

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2022FL002		
Name of Service:	Phoenix Childcare		
Address of Service:	Luttrellstown Community Centre, Porterstown Road, Clonsilla, Blanchardstown, Dublin 15, Co. Dublin		
Eircode:	D15 DY29		
Name of Registered Provider:	Sinead Larkin		
Service type:	Sessional		
Date of Inspection:	13/11/2024		
No of pre-school children:	AM	34	PM N/A
Address of the Early Years Inspectorate:	Floor 7, Brunel Building, Heuston South Quarter, Kilmainham, Dublin 8, D08 X01F		
Inspection undertaken by:	J. Mayock and E. Griffin		
Title:	Early Years Inspectors		

Authority to Inspect

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

Conditions if applicable

Not applicable.

Description of service

Phoenix childcare is located within a shared building within the grounds of a community centre. The two care rooms; the blue room and the red room are located on the first floor of the building. The outdoor area is located to the rear of the premises. The service provides two sessions of the Early Childhood Care and Education Scheme (ECCE) from 9.15am-12.15pm. The service is registered to accommodate a maximum of 44 pre-school children within the two care rooms. The service is also registered for School Age Childcare.

Staffing

The service employs nine adults. On the day of inspection, there were six adults working directly with the children, two of whom were employed under the access and inclusion model. The person in charge, the registered provider and a manager from another service arrived shortly after the inspection began and remained on the premises throughout the duration of 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, premises and facilities. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under the following regulations:

Regulation 9 Management and Recruitment (1), (2),(4),

Regulation 11 Staffing levels (1), (3),

Regulation 15 Record of a pre-school child (1), (3),

Regulation 19 Health, welfare and development of child (1),

Regulation 23 Safeguarding, health, safety, welfare of child,

Regulation 25 First Aid (1), (2),

Regulation 26 Fire safety measures, (1),

Regulation 28 Insurance.

However, on inspection an additional non-compliance which posed a risk was identified under Regulation 29 Premises. The findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under regulation 15, 19, 23 and 29. As a result, the scope of the inspection included the two care rooms, the Blue and the Red room.

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 is on the premises,

(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 deputy person in charge was on the premises when the inspectors arrived unannounced to the service.

(2) Nine staff files were reviewed, and the following was available;

- (a) Fourteen written and validated references were available from a previous employer for 8 staff members.
- (b) Four written and validated references were available from a reputable source for 3 staff members.

(c) Garda vetting disclosures were available for the nine adults. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) International Police Vetting was available for five adults who had lived outside of the state for six months or more as an adult.

(4) Evidence was available to show that the nine adults who work directly with the children held 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.

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.

(3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 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) therefore at that reference number is satisfied.

Compliance Information

(1) There were nine adults working with thirty-four children aged 2-6 years.

(3) The adult to child ratio was maintained throughout the inspection.

In the blue room, there were three adults caring for eighteen children aged 2 to 6 years.

In the red room there were four adults present, including the person in charge and the manager from the other service caring for sixteen children aged 2 to 6 years. The person in charge and the registered provider were available to support the care rooms as required.

Part IV – Information and Records

Regulation 15 – Record of pre-school child

(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:

- (a) the name and date of birth of the child;*
- (b) the date on which the child first attended the service;*
- (c) the date on which the child ceased to attend the service;*
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
- (e) authorisation for the collection of the child;*
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
- (g) the name and telephone number of the child's registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.*

(3) A record in writing referred to in paragraph (1) shall be open to inspection on the premises by-

- (c) an authorised person.*

Compliance Information

(1)(a)(i)

A sample of twelve children's registration records were reviewed as part of the inspection. The registered provider ensured that the information required under (a)-(i) was maintained for each child.

(3)(c) Records were open to inspection by an authorised person. All records requested by the inspection team were available for review.

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.

Compliance Information

There were two care rooms in operation on the day of inspection.

(1)(a)(b)

The following examples demonstrate how the registered provider ensured that children's learning development, and wellbeing was facilitated in the service.

- Children brought snacks from home. Alternative snacks and drinks such as water and milk were available if required. The service had a healthy eating policy which is shared with parents/guardians in advance of enrolment. Children's own drinks were available within their reach throughout the session. The children snack time was observed to be calm and relaxed. Children's independence was encouraged, and a calm atmosphere was promoted.
- Staff demonstrated warmth and affection in their interactions with the children throughout the inspection. A key worker system was in place. The adults demonstrated knowledge of the children in their care including their likes and dislikes. Children were comforted when they fell or became upset with the adults holding them and speaking to them softly.
- The inspector observed that the childrens learning, development and well-being was supported by the environment and by the staff. All children spent time outdoors to support their physical and gross motor development. Children were encouraged to put on their own coats and hats and scarfs prior to going outside. The outdoor space had natural elements and was laid out with equipment and free space to support children's play and physical movement. On the day of inspection, the children went on a nature walk around the premises.
- Children's identity and belonging was promoted through art displays and family photograph walls. The children's current interests and learning themes were evident on the walls with Halloween and Autumn displays. In addition, each child had their own storage area for their belongings to be stored throughout the session.

- The staff discussed that they communicate with parents at arrival and at collection time. The service used an electronic application to keep parents updated regarding their child's experience in the service.
- The areas of interest were defined with dress up, messy play, construction, and cosy corner. The areas of interest were well designed and had plenty of resources to promote social, language and communication skills.
- The children used the toilet when needed and were accompanied by a staff member who was observed reminding the children to wash their hands and provided assistance if required.

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 to and exit from the service was managed through several measures including keypads and fob access to prevent children from exiting unsupervised and to restrict unauthorised persons from gaining access to the premises.
- Blind cords were secured and out of reach of children.
- The outdoor area was secured through a surrounding fence and securely gated.
- Cleaning products were stored out of reach of children.

Infection Control:

- Children and staff were observed to follow the services infection control policy through handwashing before snack times, after using the toilet and returning from the outdoors.
- Perishable food items were observed to be stored in the refrigerator in the care rooms.
- Pedal bins were available in the care rooms and sanitary areas to ensure the hygienic disposal of contaminated materials.
- The premises was observed to be in a clean condition.
- Warm water, liquid soap and paper towels were available to the children and adults in the care rooms and within the sanitary areas.

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) There were three staff members trained in First Aid Responder (FAR). Through review of the services staff roster the registered provider ensured that there was always at least one adult present in the service with a FAR certification.

(2)(a)(b) A first aid box was available within each care room and stored in an accessible position with visual displays to indicate its location.

Part VI - Safety

Regulation 26 - Fire safety measures

(1) A registered provider shall ensure that a record in writing is kept of-

(a) any fire drill that takes place in the premises, and

(b) the number, type and maintenance record of fire fighting equipment and smoke alarms in the premises.

Compliance Information

(1)
(a) The service conducts monthly fire drills with the pre-school children on various days and at various times. The last fire drill dated was held on 10 October 2024.

(b) Documentary evidence was available to demonstrate a maintenance check was carried out on the firefighting equipment on 10 April 2024 and the smoke alarms on 12 November 2024.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The registered provider ensured that the service was adequately insured to reflect the type of care provided. The insurance certificate was located at the entrance to the care rooms.

Part VII - Premises and Space Requirements

Regulation 29 – Premises

*A registered provider shall ensure that the premises of the service are-
(e) equipped with adequate and suitable sanitary facilities.*

Non-Compliance Information

(e) The registered provider did not ensure there was an adequate number of sanitary facilities for the number of children in the service. On the day of inspection there were two toilets available for thirty-four children present. One toilet and wash hand basin must be provided for every 11 children. The service is registered to cater for up to forty-four children. It is acknowledged that the service took immediate action to address the non-compliance on the day of the inspection once the inspector team brought the non-compliance to their attention

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

There were 5 toilets available on the day of the inspection. Two of the 5 toilets were allocated to creche use only with signage. Three of the 5 toilets were for the use of others using the community centre & the creche. Once this was highlighted by the inspector 4 of the 5 toilets were immediately allocated to creche use only and the public were directed to use other toilets in the centre during creche opening hours. Signage has been put up to inform the public that the toilets are for creche use only.

Preventive Action

Signage has been put up to inform the public that the toilets are for creche use only.

Supporting documentation submitted

Photographic evidence of the four toilets with signage for creche use only.

Documentary evidence of letter from the community centre allocating four toilets for creche use only during operational hours of the service.

Summary Comment

The inspector has reviewed the actions taken and evidence submitted. The non-compliance identified under Regulation 29 (e) has been addressed.