

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2019DY006
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<b>Name of Service:</b>	The Nest Santry Ltd
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<b>Address of Service:</b>	Unit 10c, Santry Hall Industrial Estate, Dublin 9
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<b>Eircode:</b>	D09 CK15
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<b>Name of Registered Provider:</b>	Colm Bowers
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date of Inspection:</b>	12/04/2024
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<b>No of pre-school children:</b>	AM	34	PM	29
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Floor 7 Brunel Building, Heuston South Quarter, St. John's Road West, Kilmainham, Dublin 8
<b>Inspection undertaken by:</b>	E. Finnegan Hayes
<b>Title:</b>	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).

<b>Conditions if applicable</b>	Not applicable.
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### Description of service

The Nest Santry is a privately operated service located in an industrial estate in North Dublin. The service offers full time, part-time and sessional care, and education to children from 0 to 6 years of age from 7:30am-6:15pm Monday to Friday. The service is comprised of four care rooms, Baby room, Tweeny room, Toddler room and Montessori room, a cot room, a kitchen, and a staff room. The service participates in the Early Childhood Care and Education (ECCE) scheme. A large outdoor area is located to the rear of the service.

### Staffing

The registered provider employs 15 staff including a manager and assistant manager, 11 childcare staff, a cook and a cleaner. Eleven staff were present on the day of the inspection including the deputy person in charge. An area manager arrived during the inspection and was present for the duration of the inspection. The registered provider does not work in the service.

### 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.

A sampling process was used to assess compliance under Regulation 19 Health, Welfare and Development of Child and Regulation 23 Safety. As a result, the scope of the inspection included the Baby and Tweeny rooms and did not include the Toddler or Montessori 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 inspector wishes to acknowledge the cooperation of the operations manager, deputy 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

(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) The service had a designated person in charge and two named persons who could deputise when required.
  - (b) The deputy person in charge was present when the inspector arrived in the service and remained in the service for the duration of the inspection.
  - (c) A clear management structure was evident in the service and staff were familiar with the structure.

- (2) A review of the roster and discussion with management showed that there are currently 15 people employed in the service including a manager and assistant manager, 11 childcare staff, a cook and a cleaner. The files of all 15 staff were reviewed.
- (a) (b) Twenty- eight written and verified references were available from a past employer in relation to 4 staff members.
  - (c) Garda vetting disclosures had been obtained for all 15 staff members. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
  - (d) Police vetting was available for ten staff members who had lived outside of Ireland for a period of more than 6 months.
- (4) Evidence was available to show that 13 staff members who worked directly with the children 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. This included the outstanding qualification from the previous inspection.

### Non-Compliance Information

- (2) (a)(b) Two written and verified references were not available for review in relation to one staff member who was working in the service on the day of inspection.

### Corrective & Preventive Action submitted by the Registered Provider

#### **Corrective and Preventive Action**

- (2) (a)(b) Two references are now on file for the staff member. Manager/Assistant Manager will carry out regular checks to ensure all references are in place, verified and ready for review

#### **Supporting documentation submitted**

Two references were reviewed.

### Summary Comment

The corrective and preventive actions taken by the registered provider have addressed the non-compliance identified 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.*

### Compliance Information

(1) The registered provider ensured an adequate number of adults were working directly with the children in the service; for example, ten adults were caring for 41 children on the morning and 29 children in the afternoon.

(2) The registered provider ensured that ratios were maintained throughout the day for example;

- In the Baby room 1 adult was caring for 3 children in the morning aged 11-13 months.
- In the Tweenie room 2 adults were caring for 7 children aged 1-2 years.
- In the Toddler room 2 adults were caring for 9 children aged 2-3 years.
- In the Montessori room 2 adults were caring for 15 children aged 3-4.5 years.

The assistant manager and two additional staff were also available in a supernumerary capacity and covered in rooms as required.

## 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 healthy eating policy was in place in the service. The menu for the day included cereal for breakfast, a selection of fruit including banana, apples, oranges and grapes for snack, Creamy chicken and Vegetable pasta for dinner, yoghurts for afternoon snack and turkey rolls for tea. Alternatives were offered where required in line with dietary preferences or allergies and additional food was observed to be available in the Tweenie room when children requested additional portions.
- Mealtimes were a relaxed social occasion; staff were observed sitting chatting with the children while they ate. Children were encouraged to self-feed, but staff were on hand to help as required.
- Timing of meals was flexible to suit the needs of the children for example one child was asleep during snack time. Snack was held for the child and provided to them once they had woken and were settled back into the care room.
- Nappy changing was done on a set schedule 3 times per day and as needed to ensure the child's comfort.

#### Supporting Relationships around Children:

- Staff were observed to be kind and caring toward the children. They spoke in low tones and encouraged a clam atmosphere.
- Staff were observed to comfort children when they were upset offering cuddles or sitting close to the children and maintaining physical contact.
- Staff demonstrated knowledge of the children, their preferences and individual care needs for example staff in the Baby room discussed settling the children into the service, building up trust with the child and parent and encouraging and supporting the children's development based on their individual stage and abilities.
- Family wall displays were present in the care rooms supporting the children's sense of identity and belonging and supporting the link between home and creche for the children.
- A software application was used to record and share information about the children such as food, nappies and sleep with the parents. This creates an important link between the staff and parents.

### The Physical and Material environment:

- Child sized tables and chairs allowed the children to eat and engage in tabletop activities comfortably.
- A range of toys and equipment suitable to age and stage of development of the children was available in the care rooms and accessible to the children.
- The outdoor area was observed to be used frequently on the day of inspection. A synthetic grass surface allowed for use in inclement weather and a range of equipment, and materials were available which supported a range of play experiences for example there was a playhouse, swing and slide for the younger children, a seesaw, and a number of coloured tyres.

### 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 secured throughout the day and staff were observed to attend the door to allow access to visitors. This prevented unauthorised persons entering the service.
- A lock was fitted to the gate in the garden which prevented unauthorised persons accessing the area while also preventing children from leaving the area unsupervised.
- Grapes were observed to be cut lengthways before being given to the child at snack time.
- The nappy changing units used in the service appeared sturdy and safe for changing children.
- Cleaning equipment and sprays were stored on high shelves in the care rooms and sanitary areas out of reach of the children.
- Blind cords were out of reach of children or appropriately secured to prevent injury to the children.
- Flexes were appropriately secured in the care rooms.

##### Infection Control:

- Childrens hands were observed to be washed frequently throughout the day for example after garden time and before mealtimes.
- Tables were observed to be cleaned regularly throughout the day for example after activities and before mealtimes.

- Nappy changing was completed in line with the service policy. Gloves and aprons were observed to be used for infection control purposes.

### Safe Sleep:

- Staff were observed to physically check sleeping children every 10 minutes and record these checks on a software application.
- Individual sleep plans and low-level beds which are fitted with a mattress were observed to be used for children between 18 months and 2 years of age to sleep in the Tweeny room. Cots remained available for children who were not ready to transition to a low-level bed.
- Cots were maintained in good working order free from hazards.

### Fire Safety:

- Emergency exits were clearly marked.
- Emergency evacuation plans were visible throughout the service and staff were knowledgeable of the procedure for evacuation in the event of a fire emergency.

### Non-Compliance Information

#### General Safety:

1. Evidence was not available to show that a daily risk assessment was conducted in the outdoor area in line with the service policy. The risk assessment document available was completed up to the 25<sup>th</sup> March 2024. Risk assessments are required to identify hazards in the area and ensure the children's safety.
2. A storage area in the outdoor area was broken at the front with a sharp edge and posed a risk to the children.

#### Infection Control:

3. The nappy changing mat in the Toddler nappy changing area was cracked and did not provide an easy to clean surface. This posed an infection control risk.
4. Paint was observed to be peeling and flaking on the wall about the radiator in the Tweeny room accessible to the children. This did not provide an easy to clean surface and had a potential risk of ingestion of the paint material by the children.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### General Safety:

1. Garden Risk Assessment completed every day. Manager/Assistant manager will carry out regular checks on completion of daily garden risk assessment.

- Storage Area in the outdoor fixed. Manager/Assistant manager will make sure daily risk assessment is completed every day to avoid any hazard.

### Infection Control:

- Changing mat replaced. Manager/Assistant manager will make sure that antibacterial spray is in place every day in the changing area. Daily checks are carried out to make sure changing mat is not cracked and antibacterials spray is provided to clean surface.
- Wall in Tweenie Room was repainted. Daily checks in the settings to make sure the premises are well maintained and there are no hazards.

### Supporting documentation submitted

Photographs, invoice and risk assessments reviewed.

### Summary Comment

The corrective and preventive actions proposed by the registered provider are sufficient to address the non-compliances identified under Regulation 23.

## 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-*
- no person other than-*
    - pre-school child attending the service,*
    - a person dropping or collecting such a child,*
    - an employee, or*
    - an unpaid worker, can enter the premises without his or her entry being approved by an employee, and*
  - a daily record in writing is kept of the entry on the premises of any such person.*

### Compliance Information

- Children were observed to be checked into and out of the service by staff in each care room.
- (a) Visitors to the service were greeted at the door by staff which prevented unauthorised persons entering the service without the knowledge of staff.

### Non-Compliance Information

(3) (b) A log of all visitors to the service was not adequately maintained for example the inspector was not provided with the visitor book on the day of inspection to sign in.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

(3) (b) Visitors book placed at the reception on the small table, visible for all visitors. Manager/Assistant manager will make sure all visitors are provided with the visitor book to sign in. Regularly Checks by Manager/ Assistant Manager that visitor book is visible and available to all visitors.

#### Supporting documentation submitted

Photograph reviewed.

### Summary Comment

The corrective and preventive action taken by the registered provider have addressed the non-compliance identified under Regulation 24.

## 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

(2) (a)(b) Adequately stocked first aid boxes were located on a high shelf in the care rooms, out of reach of the children but easily visible and accessible to staff if needed.

### Non-Compliance Information

(1) The registered provider did not ensure that a staff member trained in First Aid Response (FAR) was available to the children at all times for example a review of the roster and conversation with staff showed that a staff member trained in FAR was not available between 5.15-6pm on the day of inspection.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

(1) Manager/Assistant Manager will make sure that every day a staff member trained in First Aid Response is available to the children. The Staff Rota will be checked on the weekly basis to ensure that staff trained in FAR available for children from 7.30am-6.00pm. This action will be monitored by Manager/Assistant Manager.

### Summary Comment

# Early Years Inspectorate Regulatory Report Pre School

The corrective and preventive actions proposed by the registered provider are sufficient to address the non-compliance under Regulation 25.