

TUSLA REGULATORY INSPECTION REPORT



TUSLA Identifier:	TU2015MH034							
Name of Service:	Colpe Day Care							
Address of Service:	Colpe Road Drogheda, Co. Meath							
Email Address:	maireadhaigney@gmail.com							
Name of Registered Service Provider:	Mairead Haigney							
Type of Service Registered:	Full Day Care		☒					
Date of Inspection:	0	5	0	4	2	0	2	2
No of Pre-School Children present during Inspection:	AM		23		PM		20	
Address of the Early Years Inspectorate:	Tusla Early Years Inspectorate Family Resource Centre Commons Road Navan, Co.Meath							
Inspection undertaken by:	D.Murray							
Title:	Early Years Inspector							

Areas which were the subject of this Inspection

Governance	Health Welfare and Development of Child	Safety
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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



Child Care Act 1991 (Early Years Services) Regulations 2016 and Childcare Act 1991 (Early Years Services) (Amendment) Regulations 2016
REF: EYIRIFDC02-2017: Version 12: Mar 2021
1.0

1 of 12

TUSLA REGULATORY INSPECTION REPORT

Description of Service	Colpe Day Care is a privately owned childcare facility established in 1996. This service provides full day care, part-time and sessional care to pre-school children from 1 to 6 years. The service operates from 8am -4:30pm and participates in the Early Childhood Care and Education Programme (ECCE).
Premises	The service is located in the registered providers home with 2 care rooms, a cot room, kitchen and sanitary facilities. On the day of inspection an additional care room the Garden room was in operation in the outdoor space. The rooms in the service were as follows: The Crèche room located in the sitting room accommodated children from 1 to 3 years. The Playgroup room located in the sunroom provides care and education to children from 3 to 6 years. The Garden room facilitates the care of children from 3 to 4 years. A large outdoor space is located to the rear of the premises.
Staffing	The registered providers employ 4 staff members who were all present 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. 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	On the day of inspection, the service was operating outside the remit of its registration status as an additional room in the outdoor space (Garden room) was being used as a care room without notifying the Early Years Inspectorate. An Immediate Action Notice was issued on the 8/4/2022 with regard to Regulation 8. A response was received on the 24/4.2022 which was accepted by the Early Years Inspectorate.

TUSLA REGULATORY INSPECTION REPORT



Acknowledgements

The inspector wishes to acknowledge the cooperation of the registered provider, staff and children who were present on the day of the inspection.

GOVERNANCE

Part III - Management and Staff

Regulation 9 - Management and Recruitment

- (1) A registered provider shall ensure that—
- the service has a designated person in charge and a named person who is able to deputise as required,
 - 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—
- consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,
 - consideration of references from reputable sources in the case of a person who has no past employers,
 - 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
 - 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.
- (6) Paragraph (4) shall not apply before 1 September 2021 to a person who—
- has signed a declaration on or before 30 June 2016 to the effect that he or she intends to retire from employment in a pre-school service before 1 September 2021, and
 - is in possession of a letter from the Minister confirming that paragraph (4) shall not apply to him or her before that date

Compliance Information:

- (1) (a) The service had a designated person in charge and a named person to deputise as required.
- (b) A designated person in charge was on the premises when the inspector arrived unannounced to carry out the inspection.
- (2) From a review of the service file and discussion with the registered provider it was confirmed that 3 new staff members had been employed in the service since the last inspection. These files were reviewed.
- (a) & (b) The following references were available for the new staff:
- Three staff members had 1 validated written reference from a past employer.
 - Three staff members had 1 validated written reference from a source other than a past employer
- (c) Garda vetting disclosures was available for the 3 staff member.

Part III - Management and Staff

Regulation 9 - Management and Recruitment

	(4) The 4 childcare staff members held a major award in Early Childhood Care and Education at Level 5 and above on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent. (6)(a)& (b) One staff member had received an extension to the “Grandfathering Clause “ and had documentation available to state she had commenced a major award in Early Childhood Care and Education at Level 5 on the National Framework of Qualifications.
Non-Compliance Information:	(2)(d) Police vetting was not available for 1 staff member who had resided outside the jurisdiction for a period of more than 6 consecutive months as an adult.
Corrective & Preventive Action submitted by the Registered Provider	<u>Corrective Action</u> Police vetting has been received for the staff member. <u>Preventive Action</u> The registered provider will ensure that all staff members who require Police vetting have completed this process before commencing employment. <u>Evidence Submitted</u> Police vetting document.
Summary Comment:	Actions taken by the registered provider in the Corrective Action and Preventive Action plan has addressed the non-compliance.

Part III - Management and Staff

Regulation 11 -Staffing Levels

	(1) <i>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.</i> (2) <i>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</i> (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) On the day of inspection up to 11:45 am there were 4 adults working directly with the 23 children attending the service. The registered provider was available to provide support to the Crèche and Playgroup room as needed.

Part III - Management and Staff

Regulation 11 -Staffing Levels

	(2) On the day of inspection up to 11:50 am the adult to child ratios were maintained. The rooms were as follows: • The Crèche room had 9 children ranging in age from 1 to 3 years with 2 staff members. • The Play group room had 7 children ranging in age from 3 to 6 years with 1 staff member. • The Garden room had 7 children ranging in age from 3 to 4 years with 1 staff member. (8) (a) The designated person in charge ensured that 2 adults were present on the premises at all times.
Non-Compliance Information:	(1) The children from the Garden room and Play group room attending on a part-time /full day care basis join together from 11:50am to 12:15pm in the Play group room for lunch and indoor activities. There were not an adequate number of adults working directly with the children during this period. (2) In the Play group room when children from the Garden Room join children in this room, the correct adult/child ratio was not maintained. There were 11 children ranging in age from 3 to 6 years attending the service on a part-time basis with 1 staff member. To maintain the adult/child ratio in this room 2 adults were required as the ratio is 1 adult to 8 children.
Corrective & Preventive Action submitted by the Registered Provider	<u>Corrective Action</u> (1) &(2)On the day of inspection additional children were facilitated to attend this group due to a family bereavement. On all other days the adult to child ratio's will be maintained. <u>Preventative Action</u> The registered provider will ensure that the adult to child ratios are maintained at all times. <u>Evidence Submitted</u> Children's attendance records for the week of the 16/5/22 with the correct ratios maintained.
Summary Comment	The registered provider in the Corrective Action and Preventive Action plan has addressed the non-compliance. This will be reviewed at the next inspection.

HEALTH WELFARE & DEVELOPMENT OF CHILD

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:

BASIC NEEDS:

- The parents provide all the food for their children attending the service. Water and milk were the drink of choice. The main meal of the day was heated by the registered provider and brought to the care rooms.
- The adults working with the children were observed to operate flexible nappy changing routines and to actively engage with infants during nappy changing. Older children were encouraged to become independent and self-caring, suitable to their age and stage of development which included: self-feeding, using the toilet, dressing for home, caring for their belongings, tidying away after work and play.
- Staff members were observed to be interested and to actively engaged in the children's imaginary role play and tabletop activities. Staff members were observed to be warm, nurturing and caring to the children throughout the day as evidenced in plentiful cuddles, positive use of language and soft tones used.
- Cosy areas consisting of soft seating were available if a child needed to take a break from activities and rest.

PHYSICAL AND MATERIAL ENVIRONMENT:

- The play resources in the care rooms were accessible, organised and stored on shelving and in cloth baskets which allowed the children choices to select and replace materials. Areas of interest included home areas with supporting equipment, book stands, building blocks, puzzles, dolls area and art and crafts materials.
- The outdoor space was enclosed with fencing and hedging and had a grass surface. Areas of interest included a mud kitchen, wooden play house with swings, planting areas, swing and slide, goal post, "Our Bug Motel," basketball stand, plastic play houses and a sand pit.
On the day of inspection, the children were observed enjoying energetic, imaginary outdoor play with their peers.

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:

- All cleaning agents were stored out of reach of the children.
- The main door to the service was secured with a buzzer system and the outdoor space had two secure side gates which remain closed for the morning session. These gates were open in the afternoon for collection however the care room doors leading to the outdoor space remain secured and the outdoor space had a secure gate and was adequately supervised. These security measures ensured that a child did not exit unsupervised and restricted unauthorised persons from gaining access to the service and outdoor spaces.
- Play materials and equipment were observed to be safe and suitable for the developmental age of the pre-school children present in the service.
- The emergency exit doors were unobstructed.
- The temperature of the cot rooms were maintained between 16 to 20°C before the children were put down to sleep.
- Two fire assembly point notices were placed on the fence in the outdoor area.
- A fridge was available to store children's lunches which contained perishable items.

INFECTION CONTROL:

- Liquid soap, hand paper towels was available at the wash hand basins in the sanitary facilities. Hand sanitisers were available at different locations in the service.
- Cleaning schedules were available, and the care rooms and sanitary facilities were in a hygienic condition. There was a process in place for the cleaning of toys and equipment on a daily basis.
- In the Play group room and Garden room children's hands were washed after using the toilet, returning from outdoor play and before eating lunch.

SAFE SLEEP:

- A cot room was available off the main hallway with 4 standard cots to accommodate children under 2 years who require sleep on any one day. Stackable beds were available for children over 2 years. A sleep log to record 10-minute sleep checks was available to monitor the children while asleep.

Non-Compliance Information:

General Safety:

1. The light fixture in the sanitary facilities off the utility room had an exposed light bulb which was not covered with protective shading guards. This posed a risk of injury for children should a light bulb shatter.

Part VI - Safety

Regulation 23 - Safeguarding Health, Safety and Welfare of child

	Infection Control: - The following was observed: - The staff member did not wear an apron and gloves when changing nappies. - The staff member did not wash her hands after each nappy change. - Children hands were not washed after having their nappy changed. - The changing unit was not cleaned between children. - The children in the Crèche room did not have their hands wash before eating their meals. - A staff member did not wash her hands after cleaning a child's nose. Safe Sleep: - The following was observed: - Staff were observed completing the sleep log by looking at the screen monitor instead of physically checking the children. - Sleep checks were not always conducted at 10-minute intervals which contravenes safe sleep guidelines.
Corrective & Preventive Action submitted by the Registered Provider	<u>Corrective Actions</u> General Safety: - A new protective shading guard has been installed on the light fitting. Infection Control: - A discussion has taken place with the staff members regarding the nappy changing procedure and the importance of hand washing. Safe Sleep: - Staff members have since been observed to always complete the sleep log and sleep checks by physically checking the children at ten-minute intervals. <u>Preventative Action</u> The registered provider must ensure the following: - That a regular risk assessment is conducted to maintain safety at all times. & 3. That the Infection Control Policy /Safe Sleep Policy is implemented on a daily basis. <u>Evidence Submitted</u> Photographic evidence of an enclosed light shade. Minutes of meeting held with staff members regarding infection control and safe sleep practices.
Summary Comment:	The registered provider in the Corrective Action and Preventive Action plan has addressed the non-compliance.

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) The service provided evidence that a person had up to date First Aid Responders course and was available at all times to the children attending the pre-school service.

(2)(a) and (b) A suitably equipped first aid box was available and safely stored in the premises.

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) A written record was available of the fire drills completed in the service. The last recorded fire drill took place on the 18/02/2022.

(4) A notice of the procedures to be followed in the event of a fire was conspicuously displayed on the premises.

Non-Compliance Information:

(1)(b) An up-to-date record was not maintained of the number, type and maintenance record of the fire fighting equipment and mains powered smoke alarms on the premises. The documentation available stated that the fire fighting equipment and mains powered smoke alarm was last serviced on 15/12/2021. The fire fighting equipment and mains powered smoke alarms must be service on an annual basis.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Actions

The fire fighting equipment and mains powered smoke alarms were serviced on 15/04/2022.

Preventative Action

Part VI - Safety

Regulation 26 - Fire Safety Measures

	The fire fighting equipment and mains powered smoke alarms will be serviced on an annual basis. Evidence Submitted Firefighting equipment and mains powered smoke alarms servicing records.
Summary Comment:	The registered provider in the Corrective Action and Preventive Action plan has addressed the non-compliance.

Additional Significant Risk Identified

Regulation 8 - Notification of change in Circumstances

<i>(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.</i>	
Non-Compliance Information:	(1) The registered provider failed to notify the Early Years Inspectorate of a change in circumstances in relation to the following as per the schedule 4 Form for Notification of proposed Change in Circumstances. On the morning of Inspection the service was operating outside the remit of its registration status as an additional room in the garden (Garden room) was being used as a care room without notifying the Early Years Inspectorate.
Corrective & Preventive Action submitted by the Registered Provider	Corrective Actions (1) The Garden room will no longer be used as a care room but as an additional area for outdoor play. Preventative Action The registered provider will ensure no additional areas are used as care rooms or no changes are made to the operations of the service without notifying the Early Years Inspectorate. Evidence Submitted Response to the Immediate Action Notice by the registered provider was accepted by the Inspectorate.
Summary Comment	The inspector has reviewed and accepted the response of the registered provider in the Corrective Action and Preventive Action plan.

Regulation 30 Minimum Space Requirement

A registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.

(1) Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.

(2) A registered provider of a full day care service or a part-time day care service shall ensure that the minimum amount of clear floor space specified in column (3) of Schedule 7 opposite a particular reference number specified in column (1) of that Schedule in respect of the age range of children specified in column (2) thereof at that reference number is available for each child in that age range attending the service.

Non-Compliance Information:

(1) The registered provider did not ensure that adequate clear floor space was available in the Playgroup room from 11:50 am to 12:15pm to accommodate the children attending the service on a part-time /full day care basis.

(2) The measurements of the Playgroup room were recorded and the number of preschool children present indicated that there was insufficient space per child available as outlined below;

Room Name	Age Range	Total floor space available	Number of Pre-school children Present	Number of Pre-school children that the Rooms can accommodate
Playgroup Room	3-6 years	21.6m ²	11 children attending the service on a part-time/ full day care basis.	9 children attending on a part-time/ full day care basis.

*Calculated as per Schedule 7: Minimum Space Requirements.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Actions

Additional children were in attendance on the day of inspection who do not normally attend on that day.

Preventative Action

The registered provider will ensure that the number of children in the Playgroup room does not exceed 9 children attending on a part-time/ full day care basis.

Evidence Submitted

Children's attendance records for the week of the 16/5/22 with the correct ratios maintained.

Summary Comment:

The registered provider in the Corrective Action and Preventive Action plan has addressed the non-compliance. This will be reviewed at the next inspection.