

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2024KE004		
<b>Name of Service:</b>	Cookies Early learning Centre		
<b>Address of Service:</b>	Aughamore, Loughbollard, Clane, Co. Kildare		
<b>Eircode:</b>	W91 XPV3		
<b>Name of Registered Provider:</b>	Megan Cooke-Smith		
<b>Service type:</b>	Full Day, Part Time, Sessional		
<b>Date of Inspection:</b>	19/11/2024		
<b>No of pre-school children:</b>	AM	48	PM 40
<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Child and Family Agency, Suite 7, Vista Primary Care Centre, Ballymore Eustace Road, Naas, Co. Kildare, W91 X38W		
<b>Inspection undertaken by:</b>	T. Duignan, H. Bourke.		
<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.		

### Description of service

Cookies Early Learning Centre provides full day, part time and sessional care and education to pre-school children aged 1 to 6 years. School age care is provided also.

The service operates from 7.30am – 18.30 hours Monday to Friday.

The premises is a purpose-built facility located at ground level in a housing development in a residential area on the outskirts of Clane Co. Kildare. There are five pre-school rooms, two cot rooms, a kitchen, office, sanitary facilities and storage space provided.

Two outdoor play areas are located to the front and one side of the building. Set down and parking facilities are available outside the premises.

### Staffing

The service employs eighteen adults.

The registered provider was not present. The person in charge and deputy person in charge facilitated the inspection. Seventeen adults were present on the day of the inspection and included the person and deputy person in charge, thirteen staff who were working directly with the children, one adult to provide relief cover and the chef who prepares food for the children each day.

All adults employed and working directly with pre-school children had a major award in Early Childhood Care and Education at level 5 or higher 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 21 – Equipment and materials.
- 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.

### Additional Information

1. A CAPA review inspection was completed on 14 January 2025.

### Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, persons 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

Following a discussion with the manager and a review of the staff roster, it was confirmed that there were eighteen adults employed in the pre-school service this included one relief staff. The registered provider does not work in the service, but their file was included in the staff file review.

(1)(a) There was a manager present in the pre-school and there was a named staff member who was able to deputise as required.

(b) The manager was on the premises at the time of arrival of the inspectors and remained on the premises for the duration of the inspection.

(c) There was a clear management structure in the pre-school service that identified the lines of authority and accountability.

- (2)
- (a)(b) Validated written references were available in respect of nineteen adults.
- (c) The mandatory three-year Garda vetting disclosures were available in respect of nineteen adults.
- (d) Police vetting was available for five adults who had lived outside the State for a period of longer than six consecutive months since turning 18 years of age.
- (4) Seventeen adults held a major award 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.

### Non-Compliance Information

- (2)(d) The required Police vetting was not available in relation to one adult who had lived outside the State for a period of six months since turning 18 years of age.
- (3) The mandatory Garda vetting was not carried out in respect of eighteen adults prior to being appointed, assigned or allowed access to or contact with a child attending the pre-school service.
- (4) A major award in Early Childhood Care and Education at Level 5 or higher was not available in respect of one adult working in the service.

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

#### Corrective and Preventive Action

- (2)(d) The above staff member did not live outside of the jurisdiction for more than 6 months at any one time. We will ensure that staff members who have lived out of Ireland for more than 6 months have all the correct vetting before they commence their employment with us.
- (3) Going forward no staff member will commence their employment until we have received and reviewed their Garda vetting.
- (4) The staff members result from college were present on the day of inspection. Staff member is in contact with QQI in relation to her provisional statement and official QQI level 5. Staff member is no longer working directly with pre-school aged children. She is currently helping in the Kitchen and working with the school aged children. In the future we will ensure that we only accept provisional statement from QQI when people apply for any future employment.

#### Supporting documentation submitted

- (2)(d) Not required.
- (3) Not required

(4) not required.

### Summary Comment

The written response submitted by the registered provider has been reviewed by the Early Years Inspectorate. Regulatory compliance is met for regulation 9. This area of regulatory practice will be reviewed 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-eight children attending the service being supervised directly by thirteen 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

#### (1)(a) Basic needs of children:

The service promoted a healthy eating policy. Food and snacks were freshly prepared by the chef and served 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 'Dreolin room' were met. The children in the other care rooms requiring sleep during the day, slept at a designated time.

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 'Dreolin 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 'Dreolin', 'Spideog', and 'Feileacan' 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 five 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 puzzles and jigsaws, a construction area, small world toys and materials, sensorial materials including sand and playdough on the day of the inspection.

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.

Two secured outdoor areas were located at the front and side of the premises for daily outdoor play for all the children.

**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. Infant formula was reconstituted by the staff members. This practice is not recommended by the Food Safety Authority of Ireland guidance note 22 which states that it is not recommended that child day-care facilities prepare prepared infant formula for the children in their care.
2. There was no armchair available for staff to use while nursing children who are upset or children who are needing a bottle of infant formula milk in 'Dreolin' and 'Spideog' rooms.

**Physical and material environment:**

3. Additional age-appropriate equipment and materials was required in 'Dreolin', 'Spideog' rooms such as soft climbing cushions, stacking toys, shape sorters, sensory mats, push/pull equipment, treasure baskets, rattles and musical instruments and books to meet the various developmental stages of the children in the two rooms.

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

**Corrective and Preventive Action**

**Basic needs of children:**

1. Formula is no longer reconstituted by staff members. Premade bottles only used within the service going forward. The staff members have been informed of this. Parents were informed by letter, and management spoke to parents also and answered any questions.
2. Armchairs were bought for both Dreolin and Spideog rooms. Management will ensure that there is always an armchair provided in both rooms for staff to use to comfort children should they be upset and to feed children their bottle should the child wish or need.

**Physical and material environment:**

3. All the above materials have been bought for both rooms to meet the various developmental stages of the children within the two rooms. Treasure baskets are being developed with parents and we are using it as another opportunity for means of establishing the link between home and the service.  
Management will ensure that the above equipment is always readily available to ensure that we are meeting the various developmental stages of the children in the two rooms.

## Supporting documentation submitted

1. No response required.
2. Photographs.
3. Photographs.

## Summary Comment

The written response and photographic evidence submitted by the registered provider has been reviewed by the Early Years Inspectorate. Regulatory compliance is met for regulation 23. This area of practice will be reviewed at the next inspection.

## Part V - Care of Child in Pre-school Service

### Regulation 21 – Equipment and materials

*A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.*

## Non-Compliance Information

1. A table in 'Dreolin room' was unsuitable as it was not the correct for the chairs available. It was observed to be too high for the chairs used for children aged 1-2 years to sit at and comfortably use for meals and table top activities.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

1. We have ordered (and had delivered) a new table for the Dreolin room that is suitable for this age group. Receipt attached below and the image of the new tables in the room.

### Supporting documentation submitted

1. Invoice and photographs.

## Summary Comment

The written response, photographic and documentary evidence submitted by the registered provider has been reviewed by the Early Years Inspectorate. Regulatory compliance is met for regulation 21.

### 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:

1. The staff members in the service were not familiar with the requirements stated in 'Guidance for the Early Learning and Care sector on sleep provision for children under 24 months.
2. 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:
  - Five children aged under 2 years who were observed sleeping on floor beds. They did not have written agreed sleep plans completed following consultation and partnership with the children's parents.
  - One child aged under two years was observed sleeping on low level bed despite two floor beds available.

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

##### Corrective & Preventive Action

1. All staff members were spoken to about the importance of the safe sleep policy and the ages of the children within the sleeping room. All staff members signed off to say that they have reread and understand the sleeping policy and all beds are clearly labelled.
2. We have written agreed sleep plans completed for all children under two who are sleeping on floor beds with consultation and partnership with each child's parents. We have written agreed sleep plans on file for any future children who may be using a floor bed. These children will not use a floor bed until we have gone through this with each parent and have them signed. It will also be checked by management before the children are put down to sleep each day.

##### Supporting documentation submitted

2. Five individual completed sleep care plans.

#### Summary Comment

The written response and documentary evidence submitted by the registered provider has been reviewed by the Early Years Inspectorate. Regulatory compliance is met for regulation 23. This area of practice will be reviewed at the next inspection.