

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2020DR003
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Name of Service:	Chatterbox Childcare
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Address of Service:	Dwarf Oaks Shopping Centre, Church Road, Ballybrack Village, Glenageary, Co. Dublin
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Eircode:	A96 PC62
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Name of Registered Provider:	Kerrylee Hempenstall
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Service type:	Full Day
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Date(s) of Inspection:	11/06/2024
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No of pre-school children:	AM	74	PM	63
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Address of the Early Years Inspectorate:	Floor 7, Brunel Building, Heuston South Quarter, Kilmainham, Dublin 8
Inspection undertaken by:	F Carty and S Quigley
Title:	Early Years Inspectors

Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

Conditions if applicable	Not applicable
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Description of service

Chatterbox Childcare is a privately owned full day care service which is one of four services operated by the registered provider. It is located in an urban setting in Ballybrack, Co. Dublin. A service is provided to children aged between 3 months and 5.5 years. The service is open from Monday to Friday between 07:30 and 18:00 hours including a sessional service from 9:15am and 12:15pm for 38 weeks of the year. The premises is located within a former retail premises with five care rooms, namely the Little Joey's, Wombats, Koala's, Kookaburra and Kangaroo rooms, a cot room and a kitchen. An outdoor play area is located to the rear of the building.

Staffing

There were nineteen adults present on the day of inspection and of these seventeen were working directly with the children, the centre manager was available to assist in the care rooms when required and there was also a cook present.

The registered provider does not work in the service and was not present for the 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, health, welfare and development of child and safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11, 19, 23, 25 and 26; however, on inspection additional non-compliance which posed a risk was identified under Regulation 30. These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under Regulation 19 (1)(a) Health, Welfare and Development of the Child. As a result, the scope of the inspection included the Little Joeys, Wombats and Koala rooms.

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 person in charge, staff and children who were present on the day of the inspection.

Part III – Management and Staff

Regulation 9 – Management and recruitment

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

(a) consideration of references from the person’s past employers, if any, and in particular the most recent employer, if any,

(b) consideration of references from reputable sources in the case of a person who has no past employers,

(c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and

(d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.

(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

(2)

Following a discussion with the manager it was confirmed that four adults commenced working in the service since the last inspection on 9th November 2023. Documentation was reviewed in respect of these adults and met regulatory requirements as follows:

(a)(b) There were seven references from a past employer available for the four adults.

(c) Garda vetting disclosures were available for all adults. The service did not demonstrate compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years for one adult. This non-compliance will be documented under Regulation 23.

(4) Two adults had held at least a major award in Early childhood Care and Education at Level 6 on the National Qualifications Framework or a qualification deemed equivalent.

Non-Compliance Information

- (2)(a)(b) One reference was not accepted as it was not from a past employer or reputable source.
- (d) International Police vetting was required for two adults who had lived outside the state for a period of six months and was not available for review on the day of inspection.
- (3) The procedures specified in paragraph (2) of regulation 9 were not completed prior to three of the staff members commencing work in the service as detailed above and one staff members references had not been verified prior to them commencing work in the service.
- (4) A qualification for two adults was not accepted as they did not hold 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.

The corrective and preventive actions submitted by the registered provider following the last inspection of the service on the 9th November 2023 did not prevent the re-occurrence of the non-compliances identified under Regulation 9(2)(a)(b) and (4).

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

2 (a)(b)

We have since obtained a reference from a reputable source. We have a new HR person that will ensure this does not reoccur and that all references are sourced from past employers or reputable sources.

(d)

We had requested the Police Clearance from the two staff members who had spent more than 6 months outside of Ireland. We chased these up and both staff members supplied them. We have a new HR person that will ensure this does not reoccur and that all Garda Vetting including those from outside of Ireland are obtained on file before a new member of staff begins on site.

(3)

No corrective or preventive actions submitted.

(4)

The newly qualified staff member had a letter from her college, but the wording was incorrect. We have since obtained a letter to specify that she had in fact passed her exams and qualified to work.

The second staff member was from another site observing for one of our new services. She was not part of the ratio's. She has since been moved.

Supporting documentation submitted

2 (a)(b) Photo of qualification

(d) Photo of required Police vetting.

(3) No supporting documents.

(4) Letter from college.

Summary Comment

The corrective and preventive actions together with the supporting documentation were reviewed by the inspector are deemed to meet the requirements of 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.

Non-Compliance Information

(1) An adequate number of adults were working directly with the pre-school children attending the service whilst the inspectors were present, however, upon review of the attendance records from that morning at the following times there was an insufficient number of adults working with the children as follows:

- Following a review of the attendance records on the day of inspection between 7.30am and 8.00am there were sixteen children in the Wombat room with two staff. There were five children aged one, six children aged two and five children over three years.
- Between 8.00am and 8.25am a further nineteen children entered the Wombat room with one extra staff member. There was one child aged one, six aged two years and twelve over three years.
- The total amount of children in the Wombat room at 8.25am was thirty six with three staff members. Six aged one year, twelve aged two years and seventeen over the age of three years.

The table below demonstrates the required adult to child ratios:

Age Range:	No. of Adults required:
1 – 2 years	1 adult to 5 children
2 – 3 years	1 adult to 6 children
3 years +	1 adult to 8 children

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1) Our breakfast room has since been split into two and two additional staff have been assigned to cater for the arrival of higher numbers in the morning. New rosters have been issued.

Supporting documentation submitted

Roster submitted.

Summary Comment

The corrective and preventive actions together with the supporting documentation were reviewed by the inspector and are deemed to meet the requirements of Regulation 11.

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

All meals were provided by the service to the children with the exception of children who attended a sessional only service where their snack was provided by their parents. The service had a healthy eating policy in place. Children were encouraged to feed themselves and staff supported younger children who needed assistance with their dinner.

Appropriate and suitable care practices were observed, staff were observed to be attentive to the personal care of the children. The children's nappies were changed routinely and if needed in between. Staff used these opportunities for warm interactions with the children. Staff sat with the children when eating. They provided them with assistance when needed whilst supporting their independence. Bibs were provided when eating to protect their clothes from becoming soiled or wet. Children's noses, hands and faces were cleaned when they became soiled. Older children were supported to be independent including using the toilet and tidying up after themselves. Care plans were available for some children as required and staff were familiar with them. Drinking water was provided with meals and freely available throughout the day.

All care room were in the service were laid out with child-sized tables and chairs. Developmentally appropriate equipment and materials were accessible to the children from open low-level shelving in these rooms. Suitable cosy areas furnished with soft matting and cushions were available to allow children take a break from activities as required.

The outdoor area was divided into two areas, one area for younger children and another for older children to play. There were a number of toys and activities available to the children that encouraged gross motor development including slides, climbing frames and ride on and push toys.

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 registered provider ensured the safety of the children as follows:

- Entry to the service was safely secure to prevent unauthorised access and children from leaving the area unsupervised.
- Cleaning agents and medication were stored safely out of reach of children.
- All toys and play equipment used by the children appeared to be in good condition

Infection Control:

- A box was available to remove mouthed toys.
- Children's hands were washed at required times including before eating and after using the toilet.
- Staff were observed to follow all the required infection control steps when completing nappy changing.
- A system was in place for sterilising soothers. After use they were stored in individual labelled containers.
- Liquid soap, warm water and paper towels were available to facilitate hand washing.
- Individual bed linen was provided for children. Staff stated that bed linen is laundered once per week.

Administration of Medication:

There was written evidence of prior parental consent for the administration of both temperature reducing and prescribed medications. Staff adequately detailed the procedures for administering medication when required during discussions with the inspectors.

Safe Sleep:

Staff were familiar with safe sleep guidance. Sleep logs were maintained in the dedicated sleep room and the younger care rooms, and individual children's observations recorded every ten minutes. Standard cots and low-level beds were available for sleep and were used in accordance with children's ages and developmental needs. The temperature of the rooms where children slept were maintained at the required temperature ranges.

Fire Safety:

All fire exits were kept clear from obstruction.

Non-Compliance Information

Infection Control:

1. The afternoon snack of bread and cheese was placed directly onto the table with no plate given to children. This poses a risk of cross contamination.
 2. There were open bins located in the outdoor area which contained used tissues. This posed a risk of cross contamination when disposing of waste. A pedal operated bin is required for infection control purposes.
- The above non-compliance was found on the last inspection dated 9th November 2023. The corrective and preventive actions submitted by the registered provider did not prevent the non-compliance from being repeated.

Administration of Medication:

3. Although there were procedures in place to safely administer and document medication if required, including in the case of an emergency, and the service had appropriate documentation available to record such administration, a number of documents reviewed highlighted that there were no witness signatures. This can affect the continuity of care a child receives.

This was found non-compliant on the previous two inspections dated 9th November 2023 and 10th October 2022. The corrective and preventive actions submitted by the registered provider did not address the non-compliance from being repeated.

Fire Safety:

4. Fire drills were not carried out regularly. Evidence of fire drills showed that they were carried out bi-monthly the last fire drill recorded on the 26th April 2024 and the previous one dated 27th February 2024. This is at variance with the policy in place in the service. Failure to carry out regular fire drills can hamper the safe evacuation of children in the event of an emergency.

Action submitted by the Registered Provider

Corrective & Preventive Action

Infection Control:

1. Staff have been told to provide a plate for all snacks rather than handing it directly to the children. All staff have been reminded of the Infection Control Policy and the importance of providing plates even for small snacks.
2. A pedal bin has been put into the outdoor area.

Administration of Medication:

3. Medicine books have all now been placed in the managers office so that they are signed off by the manager when medicine is been given to children. A discussion with all staff was had regarding the importance of completing forms in full.

Fire Safety:

4. The manager has booked a reminder into her computer calendar as a reminder for the monthly fire drills. A reminder has been put into the computer calendar so that these are not missed.

Supporting documentation submitted

Infection Control:

1. No evidence submitted.
2. A photo of a pedal bin.

Administration of Medication:

3. Staff prompt on online application submitted.

Fire Safety:

4. Monthly reminder on managers computer submitted.

Summary Comment

The corrective and preventive actions together with the supporting documentation were reviewed by the inspector are deemed to meet the requirements of Regulation 23.

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)

A person trained in First Aid Responder is available to the children at all times.

(2)

(a)(b) A first aid box was available and stored in a conspicuous position within the service.

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.

Compliance Information

(1)

(a) A record in writing of fire drills was available for inspection. The last fire drill took place on the 24th April 2024.

(b) A record of the servicing of the smoke alarms was available the last service took place on the 4th December 2023. The fire fighting equipment was last serviced during May 2023.

Part VII - Premises and Space Requirements

Regulation 30 - Minimum space requirements

(1) Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.

(2) A registered provider of a full day care service or a part-time day care service shall ensure that the minimum amount of clear floor space specified in column (3) of Schedule 7 opposite a particular reference number specified in column (1) of that Schedule in respect of the age range of children specified in column (2) thereof at that reference number is available for each child in that age range attending the service.

Non-Compliance Information

(1)(2)

Between the hours of 7.30am and 8.30am there was inadequate clear floor space in the Wombats room for the amount of children attending as follows:

- Between 7.30am and 8.00am there were sixteen children in the Wombat room. There were five children aged one, six children aged two and 5 children over three years.
- Between 8.00am and 8.25am a further nineteen children entered the Wombat room with one extra staff member. There was one aged one, six aged two years and twelve over three years.
- The total amount of children in the Wombat room at 8.25am was thirty six with three staff members. Six aged one year, twelve aged two years and seventeen over the age of three years.

Age Range of Children	Required floor space per child
1 – 2 years	2.8 sqm per child
2 – 3 years	2.35 sqm per child
3 – 6 years	2.3 sqm per child

- In total at 8.00am the required floor space was 39.60 sqm and the available floor space was 33.71sqm.
- At 8.30am when all thirty six children were present in the room the available floor space was 33.71 sqm and the required clear floor space was 84.1 sqm.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

We now open two breakfast rooms and two additional staff have been assigned to cater for the arrival of higher numbers in the morning.

Additional staff have been assigned to the morning shift to cater for increased numbers early. There is now enough staff to open multiple rooms to cater and remain on ratio.

Supporting documentation submitted

No supporting documentation submitted.

Summary Comment

The corrective and preventive actions submitted to the inspector will address the noncompliance under Regulation 30.