

Early Years Inspectorate Regulatory Report

Pre School

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| TUSLA Identifier: | TU2018KE511 | | |
| Name of Service: | Enquiring Minds Childcare | | |
| Address of Service: | Downings North, Prosperous, Co. Kildare | | |
| Eircode: | W91 D540 | | |
| Name of Registered Provider: | Clare Venter | | |
| Service type: | Full Day | | |
| Date of Inspection: | 02/12/2024 | | |
| No of pre-school children: | AM | 52 | PM 49 |
| Address of the Early Years Inspectorate: | Early Years Inspectorate, Child and Family Agency, Suite 7, Vista Primary Care Centre, Ballymore Eustace Road, Naas, Co. Kildare, W91 X38W | | |
| Inspection undertaken by: | T. Duignan and F. Maher | | |
| 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

Enquiring Minds opened in 2018 as a privately run childcare service for pre-school children aged 0 to 6 years. The service provides full day care, part-time and sessional education and care to pre-school children from 7.00am – 6.30pm, Monday to Friday. School aged care is provided also. The service is located in a purpose-built two-story premises on the outskirts of Prosperous. The service has six care rooms, two sleep rooms, sanitary facilities, staff room, office and a secured outdoor play area at the rear of the service. Set down and parking facilities are available.

Staffing

There were twenty-two adults present in the service including the registered provider, area manager, person in charge, administrator, one cook, an adult with responsibility for cleaning duties and an adult responsible for the day-to-day maintenance on the day of the inspection. Fourteen adults and one student on placement were working directly with the children. The fourteen adults employed and working directly with the pre-school children in the service had completed a major award in Early Childhood Care Education as per the National Framework of Qualifications.

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

The inspection focused on an examination of compliance under

- Regulation 9 (2)(a)(b)(c)(d), (4) - Management and recruitment.
- Regulation 11(1),(2),(8)(a) – Staffing Levels.
- Regulation 21 – Equipment and Materials.
- Regulation 23 – Safeguarding health, safety and welfare of child.
- Regulation 24 – Checking in and out and Record of Attendance.
- Regulation 25 (1), (2)(a)(b) – First aid.

A sampling process was used to assess compliance under regulation 21 and regulation 23. As a result, the scope of the inspection included Baby room, Wobbler room and Little Einsteins room.

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, area manager and director of service, 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.

Compliance Information

The files of thirty-three staff members were reviewed, this included two students on work placement.

(2)

(a)(b) Two written and verified past employer references or references from a reputable source other than a past employer, were available in respect of all adults employed and both workplace students.

(c) Garda vetting disclosures had been obtained for thirty-three staff. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.

(d) Police vetting was available for nine adults who had resided outside the state for a period of longer than 6 consecutive months whose records were reviewed.

(4) Twenty-two adults employed and working directly with children attending the service held at least 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 by the Minister.

Non-Compliance Information

(2)(d) Police vetting was required for two adults who had resided outside the state for a period of longer than 6 consecutive months whose records were reviewed.

(4) One adult employed and working directly with children attending the service did not hold at least 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 by the Minister.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(d) One translated police vetting certificate and one police vetting certificate which was not translated.

(4) Qualification document attached.

Supporting documentation submitted

(2)(d) document and evidence of application for one adult; police vetting document for second adult.

(4) Qualification certificate.

Summary Comment

The written response and documentary evidence submitted by the registered provider has been reviewed by the Early Years Inspectorate. Regulatory compliance is not met for regulation 9(2)(d) as a police vetting certificate was not translated and a determination of the content was not possible.

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) There were fifty-two children attending the service being supervised directly by fourteen staff members and two students during the inspection.
- (2)(b) The minimum ratio of adults to children was adhered to during the day. This was confirmed by the staff roster for the service.
- (8)(a) The staff roster indicated that they were at least two adults on the premises at all times

Part V - Care of Child in Pre-school Service

Regulation 21 – Equipment and materials

A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.

Compliance Information

There was a good variety of age and developmentally appropriate toys, materials and equipment available for the children to use and play with during the day. Low level open shelving units displaying the pre-school materials and equipment ensured the resources were freely available and easily accessible to the children at all times in all care rooms. Child sized couches provided a comfortable quiet space for the children to rest, take a break or read a book during the day.

Child sized tables and chairs were maintained in good condition and ensured the children could sit comfortably for tabletop activities and when eating their meals and snacks.

The outdoor play area had five defined areas of interest to prompt the children’s imagination and there was equipment to encourage a variety of gross motor activities. Two covered areas ensured that the children could use the space during inclement weather

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:

Measures had been taken to safeguard the children. A system of daily indoor and outdoor environmental risk assessments had been implemented and were observed to be completed. The entrance door to the service was electronically controlled by staff members to prevent children from exiting the service unsupervised and to restrict unauthorised persons from gaining access to the care rooms. The person in charge documented the inspectors' visit to the service in the visitor's book on arrival. The service met the necessary safety requirements in respect of the indoor environment, toys and equipment and safe storage of cleaning agents.

The service had a system in place to manage maintenance issues.

Infection Control:

Measures were taken to reduce the risk of infection spreading. There was an infection control policy in place. Thermostatically controlled hot water, liquid hand soap and paper towels were readily available for hygienic hand washing and drying. The staff members supervised children's handwashing and handwashing routines were well established. Foot pedal operated bins were available throughout the service for the hygienic disposal and containment of used tissues/ paper towels. Soothers were stored in individual containers for each child using a soother in the service. Individual bed linen was provided and laundered frequently.

Written cleaning schedules were maintained for the room environments which were observed to be clean and tidy.

Administration of Medication:

Medication was not given at the time of the inspection. The staff members were familiar with the required safe practices when administering medication in the service. Medicine was labelled and safely stored.

Safe Sleep:

The children slept in cots and low beds appropriate to their age and stage of development; an adult was always present in the room where children slept on low beds. Children's outer clothing was removed prior to them being placed to sleep. All sleeping children were checked at ten-minute intervals and staff kept a record of the checks.

Fire Safety:

Monthly fire drills had been carried out. Emergency exits were kept clear to allow for timely evacuation in the event of a fire. There was a signed assembly point in the outdoor area and staff members demonstrated an awareness of fire evacuation procedures.

Outing:

The service conducts outings and an outings policy is in place to guide practice.

Non-Compliance Information

General Safety:

1. The staff members did not recognise the potential risk of choking that amber bead necklaces worn by young children in a child care setting posed. It was observed that one child attending was wearing an amber bead necklace. The necklace was immediately removed when it was brought to the attention of the manager in the service.
2. Garda vetting was available for four staff; however, these vetting disclosures were not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.
3. A fire extinguisher was observed to be placed on the floor in the corridor opposite to the Baby room. The corridor was used as an exit route to the outdoor area for the children. A potential risk of injury existed should the fire extinguisher fall against a child when they were passing by enroute to the outdoor area.

Infection Control:

4. The system for the cleaning and sterilising soothers, shared toys and equipment to prevent cross-contamination required to be reviewed for the following reasons:
 - The staff members were not clear about the differences between cleaning and disinfection.
 - Containers with sterilising solution was not observed to be available in the Baby and Wobbler rooms on the day.
5. The nappy changing procedure observed for two nappy changes were not carried out to mitigate against the potential risk of cross infection as observed by the following:
 - Handwashing was not completed by the staff member prior to the single use disposable gloves used and before nappy changing started.
 - A staff member did not remove the apron and gloves until the end of the nappy changing procedure. This contaminated the clean nappy and child's clothing and created a risk of cross infection.

- The nappy change bin used was not a leak proof and sealed foot pedal bin. The practice did not adhere to the updated requirements of the Early Years Inspectorate Regulatory notice - Use of nappy disposal bins in Early Years Services issued on 10 November 2022.

6. The sanitary areas attached to the Baby and Wobbler rooms were used for storage of personal belongings and equipment

Administration of Medication:

7. Appropriate measures were not in place to ensure the safe management of a child who may require emergency medication to be administered.

- There was no written health care plan available for a child who required medication to be administered in an emergency situation.

- The emergency medication for a child was observed to be expired.

An immediate corrective action was taken when the inspector brought this to the attention of the registered provider.

8. Emergency medication was observed to be stored in children's bags however there was no evidence of a system in place to ensure that the medication was available daily should it be required in an emergency. There was no evidence available that a second set of the required emergency prescribed medication for each child was provided by the parents for use in the service.

Safe Sleep:

9. Of the seventeen cots available in the two sleep rooms, the following was noted:

- There was no fire-retardant sign on one mattress.
- The protective cover three mattresses were torn, and the foam contents was exposed.
- One mattress was too small for the cot which created a foothold at the side and bottom of the cot
- The protective covers on two mattresses were stained

10. The environmental temperature in the sleep room opposite the Baby room used for children aged 0-1 years was 21.9° Celsius at 12:22 hours. This was brought to the attention of the staff member who required prompting to open a window to ventilate the room. The temperature was rechecked as 19.5° Celsius at 13:29 hours.

11. While it is acknowledged that the staff members were knowledgeable about the care of sleeping children, they did not recognise that the room temperature of the sleep room also required to be monitored, and the requirement for corrective measures to be put in place to manage raised temperatures.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The prohibition of Amber beads is included on our registration forms for parents and our policies and procedures have been changed from an advisory to not use them to a prohibition of the use in the setting, with the reference to the advisory regulation notice given to the parents.
2. Vetting is now completed.
3. Fire was secured back on the wall the same day as the wall was painted.

Infection Control:

4. Staff have been given training on the full process including not leaving the toys to soak but to wash first, then sterilise and then remove to dry. Scheduled infection control reminders on the communication platforms and staff newsletters. The manager has completed spot checks.
5. Regular changes of the bin throughout the day will avoid any issues of leaks and cross contamination.
6. All equipment placed in closed containers and doors closed. Regular checks to ensure doors are closed and storage procedure followed.

Administration of Medication:

7. A health care plan and medication are now in place in the service.
8. Parents have been asked to provide a second set of medication to be kept in the school. We have set reminders for a month, two weeks and a week before the expiry date of the medication to ensure parents replace expired medication in a timely manner. Managers are also checking care plans are displayed each week as part of their weekly check sheet, particular during weeks of holidays etc. where there is a possibility of moving classes or areas.

Safe Sleep:

9. Three new cot mattresses were purchased, additional mattress protectors were purchased. We confirmed with the cleaner that all bed clothing is washed on a 90-degree cycle with detergent for a minimum of an hour. Checks on mattresses have been added the managers maintenance check sheet.
10. Additional training is provided to baby room staff including part time staff. Spot checks will continue to be done by management.
11. Additional training is provided to baby room staff including part time staff. Spot checks will continue to be done by management

Supporting documentation submitted

General Safety:

1. Documents including updated policy and communication to parents via closed app.

2. Three Garda vetting documents.
3. Photograph.

Infection Control:

4. Documents with record of training completed.
5. Not required.
6. Photographs and video of storage areas provided.

Administration of Medication:

- 7 & 8. Photographs of storage of medication and document.

Safe Sleep:

9. Invoice detailing purchase.
- 10 & 11. Training records.

Summary Comment

The written response, photographic, video and documentary evidence submitted by the registered provider has been reviewed by the Early Years Inspectorate. Regulatory compliance is met for regulation 23. This area of practice will be reviewed at the 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.
- (2) Where there are more than 15 children attending a pre-school service in a drop-in centre, the registered provider shall ensure that one employee or unpaid worker is assigned responsibility for the checking in and out of children.
- (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 registered provider ensured that each child was checked in and out of the service. This was confirmed by the written attendance records maintained.
- (2) Not applicable.
- (3) (a),(b) The registered provider ensured that any person entering the service was approved and a record in writing was maintained.
- (4) The records are retained for the required period.

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) Persons were trained in in First Aid Response (FAR) for children and were immediately available to the children attending the service.
- (2)
- (a) The first aid equipment was safely stored, in conspicuous positions in the service in each care room.
 - (b) Suitably equipped first aid boxes for children were available to the children attending the service.