

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2020MN002
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Name of Service:	Mini Tots
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Address of Service:	Tiermacmoe, Castleshane, Co. Monaghan
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Eircode:	H18 NW22
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Name of Registered Provider:	Glenda Farnan
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Service type:	Full Day
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Date(s) of Inspection:	06/07/2023
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No of pre-school children:	AM	25	PM	25
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Address of the Early Years Inspectorate:	No.18 The Grange, Plantation Walk, Monaghan, Co Monaghan
Inspection undertaken by:	S. Skinnader
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

This privately owned service commenced in July 2020 and provides full day care services to children aged 0 – 6 years. The service operates from 7:45am – 18:00pm and caters for a maximum of 28 children.

This service is located in a purpose built 2 story dwelling adjacent to the registered providers own home, in a rural area of Clontibret Co Monaghan. There are 2 care rooms, the Creche Room and the Preschool Room, a nappy changing area, 1 sleep room, staff toilet, children’s sanitary accommodation and a kitchen. There are 2 outdoor areas to the side of the building.

Staffing

There are 7 staff employed in the service including the registered provider who all work directly with the children. The registered provider is also the designated cook in the service.

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 and premises. The inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11, 19, 20, 22, 23, 25, 26 and 28; however, on inspection additional non-compliance which posed significant risk was identified under Regulation 30. 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 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,

(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 designated person in charge and a deputy person in charge.

The following was recorded in respect of all 7 staff files which were reviewed.

(2)(a) and (b) Two written and validated references from a past employer or other source were available for each staff member.

(c) Evidence of completed Garda Vetting disclosures for all staff members.

(d) Not applicable as from the documentation reviewed no staff members had lived outside the Irish jurisdiction for a period of 6 months or more as an adult.

(4) The 7 staff members working directly with the children had an appropriate childcare qualification.

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) On the day of inspection there were 3 rooms in operation namely the Baby Room, the Wobbler Room and the Toddler Room.

The following adult to child ratios were observed:

- **Creche Room:**

There were 7 preschool children aged between 6 months - 1 year and 8 months old cared for by 2 staff.

- **Preschool Room:**

There were 18 children aged 2 years and 2 months - 5 years old with 3 members of staff.

(8) The registered provider ensured that there are always at least 2 adults on the premises at all times.

Non-Compliance Information

(1) An inadequate number of adults were observed working directly with the children in the Preschool Room during the staff lunch breaks. Two staff were caring for the 18 children during each staff 45-minute lunch break while 3 staff members were required at all times.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider has now ensured that an adequate number of adults are always rostered and working directly with the children including breaks with immediate effect.

The necessary number of adults required to care for children in the service will be rostered to work at all times and this will be will cross checked with the number of children present and the staff cover for all times including breaks. The staff ratios will be demonstrated on the staff roster which will include staff cover for all staff break times

Summary Comment

The Inspectorate accepts the response of the registered provider and the non-compliance identified in Regulation 11 has been addressed. This will be for review 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

Compliance Information

There were 2 rooms in operation on the day of the inspection: namely the Creche and Preschool Rooms.

(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:

- The children's drinks cups and bottles were stored in the care rooms, and they were accessible as required. Staff were observed to sit with the older children at mealtimes and this time was used to encourage conversations between the children. Assistance was given to the older children who required help with opening lunches and certain foods and to the younger children who required feeding. Bibs were put on the younger children before meals and hands and faces cleaned appropriately after the meals.
- Nappies were changed regularly and in a timely manner with pleasant interactions observed between children and staff.
- Independence with toileting and discreet supervision was also provided by staff as required in the Preschool Room. Gentle handwashing reminders were also given to the children after toileting.

- In the Creche Room, individual child-led sleep needs were facilitated in the service as the staff followed the children’s routines.
- The children were observed to move freely in the care rooms and had a change of environment into the outdoor area. All children were dressed appropriately to go outside.

Supporting Relationships

- The adults throughout the service were observed to interact with the children in a warm and supportive manner. Soft tones, positive and respectful language were observed in interactions between the children in all the rooms and transitions between activities were organised and swift.
- The language used by the staff in the service was positive and encouraging e.g. “...can we use our indoor voices” and when a child went to sit up on shelving the staff member said, “I wouldn’t like you to fall in that beautiful dress.”
- The children were observed to actively seek out staff members and in the Creche Room a child who was out of sorts was comforted and eventually settled for a sleep.
- A key worker system was in operation in the service and daily communication books between the service and home were used in the Creche Room. Communication also took place verbally between the parents and staff at drop off and collection.

Physical and Material Environment

- Child sized furniture and equipment was in use throughout the service.
- A variety of age-appropriate materials and equipment were available in the care rooms that support many areas of development such as fine and gross motor skills, role play, speech and language and sensory development.
- Toys and equipment were positioned on open low-level shelving in all rooms which promoted independence and facilitated choice for the older children and in the Creche Room the staff also assisted the children in accessing toys.

Programme Of Activities

- Artwork was on display throughout the service with 4th of July themed American flags and fireworks and Monaghan football art, painted footballs and flags. There were also rainbow handprint paintings completed as part of the service’s equality and diversity theme.

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-

(b) there are adequate and suitable facilities for a pre-school child to rest during the day,

(3) A registered provider of a full day care service, a part-time day care service or a childminding service, other than such a service to which paragraph (2) applies, shall ensure that-

(a) a suitable, safe and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises,

Compliance Information

(1)(b) The children attending care rooms had access to a suitable soft area for reading or taking a rest when required. The areas consisted of soft mats, plastic covered mats cushions and plastic covered sofas.

There was a cot room directly off the Creche Room with 5 cots. Daybeds were set up in the Preschool Room where there was a designated sleep area established after lunch for children who were aged over 2 years to sleep on.

(3) The children attending all rooms were provided with a change of environment to the outdoor areas during the inspection. The enclosed outdoor play areas were located to the side of the premises:

Area 1 had a large, tarmacked area and contained multiple ride-on toys situated to the rear of the registered providers domestic dwelling. There was a chain which was used to close off the area accessing the side and front of the house. There was a rubber crumbed surfaced area with tyres, a tunnel and large wooden climbing frame with swing and treehouse.

Area 2 was enclosed with wooden fencing and gates and had an artificial grass surface directly outside the Creche Room. A variety of age-appropriate toys and equipment were accessible that promoted many areas of development including a slide, small swing, small plastic climbing frame. A musical wall, push toys, two rockers, a sand tray and a box of toys for use in the outdoor area.

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

Healthy eating was promoted in the service as was evident by the dinner and snacks provided by the service in the various rooms. On the day of the inspection the dinner provided was homemade chicken curry with rice, chicken and peppers. Children with special dietary requirements were observed to bring in their own lunches and snacks. The afternoon snack was sausages rolls. Potable drinking water was available for the children to access as required in the rooms.

Non-Compliance Information

One child's infant formula was observed to be made up by the staff in the service however this procedure was not being managed in accordance with the Food Safety Authority of Ireland's Guidance note on powdered infant formula preparation.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

All parents are now required to provide baby formulas made up from home and clearly labelled with the date and their child's name. On arrival, the feeds will be transferred from the parent's cool bag to a dedicated fridge which will be maintained at 5°C or below as per guidance document. The fridge will be equipped with a fridge thermometer to enable the temperature to be checked and adjusted if necessary. These checks will be recorded. We have a procedure in place for managing the preparation and feeding of bottle formula and discarding unused milk. We have downloaded the advice for preparing feeds using powdered formula milk revised by the Food Safety Authority of Ireland in 2007. This booklet will be emailed to appropriate parents at registration.

Summary Comment

The non-compliance in Regulation 22 has been adequately 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

It was observed that the registered provider has taken the following measures to safeguard the health, safety and welfare of the pre-school children attending the service including:

General Safety:

- The designated emergency exit doors were clear and unobstructed.
- The outdoor area was enclosed, and gates were secured to prevent the children from exiting unsupervised.
- The cleaning agents were stored in locked cupboards/ drawers or on high shelving and were inaccessible to the pre-school children.
- Documentary evidence was available of daily risk assessments being carried out in the service.

Infection Control:

- Staff stated soothers were washed in detergent and then placed in a jar of sterilising fluid before being placed in individual lidded containers.
- Staff washed their hands after nappy changing and the older children were observed to wash their hands after using the toilet. Hand washing was also observed before dinner and after outdoor play.
- There was a constant supply of thermostatically controlled hot water, liquid soap and paper hand towels.
- Table surfaces were cleaned after messy play and tabletop activities prior to dinner time.
- Up to date documented cleaning records were on display in each of the care rooms.

Safe Sleep:

- Physical safe sleep observations were observed being carried out and documented appropriately in accordance with the services safe sleep policy.

Non-Compliance Information

General Safety:

1. The external doors were not appropriately secured to prevent children from exiting the service unsupervised. This is a recurrent non-compliance and at variance with the registered provider's CAPA response in 2022 – "External doors are now secured appropriately to prevent un-authorized access or to prevent a child exiting the service un-supervised".
2. In the Preschool Room, there were unprotected sharp corners on the brown shelving units and the table. These are a potential injury hazard.
3. The speaker in the Preschool Room was unsecured and had a trailing electrical lead which was accessible to the children. This is a potential impact and injury hazard.
4. The cupboard under the sink in the Preschool Room was unlocked and contained hazards such as sterilising fluid, detergent and a food bin. This is a health and safety risk.
5. A pair of adult sized scissors were left on a low-level shelf accessible to the children. One child picked them up and showed them to the inspector. This was a health and safety risk.

Infection Control:

6. Some children did not have their hand's washed after nappy changing.
7. The covers of the plastic covered sofas were torn and in a state of disrepair. This did not allow for effective cleaning.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. External doors will be secured appropriately and monitored to prevent unauthorised access or to prevent a child exiting the service unsupervised. An electrician has been contacted to fit a keypad system to front door and in relation to installing a maglock door system and connecting to fire alarm system as this is external door.
2. The corners of the shelving unit in the preschool room have been fitted with cushioned safety corner protectors. Photograph attached.
3. The speaker in the Preschool Room has been replaced and there are no trailing flexes. The speaker is stored out of reach of the children.
4. The cupboard was locked immediately on the day.
5. The adult scissors have been removed from the room and are no longer used by staff while in the room.

Infection Control:

6. Hands are washed after nappy changing. I have discussed the importance of strict adherence with our policy and procedure for nappy changing with all staff.
7. The sofa with the torn covers has been removed from the service.

Preventive Action

1. External doors will be secured with a keypad entry system and monitored to ensure the doors are securely always closed to prevent unauthorised access or to prevent a child exiting the service unsupervised. A contractor will carry out the work.
2. The corners of the shelving unit in the Preschool Room have been fitted with cushioned safety corner protectors. See photograph attached.
3. The flex on the speaker in the Preschool Room has been securely attached out of reach of children. Photograph attached.
4. The cupboard under the sink always remains locked and the registered provider has had a meeting with staff and highlighted the importance of ensuring the cupboard under the sink always remains locked to ensure the safety of the children. The registered provider will continue to monitor this. Photograph attached of new child lock.
5. The adult scissors have been removed from the room and are no longer used by staff while in the room.

Infection Control:

6. I have revisited our infection control and safety requirements for nappy changing and toileting of children with all staff as in house training and highlighted the importance of ensuring the appropriate nappy changing and toileting policy and procedures and always followed. This includes that: children's hands are washed and dried after nappy changing or toileting. Staff wash their hands before and after nappy changing or toileting. The procedure is clearly displayed in the nappy changing area. See attached nappy changing procedure displayed.
7. The sofa with the torn covers has been removed from the service and replaced with a new one. Photograph attached.

Supporting documentation submitted

General Safety:

Photographic evidence submitted to the Office of the Inspectorate for review.

Infection Control:

A copy of the updated nappy changing policy was submitted.

Summary Comment

The Inspectorate has reviewed the registered provider's response and supporting documentation and is assured the non-compliances identified under Regulation 23 General Safety and Infection Control have been 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

(1) The registered provider ensured that a person trained in first aid was available to the preschool children at all times.

(2)(a) and (b) The first aid boxes available in the service were stored in conspicuous locations on the premises and were available for the children at all times.

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 firefighting equipment and smoke alarms in the premises.
- (4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.

Compliance Information

- (1)(a) A record was maintained of all fire drills which had been completed in the service. the last recorded being 29/5/23.
- (b) A record was kept of the number, type and maintenance of the fire-fighting equipment and smoke alarms in the premises dated the 8/22 and 23/5/23.
- (4) Notices of the procedures to be followed in the event of a fire were conspicuously displayed in the premises.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

There was adequate insurance cover for a maximum of 32 children expiring 27/3/2024.

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) and (3) On review of attendance records, the registered provider did not ensure there was adequate clear floor space for the numbers attending at all times in both the Preschool and Creche Rooms.

- The Preschool Room has a floor area of 36m² which allows for a maximum of 20 children attending the sessional service or 15 preschool children attending on a full day care basis.

On the day of inspection there were 18 children present attending on a full day basis.

- The Creche Room has a floor area of 24 m² which allows for a maximum of 8 children to attend this room. While 7 children were present on the day of inspection, attendance records indicated that numbers attending this room have exceeded the permitted capacity for example, on 5/10/22, 12 children were present, on the 16th, 25th and 28th of November 2022 and the 21/2/23 11 children attended this room. This is a recurrent non—compliance.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The number of preschool children attending for full day care will be capped at 15 children for the full day care for the new term commencing September. The baby room numbers will be always maintained at a maximum of 8 children.

Summary Comment

The Inspectorate accepts the assurances from the registered provider that the correct space ratios will be adhered to and the non-compliance identified has been addressed. This will be assessed at the next inspection to ensure regulatory compliance is being maintained.