

Early Years Inspectorate Regulatory Report

Pre School

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| TUSLA Identifier: | TU2020LH002 |
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| Name of Service: | Miniminds Preschool |
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| Address of Service: | Park Hall, Coulter Place, Dundalk, Co. Louth |
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| Eircode: | A91 K6RR |
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| Name of Registered Provider: | Niamh Hoey |
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| Service type: | Full Day, Part Time, Sessional |
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| Date(s) of Inspection: | 03/10/2023 |
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| No of pre-school children: | AM | 34 | PM | 19 |
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| Address of the Early Years Inspectorate: | Child Wellbeing Centre, Castleblayney, Co. Monaghan |
| Inspection undertaken by: | M. Flood & S. Skinnader |
| 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).

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| Conditions if applicable | Not Applicable |
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Description of service

Miniminds Preschool has been registered as an Early Years' service since September 2020. The service provides sessional, part-time, and full day care and education to pre-school children and operates from 08:00-5:30 each weekday. The service currently caters for the care needs of a maximum of 68 pre-school children.

Miniminds Preschool is located in a residential area of Dundalk, Co. Louth. It is a purpose-built premises which consists of 5 operational playrooms; The Red Room and Green Room which are located on the ground floor and The Orange, Yellow and Blue Rooms that are located on the first floor. Ancillary accommodation consists of sanitary facilities, a kitchen area, storage areas and a staff and office area all located on the ground floor. Additional office and storage areas plus a 2nd sanitary area are also located on the first floor. The children have access to a developed outdoor play area on the premises.

Staffing

The registered provider and 14 childcare staff work directly with the pre-school children on a daily basis. Three ancillary staff are employed to carry out cleaning, catering, and administrative duties. One additional adult attends the service on a voluntary basis.

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, 20, 23, 25 and 26; however, on inspection additional non-compliance which posed significant risk was identified under Regulation 29. These findings are outlined within the relevant regulations within this report.

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

Part III – Management and Staff

Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

- (a) the service has a designated person in charge and a named person who is able to deputise as required,
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.

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

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,
- (b) consideration of references from reputable sources in the case of a person who has no past employers,
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and
- (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.

(4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

Compliance Information

(1)(a) & (b) The service had a designated person in charge who is also the registered provider and a named deputy person to deputise as required. The deputy person was on the premises when the inspectors arrived unannounced to the service. The registered provider arrived on the premises after 12:30 and both were present for the remainder of the inspection.

(2) There were 19 staff files presented for inspection and the following were reviewed:

(a) & (b)

- There were 2 written and validated references from a past employer or an alternative source available for 7 members of staff.
- There were 2 written references available for 5 staff members.

- One staff member had 1 written reference.
- One staff member had 1 written and validated reference available.

(c) Documentary evidence of a processed Garda vetting disclosure was available for each of the 19 staff members in the service including the registered provider, ancillary staff and one adult who attends the service as a volunteer

(d) Following a review of the staff files presented on the day of inspection, international police vetting was available for 1 staff member who had resided outside the jurisdiction for a period of greater than 6 months as an adult.

(4) Documentary evidence was available to demonstrate that 14 members of staff, who work directly with the pre-school children held at least the minimum required level 5 Childcare Qualification.

One adult who was not present on the day of the inspection, is reported to attend the service on a regular basis as a volunteer. This staff member does not work directly with the children and therefore does not require a childcare qualification at this time.

Non-Compliance Information

(2)(a)&(b)

The registered provider did not ensure that appropriate vetting procedures had been completed for all staff. The following documents were not available and were not in place prior to the staff members commencing in the service;

- Five staff members were present in the service and the registered provider had not obtained the required 2 written and validated references for each person.
- Eleven references were available for 6 staff members however there was no evidence to indicate that these had been validated by the registered provider.
- The registered provider did not ensure that 2 staff members had a second validated reference.

(d) Following a review of the staff files presented on the day of inspection, international police vetting was not available for 1 staff member who has resided outside the jurisdiction for a period of greater than six months as an adult.

(4) Documentary evidence was not available to demonstrate that one member of staff, who was observed working directly with the pre-school children held at least the minimum required Level 5 childcare qualifications.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a)&(b)

- Management have now received references from staff members that were not available on inspection.
- All references have been validated.

(d)

- International vetting has been applied for and once returned the registered provider will arrange for translation.

(4)

- Level 5 childcare qualification certificate for one member of staff has been added to the staff folder.

References and international vetting will be confirmed before employees commence their positions within the service.

Supporting documentation submitted

Documentary evidence of written references and international vetting for employees submitted.

Documentary evidence of the minimum required childcare certification details for one member of staff submitted.

Summary Comment

The registered provider submitted details of the corrective and preventative actions taken in the service to address the non-compliances. Following review of this information a revised CAPA plan and supporting evidence was requested from the registered provider. This was received via email.

Based on the information submitted the non-compliances in relation to Regulation 9 have been 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

(2) The following adult: child ratios were observed in the five care rooms when the inspectors arrived at the premises:

The Red Room: The morning session had finished at 12:00 no preschool children were present.

The Green Room: There were 8 preschool children aged between 1-3 years present with 2 staff members.

The Yellow Room: There were 5 preschool children aged between 2 years 9 months to 3 years present with 2 staff members.

The Orange Room: There were 7 preschool children aged between 2-4 years present with 1 staff member.

The Blue Room: There were 14 preschool children aged between 3-5 years and present with 2 staff members.

The designated person in charge and deputy person also provided assistance in the care rooms as required and relief for staff breaks.

Two additional adults were present in the service and were engaged in catering and cleaning duties.

The registered provider arrived on the premises at approximately 13:00.

(8)(a) Following a discussion with the person in charge and a review of the available documentation e.g., staff rotas and children’s attendance records, this information demonstrated that there were at least 2 adults on the premises at all times.

Non-Compliance Information

- (1) In the Orange Room, an additional adult was employed under the level 7 of the Access and Inclusion Model (AIM), however this adult was not available in the Orange Room between 12:30 and 13:05 when a 2nd sessional service commenced at 12:30. This was further evident when the 1 staff member present at this time was unable to respond and meet the care needs of all 10 children present in this care room in a timely manner as some of the children required significant levels of additional support and supervision.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (1) Lunch times have been reviewed and changed to ensure staff members including AIM support will be present in the room for ECCE session commencing at 12.30 pm.

Rosters will be adjusted to ensure adequate cover is available to cover absence and illness.

Supporting documentation submitted

Documentary evidence submitted of Orange room staff profiles attached including hours rostered.

Summary Comment

The registered provider submitted details of the corrective and preventative actions taken in the service to address the non-compliances. Based on the information submitted the non-compliance has been addressed. However, implementation of the corrective and preventative actions in accordance with the needs of the children will require assessment at the next inspection.

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

(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.

(4) A registered provider shall ensure that a pre-school child shall not be-

(a) permitted access to the internet,

(b) photographed, or

(c) recorded

while attending the pre-school service other than in accordance with the terms of the consent of a parent or guardian given in the form specified in the service's policy on the use of the internet and photographic and recording devices.

Compliance Information

There were 5 care rooms in operation on the day of the inspection namely; The Green Room, The Red Room, The Yellow Room, The Orange Room and The Blue Room.

(1)(a) The following examples demonstrate how the registered provider ensured that children's learning, development, and well-being was facilitated in the service.

Basic Needs

- Healthy eating was promoted in the service as was evidenced by the dinner provided by the service in the various rooms. Independence with feeding was promoted and staff provided support to the younger children. Parents were reported to supply all snacks for the children. Potable drinking water was available and the children's drinks bottles were stored on open low-level shelving so that they could be accessed as required throughout the day.
- The toilet trained children were encouraged to be independent with toileting and discreet supervision was also provided by staff as required. Gentle handwashing reminders were also given to the children the various rooms after toileting.
- Nappies were changed regularly and in a timely manner with pleasant interactions observed between children and staff.

- All children attending the service were observed to have a change of environment to the outdoor areas on a number of occasions and the children were appropriately dressed to go outside.
- Documentary evidence of individualised plans had recently commenced in the service for children who required additional supports to consistently support each child's engagement.

Supporting Relationships

- Parents were informally communicated with at drop off and collection times. The staff reported that most communication with parents is carried out through an electronic application that is used by the service to communicate with parents and to send photographs of activities carried out. Social media groups, phone calls and regular newsletters are also sent to parents.
- A key worker system was in operation in the service. This facilitated the development and sustainment of positive relationships between the staff and children and the children's allocated worker was on display in the care rooms.
- Soft tones and the use of positive language was observed throughout the service.

Physical And Material Environment:

- In general, the children attending the service had free movement within their care room.
- Child sized furniture and equipment was in use throughout the service. The equipment was stored or displayed on low level and accessible shelving.
- Defined interest areas were available in the care rooms, which facilitated child-initiated play through the provision of suitably resourced home corner areas, construction areas, art stations, library areas and sensory play including sand and water trays.
- Floor matting, soft seats and soft cushions were provided in each care room for children to rest and opt out of activities as required.

Programme of Activities

- There was evidence of the children's artwork on display in each room e.g. "we are all artists" paintings, free painting pictures, and "our beautiful butterflies", "our storm clouds", paper plate art and "Autumn at my house" were all displayed.
- The staff described the development of the children's "scrap books" which are available in the care rooms. These journals contain documentary and photographic evidence of the children's activities, learning and emerging interests during their time in the service, and are taken home at the end of the school term.

- The children attending the service were observed to engage in a variety of activities throughout the inspection e.g., table-top activities, story time, free play, sensory play including water and sand play, art activities and outdoor play.

Non-Compliance Information

The registered provider did not ensure that each child's learning, development, and well-being was facilitated within the daily life of the service in relation to the following:

Basic Needs

- The door to the downstairs nappy changing area remained open when nappy changing procedures were being carried out. During this time 3-4 parents walked down the hallway past the open door. Therefore, this did not ensure that the privacy and dignity of the child was maintained during nappy changing procedures.
- In addition, cameras were observed wall mounted in the lobby of the sanitary areas both on the ground floor and 1st floor. These cameras were situated overlooking the nappy changing area and were confirmed by the registered provider to be operational. This does not protect the dignity and privacy of the preschool children during nappy changes.

Physical And Material Environment:

- The jigsaws in both the Green Room and Yellow Room were locked away or out of reach and were inaccessible to the preschool children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Basic Needs:

- Management reported feedback to all staff members. All staff now keep the door closed during nappy changing procedures.
- Cameras have been removed in both rooms.

Physical And Material Environment:

- Staff in both rooms have been informed about the positioning of materials. The jigsaws in both rooms are now at child level and freely accessible to all children.

Regular staff meetings will be used to remind staff to ensure all above requirements are being met daily.

Supporting documentation submitted

- Photographic evidence that wall mounted cameras have been removed.
- Photographic evidence of low-level accessible jigsaws.

Summary Comment

The registered provider submitted details of the corrective and preventative actions taken in the service to address the non-compliances together with supporting evidence. Based on the information submitted the non-compliances have been adequately addressed. Implementation of the corrective and preventative actions will require assessment at the next inspection.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

(1) Subject to this regulation, a registered provider shall ensure that-

(a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child 19 to play indoors and, where required by these Regulations, outdoors, during the day, and

(b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

(2) A registered provider-

(a) of a full day care service, a part-time day care service, a sessional preschool service or a childminding service that is registered for the first time on or after 30 June 2016,

shall ensure that a suitable, safe and secure outdoor space to which the preschool children attending the service have access on a daily basis is provided on the premises.

Compliance Information

(1)(b)

- A suitable comfortable rest area was available in each of the care rooms, with soft seating and mats provided, should a child need to rest or take a break from activities during the day.
- A number of individual day beds suitable for children aged over 2 years were also available. These were observed in use when one child was facilitated to sleep in the Green Room.

(2)(a) The outdoor area was located to the rear of the premises and was fully fenced, gated and secure. A concrete surface was available for the children to use ride on trikes, cars, scooters and tractors. There were outdoor tables and a sand tray. Part of the area was covered with plastic and wooden pallet seating. There was a selection of outdoor toys such as balls, a rocker, wooden blocks, large plastic building waffles and a digging area which the registered provider reported was currently out of use and under renovation. In addition, there was a grass area for the children to play on.

Non-Compliance Information

(2)(a) The side and base of the sand tray in the outdoor area was cracked and broken and a potential injury hazard.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a) The rear outdoor space is currently having improvements carried out. The cracked sand tray has been removed. The plan is to have a large tractor tyre sand pit fitted once the weather improves. In the meantime, the sand is in the emerging interest activity table in our front play area.

Any damaged equipment will immediately be removed from the children's use. This will be added to the daily outdoor risk assessments to ensure future damaged items are immediately removed.

Supporting documentation submitted

Photographic evidence of the sand filled activity trays submitted.

Summary Comment

The registered provider submitted details of the corrective and preventative actions taken in the service to address the non-compliance. Based on the information submitted the non-compliance has been addressed

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 external doors were appropriately secured to prevent children from exiting the service unsupervised.
- The designated emergency exit doors and hallways were clear and unobstructed.
- Documentary evidence of daily risk assessments were evident in the service.
- Cleaning equipment was stored out of reach of the children.
- The kitchen area was inaccessible to the preschool children.

Infection Control:

- There was a constant supply of thermostatically controlled warm water, in the service to support hand washing.
- Good environmental cleaning practices were observed during the inspection, with tables being wiped down prior to lunch, snack times and after activities.
- Pedal operated waste bins were observed in use and were appropriately maintained on the day of the inspection.

Non-Compliance Information

The Inspectorate is not assured that adequate steps have been taken to ensure the health, safety and welfare of the pre-school children attending the service. The following observations were made:

Fire Safety:

1. Fire drills were not being carried out on a monthly basis as per best practice safety guideline, so as to familiarise staff and children with the procedure in the event of an emergency.
2. The maintenance records for the smoke alarms on the premises indicated that the equipment was not serviced annually as per best practice guidelines.

General Safety:

3. Blind cords were broken and hanging down or were not appropriately restricted throughout the service.
4. Sharp corners were exposed on a number of storage units and counter tops in the service. This is a potential safety risk to the children.
5. Antibacterial spray was stored on the sink area in the Green Room and accessible to the preschool children. This is a health and safety risk.

Infection Control:

The following infection control and cross contamination risks were identified:

1. In the Yellow Room, the children's hands were not always washed after nappy changing.
2. Three out of the four sinks in the sanitary area upstairs did not have a supply of liquid soap and single use paper towels to support effective hand washing practices.
3. It was observed that one staff did not remove the gloves used during nappy changing before cleaning the nappy changing mat after use. This same staff member did not use an apron during the nappy changing procedure.
4. Soiled nappies were disposed directly into the bin, which is contrary to good practice and not in accordance with the services own nappy changing policy.

Corrective & Preventive Action submitted by the Registered Provider

Corrective & Preventive Action:

Fire Safety:

1. Fire drill Logs have been updated and the registered provider has appointed a member of staff to ensure they are carried out monthly.
2. Maintenance records have been updated and the annual service for September each year has been booked.

General Safety:

3. All Blind Cords have been appropriately secured.

Infection Control:

2. Hand soap and paper towels are at all sinks and the cleaner restocks these daily
3. Management have spoken to all staff re; nappy changing procedures.
4. Staff have been reminded of the HPSC guidelines that all nappies should be bagged and soiled nappies must be double bagged.

Supporting documentation submitted

- Photographic evidence that a recent fire drill was carried out on 09/11/2023.
- Photographic evidence of maintenance records for the smoke alarms on the premises.

Summary Comment

The registered provider submitted details of the corrective and preventative actions taken in the service to address the non-compliances. Based on the information submitted the non-compliances have been addressed. Implementation of the corrective and preventative actions will require assessment at the next inspection.

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) Documentary evidence was provided to demonstrate that a member of staff with an up to date First Aid Responder (FAR) qualification is available to the children at all times.
- (2)(a) and (b) The first aid boxes which were adequately stocked were available and easily accessible in the event of an emergency.

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 written record was maintained of the fire drills which had been completed in the service.
- (b) A record was kept of the number, type and maintenance of the firefighting equipment and smoke alarms in the premises. Firefighting equipment was last serviced on 15/08/2023 and the smoke alarms on 09/05/2022.
- (4) Notices of the procedures to be followed in the event of an emergency was displayed in the service.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

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

(c) kept adequately lit, heated and ventilated

Non-Compliance Information

- (c)
1. There was an odour in the upstairs sanitary area. The mechanical ventilation fan was not in operation during the inspection.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (c)
1. Fans are now always active during operating hours.
Fans have been added to the daily risk assessments to ensure they are all working.
Fans will be left on and serviced regularly.

Summary Comment

The registered provider submitted details of the corrective and preventative actions taken in the service to address the non-compliances. Based on the information submitted the non-compliance has been addressed. Implementation of the corrective and preventative actions will require assessment at the next inspection