

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2019DR003			
Name of Service:	Silveracre			
Address of Service:	Rere 43, St. Patricks Cottage, Grange Road, Rathfarnham, Dublin 16			
Eircode:	D14 XV02			
Name of Registered Provider:	Rita O'Dowd Archbold			
Service type:	Full Day, Part Time, Sessional			
Date of Inspection:	04/09/2023			
Regulatory Compliance Meeting:	07/11/2023			
No of pre-school children:	AM	14	PM	14
Address of the Early Years Inspectorate:	Early Years Inspectorate, Floor 7 Brunel Building, Heuston South Quarter, St. John's Road West, Kilmainham, Dublin 8			
Inspection undertaken by:	E. Finnegan Hayes			
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

Not applicable

Description of service

Silveracre is a full day care service located in a purpose-built building in a residential area. The service is comprised of a kitchen, and one care room and operates 8am-6:30pm Monday - Friday. The service caters to children aged 2years 8 months-6 years and participates in the Early Childhood Care and Education (ECCE) scheme. A secure enclosed outdoor area is available to the rear of the service.

Staffing

The registered provider employs two core staff to work in the service and two relief staff members from the registered provider other service attend on specific days to provide cover for breaks. The registered provider works as a relief staff member when needed.

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 inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under Regulation 9; (1)(a)(b)(2)(a)(b)(c)(d)(4), Management and Recruitment, Regulation 11;(1)(2)(8)(a), Staffing levels, Regulation 16; (1), Records in relation to preschool service, Regulation 19; (1)(a), Health, Welfare and Development of child, Regulation 23, Safeguarding the and Regulation 24;(1)(3) Checking in and out and record of attendance, however, on inspection additional non-compliance which posed significant risk was identified under Regulation 8; (1) Notification of change in circumstances. 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.

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 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) The agency was not notified of a change in circumstance in relation to an increase in the maximum number of children which can attend the service at one time. The service is currently registered for a maximum of 12 children however 14 are currently registered. This change came into effect in 2022.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider submitted a Notification of Proposed Change in Circumstances Form to the Change in Circumstance team in Tusla to remedy the difference between the number of children on the registration (12) and the number in attendance at the preschool (14).

However this could not be processed due to restrictions on the number of children on the services planning permission. The registered provider has now applied for a change to the planning permission.

Supporting documentation submitted

Documentation in relation to above has been reviewed.

Summary Comment

Regulatory compliance remains outstanding, the service must operate in accordance to its registration status and apply for an increase in the number of children if and when the planning permission is granted.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

- (a) the service has a designated person in charge and a named person who is able to deputise as required,
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.

(2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,
- (b) consideration of references from reputable sources in the case of a person who has no past employers,
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and
- (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.

(4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

Compliance Information

(1)(a)(b) The service has a designated person in charge and a named person who can deputise as required in their absence. Discussion with staff showed that the designated person in charge or the deputy is on the premises at all times during the opening hours of the service.

(c) There is a clear management structure in the service and staff are aware of their role and responsibilities

(2) A review of the roster and discussion with staff showed that there are four staff members who work directly with the children in the service including two core staff and two relief staff who provide cover for breaks. The files of all four staff were reviewed.

- (a)(b) The required number of written and validated references were available for review in relation to the four staff members.
- (c) Garda vetting disclosures were available for all four staff members.
- (d) Police vetting was available for one staff member who had lived in a country other than Ireland for a period of more than 6 months.
- (4) Evidence was available to show that three staff held 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.

Non-Compliance Information

- (4) Evidence was not available to show that one staff member held 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.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (4) The staff member has been removed from the pre-school class and replaced by another staff member with the necessary qualifications. The registered provider will ensure that all staff members have completed the necessary recognised childcare qualification before commencement in the early years sector.

Supporting documentation submitted

A staff roster was reviewed.

Summary Comment

The registered provider has addressed the non-compliance under Regulation 9.

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)(2) The registered provider ensured that an adequate number of adults were working directly with the children and that ratios were maintained at all times. Two adults were caring for 14 children aged between 2 years 8 months and 4 years old.

Non-Compliance Information

(8)(a) Due to the format and wording used in the roster it was unclear whether two adults were rostered to be on the premises at all times. For example, the end time of some shifts were not recorded numerically but instead stated “late” or “close”.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The wording on the roster has been changed to use exact times rather than the previously used imprecise terms to make it clear that there are always 2 staff on the premises. The roster has been permanently changed to always use exact times.

Supporting documentation submitted

A staff roster was reviewed.

Summary Comment

The registered provider has addressed the non-compliance identified under Regulation 11.

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.*

Compliance Information

- (1)
- (a) The registered provider maintained a record of the name, position, qualification and experience of each employee.
 - (b) Details of the class of service and age profile of the children for which the service is registered to provide care were displayed in the entrance hall.
 - (g) The service had the policies, procedures and statement as required under Regulation 10.
 - (h) A record of attendance was available for the children.
 - (j) Three accident/ Incident records which were available for review were completed in full.
 - (k) a sample of 13 medication administration records which were available for review were completed in full.

Non-Compliance Information

- (c)(d)(e)(f) Details of the adult: child ratios, the type of care or programme provided in the service, the facilities available and the opening hours and fees were not available for review on the day of inspection.
- (i) The staff roster did not clearly detail the finish time, break times or the person who would be providing cover for breaks each day.
- (j) Two accident/ incident records were incomplete for example the signature of the parent indicating they have been informed of the accident was not detailed on either record while the signature of the staff member in charge at the time of the accident was not recorded on one record form.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (c)(d)(e)(f) The statement of purpose and function has been displayed and contains the required information. An action point has been added to the next team meeting to make staff aware of the key service documents that always need to be readily available and clearly visible in the service.
- (i) The roster has been changed to use exact times, thereby making it easier to understand break times and staff cover for breaks. The roster has been permanently changed.
- (j) The team will review all recent accident / incident records for completeness and ensure that they are up to date. A new on-line system has been put in place for all accident / incident records. All accident / incident records will be sent immediately to parents' devices for review and signature. This will replace the current paper process.

Supporting documentation submitted

Documentation in relation to above has been reviewed.

Summary Comment

The registered provider has addressed the non-compliance under Regulation 16.

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, and

Compliance Information

(1)(a) Basic needs:

- A weekly menu was available in line with the service healthy eating policy. The service provides breakfast, dinner and evening snack while lunch is provided by the parents. The children's lunches were refrigerated in line with the service policy to prevent spoiling of perishable items. On the day of inspection children were observed to eat a variety of food including sandwiches, wraps, yoghurts and fruit for lunch and spaghetti bolognaise for dinner.
- Drinking water was available to the children at all times during the day in individually labelled beakers which were stored on a low shelf accessible to children.
- Children were supported to complete personal hygiene tasks independently such as blowing their own nose with staff available to support as required.
- Children enjoyed free movement throughout the service with little restriction. For example, once a child finished eating, they returned their schoolbag to their hook and proceeded to play freely. The door to the garden remained open for the duration of the inspection and children could move freely between the indoor and outdoor spaces as they chose.

Supporting relationships:

- The service had a warm and welcoming atmosphere. Children were observed to engage in circle time in the morning in which all children were welcomed into the service and included in an active song. Children were observed to engage in the welcome song to their own level and were actively supported and encouraged by staff. This supported the children's sense of identity and belonging as well as supporting them to settle into the service.
- Staff were knowledgeable of strategies to support children who were upset or who required additional support to process their emotions, for example staff spoke about bringing children to the book area because it was quieter and had low lighting and deep breathing exercises to support children with self-regulation.

Physical and Material environment:

- Staff were in the process of creating a number of displays for the room which supported the children’s learning and development including; a visual daily routine, a birthday wall, the community and local schools. Displays such as these support children’s understanding of the world around them.
- Appropriately sized furniture allowed the children to access materials and equipment and engage in activities independently.
- Materials were appropriately grouped and arranged into interest areas supporting the children’s sense of order and providing opportunities for spontaneous play.
- A range of books were neatly displayed and readily available to the development of early literacy skills.

Non-Compliance Information

(1)(a) The children’s need for sleep was not provided for in an adequate way. There is no designated sleep or rest time in the service and staff were observed to miss children’s sleep cues. For example, a child was observed to fall asleep at the table at 1pm and was woken and encouraged to move onto a mat which was in place in the book area. At the same time another child was observed asleep on a soft, narrow rectangular bench in the home corner still wearing their outdoor shoes. This was not appropriate for sleep as it was high and posed a risk of injury should the child fall. A designated sleep or rest time would allow the children to meet their sleep needs in an appropriate sleep environment.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

A designated rest area with mats on floor level will have been placed in the quiet area for a specific amount of time. No other children will be allowed in this area if there is a child resting or sleeping during this designated time. A management review is under-way to determine how best to use this space to support children’s resting and sleeping needs.

Supporting documentation submitted

Images of the sleep area have been reviewed.

Summary Comment

The registered provider has addressed the non-compliance under Regulation 19.

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 service entrance was adequately secured on arrival to the service. Staff attended the door to allow access which prevented unauthorised persons accessing the service unnoticed.
- The main entrance and the outdoor area were adequately secured which prevented children leaving the service unsupervised.
- Materials and equipment in the service were well maintained and free from hazards.
- Flexes were adequately secured to prevent injury to the children.
- Cleaning products were safely stored out of reach of the children.

Infection Control:

- Thermostatically controlled warm water, dispensed soap and dispensed handtowels were available to support hand hygiene.
- Pedal operated bins were in use throughout the service for disposal of contaminated items.
- Windows were open throughout the day to ensure adequate ventilation in the care room.

Fire Safety:

- Staff were aware of the procedures to be followed in the event of a fire emergency.
- Fire exits were clear during the inspection.

Non-Compliance Information

Fire Safety:

1. The attendance records did not reflect the number of children present in the service. The attendance of two children had not been recorded on the daily attendance sheet. This posed a risk of the children not being correctly accounted for during a fire emergency.

Action submitted by the Registered Provider

Corrective & Preventive Action

Fire Safety:

Attendance records have been reviewed and corrected. The internet service in the building has been replaced as it had degraded and wasn't allowing the staff to use the more efficient attendance app to check children in and out.

Supporting documentation submitted

No documentation submitted.

Summary Comment

The registered provider has addressed the non-compliance under Regulation 23. This will be reviewed on 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.

(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) Staff members greeted children at the door on arrival to the service and were observed to allow parents access to the service when collecting the children.

(3)(a)(b) A visitor record was maintained by the service and staff were observed to attend the door to greet visitors and approve access. The inspector was asked to sign in on arrival to the service.

(4) A record of visitors to the service which dated back for a period of more than 1 year was available in the service.