

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2020DS001				
<b>Name of Service:</b>	Lily Pads Crèche & Montessori				
<b>Address of Service:</b>	14 Main Street, Rathfarnham Village, Dublin 14, Co. Dublin				
<b>Eircode:</b>	D14 Y5N7				
<b>Name of Registered Provider:</b>	Sharon Browne				
<b>Service type:</b>	Full Day				
<b>Date of Inspection:</b>	24/07/2024				
<b>No of pre-school children:</b>	<table border="1"> <tr> <td>AM</td> <td>17</td> <td>PM</td> <td>17</td> </tr> </table>	AM	17	PM	17
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<b>Address of the Early Years Inspectorate:</b>	<p>Early Years Inspectorate 2<sup>nd</sup> Floor, Unit 4/5 The Nexus Building Blanchardstown Corporate Park Ballycoolin Dublin 15   D15 CF9K</p>
<b>Inspection undertaken by:</b>	T. Nelson
<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).

Conditions if applicable

Not applicable.

### Description of service

Lily Pads Creche and Montessori is a privately owned service located in Dublin 14, registered to provide full day care to a maximum of 19 children aged 3 to 6 years. The service is registered to operate from 7.30am to 6.00pm and is one of two service operated by the registered provider. A second service operated by the registered provider is located in the premises next door.

The service operates from the ground floor of a commercial building and comprises of two interconnecting care rooms. There is sanitary accommodation for staff and children and an outdoor play area to the rear of the premises.

### Staffing

The service employs four staff to work directly with the children, and the registered provider manages the oversight of service. There were four staff working directly with the children on the day of the service, two of whom work in the other service operated by the registered provider and were providing cover on the day. The operations manager and the registered provider facilitated 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/ safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under:

- Regulation 9(1),(2)(a)(b)(c)(d),(3) (4) Management and Recruitment
- Regulation 11(1),(2), Staffing Levels
- Regulation 19(1)(b) Health, Welfare and Development of child
- Regulation 21 Equipment and Materials
- Regulation 22 Food and Drink
- Regulation 23 Safeguarding the Health, Safety and Welfare of the Child
- Regulation 25 First Aid

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 registered provider, 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.

(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 had a designated person in charge and named person to deputise as required.
- (b) The person in charge was present during the inspection.
- (c) There was a clear management structure in place, and staff reported being aware of this.

(2) Seven files were reviewed, including the four staff members, the operation manager and the two staff providing cover. The following checks had been completed:

(a)(b) Twelve validated written references were available from recent past employers or a source other than a past employer for six of the seven full files reviewed.

(c) Garda vetting disclosures had been obtained for the seven staff. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years for one staff member. Please refer to the information outlined under Regulation 23 of this report.

(d) Documentary evidence showed that five adults had lived outside of the state for six months or more as adults and international police vetting from that state was available for inspection.

(3) Documentary evidence available showed that all of the checks outlined in (2) had been carried out prior to any of the adults having contact with the children in the service.

(4) The seven staff who worked directly with children attending the service held at least a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications or a qualification deemed eligible by the Department of Children, Equality, Disability, Integration and Youth Affairs.

### Non-Compliance Information

(2)(a)(b) There were no validated written references available from either a recent employer or reputable source for one staff member.

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

#### Corrective Action

References were obtained and shared with the inspector.

#### Preventive Action

A checklist was created to ensure this is not repeated in the future.

#### Supporting documentation submitted

Evidence of validated references.

Updated manager checklist

### Summary Comment

The inspector has reviewed the actions taken and evidence submitted. The non-compliance identified under Regulation 9(2)(a)(b) has 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.*

#### Compliance Information

(1) (2) On the day of inspection there were an adequate number of adults working directly with the children attending the service to meet their basic care needs. There were four staff available to the 17 children who were aged between 3 to 5 years old.

### 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-*

*(b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.*

#### Compliance Information

(1)(b) Appropriate and suitable care practices were observed, as evidenced by the following:

- Practices such as mealtimes and toileting were observed to be timely, respectful and pleasant experiences for the children. Documentary evidence showed meals provided were regular and varied, with a four-week menu plan available.
- The staff interacted with the children in a respectful, warm and sensitive manner. Appropriate verbal and nonverbal communication such as low tones, clear instruction, eye level contact, touch and other strategies were observed. These strategies can facilitate emotional and social development in young children.

- The experiences and activities provided to the children in the rooms were suitable to the age and stage of development of the children. For example, the children were invited to participate in a mark making activity and a child who chose not to do so was provided with an alternative activity of their choice.
- Daily routines were available and displayed down low and visible to the children and this was reflected in practice. Routine provides for predictability and comfort.
- Transitions were observed to be smooth and seamless, with appropriate signalling indicating the transition.
- Engagement with families and parents was facilitated through conversation at drop off and collection, and through sharing information on a closed online application. This can promote a sense of belonging and identity for young children.

### Part V - Care of Child in Pre-school Service

#### Regulation 21 – Equipment and materials

*A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.*

#### Compliance Information

The service ensured there was adequate and suitable furniture and equipment available, for example:

- The furniture and equipment in the rooms was observed to be adequate for the number of children in the rooms, it was appropriate for the age range and stage of development of the children in the rooms, and was well maintained, durable and easy to clean.
- The toys and equipment were laid out on low level shelving, visible to the children, and were grouped in themed areas of interest such as home, mark making, construction and library areas. Themed areas of interest facilitate children to have a more focused engagement in their play experiences.
- There was an area available where children could take a break and engage in a restful activity. The book display close by was arranged in a pleasing manner with books displayed to prompt children to engage in a reading activity.
- Images of the children and their families were displayed throughout the rooms, and children had labelled coats hooks for their belongings. Daily routines were displayed and labelling with imagery and text was used effectively to signal where things belong. This can support a sense of comfort in knowing where things go and what will happen next.

### 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 ensured there was adequate and suitable food and drinks available. For example:

- The service followed a four-week menu plan, and the documentary evidence available showed there was a varied selection of food available, with alternative options for children with additional or alternative diets.
- Food offered throughout the day included breakfast on arrival, a hot meal at 11.30am, snack at 2.00pm and a tea at 4.00pm. The hot meal is provided by an external catering company, and the snack and tea were provided by parents.
- Drinking water was freely available in the care rooms throughout the day, and milk was offered at mealtimes.
- The food served and the mealtime practice was in line with the service policy on Healthy Eating.

### 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

The following measures were observed to safeguard children:

##### General Safety:

- Entry was managed and monitored by staff to restrict entry of unauthorised persons. The door lock was up high out of reach of children, and there was a stair gate in place as an additional measure to prevent children from exiting the service unsupervised.
- Radiators were up high out of reach of children.
- All cleaning agents and sharp equipment were stored out of reach of the children in locked presses or on high shelves.
- Electric cords and cables were either secured or out of reach of children.
- Risk assessments were available and up to date for the rooms and the outdoor play area

### Infection Control:

- The premises were in a clean and hygienic condition and documented up to date cleaning records were available and displayed in the premises.
- Thermostatically controlled warm water, liquid soap and single use hand towels were available at all wash hand basins used by the children and the staff members. Staff were observed to remind children to handwash after using the toilet and before meals.
- Children's lunches were appropriately refrigerated.

### Fire Safety:

- Fire exits were unobstructed, and fire safety procedures were clearly displayed.
- There was documentary evidence displayed of recent and regular fire drills.

### Non-Compliance Information

#### General Safety:

1. Garda vetting was available for all seven staff members. However, a vetting disclosure was not dated within the previous three years for one staff member in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

#### Fire Safety:

2. The details of the attendance of the children were not accurately recorded in the attendance book. Only 16 children were recorded as present, when 17 were in attendance. Contemporaneous accurate attendance logs must be maintained to support the safe evacuation of children in an emergency.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

##### General Safety:

1. **Corrective action:** updated Garda Vetting was obtained.  
**Preventive action:** this action was added to new checklist that the assistant manager reviews the staff files every 6-months.

##### Fire Safety:

2. **Corrective action:** the child was added to the attendance booked immediately.  
**Preventive action:** this action was added to new checklist that the assistant manager reviews on daily basis.

## Supporting documentation submitted

### General Safety:

1. Evidence of Garda Vetting.  
Updated manager checklist.

### Fire Safety:

2. Updated attendance record.  
Updated manager checklist

## Summary Comment

The inspector has reviewed the actions taken and evidence submitted. The non-compliances identified under Regulation 23 have 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.*

- (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) and (b) A suitably equipped first aid box was available and safely stored in an easily accessible and conspicuous position on the premises.

### Non-Compliance Information

(1) The registered provider did not ensure that a person trained to First Aid Responder level was available to the children attending the service at all times during the operational hours of the service.

It is acknowledged that a staff member trained in paediatric first aid was present at all times and that the operational manager is trained to First Aid Responder level, however she was not present in the service at all times.

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

#### Corrective Action

A First Aid Responder course has been arranged.

## **Preventive Action**

An action was added to new checklist that the assistant manager must ensure First Aid Responder qualifications are held by at least one staff member in the Montessori.

## **Supporting documentation submitted**

Evidence of contact with training organisation.

Updated manager checklist.

## **Summary Comment**

The inspector has reviewed the actions taken and evidence submitted. The non-compliance identified under Regulation 25 remains outstanding until the relevant training had been completed. This will be reviewed on the next inspection.