

TUSLA REGULATORY INSPECTION REPORT



TUSLA Identifier:	TU2015DY216							
Name of Service:	The Orchard Playschool							
Address of Service:	19 The Orchard Killester Dublin 5							
Email Address:	ericandmandy@eircom.net							
Name of Registered Service Provider:	Ms Mandy Stephenson							
Type of Service Registered:	Sessional		☒					
Date of Inspection:	1	8	0	1	2	0	2	2
No of Pre-School Children present during Inspection:	AM		16					
Address of the Early Years Inspectorate:	Tusla Early Years Inspectorate Unit 4/5 The Nexus Building Block 6A Blanchardstown Corporate Park Ballycoolin Dublin D15 CF9K							
Inspection undertaken by:	Ms Margaret Bermingham							
Title:	Early Years Inspector							

Areas which were the subject of this Inspection		
Governance	Health Welfare and Development of Child	Safety

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.
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Description of Service	The Orchard Playschool is a sessional service located in an urban residential setting. The service is registered to provide early childhood care and education to 17 children aged 2-5 years. The service is open from Monday to Friday for 38 weeks of the year from 8.45am-12pm. Eligible children are offered the state funded early childhood care and education (ECCE) scheme.
Premises	The service operates in a single storey building to the side of a residential home. An outdoor space for children's use wraps around the building.
Staffing	There were 3 adults, including the registered provider, present and working directly with the children on the day of inspection.
Methodology	Tusla's Early Years Inspectorate (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. 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 areas of Governance, Health, Welfare and Development of Child and Safety. Inspections may also focus on other areas as required. The inspection process has been amended to minimise the amount of time that inspectors spend in the service. A sampling process was used to assess compliance under regulation 19 health welfare and development of child and regulation 23 Safeguarding health, safety and welfare of child. 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	An Immediate Action Notice was issued to the registered provider in relation to Garda Vetting on 18 January 2022. A response to the notice from the registered provider was received by the inspectorate on 19 January 2022.
Acknowledgements	The inspector wishes to acknowledge the cooperation of the registered provider, staff members, and children who were present on the day of the inspection.

GOVERNANCE

Part III - Management and Staff

Regulation 9 - Management and Recruitment

- (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:

It was confirmed by the registered provider that 1 new adult joined the service since the previous inspection dated 15 October 2020. The file in respect of 1 adult was reviewed on this inspection.

(4) One adult working directly with children held a major award in Early Childhood Care and Education at a level 5 or higher on the National Framework of Qualifications.

Non-Compliance Information:

- (2)
There was insufficient evidence available to demonstrate that the registered provider ensured the suitability of 1 adult who was working with children on the day of inspection, including by consideration of the following:
- (a)(b) Two written and validated references from previous employers or other sources were not available.
 - (c) A Garda Vetting Disclosure was not available. An Immediate Action Notice was issued to the registered provider on 18 January 2022.
 - (d) Documentation (such as curriculum vitae) to determine if the adult required international police vetting, was not available.

The service was found non-compliant for insufficient consideration of vetting documents on a previous inspection dated 21 March 2018.

Part III - Management and Staff

Regulation 9 - Management and Recruitment

Corrective & Preventive Action submitted by the Registered Provider	<u>Corrective Action</u> (2)(a)(b) Two written and validated references are now available and on file for the staff member. The references were submitted to the inspectorate on 29 January 2022. (c) Garda vetting was applied for the staff member on the 18 January 2022 and confirmation was given on 19 January 2022. The Garda Vetting Disclosure was submitted to the inspectorate on the 07 February 2022. (d) Documents are now available which determine that the staff member does not need international police vetting. A curriculum vitae is now in the staff member's file. <u>Preventive Action</u> (2)(a)(b) The service will ensure references are obtained and contacted before the employment of all future staff. (c) In the future, Garda vetting will be obtained before the employment of new staff. (d) Relevant documentation will always be kept on file in the building and available for future inspections. All staff files will be reviewed on an annual basis to ensure the necessary documents as required are held on file. The recruitment policy has been updated and submitted to the inspectorate on the 7 February 2022. <u>Evidence Submitted</u> (a)(b) Two written and validated references (c) Garda Vetting Disclosure (d) The staff member's curriculum vitae The service's Recruitment policy
Summary Comment:	The registered provider's corrective action and preventive action response and documentary evidence have been assessed by the Early Year's Inspector and meets the regulatory compliance requirement for regulation 9.

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.
- (3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 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) There were an adequate number of adults working directly with the children attending the service from when the inspector arrived at 10am and for the duration of the inspection with 3 adults working directly with 16 pre-school children aged 2.5-5 years. (3) On the day of the inspection the adult/child ratio was correct at 3 adults to 16 children aged 2.5-5 years.
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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.

Compliance Information:	(1)(a) The following observations were made on how each child's learning, development and well-being was facilitated within the daily life of the service; Basic Needs: - At 10.45am, children were observed eating healthy items such as sandwiches, bananas, oranges, crackers, and cheese. The registered provider explained that the snacks and drinking water were provided by parents. - Adults supported children through the daily routine through verbal encouragement and visual prompts. The visual prompts included photographs of the children transitioning to outside play, activity time, lunch, and circle time. These transition prompts support children's developing sense of order and routine. - Children were actively involved in caring for the room environment. For example, a child was observed sweeping the floor with a brush and dustpan and placing the debris in the bin. An adult acknowledged the child's work by saying 'thank you very much'. This involvement by the child and encouragement by the adult promotes children's sense of independence, achievement and responsibility.
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Part V - Care of Child in Pre-school Service

Regulation 19 - Health, Welfare and Development of Child

Supporting Relationships Around Children:

- Children enjoyed freedom of movement around the learning environment and were observed to be busily occupied within naturally formed social groups. A hum of children's voices was heard on the inspector's arrival. Such freedom to engage with peers supports children's friendship building skills.
- Adults actively listened to and responded to children according to children's signals. For example, a child who was creating a picture explained to the adult that the picture represented a spider that was sad and explained why the spider was sad. The adult, with the child's permission, wrote the child's words on the picture. This practice celebrates and makes visible children's thoughts and ideas.
- There was evidence to suggest that the service engages with and maintains relationships with children's parents. There were pictures of children's families displayed on the wall. The registered provider explained that pictures, videos and descriptions of children's activities are regularly posted on digital parent group. Also, it was explained that parents share their children's interests from home with the service and an example was given of how the service extends these interests. Additionally, a staff member confirmed that conversations take place with parents daily on arrival and collection; friendly chat with parents was observed on the day of inspection.

Physical And Material Environment:

- The physical lay-out of and resources within the environment supported children's well-being and learning as evidenced by the high level of engagement observed among children on the inspector's arrival. Some examples include:
 - 2 children sat at a table playing with playdough, bun-cases and candles and explained to the inspector that they were making chocolate birthday cakes
 - 2 children were role-playing shop using a cash register and wearing open-ended dress-up props including handbags
 - A child and adult were working together on a numbers game using large blocks containing dice dots and number symbols
 - A group of children were making creations using a variety of materials to include paint, markers, glue and paper
 - A child played in a home setting equipped with kitchen units, play food, pots, utensils, dolls and clothes
 - 2 children played in construction area with large and blocks and circles.
 - Children sat on soft chairs browsing through books in a relaxed way and an adult was observed reading book to small group of children.
- Displays on the wall included children's drawings and mark makings (including children's words) and photographs of staff members, children,

Part V - Care of Child in Pre-school Service

Regulation 19 - Health, Welfare and Development of Child

and children's families. Such displays support children's sense of identity and belonging.

- Children were observed to play outside on a paved area, a portion of which was under cover. There was natural material interspersed through the space to include trees, shrubs, flowers, plants, timber-logs, twigs, clay, leaves and sand. A kitchen, resourced with pots, pans, and a house provided for role play. A large blackboard area and chalk provided opportunities for mark making. Children were observed playing, running and riding on cars, bikes, and a tractor and trailer. When outside, a worm was found which sparked interest among the children and adults took the opportunity to take a photograph and extended children's language and learning about worms.

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:

The following are examples of measures undertaken to safeguard the health, safety and welfare of the pre-school children attending the service:

Infection Control:

- The service had a plan in place in the event of a child or staff member presenting with Covid-19 which was documented in the service's Covid-19 policy. Staff members were knowledgeable of the signs and symptoms, control measures and steps to take as per the policy. An isolation area was identified by staff members.
- Hand-hygiene measures were in place as documented in the service's Covid-19 policy. Thermostatically controlled running water not exceeding the safe temperature limit of 43°C was available in wash hand basins in the sanitary area and in the children's room, as were paper towels and liquid soap. Children were observed washing hands before eating snack. Hand sanitising stations were in place at the entrance gates and doors. Child friendly signage was displayed in sanitary areas to promote effective handwashing among children. These measures were documented in the service's Covid-19 policy.
- Toys, equipment and materials were maintained in a clean and hygienic condition. The registered provider stated that toys and materials are cleaned weekly on a Saturday by immersing in warm soapy water. Mouthed toys are isolated immediately and cleaned and disinfected before reuse. The cleaning regime was documented in the service's Covid-19 policy.
- Lidded bins were available for waste disposal.
- The service implemented infection control measures as documented in the service Covid-19 policy. Clear signage was displayed at the entrance gate

Part VI - Safety

Regulation 23 - Safeguarding Health, Safety and Welfare of child

	reminding parents not to have children attend if symptomatic and the registered provider stated that continual reminders to raise awareness are issued digitally to parents. Additional signage included reminders of Covid-19 symptoms, social-distancing, and respiratory and hand hygiene measures. A schedule of staggered collection times was available and social distancing was observed on collection of children by parents.
Non-Compliance Information:	General Safety: 1. Perishable food in children's lunch boxes were stored outdoors, rather than in the fridge provided, causing a risk of bacteria within perishable food multiplying to levels which could result in food poisoning. 2. Containers of cleaning agents, soap, and hand sanitiser were stored on the floor of the adult sanitary area, which was unlocked and accessible to children, posing a toxicity risk to children. Infection Control: 3. Equipment and materials for children's use were stored in the adult sanitary area, posing a contamination and infection risk for children.
Corrective & Preventive Action submitted by the Registered Provider	Corrective Action 1. Children's lunches are now put into the fridge as soon as children arrive. 2. All cleaning agents were put out of reach on the shelving unit. The lock on the door is used leaving the area inaccessible to children now. The key of the door is hanging on a hook above the door. 3. All items in the sanitary area were cleaned and disinfected. Children's items are now stored in a plastic container in the main play room. Preventive Action 1. A notice has been put up on the door to remind staff to put the lunches in the fridge when children arrive. A designated staff member has been appointed to ensure this is done. 2. The service will ensure proper storage of all cleaning agents and that the sanitary area is always locked. A notice was put on the door to remind staff to lock it after use. 3. All children's equipment was removed. For example, children's spare clothing is now stored in the hallway in a press on the wall. All staff were informed not to store any children's equipment in this area. Evidence Submitted • A photograph of lunches placed in the fridge • A photograph of shelving in the sanitary area holding cleaning agents and cleared of items for children's use • Two photographs of a reminder notices displayed • A photograph of a key stored on a high hook

Part VI - Safety

Regulation 23 - Safeguarding Health, Safety and Welfare of child

	• A photograph of the children's items placed in the main play room • A photograph of children's clothes stored in plastic bags and boxes in a press
Summary Comment:	The registered provider's corrective action and preventive action response and photographic evidence have been assessed by the Early Year's Inspector and meets the regulatory compliance requirement for regulation 23.

Part VI – Safety

Regulation 25 - First Aid

(1) A registered provider shall ensure that a person trained in first aid for children is, at all times, immediately available to the children attending the pre-school service. (2) A registered provider shall ensure that a suitably equipped first aid box for children— (a) is safely stored in an easily accessible and conspicuous position on the premises, and (b) is available to the children attending the pre-school service at all times.	
Compliance Information:	(1) A person trained in first aid for children was available to the children at all times as demonstrated by certificates and staff rosters available for inspection. (2) (a)(b) Suitable equipped first aid boxes were stored in a conspicuous place in the kitchen accessible from the children's room and available at all times. When asked, staff members were familiar with the position and contents of the first aid boxes.

Part VI – Safety

Regulation 26 - Fire Safety Measures

(1) A registered provider shall ensure that a record in writing is kept of— (a) any fire drill that takes place in the premises, and (b) the number, type and maintenance record of fire fighting equipment and smoke alarms in the premises (4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises	
Compliance Information:	(1) (a) Records of monthly fire drills were completed were available for inspection. The most recent record was dated 15 January 2022. (b) A maintenance record for the smoke alarms was available and dated 26 March 2021. (4) A procedure to be followed in the event of a fire was on display on the wall beside the smoke alarm control box.
Non-Compliance Information:	(1)(b) A maintenance record for the firefighting equipment dated within the previous 12 months was not available for inspection.

Part VI – Safety

Regulation 26 - Fire Safety Measures

Corrective & Preventive
Action submitted by the
Registered Provider

Corrective Action

- Servicing of the fire extinguishers was requested from a fire company and completed on 27 January 2022. The firefighting equipment service is now in date.

Preventive Action

- The service will ensure that maintenance servicing is carried out annually on the firefighting equipment. A reminder has been set on the registered provider's phone and also written in the school calendar when the next service is due.

Evidence

- A certificate of maintenance of fire equipment dated 27 January 2022.

Summary Comment:

The registered provider's corrective action and preventive action response and documentary evidence have been assessed by the Early Year's Inspector and meets the regulatory compliance requirement for regulation 26.