

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2019FL002
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Name of Service:	Charlies Childcare (Seamount)
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Address of Service:	2-3 Jamestown Orchard, Malahide, Co. Dublin
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Eircode:	K36 YX94
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Name of Registered Provider:	Ronnie Carroll
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Service type:	Full Day
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Date(s) of Inspection:	14/08/2024
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No of pre-school children:	AM	31	PM	31
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Address of the Early Years Inspectorate:	Early Years Inspectorate, 181-189 Lakeshore Drive Airside Business Park, Swords, Co. Dublin, K67 Y5C6.
Inspection undertaken by:	S. Cully
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
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Description of service

Charlie's Childcare (Seamount) is one of seven early years' services owned and operated by the registered provider in north Co. Dublin. This service provides full day care, part-time and sessional childcare services for pre-school children from 12 months until they commence attending primary school. The service currently operates from 7.30am to 6.00pm. Eligible children are facilitated to participate in the Early Childhood Care and Education (ECCE) scheme from 9.00am to 12.00pm for 38 weeks each year. This service is operated from a purpose built two storey premises located within a residential housing estate. The Wobbler/Toddler room is located on the ground floor as is the cot room, with Preschool 1 and Preschool 2 room located on the first floor. The service has a fully enclosed outdoor play area located to the rear and side of the premises.

Staffing

There are 13 members of staff employed to work in this service including the service manager and 11 staff members employed to work directly with the children and 1 staff member described as auxiliary staff. On the day of the inspection the service manager and 9 staff members were present in the service. The auxiliary staff member was present for a short period of time. The person who was due to take up the role as service manager the following week was also present in the service to receive training from the current service manager. The company's general manager arrived at the service during the morning for a period of time and was present in the service for the inspection closing meeting. The registered provider does not work in the service on a daily basis and was not present on the day of 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 and health, welfare and development of child and safety. The inspection may also focus on other areas as required.

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 general manager, the 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

(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

(1)(a) The service manager was the designated person in charge of the service and there was a named person available to deputise as required.

(b) The service manager was present on the premises when the inspector arrived unannounced on the day of inspection and remained on the premises for the duration of the inspection.

The files for the current service manager, the new service manager, eleven core staff members and an auxiliary staff member were reviewed. The files for the registered provider and the company's general manager were found to meet the regulatory requirement on previous inspections and therefore are not included in this inspection report.

(2)(a) & (b) There were 22 written and validated references available for the 14 staff members whose files were reviewed.

(c) Garda vetting disclosures had been obtained for all 14 staff members. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) In respect of the 14 staff files reviewed, international police vetting certificates were available for 12 staff members who had lived outside the State as adults for more than 6 consecutive months.

(4) Documentary evidence was available to demonstrate that 9 staff members held a major award in childcare at Level 5-8 on the National Framework of Qualifications (NFQ) or a qualification deemed by the Department of Children, Equality, Disability, Integration and Youth (DCEDIY) to be equivalent.

Non-Compliance Information

(2)(a)&(b) Two written and validated references were not available for review on the day of inspection in relation to 5 staff members. The following was outstanding.

- Four staff members did not have an adequate second written and validated reference on file.
- One staff member had no written and validated references on file.

(3) Following a review of the staff files it was apparent that 1 staff member who works directly with the children had commenced working in the service in advance of international police vetting procedures having been completed.

(4) Four staff members who work directly with children in the service did not have documentary evidence to demonstrate that they held a major award in childcare at Level 5-8 on the National Framework of Qualifications (NFQ) or a qualification deemed by the Department of Children, Equality, Disability, Integration and Youth (DCEDIY) to be equivalent. One of these four staff members had documentation on file to suggest a third level qualification had been obtained, but it was not translated to English/Irish therefore it could not be determined that this qualification met the regulatory requirements.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider provided the following response to the non-compliance.

Corrective Action

(2)(a)&(b) Outstanding second references have been obtained and verified. The staff member with no references on file was an ancillary staff member. They have since left the company.

(3) A previous application was obtained by the staff member in 2022. We did not use this in the file as it had not been translated over in the correct format. We then had the staff member apply for it again to have the correct format on file. However, we have attached previous version for reference.

(4) One staff members qualification was on file but the document was noted as expired. A transcript of results has been obtained and submitted until the certificate is received. A second staff member's recognised qualification has been translated. Two staff members were in the service for training as they work in our afterschool service, and they are no longer in this centre. One of these staff members is a year 3 BA Education student who had attempted to obtain letter of eligibility for the summer. The other is unqualified and was not included or needed in ratio

Preventive Action

(2)(a) &(b) Ensure references are obtained prior to start date. The staff members in question had started 2 days prior to inspection and some paperwork was still outstanding. Going forward our HR department will ensure that all items are obtained prior to start date. If not start date will be postponed.

(3) All staff provide international police vetting at the time of job offer. The staff member had produced police clearance but as mentioned above was not fully readable. We will ensure any such errors in paperwork at picked up at induction to ensure the dates correlate.

(4) Ensure all staff have translated qualifications on file. We have an additional staff member assisting HR in translation of qualifications and references which will ensure this is done prior to start date. Regarding unqualified staff, this is not normal practice, and these staff were essentially additional for the most part however they did cover rooms and we will ensure this practice doesn't happen again.

Supporting documentation submitted

Documentary evidence of outstanding written references which have been verified

Copy of document to support response to Regulation 9 (3)

Documentary evidence of 2 outstanding qualifications.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The registered provider has stated that the 2 members of staff who did not hold a minimum childcare qualification are now working in the company's afterschool service. This has been accepted by the inspector. The non-compliances in relation to Regulation 9 have been adequately addressed.

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) On the day of inspection there were an adequate number of staff members working directly with the children attending the service.

(2) The adult to child ratios were correct in the service when the inspector arrived unannounced and remained so throughout the inspection. The following adult to child ratios were observed when the service was operating at capacity during the inspection:

- In the Wobbler/Toddler room there were 9 children aged between 1 year 5 months and 2 years 2 months being cared for by 4 staff members.

- In the Preschool 1 room there were 8 children aged between 2 years 5 months and 3 years 8 months being cared for by 3 staff members.
- In the Preschool 2 room there were 14 children aged between 3 years 3 month and 4 years 5 months being cared for by 2 staff members.

The service manager was available to cover staff breaks and support with the care of the children in the three care rooms when required.

(8)(a) The registered provider ensured that 2 adults were present on the premises at all times, verified by staff rosters and staff attendance records maintained at 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, and

Compliance Information

(1)(a) The following observations were made on how each child's learning, development and well-being was facilitated within the daily life of the service:

Basic needs:

- The staff members were observed engaging with the children positively and respectfully during the inspection. When speaking with the children, the staff used appropriate tones of voices. Staff were observed to join children in play and conversations, and in the Wobble/Toddler room the staff were observed signing often with the children.
- The staff team communicated well together and with management throughout the day to support smooth and consistent care provision to the children.
- The children's nappies were changed as required throughout the day and staff were noted to engage attentively with the children throughout the process. The children who were toilet trained were encouraged to use the toilet independently with support provided as needed.

- The children in the Wobbler/Toddler room were facilitated to sleep after lunch, with 6 standard cots available for children under 24 months and floor beds for children over 24 months. One child under 24 months slept on a cocoon bed as per Tusla sleep guidelines. Children from Preschool 1 who needed sleep were facilitated to do so in the Wobbler/Toddler room after lunch also. The staff member explained that when younger children join the room in September, they will be facilitated to sleep as dictated by their individual sleep needs.
- All children in the service spent time playing in the outdoor area during the inspection.

Supporting relationships around children:

- The service uses a mobile application to record children's daily routine including meals and sleep times along with activities and recent learning experiences. Parents have access to this app and receive regular updates about their child's experiences in the service.

Physical and material environment:

- The Wobbler/Toddler room was divided by a plastic fencing-style barrier into two separate spaces, so that younger children could be accommodated in a different area with soft floor matting. On the day, this space was used by all children as the play kitchen, books and cosy area was located here.
- Low level tables and chairs were available in each room to support the age and stage of development of the children. Highchairs were also provided and in use in the Wobbler/Toddler room.
- Rest areas were available in each of the care rooms.
- The play materials and equipment were stored on low level shelves which facilitated the children to select toys and activities of their choice.
- In the Preschool room 1 staff had supported the children to make props and materials in relation to recent topic of interest that the children were curious about.
- An enclosed outdoor play area covered in artificial grass was located to the rear and side of the service. Outdoor equipment included low-level slides, ride-on toys including cars and bikes, see-saw, footballs and outdoor tables.

Non-Compliance Information

Basic needs:

1. On the day of the inspection the children in the Wobbler/Toddler room spent a considerable amount of time seated at the low-level tables and in highchairs. At 10.05am all children were seated for snack, 5 children in highchairs and 4 at the table. As children finished their snack, they were encouraged to remain at the table. At 10.30am some children eventually moved from the tables to the other end of the room to play, while 4 children remained in the highchairs. One child said 'out' and others raised their arms to be lifted out. The children were eventually removed from the highchairs at 10.45am when the room leader instructed the staff to do so. The children were seated once again at 11.20am to take part in a painting activity. When the activity ended by 11.40am the children were encouraged to remain seated for lunch, which was not served until 12.15pm. Children were then placed in their cots or beds for sleep from 12.25pm onwards. While children sat waiting for lunch, staff were observed to engage with the children but did not provide them with an activity. Overall, the children spent a disproportionate amount of time from 10.00am to 12.30pm seated in comparison to time spent moving freely and playing.

Relationships around children:

2. The family wall in the Wobbler/Toddler room and Preschool 1 room were on display high up the wall out of children's direct eyeline limiting opportunities for interaction with family photographs alone or with peers.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider provided the following response to the non-compliance.

Corrective Actions

1. Highchairs have been removed from the class and children are encouraged and supported to sit at low level tables and chairs. On the day of inspection there were three new staff members in the Wobbler/Toddler room who had only started the week of the inspection. They had not had the opportunity to fully get to know the children and routine. There was an element of lack of experience in the classroom which resulted in practice that is not typical to the normal standards. Unfortunately, with staff turnover and the staffing crisis in the sector it is difficult to have long term staff in each room.

2. The family wall has been lowered to ensure the children have access and visibility at all times.

Preventative Actions

1. We have training in place for new staff especially those who come over from different countries. This is done by our staff liaison officer who translates and presents the training in Spanish when needed to ensure full understanding.

2. We will ensure all staff are informed and reminded of the importance of resources and for photos to be a the child's level.

Supporting documentation submitted

Copy of training document

Photographic evidence of Family Walls on display in more suitable locations.

Summary Comment

The actions and evidence have been reviewed and accepted by the inspector. The non-compliance in relation to Regulation 19 (1) has been adequately addressed.

Part V - Care of Child in Pre-school Service

Regulation 22 – Food and drink

A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.

Compliance Information

The service provides snacks and meals to the attending children. A seasonal and rotating 4-week menu was available in the service. Breakfast and snacks are prepared on-site. Lunch consists of pre-prepared meals that are provided by an external specialist catering company which are heated and served on-site. A selection of cereals, toast and milk is available to the children for breakfast.

On the day of the inspection the children had wheat grain crackers and raisins for a morning snack. At 12.00pm a hot meal of chicken curry and potato cubes was served. In the afternoon, the menu states that children would be served baked beans and toast. Fridges were available in each care room to store perishable foods, water or milk. Fresh drinking water was available and accessible to the children throughout the day.

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 internal and external doors were secured to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the service. The service had an intercom system in use to identify visitors to the main door and authorise their access.
- The staircase was adequately lit, in good condition and suitable handrails were provided.
- Cleaning agents were stored safely out of the reach of children.

Infection Control:

- Excluding the non-compliance below, the service, furniture and equipment were clean and in good condition. Cleaning schedules were on display in the care rooms.
- Thermostatically controlled running warm water, liquid soap and paper towels were provided at the wash hand basins in the sanitary accommodation of the service.
- Suitable disposable gloves and aprons were available and observed being used and disposed of by staff members after each individual nappy change. Pedal operated lidded nappy bins were provided for the disposal of nappies. This practice reduces the risk of cross-contamination
- Children's bed lined was stored individually in labelled boxes.

Administration of Medication:

- No children were observed having medication administered on the day of inspection.

Safe Sleep:

- A designated sleep room was available on the ground floor with 6 standard cots situated there. Additional foldable cots were available if needed. Cocoon beds were available for use of children under 24 months with a sleep plan in place. Children over 24 months had access to stackable floor beds.
- Staff carried out 10-minute physical sleep checks of sleeping children. Records of these sleep checks were maintained on the mobile application noting the child's position, colour and breathing pattern.

Fire Safety:

- The designated emergency exit doors were clearly identifiable and unobstructed.

Non-Compliance Information

General Safety:

1. Five children seated in the highchairs in the Wobbler/Toddler room during a painting activity were not secured in their seats with the safety straps. This increases the risk of an accident or fall.

Infection Control:

2. There were 6 standard cots in the sleep room, of which 3 were not spaced 50cm apart. These 3 cots were on the left side of the sleep room under the viewing window to the care room. The cot closest to the far wall (cot 1) and the cot next to it (cot 2) were spaced 27cm apart while cot 2 and the cot next to it (cot 3) were spaced 30cm apart. These cots were in use on the day of inspection. A space of 50cm apart is required to reduce the risk of cross contamination.

Corrective and Preventive Action submitted by the Registered Provider

The registered provider submitted the following response to the non-compliance.

General Safety:

Corrective Actions & Preventive Action

1. Highchairs have been removed as all children are able to sit at low level tables with appropriate chairs. In the event a highchair is needed, staff will be reminded and retrained on how to use these safely.

Infection Control:

Corrective Actions & Preventive Action

2. One cot has been removed as we no longer require it. Remind managers of the importance of infection control. This is part of our safe sleep policy and has been circulated again.

Supporting documentation submitted

Photographic evidence of cot room with 5 cots remaining.

Summary Comment

The actions and evidence have been reviewed by the inspector. The corrective and preventive actions have been accepted and implementation of stated actions will be reviewed at the next inspection. The non-compliance in relation to Regulation 23 has been adequately addressed.

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.

Non-Compliance Information

(1) Following a review of the staff files and the weekly staff roster it was identified that a person trained in FAR was not available to the children on the week of 12th August from 7.00am – 8.30am Monday, Tuesday, Wednesday and Friday and from 5.30pm – 6.30pm Monday to Friday.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider submitted the following response to the non-compliance.

Corrective Action & Preventive Action

Additional staff members have completed FAR training. The FAR certificate for the new centre manager which was not provided on day of inspection has been submitted. We will ensure rosters include a FAR trained person at all times. With 6 staff now available in the centre with FAR training this will not be an issue.

Supporting documentation submitted

FAR certificate for new centre manager. Confirmation from training provider of FAR training recently completed by 3 centre staff members and that certificates are due to be issued.

Summary Comment

The inspector has reviewed and accepted the actions and evidence submitted. The non-compliance in relation to Regulation 25(1) has been adequately addressed.

Part VI - Safety

Regulation 26 - Fire safety measures

(1) A registered provider shall ensure that a record in writing is kept of-

(a) any fire drill that takes place in the premises, and

(b) the number, type and maintenance record of fire fighting equipment and smoke alarms in the premises.

(4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.

Compliance Information

(1)(a) A record was maintained of fire drills which had been completed in the service. Based on the records maintained and as reported by staff members, fire drills were carried out monthly. The last recorded fire drill took place on 15/07/2024.

(b) A record was kept of the number, type and maintenance of the firefighting equipment and smoke alarms in the premises. Fire extinguishers were certified as having been serviced on 27/06/2024 and the smoke detection system on 10/06/2024.

(4) Notices of the procedures to be followed in the event of a fire were conspicuously displayed in the premises.

Part VI - Safety

Regulation 28 - Insurance

A registered provider shall ensure that the pre-school service is adequately insured.

Compliance Information

An insurance certificate was available to demonstrate the service was adequately insured. The service is currently insured to accommodate a maximum of 60 children attending on a full day care basis, with an expiry date 27/03/2025.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-

(d) cleaned, maintained and repaired, as required

Non-Compliance Information

(d) The cushions in use in the rest area in Preschool 2 room were not in a clean hygienic condition. Two cushion covers were stained, four cushions had no removable covers making the cushions difficult to clean/wash and 1 cushion had no cover leaving the cushion insert exposed.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider submitted the following response to the non-compliance.

Corrective Action & Preventive Action

Cushions have been removed and replaced.

We will ensure staff/management replenish resources if and when needed. All staff have been reminded of this.

Supporting documentation submitted

Photographic evidence of replaced cushions.

Summary Comment

The inspector has reviewed and accepted the actions and evidence submitted. The non-compliance in relation to Regulation 29(d) has been adequately addressed.