

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2024KE001		
<b>Name of Service:</b>	Maap Childcare Limited T/A Tots Creche and Daycare Nursery		
<b>Address of Service:</b>	Castle Park, Dunboyne Rd., Maynooth, Co. Kildare		
<b>Eircode:</b>	W23 DX8P		
<b>Name of Registered Provider:</b>	Annette Akerlind, Audrey Murray		
<b>Service type:</b>	Full Day, Part Time, Sessional		
<b>Date of Inspection:</b>	9 May 2024		
<b>No of pre-school children:</b>	AM	40	PM 36
<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Child & Family Agency, Suite 7, Vista Primary Care, Ballymore Eustace road, Naas, Co. Kildare, W91 X38W.		
<b>Inspection undertaken by:</b>	T. Duignan and F. Maher		
<b>Titles:</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>	n/a		

### Description of service

Maap Childcare Limited T/A Tots Creche and Daycare Nursery, Castle Park opened in 2024 as a privately run childcare service for children aged 0 to 6 years. It is part of a multiple chain of services operated by the current registered providers.

The early years' service is registered to provide full day care, part time and sessional service.

The service operates from 7:00am – 18:30pm on a Monday to Friday basis.

The early years' service is located in a purpose-built single-story building within a housing development on the outskirts of Maynooth, Co. Kildare. The accommodation consists of five care rooms, one cot room, sanitary facilities for adults, a kitchen, staff rest area and an office. A large, secured play area is located at the rear of the premises. Set down and parking facilities are available outside the premises.

### Staffing

Fifteen adults are employed in the service. The registered providers do not work directly with children.

There were thirteen adults present in the service on the day of the inspection. Of the thirteen adults present, seven were working directly with the preschool children, one adult was working with the school age children, and the manager and assistant manager provided support to the care rooms in addition to managerial responsibilities and oversight of the service. A cook was employed to prepare food daily. Two area managers were present during the inspection.

All the adults working directly with the preschool children held a recognised qualification in Early Childhood Care and Education on the National Framework of Qualifications.

### 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 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:

- Regulation 9 (2)(a)(b)(c)(d), (4) - Management and recruitment.
- Regulation 11(1),(3) – Adult child ratios.
- Regulation 19(1)(a) – Health, Welfare and Development of Child.

however, on inspection additional non-compliance which posed a risk was identified under:

- Regulation 23 – Safeguarding health, safety and welfare of child.

The 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 managers of the service, operations manager, area manager, 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) 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.
- (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.

(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) There was a designated person in charge and a named person to deputise as required.
  - (b) The named person in charge remained on the premises for the duration of the inspection.
- The records of fifteen staff members were reviewed.
- (2)
- (a) Two written and verified past employer references were available in respect of six adults and one written and verified past employer reference were available in respect of two adults employed in the service whose records were reviewed.

(b) Two written and verified references from a reputable source other than a past employer were available in respect of one adult and one written and verified reference from a reputable source was available in respect of one adult employed whose records was reviewed.

(c) Garda Vetting disclosures were available for fifteen staff members, all of which were in the dated within the last three years.

(d) Police vetting was available for eight adults who had lived in a state other than the State for a period of longer than 6 consecutive months.

(4) Three adults working directly with the children held qualifications in Early childhood Care and Education at Level 5 or higher on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent, and one staff member was in possession of a letter of eligibility to practice issued by the Department of Children, Equality, Disability, Integration and Youth (DCEDIY).

### Non-Compliance Information

(2)

(a)(b) Two written and verified past employer references or references from a reputable source in the absence of a past employer reference were not available in respect of six adults employed and one written and verified past employer reference or reference from a reputable source in the absence of a past employer reference was not available in respect of one adult employed in a non-childcare role and present in the service whose records were reviewed.

(d) Police vetting was not available for three staff members employed who had lived in a state other than the State for a period of longer than six consecutive months and was present in the service.

(3) The procedures specified in paragraph (2) had not been completed in all instances prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(4) Documentary evidence was not available of a full award in Early Childhood Care and Education for five staff members working directly with the children.

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

#### Corrective and Preventive Action

(2)

(a)(b) All remaining staff file contents have been printed from the service managers email and are in staffs files as per the staff file contents list. (see email with all staff files attached to email sent to inspectors on 06/06/2024)

(d) Police Vetting's are all printed and filed in staff file as per the staff file contents list. (see email with all staff files attached to email sent to inspectors on 06/06/2024)

(3) The procedures specified in paragraph (2) had been carried out before the staff members were appointed to their position. The staff files were not printed or filed into the staffs files at the time of the inspection. (see email with all staff files attached to email sent to inspectors on 06/06/2024)

Prior to a candidate being interviewed their qualification is checked to make sure they have the necessary level of qualification for the position available.

Then when a candidate is interviewed, their references are checked and verified and vetting completed before staffs employment is confirmed.

Once the staff member has been offered a position and has accepted, the Staff files will be compiled by the operations manager as she hires staff and staff files will be completed by operations manager and given to the service manager. It is then the service managers responsibility to file it in the staff files folder and is updated when staffs child protection and vetting need to be updated or when continuous professional development or internal training is carried out.

(4) Documentary evidence has all been translated to English and is filed in staff files in the service. (see email with all staff files attached to email sent to inspectors on 06/06/2024)

### **Supporting documentation submitted**

Documents x 24

### **Summary Comment**

The written response and documentary evidence submitted has been assessed by the Early Years Inspectorate. Regulatory compliance is met for regulation 9. This area of practice will be assessed at 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.*

*(8) Without prejudice to paragraphs (2) to (7)-*

*(a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times,*

#### Compliance Information

(1) There were forty children attending the service being supervised directly by seven adults.

(2) The minimum ratio of adults to children was adhered to during the day.

(8)(a) There were at least two adults on the premises at all times for the duration of the Inspection. This was confirmed following review of the staff roster for the service.

### 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

##### Basic needs of children:

The service promoted a healthy eating policy. Food and snacks were provided at regular intervals during the day. Young children had the opportunity to feed themselves and their drinks were within their reach throughout the day should they feel thirsty.

Nappy changing was completed regularly and promptly when required. It was handled in a sensitive and positive manner. Children who were toilet trained were encouraged to be independent, but assistance was provided if needed.

The individual sleep needs of the children in the Baby room were met. The children in the other care rooms requiring sleep during the day, slept at a designated time.

The staff members were observed applying sun cream to the children prior to going outdoors. They also put sun hats on the children to protect them from the sun while playing outside.

The adults working with the children were sensitive and responsive in promoting positive behaviours. Children were spoken to in a kind and respectful manner. Their first names were used, appropriate eye contact and gentle vocal tones were observed being used during all interactions.

##### Supporting relationships around children:

In the Baby room, care routines were matched to each child's individual needs; this included nappy changing, feeding and sleep. The staff members were observed nursing and comforting children who were settling in to the service and promptly attended to children when they became upset by lifting and soothing them until they were happy to play again.

Information was shared with parents and guardians at the drop off and collection times. A daily written record was maintained for the children attending the Baby, Wobbler and Toddler rooms. It outlined food eaten, time nappies were changed, toileting, sleep times, activities and other comments.

Face to face meetings can be arranged for parents/guardians as necessary and email and telephone contact are used as an alternative method of contact.

### Physical and material environment:

The physical and material environments in the care rooms were comfortable, inviting and laid out to accommodate the needs of all children. Defined areas of interest were observed in the care rooms. These included a library area, a home corner, area with bricks, connecting toys, puzzles and jigsaws, a construction area, small world toys and materials, sensorial materials including sand and playdough on the day of the inspection.

In the Baby and Wobbler rooms, age-appropriate equipment included soft climbing cushions, stacking toys, shape sorters, sensory mats, push/pull equipment, rattles and musical instruments and books.

Materials and resources were available on low level shelving which were accessible to the children. Low level chairs and tables were available to the children for meals and tabletop activities.

The secured and spacious outdoor area was located at the rear of the premises. The ground surface was covered with artificial grass carpet. It was equipped with a wooden play house integrated with a climbing ladder and slide activity unit, a wooden teepee, a wooden train play unit, stepping/balance stones, seats for children to sit down, two sand trays, and three slides.

### Programme of activities:

On the day of the inspection, the children were facilitated to make their own choice in selecting play equipment and activities that they wished to engage with.

### Non-Compliance Information

#### Basic needs of children:

1. There was no seating and table space available for two of the ten children at snack time in Wobbler room which started at 10:10 am. They had to wait until a space became available at the two tables when other children finished their snack. One child was observed to take food from other children's snack and eat it while wandering around the two tables. One of the two children was accommodated at the table quickly, however, the child who was observed picking up food from a child's plate did not sit down to eat until 10:36 am. This child was observed to drink their water very quickly and then eat their snack alone while the other children who had finished eating, played with the toys and equipment in the room.
2. The children in the Wobbler room were not provided with outdoor play on the day of the inspection as some children did not have any sun cream available.

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

#### Corrective and Preventive Action

#### Basic needs of the children:

1. We have discussed with staff and management that if furniture is moved into another room or garden for an activity that it must be moved back to its usual care room straight after the activity or the next day prior to

children arriving. All children are to be included at the tables at mealtimes. In a staff meeting held in the service regarding this non-compliance, we have trained staff that tables should be clean and laid out ready with chairs around the table so the children have the choice where to sit and when. If staff are assisting several children, finger food should be given to children and they can enjoy this while waiting on the spooned food from the staff member. Management will be implementing regular mealtime checks; this will ensure consistency and ensure mealtimes are an enjoyable and social experience for all children in the service.

2. In the afternoons we have been placing the children without sunscreen into another room to allow the rest of the class to go outside. Parents have now brought in sunscreen for all children. Parents are required to bring in sunscreen every year for their child to be safe when out in the garden. We have had to adopt a stronger rule about this for some parents.

### **Supporting documentation submitted**

Photographs x 8

Documents x 2

### **Summary Comment**

The written response, documentary and photographic evidence submitted has been assessed by the Early Years Inspectorate. Regulatory compliance is met for Regulation 19(1)(a). This area of practice will be assessed at 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

##### Safe Sleep:

- The requirements stated in 'Guidance for the Early Learning and Care sector on sleep provision for children under 24 months' were not adhered to as evidenced by the following observations:
  - Two children aged under 2 years who were observed sleeping on low beds did not have written agreed sleep plans completed.
  - Four written sleep plans for children aged under 2 years were started however there was no evidence that consultation and agreement had been completed with the parents.
- The space between the seven cots in the sleep room was less than the required 50 cm for the purposes of infection control and to allow easy access between each cot to promptly attend to a child.

#### Action submitted by the Registered Provider

##### Corrective & Preventive Action

##### Safe Sleep:

- All sleep plans have been reviewed in consultation and agreement completed by parent and manager of the service. We make sure the whole sleep plan is filled in before taking it from the parent, and make sure the manager of the service signs it also. All parents are emailed the 'Guidance for early learning and care sector on sleep provision for children under 24 months and the Tots sleep plan before the child starts in the service. A meeting between the manager and the parents will then be arranged and the agreed plan will be documented, and the sleep plan will be reviewed if/when agreed or when the child's sleeps change or they might transition to a stack bed.
- One cot has been removed from the nursery.

##### Supporting documentation submitted

##### Safe Sleep:

- Sleep plans for six children.
- Four photographs of the arrangement of cots in the sleep room

## Summary Comment

The written response, documentary and photographic evidence submitted has been assessed by the Early Years Inspectorate. Regulatory compliance is met for Regulation 23. This area of practice will be assessed at the next inspection.