

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2023WD001				
Name of Service:	The Three Little Bears				
Address of Service:	Cruachan, Dungarvan, Co Waterford.				
Eircode:	X35 H20				
Name of Registered Provider:	Mairead Barry				
Service type:	Full Day Care				
Date(s) of Inspection:	04/02/2025				
No of pre-school children:	<table border="1"> <tr> <td>AM</td> <td>22</td> <td>PM</td> <td>22</td> </tr> </table>	AM	22	PM	22
AM	22	PM	22		
Address of the Early Years Inspectorate:	Community Care Centre, HSE Buildings, Cork Road, Waterford City				
Inspection undertaken by:	A. Bradshaw				
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
---------------------------------	----------------

Description of service

The Three Little Bear is a privately owned service based in a residential area outside Dungarvan town. There are two care rooms with two adjacent sleep rooms, sanitary facilities, kitchen, and a staff room. There is an outdoor area to the rear and side of the building. The service is registered to care for children from 1 to 3 years old, Monday to Friday from 8:00 to 17:00.

Staffing

There were five staff, including the registered provider, employed in the service. On the day of the inspection, there were 4 staff caring for 22 children.

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 unannounced inspection focused on governance/ health, welfare, child development, and safety.

The inspection focused on an examination of compliance under regulations:

Regulation 8(1) - Notification of Change in Circumstances;

Regulation 9(1)(2)(4) – Management and Recruitment;

Regulation 11(1)(2)(4) – Staffing Levels;

Regulation 16(1)(a)(b)(c)(d)(e)(f)(g)(h)(i)(j)(k) – Record in Relation to Pre-School Service;

Regulation 17 – Information for Parents;

Regulation 19(1) – Health, Welfare and Development of Child;

Regulation 23 – Safeguarding Health, Safety and Welfare of Child.

These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under regulation 16 – Record in Relation to Pre-school Service. 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.

Additional Information

In consultation with the registered provider, the inspector has referred the service to the national early years quality development service, Better Start.

The Inspectorate requested that the registered provider attend a regulatory compliance meeting to address the outstanding findings of non-compliance.

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 II - Registration and Register

Regulation 8 - Notification of change in circumstances

(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.

Non-Compliance Information

(1)
The registered provider failed to inform the agency that they had increased the number of children they were caring for at any one time. On the day of the inspection, there were 22 children attending the service. The service is registered to care for 20 children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

CIC form submitted to the Early Years Inspectorate registration office.

Supporting documentation submitted

As above

Summary Comment

The registered provider submitted a change in circumstance form to the registration office. However, this was incomplete as the application did not contain all required supporting documents. This matter is ongoing with the registration office and will be assessed again in practice on next 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.

(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)(c)

The service had a designated person in charge at all times. The registered provider verbally described the line management structure of the service with a named deputy person in charge if required.

(2)

Five staff files were reviewed.

(c) Garda vetting disclosures had been obtained for all staff and were available to the inspector. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every 3 years.

(d) Documents which were available for review indicated that police vetting was not required for any staff member.

(4)

Documents reviewed demonstrated that all staff members had a qualification in Early Childhood Care and Education at level 5 or above on the National Framework of Qualifications.

Non-Compliance Information

(1)(a)(b)

While it is acknowledged that two references were available for three staff members, there was one reference outstanding each for two staff.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider stated that they have received the required validated references and these will be filed in the HR folder in the creche office. They stated that they have linked with the county childcare committee for compliance support and is in the process of completing a recruitment policy.

Supporting documentation submitted

Copies of the validated references were submitted.

Summary Comment

The action submitted by the registered provider has addressed the non-compliance identified on inspection. The is be reviewed on the next inspection.

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)

Four staff members were caring for 22 children attending the pre-school service.

(2)

The correct adult/child ratio was maintained during the inspection. At 10:15 the following was recorded:

Wobbler Room: 2 adults were caring for 10 children aged between 1 and 2 years old.

Toddler Room: 2 adults were caring for 12 children aged between 2 and 3 years old.

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:

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;
- (c) details of the adult: child ratios in the service;
- (d) the type of care or programme provided in the service;
- (e) the facilities available;
- (f) the opening hours and fees;
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;
- (h) details of attendance by each pre-school child on a daily basis;
- (i) details of staff rosters on a daily basis;
- (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)

(a)(b)(c)(d)(e)(f)(g)

The staff files, the parental handbook, and the public notice board contained the following details:

- the staff details
- the type of service offered and the age range of children cared for
- examples of the curriculum which is offered in both care rooms
- the adult: child ratio
- the opening hours and fees
- the service policy document

Non-Compliance Information

(1)

(h) On review of the children’s attendance books, it was noted that the children’s attendance in the Toddler room had not been recorded since the week beginning 20th January 2025

(i) On review of the staff records, it was noted that the staff roster had not been maintained since 9th September 2024.

(j) On review of 12 administration of medication forms, it was noted that 10 of these had not been completed fully and did not have all the required signatures.

(k)

The inspector reviewed 11 incident and accident reports, and of these, 7 had not been completed with all the required information and signatures as required.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider stated that at a recent staff meeting all the staff team discussed the importance of completing children and staff records. Staff are required to complete the children and staff attendance sheets daily. They must ensure the medications forms and accident and incident records are completed correctly and have the relevant signatures are required. The registered provider stated that they will oversee the completion of all documents and they will display and up to date staff roster in the staff room.

Supporting documentation submitted

A copy of the recent staff meeting agenda and the minutes were submitted as evidence.

Summary Comment

The action submitted by the registered provider has addressed the non-compliance identified on inspection.

Part IV – Information and Records

Regulation 17 – Information for parents

A registered provider shall ensure that a parent or guardian of a child proposing to attend the service is provided with the information referred to in subparagraphs (a) to (g) of Regulation 16(1).

Compliance Information

During a discussion with the registered provider, they described how each parent was issued, via email, a copy of the parental handbook when their child was enrolled in the service.

The inspector reviewed the parental handbook which was on display in the entrance hall and included details regarding the staff, the type of service offered, the age and profile of children cared for, the adult/child ratio, the type of programme offered, the facilities available, the opening hours and fees, and the policies which are required for the service to operate.

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

Children were observed to use the outdoor area during the day. The older children were encouraged to put on their own coats and hats with the support of the staff members. Mealtime was a social occasion with staff sitting with the children and engaging in conversations.

Staff were observed to support the younger children in their speech development, waiting for a child to finish talking and then repeating the words back to them and complimenting them on their use of new words. Any minor disagreements between children were observed to be dealt with calmly and respectfully with an emphasis placed on sharing and turn-taking.

Each care room had a program of activities and curriculum to reflect the interests of the children, their age, development, and time of year. The planned activity was reflected in the children's work displayed in the rooms. For example, 'the farm' was a theme for January with paintings of tractors and a farm scene on the wall with support books about farms available for the children to read.

The children moved between the areas within the care rooms and were observed selecting their activities and when reading books in the rest area. Staff were observed to invite the children to sit and engage them with interactive songs and games. One child was observed not to be interested in the organised activity and continued to play with the cars. This was acknowledged by the staff member and the child was reminded they could join the group at any time.

Each room had a family wall displayed with photographs of children with families, this supported the children's identity and belonging.

Children's sense of independence was encouraged, for example, children were given the job of handing out the cups to their peers at lunchtime.

Each child had a notebook which was updated during the day with the child's sleeping and eating routines, staff described how parents use this notebook to update them with the information they require.

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

The service provided breakfast for the children on their arrival, the staff stated that cereal and toast were offered to the children until 9:00 each morning. A local catering company provided meals to the service. On the day of the inspection, Pasta Carbonara and garlic bread were served. The registered provider described how parents have the choice to supply their meals or avail of the supplied meals. On the day of the inspection, two children were served food brought from home.

Parents supplied the snacks for the day, an example of the snacks were rice cakes, fruits, yoghurt and cheese. Staff described how additional food was available throughout the day if a child was hungry. Drinking water in individual labelled cups were observed to be available to the children during the day.

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:

The main door was secured by a call bell system. This prevented unauthorised access or exit from the building. Hand sanitisers were available in the service and stored out of reach from the children. Cleaning products were stored securely and out of the children's reach. The outdoor area was secure with a locked gate to the side of the premises and surrounded by a high wall.

Infection Control:

All refuse bins in the sanitary area had pedal-operated lids. Staff were observed to use the hand sanitiser after cleaning the children's noses. The inspector observed how younger children's hands and faces were washed with individual cloths after eating. Each child had labelled cubbies with their change of clothes and personal belongings.

Safe Sleep:

Sleep rooms were darkened with white noise playing to support children to get a restful sleep. Sleep was observed to be child-led. Children were noted to be placed in a cot when they showed signs of tiredness. Prompt notes for the staff to remind them of the children's preferences when going to bed were displayed by the cot room.

Non-Compliance Information

Infection Control:

1. There was no warm water in the two low-level sinks in the children's sanitary area and the hot water tap at the adult sink beside the nappy changing unit was broken. This did not support effective hand washing.
2. Children did not have individual cot sheets, as described in the service's sleep policy. This created a risk of infection spreading as children shared cots.
3. Of the six cots available, two of the mattresses were not washable. This created a risk of the spread of infection.
4. There was a malodour in the smaller internal cot room which indicated that there was limited circulation of fresh air in the room for sleeping children. The service's safe sleep policy stated that the sleep room should be well-ventilated.
5. There was no toilet paper or toilet seat in one of the two children's toilets.
6. Children's soothers were not stored in their individual containers in their labelled baskets. Three soothers were observed on the shelf in the sleep room and two were stored loosely in the children's basket. This created a risk of cross-infection.
7. The wall under the main window in the Wobbler room was unfinished and as a result not conducive to effective cleaning practices.
8. The inspector observed a tear in the low couch in the Wobbler room which exposed the inner foam. This did not allow for effective cleaning.
9. Cots were not positioned 50cm apart as stated in the services' safe sleep policy.

Safe Sleep:

10. Sleep checks were not recorded consistently, for example, at 11:40 two children were sleeping in the cot room with only one child's sleep check being recorded.

Fire Safety:

11. A fire exit that was partially blocked by a cot in the sleep room could impede an emergency evacuation if required.

Action submitted by the Registered Provider

Corrective & Preventive Action

Infection Control:

1. The registered provider stated that the water heater will be switched on for two hours each morning and they will check the temperature during the day.
2. The registered provider stated that they will carry out daily sleep room checks to ensure children's individual sheets are used when they are sleeping. These sheets will be stored in children's named baskets.
3. The registered provider stated that new wipeable cot mattresses have been purchased.
4. The registered provider stated that they will ensure the sleep room door will remain open when children are not sleeping to aid ventilation in the room.
5. The registered provider stated that the staff have been reminded to complete the toilet checks throughout the day to ensure all supplies required are available. They also stated that are trying to source a toilet seat.
6. The registered provider stated that containers for individual soothers were purchased, and staff have been reminded of the importance of storing soothers separately.
7. The registered provider stated that the wall has been painted the service and will be maintained to a higher standard.
8. The registered provider stated that a new couch will be purchased in the coming months.
9. The registered provider stated that markings have been put on the flooring to ensure cots remain 50cm apart, and they will do spot checks in the cot room to ensure this is the case.

Safe Sleep:

10. The registered provider stated they have purchased a sleep/rest log book and staff have been reminded of the importance of keeping accurate sleep logs.

Fire Safety:

11. The registered provider stated the sleep room has been rearranged so that cot is no longer blocking the fire exit. This will be added to the daily room checks.

Supporting documentation submitted

Infection Control:

A copy of the staff agenda and staff minutes was submitted.

Photographic evidence of the new soother storage was submitted

Photographic evidence was submitted of the painted wall.

Safe Sleep:

Photographic evidence of the new sleep record book was submitted.

Fire Safety:

Photographic evidence was submitted.

Summary Comment

The action submitted by the registered provider has partially addressed the non-compliance identified on inspection. The non-compliances at points 5 and 8 remain outstanding as the registered provider has not yet procured the items indicated in their corrective actions. This will be assessed again on next inspection.