

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2024KE003
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Name of Service:	Maap Childcare Limited T/A Tots Creche and Daycare Nursery
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Address of Service:	Oak Park, Naas, Co. Kildare
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Eircode:	W91 CX3K
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Name of Registered Provider:	Annette Akerlind, Audrey Murray
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Service type:	Full Day, Part Time, Sessional
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Dat(s) of Inspection:	05/11/2024
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No of pre-school children:	AM	63	PM	36
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Address of the Early Years Inspectorate:	Early Years Inspectorate Child & Family Agency Suite 7, Vista Primary Care Ballymore Eustace Road Naas, Co. Kildare W91 X38W
Inspection undertaken by:	F. Maher, T. Duignan
Title:	Early Years Inspectors

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	N/A
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Description of service

Maap Childcare Limited T/A Tots Creche and Daycare Nursery is one of a number of services operated by the registered providers in Kildare. The service provides full day care, part-time and sessional care and education to pre-school children aged 0-6 years and opens from 07:00am – 18:30 hours, Monday to Friday.

The service operates from a purpose-built premises located near the entrance of a private residential housing development in Naas, Co. Kildare. Five pre-school rooms, a sleep room, kitchen, office and a staff room are provided. Outdoor play facilities are located to the rear of the premises. Parking is available to the front of the building.

Staffing

There were seventeen adults present in the service on the day of the inspection, this included twelve adults working directly with the children and was inclusive of relief staff members who provided cover and support to the rooms as required, one student was on work placement and the cook was on site. The person in charge and deputy person in charge were present and available to assist in the rooms as necessary, the area manager arrived in the service during the morning and stayed for a period of time. The registered providers were not present and do not work directly with the 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 inspection was unannounced and focused on the area of governance, health, welfare and development of child and safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under,
Regulation 9(1)(2)(3)(4)(7)(a) – Management and recruitment

Regulation 11 - Staffing levels

Regulation 16 – Record in relation to pre-school service

Regulation 27 – Supervision

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

Regulation 23- Safeguarding health, safety and welfare of child

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.

Additional Information

The inspection was undertaken due to information received by the inspectorate relating to the service on 19 September 2024.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the persons in charge, 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
- (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.

(7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:

- (a) the policies, procedures and statements of the service specified in Schedule 5;

Compliance Information

(1)

- (a) The service had a person in charge and a named person to deputise.

(b) Both the person in charge and a named person who could deputise were on the premises during the inspection.

(c) The service had a clear, management structure in place.

The files of nine staff members recruited since the last inspection and one student present on work placement were reviewed.

(2)(a)(b)

Two written and verified past employer references or references from a reputable source other than a past employer, were available in respect of ten adults whose records were reviewed.

(c) Garda Vetting disclosures were available for all adults employed in the service.

The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) Police vetting was available for three adults who had resided outside the state for a period of longer than 6 consecutive months whose records were reviewed.

(4)

Of the nine staff records reviewed, the adults employed and working directly with children attending the service held at least a major award in Early Childhood Care and Education at Level 5 or higher on the National Framework of Qualifications or a qualification deemed equivalent by the Minister.

(7)(a)(c)

There was an induction programme completed by all staff on commencement in the service which included the policies and procedures of the service; there was documentary evidence provided of the completed induction programme for staff members. In conversation with a number of staff members across all rooms, the staff advised the inspector they were aware of their roles and responsibilities when caring for children in the service and demonstrated their knowledge in relation to keeping children safe in their care; this was underpinned following a review of the topics covered during the documented induction process.

Documentary evidence was available detailing the minutes recorded of monthly staff meetings that had taken place to ensure staff were kept updated with any changes occurring in the service.

Regular email communication to staff was evident detailing how to access relevant training that management advised to support the staff members with their continuing professional development.

Individual staff supervision meetings were commencing, and staff had completed a questionnaire prior to their meeting to allow the manager to review any staff supports/educational requirements to assist staff carry out their work; this was explained to the inspector by the person in charge.

Non-Compliance Information

(d)
Police vetting certificates were outstanding for four staff members who lived in a state other than the State for a period of longer than 6 consecutive months.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

The outstanding police vetting certificates for the four staff members have now been obtained and are on file.

Preventive Action

Ensure that all future staff members complete police vetting for any state in which they have resided for more than six consecutive months before starting work. This will be achieved by reinforcing our recruitment policy, vetting policy with the HR team, clearly communicating the requirement for police certificates from all relevant states and providing detailed guidelines for managing the process effectively.

Supporting documentation submitted

Documents X 4

Summary Comment

Following review of the submitted documents to support stated actions taken, the requirement for Regulation 9(d) has been met.

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.

particular reference number 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 63 children attending the service being supervised directly by 12 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 by the daily staff roster for the service.

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;

Compliance Information

(1)(i)

The staff roster was available and included the relevant details outlining each staff members' allocated room and hours of work. The roster also indicated the staff members who were present and trained in first aid response (FAR).

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

Fire Safety:

Twenty-one children were present in the pre-school room located on the first floor of the premises. A review of the attendance record indicated twenty-two children were present the previous day and on various dates throughout September and October 2024 there were up to twenty-one children present.

The number of children being accommodated on the first floor on the day of inspection was contrary to the fire safety certificate issued to the service stating,

'No more than 20 children (who are not sleeping) shall be accommodated at first floor level of the building'.

Action submitted by the Registered Provider

Corrective Action

Two children have been relocated from the preschool room on the first floor to the preschool rooms on the ground floor to ensure compliance with the fire safety regulations. This adjustment reduces the number of children on the first floor to no more than 20, as stipulated in the certificate.

Attendance records have been reviewed to confirm that no further breaches have occurred and that the current numbers align with the fire safety requirements.

Preventive Action

A daily monitoring system will be implemented to ensure that the number of children on the first floor remains within the limit outlined in the fire safety regulations and room numbers; this will involve checking the attendance books and inspecting the preschool room on the first floor each day.

Supporting documentation submitted

Document X 1

Summary Comment

Following review of the written response and supporting documentation, the requirement for Regulation 23-Fire Safety, has been met.

Part VI - Safety

Regulation 27 – Supervision

A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Compliance Information

Children were observed being supervised at all times throughout the inspection by the staff caring for them both indoors in their care rooms, in the sanitary areas and in the outdoor play areas. In conversation with the inspector, staff members across all rooms in the service, advised they were aware never to leave children unattended and that they understood the requirement to supervise children in their care at all times.