

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2021DY002		
Name of Service:	The Nest Ranelagh		
Address of Service:	47 Ranelagh Road, Ranelagh, Dublin 6		
Eircode:	D06 C2P3		
Name of Registered Provider:	Colm Bowers		
Service type:	Full Day, Part Time, Sessional		
Date of Inspection:	08/03/2024		
No of pre-school children:	AM	44	PM 41
Address of the Early Years Inspectorate:	Early Years Inspectorate, Floor 7 Brunel Building, Heuston South Quarter, St. John's Road West, Kilmainham, Dublin 8		
Inspection undertaken by:	E. Finnegan Hayes & C. Harte		
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		

Early Years Inspectorate Regulatory Report

Pre School

Description of service

The Nest Ranelagh is a full day care service located in a residential area in Dublin 6. The service operates from the ground floor of a period building which has been adapted to accommodate a childcare service and is open from 7:30am-6pm Monday to Friday. The service offers care and education to children aged 0-6 years and participates in the early childhood care and education (ECCE) programme. The service consists of four care rooms the Baby room caters for children aged 1-1.5 years, the Tweenie room caters for children aged 1-2 years, the Toddler room caters for children aged 2-3 years and the Montessori room caters for children aged 3-5 years. The service also has a cot room, sanitary facilities, a staff room, and a kitchen which is located in a cabin at the rear of the service. The service participates in the Early childhood Care and Education (ECCE) scheme from 9:15am-12:15pm daily. Two enclosed outdoor play areas are available to the rear of the premises.

Staffing

The registered provider employs a total of 14 staff including a manager, assistant manager, a cook and a cleaner and 10 childcare staff who work directly with the children. Eleven staff were present on the day of inspection including the manager, cook and nine childcare staff. A student from a local college was also present. The operations manager arrived in the service during the inspection and remained for the duration of the inspection. The registered provider does not work in the service.

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

Early Years Inspectorate Regulatory Report

Pre School

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. These 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

An immediate action notice was issued to the registered provider on the day of inspection in relation to a non-compliance identified under Regulation 23 in relation to safety. A response which adequately addressed the non-compliance was received on 11th March 2024.

Conditions were attached to the service registration on 5th April 2023 under Part III Article (9) (7) and Part VI, Article (23) Child Care Act 1991 Early Years Regulations 2016 for a period of 12 months.

On Inspection there was evidence that the following conditions attached to the registration of this service were not complied with:

Part VI Article (23) Child Care Act 1991 Early Years Regulations 2016, the registered provider must:

- ensure that reasonable measures are taken to safeguard the health, safety and welfare of children attending the service ensuring that the environment of the service is safe.

Early Years Inspectorate Regulatory Report

Pre School

On Inspection there was evidence that the following conditions attached to the registration of this service were complied with:

Part 111 Article (9)(7) Child Care Act 1991 Early Years Regulations 2016, the registered provider must:

- provide the outstanding qualifications for all staff.
- ensure that all staff have completed the requirements for employment in accordance with all applicable legislation prior to commencing employment in the service and
- ensure that all staff members are appropriately supervised and provided with appropriate information and training in relation to the policies, procedures and statements of the service as specified in schedule 5, part VIIA of the Act and the Early Years Regulations.

Part VI Article (23) Child Care Act 1991 Early Years Regulations 2016, the registered provider must:

- develop and manage a risk assessment system outlining the process of risk identification, the staff roles and responsibilities, the controls/mitigation of identified risks in a timely manner. The risk assessments must be reviewed regularly and updated as required.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the person in charge, operations manager, staff and children who were present on the day of the inspection.

Part II - Registration and Register

Regulation 8 - Notification of change in circumstances

(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.

Non-Compliance Information

- (1) The registered provider did not notify the agency of a change of person in charge which came into effect in December 2023 and was known about prior to this as discussed during the previous inspection in November 2023.

Corrective & Preventive Action submitted by the Registered Provider

Early Years Inspectorate Regulatory Report

Pre School

Corrective and Preventative Action

- (1) Change in circumstances form was submitted to Tusla's registration department. Internal documentation inspection check by operations manager to make sure all the documents are appropriately sent in date and time.

Summary Comment

The changed of circumstance application has been processed and the change sanctioned. Regulatory compliance has been met.

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.*

Early Years Inspectorate Regulatory Report

Pre School

(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)(b) The service has a designated person in charge and a named person to deputise as required. A review of the roster showed that the person in charge or named deputy is on the premises during the service opening hours.

(c) The service had a clear management structure and staff were aware of their own role and responsibilities for example staff were aware of the staff member in charge in the absence of the designated person in charge.

(2) Discussion with the person in charge and a review of staffing records held by Tusla showed that 5 staff had commenced employment since the previous inspection. The files of all five staff were reviewed along with the file of a student who was present on the day of inspection and an updated Garda vetting disclosure for one staff member who was present on the previous inspection.

(a) Eight written and verified references were available from a past employer in relation to five adults.

(b) Four written and verified references were available from a source other than a past employer in relation to three adults.

(c) Garda vetting disclosures had been obtained for seven staff. 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 five adults who had lived in a country other than Ireland for a period of more than 6 months as an adult.

(4) Evidence was available to show that the five staff employed since the last inspection and who worked directly with the children held 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) Documentary evidence was available to show that all adults and unpaid workers detailed above have received induction in relation to the policies and procedures of the service and that five staff members have received ongoing support and supervision since their induction into the service.

Early Years Inspectorate Regulatory Report

Pre School

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) The registered provider ensured an adequate number of adults were working directly with and available to meet the needs of the children. On the morning of inspection nine staff members were caring for 44 children while in the afternoon nine staff members were caring for 41 children.
- (2) The registered provider ensured that ratios were maintained in the care rooms throughout the day. The following was observed;
- In the Baby room one staff member was caring for five children aged 1-1.5 years old.
 - In the Tweenie room two staff members were caring for eight children aged 1-2 years old.
 - In the Toddler room two staff members were caring for ten children aged 2-3 years old.
 - In the Montessori room four staff members were caring for twenty-one children aged 3-5 years old.
- The service manager was available to cover in rooms as required.
- (8) (a) A review of the roster and conversation with staff showed that two persons are present in the service for the duration of the opening hours.

Early Years Inspectorate Regulatory Report

Pre School

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)

Basic Needs:

- A warm welcoming environment was evident in the service when the inspectors arrived. Children were observed to be engaged in a range of activities across the care rooms.
- The service provides all of the meals and snacks served to the children in line with their healthy eating policy. The menu available showed that children are offered three meals and two snacks each day. On the day of inspection, children were provided with a fruit snack, spaghetti bolognese and banana bread for afternoon snack. Appropriate textures were provided in line with the age and stage of development of the children for example fruit puree was provided in the baby room while slices of fruit were provided for the older children. The food provided was reflective of the menu on display.
- Nappy changing was done on a set schedule and as needed to ensure the child's comfort. Toilet trained children were supported to access the toilets as required during the day.
- Children from all care rooms were observed to access the outdoor area on the day of inspection and appropriate clothing was worn in line with the weather for the day.

Physical and Material Environment:

- A range of toys and equipment which were displayed at a level accessible to the children were available in all the care rooms which supported children's choice and opportunity for spontaneous play experiences. Additional toys and furniture arrived via scheduled delivery service on the day of inspection.
- Children enjoyed freedom of movement within the care rooms for example children who were finished snack were free to leave the table and choose toys to play with while the other children were given ample time to enjoy their meal at their own pace.
- The surface of the outdoor area is covered in synthetic grass to allow access during inclement weather. Children were observed to use the garden on the day of inspection in line with a set schedule.

Early Years Inspectorate Regulatory Report

Pre School

Supporting relationships around Children:

- Staff used warm gentle tones when speaking to the children and were respectful in their interactions.
- Staff engaged in the children play throughout the day encouraging and promoting critical thinking and language development.
- Photos were displayed in the care room of children and their families. This promoted the children's sense of identity and belonging.

Non-Compliance Information

1. Battery operated toys in the Baby and Tweenie rooms were observed to not work for example 4 of 6 toys in the Tweenie room and 5 of 6 toys in the baby room were not working on the day of inspection. This diminishes the play value of the toys and does not support the children's understanding of cause and effect.
2. Two children were observed to use soothers in the Tweenie room on the morning of inspection. The soothers were observed to be in their mouths for the duration of the morning while they played which may impact their speech development and limited opportunities to practice developing language skills. Staff advised they do not limit the use of soothers during the day. The service policy does not address the use of soothers in the service but states that they will support parents to limit the use of soothers to sleep time or when the child is upset and in need of comfort.
3. Chairs were not available for use between meals in the Tweenie room as they were stacked in the corner of the room. This impacted the play experience of a group of children who were playing in the home corner making dinner and were not able to mimic a normal dining experience as they had to stand at the table while pretending to eat the food they prepared. Chairs should be available for use as needed by the children.
4. Chairs and tables in the Montessori room were not an appropriate size to allow the children to engage in mealtimes and tabletop activities comfortably for example some chairs were too high and prevented the children pulling their chair under the table meaning they had to lean forward when using the table, other chairs were observed to be too low and resulted in the table being armpit height on the children. Chairs should be an appropriate size to allow children to sit comfortably with their feet on the floor while the tables should sit at waist height to allow them to comfortably engage in activities at the table.

Corrective & Preventive Action submitted by the Registered Provider

Early Years Inspectorate Regulatory Report

Pre School

Corrective and Preventative Action

- (1) Replace batteries in all non-working toys promptly. Implement a regular maintenance schedule to ensure battery-operated toys are functioning properly and replace them for toys that don't need batteries little by little.
- (2) Talk and encourage the parents to start reducing the soother at home and follow this practice in the Creche. When the children move to the Tweenie Room talk to the parents about reducing the soother use step by step.
- (3) The chairs are always in their place all the time.
- (4) One table and six chairs were bought for Montessori Classroom. Be sure that all the tables and chairs suit the age of the children.

Supporting documentation submitted

Photographs and invoices in relation to above have been reviewed.

Summary Comment

The corrective actions provided by the registered provider are sufficient to address the non-compliances under Regulation 19.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

(1) Subject to this regulation, a registered provider shall ensure that-

- (a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child to play indoors and, where required by these Regulations, outdoors, during the day and*
- (b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.*

(2) A registered provider-

- (a) of a full day care service, a part-time day care service, a sessional preschool service or a childminding service that is registered for the first time on or after 30 June 2016, shall ensure that a suitable, safe and secure outdoor space to which the preschool children attending the service have access on a daily basis is provided on the premises.*

Compliance Information

Early Years Inspectorate Regulatory Report

Pre School

(1)(a) The registered provider ensured there was adequate facilities for children to play indoors during the day.

The following was observed;

- A range of equipment was provided in all care rooms accessible to the children which allowed for spontaneous play experiences.
- A range of books which were maintained in good conditions were readily available to the children in each room supporting the development of pre-reading skills.

(b) The registered provider ensured adequate and suitable facilities for sleep and rest were available to all children who required then. For example;

- A cosy corner was available in each care room for children to rest and take a break from activities as needed throughout the day.
- An adequate number of cots and low-level beds were available for children who required sleep during the day.

(2)(a) The registered provider ensured a safe suitable outdoor area was available onsite for children to use during the day.

Non-Compliance Information

1. A range of toys and equipment was not provided for children to play outdoors in line with the service policy. The toys available to up to 21 children from the Montessori room who were observed using the large garden at one time included 5 ride on toys, 2 seesaws, 1 scooter, a large rotating seesaw, 1 slide, 1 small truck and a mud kitchen which had no props or supporting equipment available. Children were observed wandering in the garden during outdoor time. Children require an adequate number of toys to be provided to ensure varied and stimulating play experiences, support their learning and development and encourage and extend spontaneous play experiences. This was a non-compliance on the previous inspection in November 2023. The preventive action provided by the registered provider has not prevented recurrence.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. Additional toys were bought for the garden: Wooden House, motorbike, big blocks and real kitchen items. Make sure that the garden has toys to support play.

Supporting documentation submitted

Early Years Inspectorate Regulatory Report

Pre School

Invoices for above items have been reviewed.

Summary Comment

The corrective actions provided by the registered provider are sufficient to address the non-compliance under Regulation 20.

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:

- The service entrance and outdoor areas were secured which prevented children leaving the service unsupervised and prevented unauthorised persons accessing the service.
- Daily risk assessments were available and completed to date in all areas of the service.
- Blind cords were adequately secured out of reach of the children.
- Low level presses were secured with child proof locks to prevent children accessing unsafe materials.
- Cleaning sprays were stored out of reach of the children.
- Radiator covers were in place to prevent injury to the children.

Infection Control:

- Thermostatically controlled warm water and soap were available throughout the service to support adequate hand hygiene.
- Bedlinen was observed to be stored in individually labelled boxes to prevent cross contamination.
- Children's hands were observed to be washed regularly throughout the day before mealtimes and after nappy changing.
- Windows were opened to allow fresh air to circulate in the care rooms.
- Pedal operated bins were available throughout the service for disposal of contaminated items.

Administration of Medication:

- Medication was stored safely out of reach of the children.

Safe sleep:

Early Years Inspectorate Regulatory Report

Pre School

- Staff were observed to physically check sleeping children and records on these checks were recorded promptly.

Fire Safety:

- Staff were aware of the procedure to be followed in the event of a fire emergency.

Non-Compliance Information

General Safety:

1. A bottle of laundry detergent was accessible on a low shelf to children in the Montessori room posing a potential risk to the children who could access it.

Infection Control:

2. Children were observed to open a pedal operated bin using their hand in the Montessori room. Staff did not support children to correctly use the bin which posed a potential infection control risk.
3. Handwashing was not in line with the service policy or best practice guidelines. The following was observed;
 - Staff members did not wash their hands after helping children with nose wiping in the Baby room and Montessori room.
 - Staff and children from the Toddler room were observed to leave the sanitary facilities and proceed to another sanitary area down the hall to wash their hands.

This posed an infection control risk.

4. Handtowels and tissue were not hygienically dispensed in the Sanitary area adjacent to the staff toilet and in the Montessori room. This posed a potential cross contamination risk.

Fire Safety:

5. A gate in the garden which forms part of the fire evacuation route was difficult to open as it was wedged against the wall. This may impede the safe evacuation of children in the event of a fire emergency. An immediate action notice was issued to the registered provider on the day of the inspection.

Action submitted by the Registered Provider

Corrective and Preventive Action

General Safety:

1. Removed the laundry detergent bottle and stored securely. Daily checks to prevent presence of hazards in the classroom.

Infection Control:

Early Years Inspectorate Regulatory Report

Pre School

2. Visual reminder placed on bin to remind children to use the pedal. When the school year starts time will be dedicated to explaining how the room works and the rules. This will be done during the year for new children.
3. Staff were reminded at staff meeting of hygienic practice to avoid the risk of contamination. A step has been provided to help children reach the hand towel dispenser in the sanitary area, so they do not have to leave to wash their hands. Regular meeting with the staff regarding our policies and ongoing encouragement of children.
4. Paper hand towel dispenser installed. Photographic evidence submitted on the 15/04/2024.

Fire Safety:

5. The gate has been fixed and a wheel applied to assist with opening. Regularly checks of the gate will be completed.

Summary Comment

The corrective and preventive actions taken by the registered provider have addressed the non-compliances identified under Regulation 23.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-

- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

Compliance Information

(d)
The registered provider ensured that the premises was cleaned, maintained and repaired as required. Walls and woodwork were observed to have recently been painted and were maintained in a clean manner with no hazards observed.

Non-Compliance Information

(e)
A children's sanitary area located in the main corridor was not adequately enclosed as it was fitted with low level saloon style doors which opened directly onto the corridor. This is contrary to HPSC infection control guidance for sanitary accommodation. This was a non-compliance on the previous inspection in October 2022 and November 2023.

Corrective & Preventive Action submitted by the Registered Provider

Early Years Inspectorate Regulatory Report

Pre School

Corrective and Preventive Action

(e) The toilet has been fitted with a door to seal it off from the corridor. Regularly checks will be carried out on the material and construction in the Creche.

Supporting documentation submitted

Photograph of the new toilet entrance has been reviewed.

Summary Comment

The corrective actions provided by the registered provider has addressed the non-compliance under Regulation 29.

Part VII - Premises and Space Requirements

Regulation 30 - Minimum space requirements

(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.

Compliance Information

(2) The registered provider ensured an adequate amount of floor space was available in each care room based on individual ages of the children present.