

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2021CC007
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<b>Name of Service:</b>	Respond Early Years Service, Carraig Liath
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<b>Address of Service:</b>	Community Building, Carraig Liath, Midleton, Co. Cork
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<b>Eircode:</b>	P25 R968
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<b>Name of Registered Provider:</b>	Lisa O'Rourke
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<b>Service type:</b>	Full Day
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<b>Date of Inspection:</b>	01/10/2024
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<b>No of pre-school children:</b>	AM	22	PM	17
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate Administration Building St Mary's Health Campus Gurrabraher Cork
<b>Inspection undertaken by:</b>	D Prendergast & B Fraher
<b>Title:</b>	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).

<b>Conditions if applicable</b>	N/A
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### Description of service

Respond Early Years Service, Carraig Liath is a play based, full day care service, that accommodates children aged one to six years. Children attending the Early Childhood Care and Education (ECCE) Scheme are facilitated between 9.00am and 12.00pm, each Monday to Friday, over a 38-week annual period. The childcare facility is open 50 weeks of the year. Registered opening hours are from 8.00am to 6.00pm, however, the service is currently operating until 5.00pm daily.

Located in a residential area of Midleton, in Co. Cork, the premises consists of a detached, two-storey building. There are two care rooms on the ground floor, along with child sanitary facilities, a sleep room, a kitchen, a utility room and a storage room. The first floor includes an office, a staff canteen and staff sanitary facilities. There is one outdoor play space directly accessible from the Toddler room and a second is accessible from the Pre-school room.

### Staffing

At the time of inspection, there were 10 adults attached to the setting, of whom 7 were involved in the day-to-day care of the children. The registered provider, regional manager and the quality assurance mentor are not based at the premises. Each of the seven adults who are employed to work directly with the children have attained a recognised award in Early Childhood Care and Education. In addition, a student was undertaking a work placement at 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/ premises and facilities. The inspection may also focus on other areas as required.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

## Acknowledgments

The inspectors wish to acknowledge the cooperation of the person in charge, deputy, 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

(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) An adult had been assigned the role of the person in charge and a second staff member, who was familiar with the operation of the service, had been identified as the deputy person in charge.
  - (b) The person in charge was present to facilitate the duration of the inspection.
- (2) It was established that four adults had taken up employment at the service, since the previous inspection on 21 August 2023. Therefore, recruitment records in respect of these four adults were assessed for compliance, along with those of a student who was undertaking a work placement.
- (a) There were six written and validated references in place from past employers.
  - (b) A further two references had been provided by sources other than past employers and had been suitably validated.
  - (c) Garda vetting disclosures had been obtained for the five adults. It was also noted that Garda vetting for an

additional three staff members had expired since the previous inspection and had been renewed, in compliance with the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years.

- (d) The required police vetting was on file for one staff member, who had resided outside the State as an adult.
- (4) Records demonstrated that four of the adults had achieved a major award in Early Childhood Care and Education, as listed on the National Framework of Qualifications. A qualification was not required in respect of the student.

## Non-Compliance Information

(1)(b)

The requirement for either the person in charge or a named deputy to be on the premises at all times, while the service is in operation, was not met. The staff roster for the current week indicated that neither the person in charge nor the deputy were rostered on duty for the following dates and times:

- 30/9/24: 4.30pm to 5.00pm
- 1/10/2024: 8.00am to 9.00am
- 2/10/2024: 4.30pm to 5.00pm
- 3/10/2024: 8.00am to 9.00am
- 4/10/2024: 4.30am to 5.00pm

This was confirmed during discussion with the person in charge.

(2)(a)(b)

Two written and validated references were unavailable in respect of one of the adults.

(d)

The required police vetting was not available for the same adult, who had resided outside of the State for a period that exceeded six consecutive months, while over the age of 18.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

(1)(b)

The written reply from the registered provider outlined that the new staff roster will ensure that either the manager or the deputy manager will be onsite at all times. In the event that both may be unavailable, a designated person in charge will be named on the roster that will be displayed in the entrance hall. As a preventive measure, the regional manager will ensure that the deputy manager's leave does not coincide with the

service manager's leave. All management are now aware that a designated person in charge must always be onsite and parents and visitors must be informed of who the designated person in charge is. The person in charge will be noted on the staff roster and updated as required.

(2)(a)(b)

Validated references are now in place for the adult.

(d)

The adult has applied for police vetting from the relevant country.

### **Supporting documentation submitted**

(1)(b)

A copy of the staff roster, which demonstrates that either the person in charge or the deputy is available at all times during the hours of operation.

(2)(a)(b)

Two written and validated references in respect of the adult.

(d)

A copy of the required police vetting.

### **Summary Comment**

Following the corrective action implemented, regulatory compliance is determined to have been met.

## Part III – Management and Staff

### Regulation 10 - Policies, procedures etc. of pre-school service

*A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.*

#### Compliance Information

The following policies were assessed and deemed satisfactory:

- Healthy Eating policy
- Policy on Accidents and Incidents

## Part III – Management and Staff

### Regulation 11 - Staffing levels

*(1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.*

*(2) Subject to paragraphs (4) and (5), a registered provider of a full day care service or a part-time day care service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 1 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) thereof at that reference number is satisfied.*

*(8) Without prejudice to paragraphs (2) to (7)-*

*(a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times,*

#### Compliance Information

(1) At the time of inspection, there was an adequate amount of adults responsible for the direct care and supervision of the children in attendance.

(2) The requirements of the regulation in relation to the minimum ratio of adults to children, were adhered to.

The rooms were in operation as follows:

Morning:

Room Name and Age Range of Children	Number of Children Present	Number of Adults Present

Toddler (1 year - 2 years and 5 months)	12	3
Pre-school (2 years – 3 ½ years)	10 (ECCE sessional service in operation)	1

Afternoon:

Room Name and Age Range of Children	Number of Children Present	Number of Adults Present
Toddler (1 year - 2 years and 5 months)	10	3
Pre-school (3 - 4 years)	7	1

In addition, the person in charge was available to provide cover.

(8)

(a) There were at least two adults present in the service, during the hours of operation. This was observed in practice at the time of inspection and was further demonstrated through review of the staff roster.

### Part IV – Information and Records

#### Regulation 16 – Record in relation to pre-school service

(1) A registered provider shall ensure that a record in writing is kept of the following information in relation to the service:

- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;
- (k) details of any accident, injury or incident involving a pre-school child attending the service.

#### Compliance Information

(1)

(j) Medication administered on the day of inspection was duly recorded in writing and included the required details. Written parental consent was obtained.

(k) A sample of 10 Accident and Incident records were assessed and met the requirements.

### 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

(1)(a)

##### Basic needs:

- Mealtimes took place at regular intervals throughout the day. The person in charge stated that breakfast was offered between 8.00am and 9.00am, the mid-morning snack was observed shortly after 10.00am in the Toddler room, followed by lunch at midday and an afternoon snack at 3.00pm.
- Children's personal hygiene was attended to. For example, after the main lunch meal, staff used individual cloths to help the children to clean their faces and hands.
- In both care rooms, staff reported that nappy changing was carried out frequently throughout the day and as required. Children who were toilet trained were supervised when using the sanitary facilities.

- During discussion, the inspectors were advised that children in the Toddler room generally followed routine nap times, in collaboration with parents and staff confirmed that children would also be accommodated to sleep outside of said times, should they display signs of tiredness.
- The children's need for rest, relaxation and comfort was met, as each of the care rooms was provided with a cosy area for children to use as needed.
- The spacious layout of both care rooms supported the children to move freely within their environments and actively engage in their chosen tasks. More active play was also facilitated in the outdoor areas.

### Supporting relationships around children:

- Children appeared at ease during the calm, sociable mealtime routines that were facilitated by the adults. Conversation was encouraged, as the adults sat with and supervised the children. The younger children were provided with feeding bibs and sufficient time was allocated for this part of the daily routine, which was in keeping with the service's Healthy Eating policy.
- Children who were new to the setting were gently and patiently supported by the adults to participate in free play activities. Staff were also observed to offer comfort when one of the children became upset. The parents of these children were welcomed into care room at arrival and collection times and were updated on their child's progress by staff members. During discussion with staff in the Toddler room, the inspectors were advised that when children first begin to attend the service, their period of attendance is gradually increased, according to their individual needs and through working in partnership with the child's parents.
- Over the course of the inspection period, staff members were observed to communicate frequently with one another in relation to the children's needs and various aspects of the daily routine.
- Exchange of information with the children's parents or guardians was facilitated through informal conversation at drop off and collection times and the incorporation of a digital application, which was used to record the children's activities of daily living and included a messaging feature. The person in charge advised that phone calls, a messaging application and email were also utilised. A recent email to parents was noted to refer to suitable outdoor clothing for children.

## 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

- Food for the children’s mealtimes was predominantly provided by the service, however, some of the children in the Pre-school room brought their own snacks. The lunch meals were supplied by a registered catering company. These meals were delivered chilled and reheated in the onsite kitchen.
- The service’s Healthy Eating policy was observed to be implemented; the foods offered on the day of inspection and the meals listed on the four-week menu plan were suitable, varied and nutritious.
- The mid-morning snack consisted of a selection of chopped fruit. This was followed by a hot lunch meal of chicken, with pasta and corn, in a tomato sauce. In the afternoon, the children were offered sliced peppers with hummus and salsa. Water was available to drink both during and outside of mealtimes.
- The inspectors were advised that some of the children had specific dietary requirements and food intolerances. Information to this effect was displayed in both care rooms and the person in charge advised that meals and snacks were altered as needed, to ensure that said requirements were met.

## 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:

- Entry through the main door was via a fob key, with a buzzer system in place for visitors. It was noted that this door was maintained secure when not in use. A fob key was also required to access the first floor of the building and the Toddler room.
- Both outdoor play areas were securely enclosed by a combination of walls and secured gates.
- Cables and flexes from electric equipment were maintained out of the children’s reach.
- Tension devices were in place to anchor blind cords.

- Cupboards at child height in the care rooms, were secured to reduce the risk of a child accessing potentially harmful items.
- Visibility markings were evident on low-level glass panelled doors.
- Fire extinguishers were securely tethered.

### Infection Control:

- Handwashing facilities included warm running water, liquid soap and paper towels. Foot pedal operated bins were also in use. The children were observed to wash their hands before eating lunch and after using the toilet.
- Within the sanitary areas, the children's toiletries were individually stored and labelled, which reduced the risk of cross infection.
- All of the cot mattresses in use were waterproof and could be easily cleaned.
- After mealtimes in the Toddler room, it was observed that the floor was swept and tables were sanitised.
- The children's coats were stored on wall hooks, above floor level.
- Disposable aprons and gloves were available for nappy changing procedures.

### Administration of Medication:

- The administration of medication was not observed in practice. However, details regarding the medication which had been administered to a child during the inspection period, were recorded in full.
- Most of the medication held at the service was appropriately stored out of the children's reach and was in-date.

### Safe Sleep:

- The air temperature of the sleep room adjoining the Toddler room was measured at 19.8°C, while occupied by a sleeping child. This fell within the required range of 18°C to 22°C for children aged over 12 months. A thermometer was observed to be available in the sleep room to monitor the air temperature.

### Outing:

- An outing from the service did not take place.

## Non-Compliance Information

### General Safety:

1. In the Toddler room, the fridge which was used to store medication was not secured. This posed a risk of a child accessing and ingesting a potentially harmful substance.

### Infection Control:

2. A nappy changing mat was observed to be stored on the floor of the sanitary facility adjacent to the Pre-school room. During subsequent discussion with the person in charge, the inspectors were advised that children's nappies were changed by placing the changing mat onto the floor. This posed a risk of cross infection.

### Safe Sleep:

3. The digital application used to record the physical checks of sleeping children did not include provision to document the children's breathing or colour, as required to ensure that thorough sleep checks are conducted and recorded. It was acknowledged that when asked to describe the process of checking sleeping children, the deputy stated that the children's breathing and colour was assessed, however, this practice was not reflected in the available electronic records.

### Fire Safety:

4. In the Toddler outdoor play area, it was noted that a mud kitchen had been placed in between two walls, which obstructed part of the fire exit route. It was acknowledged that following discussion with the deputy, the equipment was removed. However, this may have delayed a timely exit in the event of a fire.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### General Safety:

1. The response stated that a lock has been installed on the fridge, in order to make it inaccessible to children. All staff have been instructed to ensure that the fridge is secured at all times.

#### Infection Control:

2. Preschool children who may require nappy changing are now being changed in the nappy changing room, adjacent to the Toddler room. This sanitary facility has two nappy changing stations. The nappy changing mat has been removed from the preschool sanitary facility and all staff have been informed to use the nappy changing facility adjacent to the Toddler room. The service manager will oversee the implementation of this new procedure and ensure that it is being adhered to.

#### Safe Sleep:

3. The service has resumed the use of the paper recording system, that had been in place before using the digital application. This record includes all of the required checks, during sleep times. All staff have been instructed to cease using the digital application for sleep checks and to resume using the paper record.

**Fire Safety:**

4. The written reply stated that the mud kitchen has been moved and is no longer obstructing the exit from the outdoor play area.

**Supporting documentation submitted**

**General Safety:**

1. Photographic evidence.

**Infection Control:**

2. The statement from the registered provider is accepted as evidence.

**Safe Sleep:**

3. A copy of the sleep log record.

**Fire Safety:**

4. Photographic evidence.

**Summary Comment**

The corrective actions implemented have addressed the non-compliances identified under Regulation 23.

**Part VI - Safety**

**Regulation 28 - Insurance**

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

**Compliance Information**

A certificate of insurance was on file and indicated that the service had adequate cover to provide full day care.