

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2023WD001
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<b>Name of Service:</b>	The Three Little Bears
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<b>Address of Service:</b>	Cruachan, Dungarvan, Waterford.
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<b>Name of Registered Provider:</b>	Mairead Barry
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<b>Service type:</b>	Full Day Care
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<b>Date of Inspection:</b>	08/05/2023
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<b>No of pre-school children:</b>	AM	14	PM	13
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<b>Address of the Early Years Inspectorate:</b>	Community Care Centre HSE Building Cork Road Waterford
<b>Inspection undertaken by:</b>	M. Ryan.
<b>Title:</b>	Early Years Inspector

<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
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### Description of service

The Tree Little Bears is a privately owned service that opened in March 2023. The service is located in a residential area on the outskirts of Dungarvan town. The service is a stand-alone purpose-built childcare facility that first opened in 2007 under a previous registered provider. The building has two childcare rooms, two sleep rooms, sanitary accommodation with nappy changing area, a catering kitchen, staff room, office and storage space. The outdoor play space is adjacent to the service. The Three Little Bears operates Monday to Friday as a full day care service for children aged 1 to 3 years of age.

### Staffing

The registered provider is the owner/manager and is part of the staff compliment. The service has three additional fulltime employees to work directly with the children 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 announced and focused on the area of governance/ 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 9,11,15,16,17,19, and 23.

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.

## Acknowledgments

The inspector wishes to acknowledge the co-operation of the registered provider, 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) 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.
- (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) The registered provider was the designated person in charge. The service also had a named person who was able to deputise as required.

(b) At all times during the inspection the registered provider was on the premises.

(2)

The files of all four staff working directly with the children in the service were reviewed on the day.

The following were observed:

(a) There were eight written references from past employers.

(b) Not applicable as all written references were from past employers.

(c) There was evidence of completed Garda vetting disclosure certificates from An Garda Síochána for all staff.

(d) Not applicable as no staff member had resided outside of the jurisdiction for a period of longer than six consecutive months.

(4)

There was evidence that all staff employed to work directly with children held at least a major award in Early Childhood Care and Education at Level 5, and 6 on the National Qualifications Framework. There was evidence of continuous professional development and qualification certificates on file.

### 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)

The registered provider ensured that there was an adequate number of staff working directly with the children attending the service. On the day of inspection, at all times in both rooms the staff: child ratios met the requirement for the Childcare Act 1991 (Early Years Services) Regulations 2016.

(2)

On the morning of the inspection there were 14 children from 1 to 3 years of age being cared for by 4 childcare staff.

On the afternoon of the inspection there were 13 children from 1 to 3 years of age being cared for by 4 childcare staff.

### 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.*

#### Compliance Information

(1)  
There was evidence on the day of the inspection that all child records required under Regulation 15 1 (a) (b) (c) (d) (e) (f) (g) (h) (i) were available in respect of each child attending the service. These were recorded on template record sheets. On sampling three of these records, it was observed that all sections of the forms were completed. Each of the children's records had written parental consent from parents or guardians for appropriate medical treatment in the event of an emergency.

### 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

There was evidence on the day of the inspection that records under Regulation 16(1) (a) (b) (f) (g) (h) (i) (j) (k) were kept on the service and available to the inspector.

#### Non-Compliance Information

Under Regulation 16(1) There was no record in writing kept of the following information in relation to the service:

- (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.

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

##### Corrective and Preventive Action

The registered provider stated in the response that all the details for adult-child ratios are displayed on the noticeboard.

The information of the type of care offered is displayed for all parents to view upon entering the facility on the service's noticeboard. Details of the facilities available within the service and the care programme are provided to parents through staff handbook.

### **Supporting documentation submitted**

Photographic evidence was sent to the inspectorate on 10 July 2023 of the noticeboard in the entrance hall with a notice displaying the adult: child ratios for the service. A copy of the staff parent handbook was also sent to the office of the inspectorate.

### **Summary Comment**

The evidence submitted met the requirements for the Child Care Act 1991 (Early Years Services) Regulations 2016.

## **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)*

*Regulation 16(1).*

*(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*

### **Compliance Information**

The registered provider advised that there were daily opportunities to communicate and impart information to parents at drop off times, collection times, by telephone and by media messaging application.

## Non-Compliance Information

The service had no parent handbook and there was no evidence to confirm if parents had acquired the following information as required under the regulation 16(1) (a-g)

- (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 type 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.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

The registered provider stated in the response that all parents received a copy of the handbook by email which provided the required information under regulation 16(1) (b-f) a hard copy is now displayed on the noticeboard in the main hall, and a stockpile of handbooks are located in the office kept available at all times for parents. The registered provider also stated in the response that all parents and guardians were emailed a copy of the services policies procedure and statements prior to their child commencing in the service required under regulation 16(1)(g).

On the main entrance notice board, there were photographs and details of the name, positions and qualifications for each staff member

### Supporting documentation submitted

The parent handbook was sent to the office of the inspectorate on 10 July 2023. Content and details of the handbook address information as required under the regulation 16(1) (b-f).

Photographic evidence of the main entrance notice board, was supplied with photographs and details of the name, positions and qualifications for each staff member as required under the regulation 16(1) (a).

## Summary Comment

The evidence submitted met the requirements for the Child Care Act 1991 (Early Years Services) Regulations 2016.

### 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) Regulation 19 was assessed through direct observation, review of records and discussion with staff. The following was observed in relation to meeting children's basic needs in the service.

Children brought their own packed lunches and snacks. There was a full catering kitchen in the service with two refrigerators for the storage of perishable meals and snacks provided by parents. Drinking water in children's personalised beakers was available on shelving reachable to the children who were observed accessing these independently.

Children who arrived at the service before 09:00hrs were offered breakfast. The breakfast consisted of wheat-based cereals and milk or water drinks. Parents provided snacks or meals to reheat. Children were observed being given enough time to eat and enjoy their food while being coaxed and encouraged by the staff. Foods observed on the day had a variety of fresh fruits, yogurts, cheeses, and meat-based sandwiches. A small number of parents had supplied a dinner for reheating.

Children's personal belongings were kept and well organised into labelled plastic baskets in the sleep room and in the childcare rooms. Each child was provided with aprons for messy play and bibs for mealtimes.

Nappy changing was conducted routinely throughout the day in the designated nappy changing area. The changes were documented for the parents in a notebook that went home with the child on a daily basis. Regular nappy changing took place throughout the day and staff were observed talking and engaging with the children while involved in their personal care. Care was taken of children's personal hygiene, with staff observed cleaning children's hands and faces after eating. Children who were toilet trained, used the toilet as needed and handwashing was promoted after toileting.

The wobbler area catered for children from 1 to 2 years of age. This area had ample clear floor space for these children to crawl and attempt walking. On the day staff were observed sitting on large foam floor mats encouraging and taking delight in the interactions and responses from the children.

Children in the toddler area enjoyed free play, tabletop activities, messy and outdoor play. A large sand table was available to them throughout the morning in this care room and proved popular. A well- resourced home corner was developed in one aspect of the room. Children were noticed to be comfortable and relaxed in a reading area that had a selection of age-appropriate books. The staff moved around the room, engaging with the children in one to one and small group play. Both rooms provided ample space, and freedom, for the children, who were observed moving about the rooms with ease and comfort. There were regular changes of environment throughout the day between the indoors and outdoors.

Two sleep rooms were available off the wobbler area, these had an adequate supply of cots to facilitate sleep on demand for the younger children. Three children were observed in a comfortable sleep during the course of the inspection. Sharing and taking turns was encouraged with staff calmly managing any disagreements over toys and equipment.

### Non-Compliance Information

#### **Physical and material environment.**

The wobbler area of the care room had no structure or boundaries. In order to provide predictability, and security this room required zoning and cordoning off from the main pathways of doors leading to the kitchen, sleep rooms and storage rooms.

The wobbler room required opportunities for the children’s quiet times such as a comfortable chair or settee for care givers to comfort children. The room lacked sensory exploration opportunities such as mirrors, chalk boards and appropriate age messy play. The room also required chances for large muscle activities such as push and pull toys and foam platforms for climbing and crawling.

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

#### **Corrective and Preventive Action**

The registered provider stated in the response that the service has purchased a large soft climbing activity set which provides children in the wobbler area with the opportunity to build and climb.

A large wall mirror and chalkboards have been erected in this area. Additional supplies of push and pull toys such as: prams, trollies and handheld trucks.

### **Supporting documentation submitted**

Photographic evidence was submitted on the 20 June 2023 of newly acquired equipment for the wobbler room such as sensory trays for messy play/ mirrors and chalk boards for wall mounting/ selections of various shaped soft foam platforms for climbing and crawling/push and pull toys for large muscle activities.

### **Summary Comment**

The evidence submitted met the requirements for the Child Care Act 1991 (Early Years Services) Regulations 2016.

## **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 had a healthy eating policy available on the day. Meal plans were scheduled as follows for 08:00hrs-09:00hrs breakfast / 09:00hrs -10:00hrs snack time / 12:00hrs midday main meal /14:30hrs to 15:30hrs snack. The food and nutritional guidelines advise that children attending full day care (for more than 5 hours) have at least two meals and two snacks offered to them, one of which is a hot meal. It was acknowledged that the service was in negotiations for the provision of hot meals with a private catering company in the locality.

A referral was made on the 17 May 2023 to the Environmental Health Department HSE for staff training and support on the Food Safety Guidelines.

### **Non-Compliance Information**

The daily meal plans provided to the children was not in line with food and nutrition guidelines. On the day of the inspection there was no dinner or main hot meal provided.

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

#### **Corrective and Preventive Action**

The registered provider stated in the response that hot meals were now provided to all children attending the facility, the meals are delivered from a local catering company.

An inspector visited the service from the Environmental Health Department HSE on the 23rd of May 2023. Recommendations were made as follows. A new fridge has been purchased along with a temperature probe, 2 members of staff members have enrolled in HACCP training course which will provide us with more information and experience when handling food.

There is also a meal plan provided to parents through electronic means and a hard copy displayed on the service's noticeboard.

### **Supporting documentation submitted**

Photographic evidence and sample menu for the main meals was provided and sent to the office of the inspectorate on the 20 June 2023.

### **Summary Comment**

The evidence submitted met the requirements for the Child Care Act 1991 (Early Years Services) Regulations 2016.

## **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 standalone building was enclosed by a high-level concrete wall and a large high cast iron gate that had a secure locking system. There was a ramped entrance to the service which was provided with a grab rail. Access to the service was from the front door with a buzzer system connected to different aspects of the building to permit entry. The kitchen area was secured from the main play area by a suitable door and keys were stored at a high level out of children's reach

#### **Infection Control:**

The service has an infection prevention and control policy in place. The policy had exclusion times for the various childhood illnesses. There were cleaning schedules in place which detailed the frequency and method of cleaning of toys, equipment, fixtures, fittings, and surfaces. Cleaning schedules were maintained daily.

The designated nappy changing areas were clean and well ventilated. The service throughout was kept to a high hygiene standard and well maintained.

Warm water and liquid soap were available to support hygienic handwashing. Nappy changing was observed to be carried out in line with the nappy changing protocol displayed over the nappy changing unit. Children were observed being supported with hand washing throughout the inspection. Hand washing facilities were provided in the children's toilet areas.

There was a system in place for the regular cleaning and sanitising of soothers and mouthable toys in the service. There were individual supplies of clean linen, these were supplied and washed on the premises. Cleaning agents were kept in a locked cleaning store as well as on a high-level shelf in the childcare rooms inaccessible to children.

### **Safe Sleep:**

Standard cots were available in both sleep rooms. There was a safe sleep policy that detailed the child safety requirements as per the safe sleep for under two, best practice guidelines for childcare services.

Room temperatures were maintained around 19°C as observed on wall mounted thermometers. Posters on safe sleep practices were displayed on the walls in each of the sleep rooms. Staff were observed checking the children while sleeping. These checks were recorded every 10 minutes.