

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2023DR001
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Name of Service:	Once Upon a Time
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Address of Service:	Unit 6, Cherrywood Town Centre, Grande Parade, Area TC2, Cherrywood, Co. Dublin
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Name of Registered Provider:	Anne McCormack, David McCormack
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Service type:	Full Day
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Date of Inspection:	13/06/2023
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No of pre-school children:	AM	43	PM	43
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Tusla Child and Family Agency, 7th Floor, Brunel Building, Heuston South Quarter, Dublin 8.
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Inspection undertaken by:	E. Mulhern	N. Ruddy
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Title:	Early Years Inspector	Inspection and Registration Manager
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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

Once Upon a Time (Cherrywood) is one of nine services operated by the registered providers. The service opened in January 2023 and offers full-day care to children aged between three months and six years. It is registered to accommodate 75 children. The service operates Monday to Friday from 7:30am to 6:30pm from a purpose-built premises within an apartment complex in Cherrywood town centre. The service is situated over two floors. The children's base rooms, sanitary facilities, sleep room and outdoor area are situated on the lower floor. There are five children's base rooms; Baby room, Wobbler room, Toddler room, Pre-Montessori room and Montessori room. Children are allocated to the rooms according to their age.

Staffing

There are 11 staff employed to work in the service including the person in charge and an ancillary staff member. Ten staff including the person in charge worked directly with the children on inspection. One staff member employed to work directly with children is employed to work part-time. All other staff are employed to work full-time.

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 areas of governance and health, welfare and development of child. The inspections may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9 (2) & (4), 11 (1) & (2) and elements of 19(1)(a); however, on inspection additional non-compliance which posed significant risk was identified under regulations 16 (1)(i) and 23. 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 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

(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

The inspection focused on the recruitment records of adults who had commenced working in the service since the previous inspection dated 3 May 2023 for regulations 9(2)(a), (b) and (d) and 9(4). Through discussion with staff and review of recruitment records it was evident that one adult started working in the service since that date. Regulation 9(2)(c) was inspected in relation to all staff employed by the service.

(2)

(a) Records were available evidencing past employer references had been considered for the adult.

(b) Not applicable as the adult had references available from two previous employers.

(c) Garda vetting disclosures were available for all adults.

(d) Not applicable as the staff member had not lived outside the state for more than six months as an adult.

(4) A certificate was available evidencing the staff member held a major award in Early Childhood Care and Education at Level 5 on the National Framework of Qualifications.

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.

Non-Compliance Information

(1) The registered providers did not ensure that there were always an adequate number of adults working directly with the children. Inspectors observed this to have a significant impact on the care of the children. Further details are outlined under regulations 11(2) and 19(1)(b) below. Inspectors observed staff phoning other rooms asking for somebody to help when there was nobody available to help. Inspectors observed the person in charge moving constantly between rooms to maintain ratios and help staff. Staff described how the service had experienced a high turnover of staff since opening in January, with three staff leaving recently. They stated they have requested additional staffing and that they had difficulty implementing activities due to short staffing as available staff were busy responding to the children’s needs.

Inspectors also observed a child being moved with the sole purpose of attempting to maintain minimum ratio requirements. One staff member in the Wobbler room phoned a staff member in the Baby room and asked them to “take one” as they had gone under the minimum ratio requirement. The person in charge did not take any break during the day. A staff member in the Baby room who was due to finish work at 12pm was asked to stay until 5pm during the inspection. The inspectors observed that if the staff member had left at their allocated finish time and the person in charge took their break, this would have further negatively impacted the staff ratios and care practices.

(2) The minimum ratio of adults to children was not always maintained as outlined in the chart below. All children were attending on a full-day-care basis.

Non-Compliant Adult to Child ratio on day of inspection					
Room Name	Time	Number & Age of children (years)	Number Of Adults required	Number of adults available	Minimum adult to child ratio requirement
Baby Room (accommodated children from Wobbler and Toddler room)	10:15-11:15	8 aged 0-1 <u>4 aged 1-2</u> Total =12	4	3	1:3 (0-1 years) 1:5 (1-2 years) 1:6 (2-3 years)
	11:15-11:31	8 aged 0-1 <u>3 aged 1-2</u> Total -11	4	3	
	11:31-11:54	8 aged 0-1 4 aged 1-2 <u>1 aged 2-3</u> Total = 13	4	3	
	11:54-12:38	8 aged 0-1 15 aged 1-2 <u>1 aged 2-3</u> Total = 24	6	4	
	12:38-12:49	8 aged 0-1 15 aged 1-2 <u>1 aged 2-3</u> Total = 24	6	5	
	12:49-13:53	8 aged 0-1 9 aged 1-2 <u>1 aged 2-3</u> Total = 18	5	3 (4 th adult present intermittently)	

	13:53 – 14:00	8 aged 0-1 8 aged 1-2 <u>1 aged 2-3</u> Total = 17	5	3 (4 th adult present intermittently)	
	14:41 – 15:41	7 aged 0-1 <u>4 aged 1-2</u> Total = 11	4	2	
Montessori & Pre-Montessori (children combined during staff breaks)	12:06 - 13:06	3 aged 2-3 years <u>8 aged 3-5 years</u> Total = 11	2	1	1:6 (2-3 years) 1:8 (3-6 years)
	13:15 – 14:15	4 aged 2-3 years <u>8 aged 3-5 years</u> Total = 12	2	1	

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Actions

The manager will ensure the correct ratio is met within the rooms at all times. The staff have been reminded to call for cover if they need it.

Supporting documentation submitted

No supporting documentation submitted.

Summary Comment

It is acknowledged that the registered provider stated that the correct ratio would be maintained at all times, and staff were reminded to call for cover if needed. However, following two requests for supporting documentation including evidence of additional staffing, this was not received. A staff roster dated 19-23 June 2023 was submitted in relation to regulation 16(1)(i). This did not demonstrate any increase in the number of staff working in the service. The Inspectorate has not been assured that the non-compliance has been addressed.

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:

(i) details of staff rosters on a daily basis;

Non-Compliance Information

The staff roster was not reflective of the staffing within the service. Two staff that were rostered to work from 9:30am to 6:30pm and 7:30am to 4:30pm were not present at any stage during the inspection. The person in charge told the inspectors that one of the staff members works “in the head office” every day of the week and another staff member is an area manager for the registered provider’s services. The person in charge told inspectors they were not expected to work in the service for the remainder of the week despite being rostered.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Actions

The staff roster will reflect the staff in the centre on each day.

Supporting documentation submitted

Copy of staff roster dated 19 – 23 June 2023.

Summary Comment

It is acknowledged that the registered provider stated the staff roster will reflect the staff in the centre on each day. However, the staff roster submitted did not include the name of one staff member who was allocated to work in the service daily. The inspectorate is not assured of the overall compliance under Regulation 16(i). The details of the roster in relation to reflecting the staffing present in the service will be assessed on 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

Inspectors observed children moving freely and exploring their environment. They spent time outdoors and had sunscreen applied appropriate to the weather. Children were provided with food and snacks at regular intervals. Drinks of water were offered with meals and snacks and were always available to the children. Inspectors observed mealtimes were relaxed and promoted children's social and independence skills. Children sat in small groups with adults in the Wobbler room. The adults engaged the children in conversation and provided help when needed. Bibs were provided for younger children to protect their clothes from becoming soiled or wet. Babies were held when bottle fed with the adults engaging warmly with them. Children in the Toddler room were given choice of bib colours and whether to wear one and were encouraged to clear their plates away when finished eating.

Children were encouraged and supported to manage their personal care. The children were assisted to wash and clean their hands and faces. Children who wore nappies had these changed at scheduled times and in between when needed. Staff changed the clothes of a child who had a toileting accident and a child who had spilled water on their clothes in a timely manner. Inspectors observed staff using these times as an opportunity for warm one-to-one interaction. Staff demonstrated warmth and affection in their interactions with the children through use of soft and gentle tones. A daily diary was provided via an app to share information about children's day with their parents/guardians.

Children in the Montessori room were observed to enjoy relaxation time in the afternoon guided by a staff member who encouraged gentle conversation with each in turn being afforded an opportunity to talk about their wishes. Afterward the children happily engaged in outdoor play.

Non-Compliance Information

1. Inspectors observed that the service was unable to provide appropriate emotional attention and care to children due to the shortage of staff. Examples of this are outlined below:

- The inspector observed one adult attempting to simultaneously comfort two children who were crying and clinging to her in the Baby room. One adult was changing children's nappies and one adult was assisting three children with dinner. The adult called the staff member who was assisting with dinner to clean the face of one child who was sitting on the floor with a build-up of tears and mucous. The staff member was unable to provide comfort to the children as each time she put one down to comfort another, they immediately resumed crying.
- The inspector observed one adult attempting to comfort three children in the Montessori room who were crying simultaneously. The children from the Montessori and Pre-Montessori children had been joined together while staff took their lunch breaks leaving one adult with 12 children. The adult was unable to provide the children who were upset with appropriate comfort or provide appropriate attention to the other children. The inspector observed one of the children to be distressed. The child sat on the inspector's knee on the floor and was calm for approximately five minutes until the inspector had to leave.
- The inspector observed one adult attempting to settle children to sleep in the cot room. There were 12 children present. Four children were crying simultaneously as the adult went to each of them in turn attempting to comfort them. The staff member was unable to stay with any of them for long enough to sustain comfort. It is acknowledged that another staff member arrived after approximately 15 minutes.
- The inspector observed a child crying for prolonged periods in the Toddler room. The child appeared very distressed for the duration of their stay. Staff explained that the child was new and settling in. At various points of the morning the child was alone and crying at the garden door and room door seeking to get out. Staff sought to comfort the child at points throughout the morning but were regularly too busy responding to other children's needs to give this child time and attention and

support them to settle. At one point the child stood at the door for 36 minutes crying and attempting to get out with staff offering only verbal reassurance as they tended to other children.

2. The inspector observed an adult attempting to simultaneously settle two children to sleep by rapidly pushing/pulling two cots, which were on wheels, back and forth in a vigorous manner. The practice was not deemed to be soothing or appropriate for settling children to sleep.
3. The inspector observed that two children in the Wobbler room who were displaying signs of tiredness including crying and rubbing their eyes were not placed to sleep in a timely manner. Although staff acknowledged the children were tired, they were not placed to sleep until approximately 55 minutes later.
4. A restful environment was not provided in the Toddler room where the children were placed to sleep after dinner. The room remained active during the sleep period with staff preparing furniture, lifting children who were almost asleep to change their nappies, children disturbing each other, the phone ringing, other children arriving into the room, a child running around and a child crying continuously. At approximately one hour after being placed to sleep, half of the children remained awake. Despite attempts, the staff could not respond adequately to all the movement and disturbance in the room. The inspector observed children who did sleep being woken through noise and activity and purposely by staff when the designated sleep period had ended.
5. Transitions into the service and between activities were not supportive of the children's needs in the Toddler room. Staff were observed to be busy responding to the needs of the group in their care and did not have sufficient time to support new children settling in and a child who staff said was transitioning from the Wobbler room and who cried and appeared very distressed when left with the group. Staff made periodic attempts to comfort these children but were regularly diverted to tasks or support of other children.

When asked about what happens when a new child won't settle a staff member informed the inspector that they had decided to phone their mother. Resulting from this decision all children were directed to return indoors without prior notice and disturbing their play; a few of the children started crying.

6. Provision of food was not in keeping with dietary preferences in the Toddler room for one child. The inspector asked staff about dietary preferences and allergies. Staff responded and confirmed with each other that one of the children does not eat certain meats. Documentary evidence outlining allergies and dietary needs which was available on the wall in the room demonstrated that this child is vegetarian. The child was given a turkey sandwich to eat at snack time. When the child refused their snack they were given a bowl of fruit from their bag. In discussion with the manager, it was confirmed that this child is vegetarian and should not have been offered the meat sandwich.

7. There was no suitable adult seating in the Toddler room to support staff to sit with and comfort children when they were upset. Staff sat a crying child on their knee on a small child size chair and while sitting on the floor. This room was occupied by children aged 1 and 2 years.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Actions

1. The manager and staff will continue to their best to comfort children.

2. Staff have been asked not to rock cots. The manager will ensure that staff don't rock the cots.

3. Staff have been retrained in the safe sleep policy. The training manager will ensure staff are aware that the children have access to sleep or rest at any stage during the day.

4. The staff have been reminded to have a restful environment when the children are sleeping - nappy changing must be done if a child is soiled. If other children entering the room to sleep this must be done in a quiet manner. The manager will ensure there is a better routine in place for this time to ensure the environment is restful.

5. The staff will make sure they meet the needs of the children by continuing to support them during transitions and contacting parents if the child is very unsettled.

6. This error was addressed with staff to ensure it does not happen again. The allergy and food preferences list is in each room – staff have read and been retrained in this area. The Manager has addressed this with the staff and has asked that they read the allergy/food preference list again to ensure this does not happen again.

7. Management have put the adult chair back into the room so if staff wish to use it, it is available for them.

Supporting documentation submitted

- Staff roster dated 19-23 June 2023
- Document listing children’s food allergies/dietary preferences

Summary Comment

1. It is acknowledged that the registered provider submitted actions stating that the non-compliance findings would be addressed. However, following two requests for supporting documentation including the staff roster for each room to demonstrate adequate staffing levels, this was not received. The staff roster submitted did not outline which room the staff were allocated to. It also did not evidence that there had been any increase in the number of staff employed in the service. The Inspectorate has not been assured that the non-compliance has been addressed.

2. It is acknowledged that the registered provider submitted an action stating that the staff have been asked not to “rock” cots and the manager will ensure the cots are not “rocked”. However, following two requests for supporting documentation including evidence that the staff had received training in relation to the practices observed on inspection, this was not received. The Inspectorate has not been assured that the non-compliance has been addressed.

3. & 4. The Inspectorate accepted the actions submitted and will review the effectiveness of these on the next inspection.

5. It is acknowledged that the registered provider submitted actions stating that the non-compliance findings would be addressed. However, following two requests for supporting information including a copy of the settling-in policy, no supporting documents were received. It was not evident how the actions in relation to providing

appropriate emotional support to children transitioning into the service and between activities and rooms would be carried out without additional staffing and a review of settling-in procedures. The Inspectorate has not been assured that the non-compliance has been addressed.

6. It is acknowledged that the registered provider submitted actions stating the non-compliance had been addressed. However, following two requests for supporting documentation including evidence of staff training, this was not received. The registered provider submitted a document in relation to children who had allergies/dietary preferences which was already available on inspection. The Inspectorate has not been assured that the non-compliance has been addressed.

7. It is acknowledged that the registered provider stated the adult chair had been put back into the room. However, following two requests for supporting documentation this was not received. This will be reviewed on the next inspection.

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.

Non-Compliance Information

General Safety:

The inspector observed a child in the Toddler room eating whole grapes which were brought from home and given to him by staff, posing a risk of choking. Staff phoned kitchen staff to take the grapes for cutting when this was brought to their attention by the inspector.

Action submitted by the Registered Provider

Corrective & Preventive Action submitted 13 September 2023

The staff have been informed of the risk of choking and the parents have been contacted in relation to this. Parents have been informed that food brought from home needs to be cut age appropriately and staff will check this prior to giving it to the child.

Supporting documentation submitted

No supporting documentation submitted.

Summary Comment

It is acknowledged that the registered provider stated actions had been taken to address the non-compliance. However, following two requests for supporting documentation including evidence of communication with staff and parents, this was not received. The Inspectorate has not been assured that the non-compliance has been addressed.