

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2020CC008			
Name of Service:	Classes Childcare			
Address of Service:	2 Maryville, Friars Walk, Co. Cork			
Eircode:	P12TX9D			
Name of Registered Provider:	Frances Cunningham			
Service type:	Full Day			
Date of Inspection:	29/06/2023			
No of pre-school children:	AM	18	PM	18
Address of the Early Years Inspectorate:	Early Years Inspectorate Administration Building St Mary's Health Campus Gurrabraher Cork T23X440			
Inspection undertaken by:	Ms. M O'Reilly			
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

Classes Childcare is a registered privately owned early years service in operation since 2020. This service is registered to cater for children from 0 to 6 years and at time of inspection the service was catering for children from 2 to 6 years. The opening hours are from 07:30 am to 6pm each day Monday to Friday.

The premise is a semi-detached house that has been converted into a childcare facility. The service is located in an urban setting within walking distance of Cork city. There are two playrooms: one playroom, adult and children's toilet and nappy changing facilities, are located on the ground floor and the second playroom is located on the first floor with one children's toilet facility located beside the playroom. There is also a fully fitted kitchen, storeroom, and administration office on the ground floor. The children have access to a designated secure outdoor play area located to the rear side of the facility.

Staffing

There was a total of three adults assigned to this service. The registered provider is not serviced based. The three other adults present on day of inspection were from the sister services. One was the relief person in charge from a sister company as the person in charge of this service was on leave. The second adult from the sister company came to relieve staff for their breaks and the third adult was a chef who cooked the hot meal in the sister service and transported the food to this service each day. All adults working directly with the children hold a major award in Early Childhood Care and Education or an equivalent qualification 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/ health, welfare and development of child/ safety/ premises and facilities. The inspections 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 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)
- (3) The registered provider had not informed the Agency in writing that the service was operating outside of the service current registration status. On inspection, it was found.
- that the registered named person in charge of the service was incorrect.
 - the hours that the service was registered to operate each day was incorrect. The service was registered to operate from 07:30 hours to 18:00 hours each day Monday to Friday.

Corrective & Preventive Action submitted by the Registered Provider

In the written response the registered provider has stated the following:

Corrective and Preventive Action

- (1)
- (3) The early years registration office has been informed of the new named person in charge of the service and the change in the hours-of-service operation. Going forward management will inform the registration office immediately of any changes to the current registration status of the service.

Supporting documentation submitted

Correspondence received from the Early Years Registration Office acknowledging the change in the new named person in charge of the service and in the changes in the hours of operation was forwarded to the early years inspector.

Summary Comment

Correspondence forwarded to the Early Years Inspectorate was examined and deemed to meet the requirements of Regulation 8 (1) (3) of the Child Care Act 1991 (Early Years Services) Regulations 2016.

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 named person in charge and a deputy.
 - (b) The named person in charge was on leave on day of inspection but a relief person in charge from a sister service was on duty in the service when the Inspectorate arrived at the service. The deputy was also on duty and a the relief person in charge and the deputy remained on site for the duration of the inspection.

(2)

The person in charge confirmed that six new adults that is three core staff and a relief person in charge, a cook and relief childcare worker from one of the sister services relieves staff for breaks had begun working at the service since the previous inspection undertaken on the 01/03/21 therefore recruitment records in relation to these adults were reviewed.

(a) There were nine references with a corresponding written validation on file from past employers in respect of the six adults.

(b) There were three references with a corresponding written validation on file from a source other than a previous employer.

(c) A completed Garda vetting disclosure was received for each of the six adults.

(d) Four police vetting records were available for the four adults that had worked outside the jurisdiction for a period of longer than six consecutive months.

(4)

Five of the six adults that worked directly with the children held at least a major Award in Early Childhood Care and Education or an equivalent qualification as per the National Qualifications Framework.

The sixth adult is the chef for the service and is not required to have a childcare qualification.

Non-Compliance Information

(2)

(d) One of the police vetting records did not have an english translation from a verified translation company on file.

Corrective & Preventive Action submitted by the Registered Provider

In the written response the registered provider has stated the following:

Corrective and Preventive Action

The police clearance has been translated. We will ensure going forward that all staff have the police vetting record translated into English.

Supporting documentation submitted

A copy of the police clearance record translated into English was forwarded to the early years inspector and deemed satisfactory.

Summary Comment

Correspondence forwarded to the Early Years Inspectorate was examined and deemed to meet the requirements of Regulation 9 (2)(d) of the Child Care Act 1991 (Early Years Services) Regulations 2016.

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) The person in charge ensured that there were an adequate number of adults working directly with the children.

(2) During the period of inspection, the ratio of staff to children was maintained as per the regulations and an adequate number of adults were working directly with the children in each care room.

Playroom located on the ground floor.

There were 10 children in attendance in the morning and in the evening: Five children were aged between two and three years and five children were aged over three years with two adults in attendance.

Playroom located on the first floor

There were eight children in attendance in the morning and in the afternoon. The children were aged over three years with one adult in attendance.

(8) (a)

There were at least 2 adults on the premises at all times

Part IV – Information and Records

Regulation 15 – Record of pre-school child

(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:

- (a) the name and date of birth of the child;*
- (b) the date on which the child first attended the service;*
- (c) the date on which the child ceased to attend the service;*
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
- (e) authorisation for the collection of the child;*
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
- (g) the name and telephone number of the child's registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.*

Compliance Information

(1) A sample of 20 children's registration forms on file were reviewed and found to contain all of the elements of information as required by Regulation 15 (a) to (i) inclusive.

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:

(h) details of attendance by each preschool child on a daily basis

(i) details of staff rosters on a daily basis.

Compliance Information

(1)(h) There was a record on file that indicated the attendance of each child in the service on a daily basis.

Non-Compliance Information

(1)

(i) The information recorded on the weekly staff roster was considered insufficient as it only recorded the time that staff commenced in the service each day. The weekly staff roster did not indicate the following.

- the name of the staff rostered in each room,
- the time staff went on breaks and the named person who relieved the staff in each room while on their break.
- The time staff finished each day.

Corrective & Preventive Action submitted by the Registered Provider

(1)

(i) In the written response the registered provider has stated the following:

Corrective and Preventive Action

The service now has a recorded weekly roster in place for all staff. This is emailed to staff on a weekly basis with the hours the staff commence and finish each day. The service now has a recorded lunch roster in place with the name of relief staff member recorded.

Supporting documentation submitted

Photographic evidence of the weekly staff roster was forwarded to the early years inspector and deemed satisfactory.

Summary Comment

Correspondence forwarded to the Early Years Inspectorate was examined and deemed to meet the requirements of Regulation 16 (1)(i) of the Child Care Act 1991 (Early Years Services) Regulations 2016.

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

BASIC NEEDS:

- Children's behaviour was managed in a competent and positive way and the adults were observed to support the children and handle any minor behavioural issues promptly. The adults supported children to be sociable and respectful towards each other and spoke and listened to them in a calm and sensitive manner.
- The adults were observed interacting and assisting the children in play and encouraging them to interact with each other.
- Updates and information were furnished to parents and guardians at drop off and collection times and via the services electronic system.
- A mixture of adult led play and child directed play was facilitated through planning and having a variety of play and natural materials available to the children. Lots of positive interactive communication was observed between children and adults while playing indoors and outdoors.
- Childrens toileting and hygiene needs were sensitively attended to. Self-toileting by the older children was encouraged. Children in nappies were attended to regularly. Hand washing by the children was supported and encouraged prior to eating, after toileting and after outdoor play.

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

- All food and snacks consumed on the premise is provided by the service. The chef prepared and cooked the food in the sister service catering kitchen and the food was transported by the chef to this service. The food was served to the children by the adults in the service They were served adequate portions of chicken curry with rice and water to drink at the dinner meal. The children were served fruit and a drink for the mid-morning snack.
- It was observed that children were provided with appropriate cutlery and crockery at snack and mealtimes.
- The children attending the service had access to their drinking water bottles.

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:

- Access to the main entrance door was adequately secured that prevented unauthorised access by an unauthorised person or exit by a child.
- The play materials, resources and equipment were in a satisfactory condition.

Infection Control:

- Playrooms and communal areas were adequately ventilated by both natural and mechanical forms of ventilation.
- The children had access to sufficient toilets, wash hand basins and nappy changing facilities.

- The adults had their own designated toilets and wash hand basins.
- A supply of liquid soap and paper towels were available throughout the service.
- A supply of cleaning agents and equipment was available in each room of the service.
- Personal waste including used tissues and all cleaning waste was appropriately disposed of in foot operated pedal bins in the service.
- Hand washing occurred regularly and at required times by both the staff and children in the service.

Safe Sleep:

- The children rest needs were met during a planned sleeping period when suitable sleep equipment were set up in both playrooms. There were a sufficient number of suitable sleep equipment available with designated suitable bed linen for each child over 2 years who wanted a sleep while attending the service.

Non-Compliance Information

General Safety:

1. In the outdoor play area, it was observed that children were not supervised at all times when climbing the tree. The ground surface under and around the tree was uneven and the embedded earth was hard that had the potential risk of causing injury to a child if a child had a fall in this area.

Infection Control:

2. On the Inspectorate arrival to the service there was no thermostatically controlled hot water in the wash hand basins in the toilets, nappy changing rooms and playrooms. This was brought to the attention of the person in charge who then put on the control switch and on a second check there was a supply of thermostatically controlled hot water in all of the wash hand basins in the toilets, nappy changing room and playrooms. This issue was corrected at time of inspection

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. On a Fit for Purpose inspection dated the 21/08/23 the inspectorate observed that a barrier had been put around the lower section of the tree located in the outdoor play area.
Management and staff will do weekly safety risk assessment checks to ensure the tree and area around it is in good condition and safe for children to play. Children will be supervised at all times when playing outdoors.

Infection Control:

2. Corrected at time of inspection The water was not turned on and the person in charge going forward is responsible for switching on the hot water control switch each day. Management will ensure water is thermostatically controlled by checking the temperature of the water each morning and recording it.

Supporting documentation submitted

General Safety

1. Inspectorate observed at time of Fit for Purpose Inspection dated 21/08/23 that a barrier had been placed around the lower section of the tree in the outdoor play area.
Photographic evidence of the outdoor area daily safety risk assessment was forwarded to the early years inspector and deemed satisfactory.

Infection Control:

2. Corrected at time of inspection.

Summary Comment

- Correspondence forwarded to the Early Years Inspectorate was examined and deemed to meet the requirements of Regulation 23 General Safety and Infection Control of the Child Care Act 1991 (Early Years Services) Regulations 2016.

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) One adult had certified up to date First Aid Responder certificate (FAR)

(2)

(a) First aid boxes were safely stored out of children's reach.

(b) The fully equipped first aid boxes were available at all times to adults if in the event that a child may require treatment.

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 of monthly fire drills carried out was available and indicated that the last fire drill took place on the 19/06/23
 - (b) Records regarding the number, service and type of fire equipment were maintained on file. The fire equipment was last serviced on the 04/04/2023 and the smoke alarm certificate was last serviced and tested on the 03/01/2023.
- (4)
- The fire evacuation procedure for the service which contained details in relation to the procedure to be followed in the event of a fire was displayed in the service.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

- The services' insurance certificate was available on the premises and demonstrated that the service was adequately insured. The information provided on the insurance certificate included details of the number of children covered which was 25, the start date, which was 28 March 2023, the end date, which was 27 March 2024 and the name and address of the premises. The insurance cover also referred to details regarding, contents, public liability and fire and theft cover.