra support to the care rooms as required. The registered providers do not work directly with the children.

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

The inspection focused on an examination of compliance under regulations 9, 11 and 19(1)(a); however, on inspection additional non-compliances which posed significant risks were identified under Regulation 23. 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

On 14 June 2023, an Immediate Action Notice was sent to the registered provider under Regulation 23- Safeguarding health, safety and welfare of child regarding room temperatures and attendance records.

The service responded on the same day to the risk regarding high room temperatures.

A request for further information was issued on 14 June 2023 as the service response was inadequate and did not address the risk posed by inaccurate attendance records. The service made a second response, but this did not contain mitigating actions regarding attendance records.

The service was subsequently written to on 22 June 2023 as the risks identified in relation to attendance records remained outstanding. Further contact was made with the service on 5 and 6 July 2023 to address the risks identified in relation to attendance records.

A response was received on 6 July 2023, which when implemented will be deemed suitable to address these concerns.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the area manager, 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.

(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.

(7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:

(a) the policies, procedures and statements of the service specified in Schedule 5;

Compliance Information

(2)
The staff files of all staff were reviewed as part of the inspection process in relation to Garda vetting. The complete staff files of nine staff who had commenced working in the service since the last inspection on 29 March 2022 were reviewed for the purpose of assessing compliance with this regulation.

(a) Fourteen validated references were available from past employers.

(b) Three validated references from a source other than a past employer were available.

(c) Garda vetting had been carried out in respect of all members of staff and relevant documents were held on file.

(4) Eight of the new staff who worked directly with the children held recognised qualifications in early childhood care and education at levels 5, 6, 7 or 8 on the national qualifications framework or a qualification deemed equivalent by the Minister of the Department of Children, Equality, Disability, Integration and Youth.

Non-Compliance Information

- (9)
- (2)(a)(b) A reference available for one member of staff was not accepted as it was not dated, signed, validated or translated. The second reference for this member of staff had been validated but was not translated. References received in a language other than English or Irish must be translated.
- (d) Police vetting had been carried out in respect of six members of staff who had lived outside the state and relevant documents were held on file, however, only one of the documents was an official bilingual document. The other vetting certificates had been translated by a member of staff from the service which was insufficient for compliance with this regulation.
- (4) Evidence of qualifications was not available on the staff file of one new member of staff.
- (7)(a) On the day of inspection, it was evident that one staff member who began working in the service on 6 June 2023, was unfamiliar with key aspects of the services policies that support the daily operation of the service. When asked about their induction into the service, the staff member stated they had been shown how to change nappies, how to play with the children and the importance of wearing gloves when serving food. The staff was unaware where to evacuate the children in the event of fire.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (2)(a) We will ensure all documents have an English translation attached.
- (d) We will ensure all documents have an English translation attached.
- (4) Staff files are now updated on our bright hr system. There has been major miscommunication to us in relation to the staff records by inspectors. All staff had the necessary documentation on the day of inspection. Managers will check all staff files are complete before the staff start date.

(7) Staff member will be retrained in Spanish by our head office trainer to ensure they understand all policies and procedures. Staff member was trained and given a full induction and had also signed all the care plans for the children within her room.

We will ensure Spanish staff receive training from a senior staff member who speaks Spanish or our Spanish trainer from head office.

Supporting documentation submitted

Four written past employer references were received by the early years inspectorate: two for each of two members of staff.

Translated police vetting documentation was received in respect of five members of staff.

Copies of signed induction training check lists were received as part of the submission.

Summary Comment

All evidence submitted does not meet the requirements of the Child Care Act 1991 (Early Years Services) Regulations 2016.

(2)(a) The references were signed, dated, validated and translated into English, however, the translations were not certified and therefore could not be accepted.

(2)(d) Translations for Police vetting were not certified and therefore were not accepted.

(4) The qualification certificate for one member of staff was not submitted.

This regulation will be reviewed on next inspection.

Part III – Management and Staff

Regulation 11 - Staffing levels

(1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.

(2) Subject to paragraphs (4) and (5), a registered provider of a full day care service or a part-time day care service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 1 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) thereof at that reference number is satisfied.

Compliance Information

(1)(2) There were an adequate number of adults working directly with the children attending the service.

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

(1) (a)

Appropriate and suitable care practices were observed on the day of inspection as evidenced below:

The children were given turkey sandwiches at 11am and pasta in a tomato sauce at 2pm. Water was offered with food and was always available to the children in the rooms throughout the day.

The younger children had their nappies changed regularly. The staff helped them to wash their hands afterwards. The older children were supervised using the toilet and interacted happily while washing their hands afterwards.

The children were supported to remove their outer clothes and shoes prior to sleep time. Child led sleep was observed in Wobbler room 1. The children in Wobbler 2, and any child who needed to sleep from the Toddler room and pre-Montessori room slept after their sandwiches. Suncream was reapplied to children during the day.

The children were observed washing their hands at appropriate times during the day such as after outdoor play, touching the bin or using the toilet and before eating. Staff supervised and assisted the children during hand washing and drying.

Non-Compliance Information

(1)(a)

One child appeared to be still hungry after finishing their meal and was observed taking food from other children's dishes. No extra food was available. Staff did not appear to notice this child's repeated attempts to take other children's food and was put to bed.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The child had been given additional food. We ensure all the children have sufficient food.

We are currently supervising this. There is always extra food available for the children when they need it.

Summary Comment

All evidence submitted meets the requirements Child Care Act 1991 (Early Years Services) Regulations 2016.

The response by the registered provider has indicated that sufficient and extra food will always be provided to children and that the service will be monitoring this. The Inspectorate has accepted the assurances of the registered provider.

The health eating policy for the service was requested by the Inspectorate but not received as part of this response. This will be reviewed at the next inspection.

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.

Non-Compliance Information

General Safety:

- On the day of inspection, several children were transitioning between rooms for different periods. The children were not recorded accurately on the attendance record in each room as to which room they were in when they moved rooms. Thirteen children were recorded as attending the Toddler room but only ten were present in the room. Sixteen children were recorded in the Pre Montessori room but only 13 children were present. Lack of clarity about the location of children within the service presents a risk in the event of emergency evacuation. An Immediate Action Notice was sent to the registered provider on 14 June 2023 and a satisfactory corrective response was received on 6 July 2023.
- During the inspection, the room temperatures while the children were playing were all above the recommended range of 18-22°C.

Room name	Lowest recorded temperature	Highest recorded temperature
Wobbler 1	25.6 °C	25.8°C
Wobbler 2	24.7°C	25.8°C
Toddler room	22.5°C	30°C
Pre Montessori	27.4°C	29°C
Montessori	25.8°C	28°C

It is acknowledged that measures were taken in all rooms to reduce the temperature such as closing window blinds and using portable electric fans, however, these measures were insufficient to bring the room temperatures to within the recommended optimum range for comfort and safety for the children.

- The outdoor temperature on the day of inspection ranged between approximately 22- 28°C. All required measures to protect the children from the sun when in the outdoor area were not provided. The children did not wear sunhats and there was no shaded area available for them to take a break from the intense sunshine. Each group of children played in the outdoor area at least once if not twice on the day of inspection for a minimum of thirty minutes as per their outdoor timetabled playtime. It is acknowledged

that suncream was applied when they were playing outside and that external temperatures on the day of inspection reached 28°C.

Safe Sleep:

1. The recommended room temperature when children are sleeping is 16-20°C. The inspector measured the sleep room temperature in the sleep room at 11.15am as the children started to move there for sleep time, this measured 22.7°C. This temperature rose to 24.9°C when 17 children were sleeping. The room thermometer measured 23°C during this time.
2. The inspector measured the temperature in the Pre-Montessori room, this was measuring 26-29°C when 13 children from the Toddler and Pre-Montessori rooms were sleeping. The thermometer in the room did not appear to be working. Staff stated it only works sometimes.
3. On discussion with staff in numerous rooms, it was evident that some staff were not aware of what the recommended room temperature should be for safety and comfort, when the children are sleeping or playing.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. When children move within the centre we use paper to document the moves each day. We use this system as if we move children on our software system it creates a double booking for the child which creates issues with invoicing.

I have attached a copy of the integration sheet we use in the centre. Each room has this sheet which allows the children to be logged correctly for safety reasons. The sheets are changed weekly.

We have asked the software developers for support on moving children on the system without it creating a double booking which we hope to be able to implement.
2. Air conditioning units and thermometers have been put into the care rooms.

We will have air conditioning units ready for the periods of hot weather.
3. On the day of inspection children were taken to the garden for 20-minute intervals because of the extreme heat. They were not kept in the garden for their usual length of time to ensure they were not exposed to longer periods. An area of shade will be provided in the garden area. This is a retractable awning and has already been installed. Parents were asked immediately to provide hats for all children. Staff ensure all children have suncream and hats before going to the garden in the warm weather.

Safe Sleep:

1. The children now sleep in the wobbler 2 room as it is cooler.
2. Air condition units were sourced for the rooms to maintain safe temperatures. Staff will ensure air conditioning units are on during warm weather.
3. Staff were retrained in safe sleep.

Supporting documentation submitted

General Safety

1. A response to the immediate action notice was received by the early years inspectorate on 28 June 2023 detailing how children's movement within the service was recorded, with a sample of the documents used.
2. Photographs of the air conditioning units were received as part of the CAPA submission.
3. A copy of the order invoice was received as part of the CAPA submission.

Safe Sleep

1. A photograph of the layout for sleep mats for children aged over 2 years was received as part of the CAPA submission.
2. A photograph of the air conditioning unit was received as part of the CAPA submission.
3. A copy of the staff sign off sheet for training in safe sleep was received as part of the CAPA submission.

Summary Comment

Based on the evidence submitted the non-compliances have been addressed.