

# Early Years Inspectorate Regulatory Report

## Pre School

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|--|---|----|----|----|
| <b>TUSLA Identifier:</b>   | TU2023DR002   |    |    |    |
| <b>Name of Service:</b>  | Links Childcare Foxrock   |    |    |    |
| <b>Address of Service:</b>   | Brighton Wood, Brighton Road, Kerry Mount, Foxrock, Co. Dublin                        |    |    |    |
| <b>Eircode:</b>  | D18 WPA6  |    |    |    |
| <b>Name of Registered Provider:</b>  | Gillian Kelly   |    |    |    |
| <b>Service type:</b>   | Full Day, Part Time, Sessional  |    |    |    |
| <b>Date of Inspection:</b>   | 02/10/2023  |    |    |    |
| <b>No of pre-school children:</b>  | AM  | 34 | PM | 32 |
| <b>Address of the Early Years Inspectorate:</b>  | 1st floor Trinity Building, IDA Business Park, Southern Cross Road, Bray, Co. Wicklow |    |    |    |
| <b>Inspection undertaken by:</b>   | Sarah Quigley & Fiona Carty   |    |    |    |
| <b>Title:</b>  | Early Years Inspectors  |    |    |    |
| <b>Authority to Inspect</b>  |   |    |    |    |
| 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>  | Not Applicable  |    |    |    |

### Description of service

Links Childcare Foxrock is a privately owned early years' service and is one of twelve centres operated by Links Childcare. The service currently provides sessional, part-time and full day care to pre-school children aged one to six years of age. The hours of operation are between 07:30hrs and 18:30hrs each weekday. The premises are located at ground level in a new mixed housing development in a residential area of Foxrock, south county Dublin. The service is a purpose-built facility with three care rooms, a catering kitchen, and a staff room. There is an enclosed outdoor space to the rear of the premises which is divided into two separate play areas.

### Staffing

The service currently employs 9 staff members including a centre manager and a cook. On the day of inspection, 10 staff members were present including an area manager and a senior manager who work across a number of early years centres operated by the registered provider. The registered provider does not work directly 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 an announced initial inspection and focused on the area of governance and health, welfare and development of child. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11 and 19; however, on inspection additional non-compliance which posed significant risk was identified under Regulation 29. These findings are outlined within the relevant regulation 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

*(1) A registered provider shall ensure that-*

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

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

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,*

- (b) consideration of references from reputable sources in the case of a person who has no past employers,*
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and*
- (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.*
- (3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.*
- (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 there was a named person to deputise as required.
- (b) The designated person in charge was on the premises at the time of arrival of the inspectors and remained on the premises for the duration of the inspection.
- (2) Documentation was reviewed in respect of the 9 adults currently employed to work in the service, and an area manager and senior manager who were present on the day of inspection. The following records were available for the 11 adults:
- (a) (b)
- The registered provider demonstrated that they had verified the references obtained from 2 sources for the 11 adults.
- (c) A Garda vetting disclosure from The National Vetting Bureau for the 11 adults.
- (d) International police vetting was available for the 5 adults who required it.
- (3) A review of documentation evidenced that the procedures specified above under Regulation 9(2) had been completed prior to the 11 adults commencing employment in the service.
- (4) There was evidence that 10 of the adults had attained at least a major award in Early Childhood Care and Education at Level 5 on the National Framework for Qualifications, or a qualification deemed to be equivalent. One adult did not require a qualification as they worked in an auxiliary role.

### 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.*

#### Compliance Information

(1) An adequate number of adults were working with the pre-school children attending the service during the inspection.

(2) The registered provider ensured that the minimum ratio of adults to children was maintained in the service on the day of inspection. There were 34 children present in the service being supervised by 9 adults during the 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

The inspectors observed practices that ensured that the children's learning, development and well-being was supported as follows:

Adults were observed to offer praise and encouragement towards the children, prompting individual choices during activities. Soft tones and gentle, respectful language were observed in use by staff members during all interactions observed with the children. Good communication was observed by the adults who listened, made good eye-contact and spoke individually with the children at their level during the inspection.

The adults were observed to have a supportive role in the children’s learning and play, and used prompts to extend children’s play and learning. The play experiences in the service were observed to be child-led, and children were visibly content in their play during the inspection.

Mealtimes were observed to be a relaxed and sociable occasion. Staff were observed sitting with the children engaged in conversation and older children were supported to self-serve at mealtimes. The children were encouraged to participate in tasks to encourage independence such as cleaning up following activities and mealtimes.

Some areas of interest were defined in the care rooms enabling freedom to play and explore. These areas included home corners, dress up, sensory, and construction areas. The environments provided a range of developmentally appropriate and valuable play experiences for the children attending the service through a variety of materials and equipment. Children were observed freely accessing play materials which were all accessible on low level shelving units.

The children’s behaviour was managed in a calm and positive manner, evidenced by adults encouraging problem solving and using suggestions to resolve conflicts whilst offering positive reinforcement.

Staff stated they avail of opportunities to communicate with parents and guardians at drop off and collection times. Reports on individual daily routines were maintained in the care rooms and staff stated they were shared with the parents each day.

### Non-Compliance Information

Practices observed on inspection did not ensure one child’s wellbeing was facilitated and individual care needs were met at one point of the day as follows:

At 11:45am, a child attending the Preschool Ash room became upset, asking a staff member for their comforter. The staff member told the child they could have it after dinner. The child became increasingly distressed and continued to ask for their comforter until 11.58am when a staff member gave it to them.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

Efforts were being made with the child in question, to increase his independence and wean him off his need for his comforter. It is fully accepted, however, that in so doing, a child, even when he is being attended to by his carers, should never be upset when a resolution was so easy. The staff member in question has been retrained. The incident, observed by the Inspectors, informed an item on the agenda for an in-house CPD and became a valuable learning opportunity. The situation will continue to be monitored by the manager and regional manager.

## Summary Comment

The regulatory requirement has been met.

## Part VII - Premises and Space Requirements

### Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-*  
*(c) kept adequately lit, heated and ventilated.*

## Non-Compliance Information

- (b) There was no evident means of ventilation available in the children's bathrooms and nappy changing rooms on the day of inspection. No natural ventilation was available, and a mechanical ventilation system was not in operation.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

The mechanical ventilation system has an on/ off button in each bathroom/nappy changing area but has a central control panel where master switches control different areas of the crèche. On the evening before the inspection the master switch had been turned to off by the maintenance team unknown to the manager. It appeared not to be working but in fact was switched off. It was rectified immediately after the inspection, when the error was discovered. While it is unlikely that such an event would reoccur, the management team is now conscious to ensure the master switch is always in the ON position.

## Summary Comment

The regulatory requirement has been met.