Isle of Man Government
Reiltys Ellan Vannin

Department of Health and Social Care
Rheynn Slaynt as Kiarail y Theay

Regulation of Care Act 2013

Child Day Care Centre

Little Diamonds Nursery

Unannounced Inspection

17 April 2019
and
18 April 2018

Registration and Inspection Unit,
Ground Floor, St George's Court,
Hill Street, Douglas, Isle of Man, IM1 1EF.

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Part 1 - Service Information for Registered Service

Name of Service:
Little Diamonds Nursery

Telephone No:
625835

Care Service Number:
ROCA/P/0210A

Conditions of Registration:
The registered person must not look after more than sixty (60) children in total aged 3 months and above at any one time.

- No more than eight (8) children aged 2 years and above in Pre-school Room 1
- No more than fourteen (14) children aged 2 years and above in Pre-school Room 2
- No more than fourteen (14) children aged 2 years and above in the Toddlers' Activity
- Room/After School Club.
- No more than seven (7) children aged 3 months – 2 years in Baby Room 1
- No more than five (5) children aged 3 months – 2 years in the Baby Sleep/activity Room
- No more than twelve (12) children aged 2 years and above in the Toddlers' Room.
- No more than thirty-two (32) children must be cared for in the original part of the premises at any one time.
- No more than forty-eight (48) children aged 2 years and above to be on the premises at any one time due to the number of toilets available.

Registered company name:
Checkout 14 Limited

Name of Responsible Person:
Peter Halpin

Name of Registered Manager:
Jenny Coyle

Manager Registration number:
ROCA/M/0200

Date of latest registration certificate:
5 September 2018

Date of any additional regulatory action in the last inspection year (ie improvement measures or additional monitoring):
None

Date of previous inspection:
21 November 2018

Person in charge at the time of the inspection:
Jenny Coyle

Name of Inspector(s):
Becci Rea and Jenny Percival

Part 2 - Descriptors of Performance against Standards

Inspection reports will describe how a service has performed in each of the standards inspected. Compliance statements by inspectors will follow the framework as set out below.

Compliant
Arrangements for compliance were demonstrated during the inspection. There are appropriate systems in place for regular monitoring, review and any necessary revisions to be undertaken. In most situations this will result in an area of good practice being identified and comment being made.

Substantially compliant
Arrangements for compliance were demonstrated during the inspection yet some criteria were not yet in place. In most situations this will result in a requirement being made.

Partially compliant
Compliance could not be demonstrated by the date of the inspection. Appropriate systems for regular monitoring, review and revision were not yet in place. However, the service could demonstrate acknowledgement of this and a convincing plan for full compliance. In most situations this will result in requirements being made.

Non-compliant
Compliance could not be demonstrated by the date of the inspection. This will result in a requirement being made.

Not assessed
Assessment could not be carried out during the inspection due to certain factors not being available.

Recommendations based on best practice, relevant research or recognised sources may be made by the inspector. They promote current good practice and when adopted by the registered person will serve to enhance quality and service delivery.

Part 3 - Inspection information

The purpose of this inspection is to check the service against the service specific minimum standards – Section 37 of The Regulation of Care Act 2013 and The Regulation of Care (Care Services) Regulations 2013 part 3, regulation 9.

Inspections concentrate on specific areas on a rotational basis and for most services are unannounced.

The inspector is looking to ensure that the service is well led, effective and safe.

Summary from the last inspection

Number of requirements from last inspection:
Ten

Number met:
Six

Number not met:
Four

All requirements not met will be addressed within this inspection report

Part 4 - Inspection Outcomes, Evidence and Requirements

Regulation of Care Act 2013, Part 2 (37) and Care Services Regulations Part 3 (9)
Standard 1 – Suitable Person
1.7 - The registered person must carry out enquiries to establish the qualifications, experience and overall suitability of the staff they employ. Robust recruitment and selection processes and procedures must be in place which meets the requirements of employment legislation. This must include:

- Social Services suitability check.
- Social Services 'out of area check' (if the prospective employee has been off island for anytime in the last 5 years, including study, the local Social Services department needs to be contacted to ensure suitability).
- Medical opinion.
- Two references.
- DBS (or evidence that on-line service checked if portability is in place).

Our Decision:
Non-compliant

Reasons for our decision:
The records of three new staff members were examined and there was no evidence available to show that all the required pre-employment checks had been undertaken or that qualifications had been verified.

The manager stated that the responsible person had carried out all the pre-employment checks and then returned the staff files to the nursery informing her that he had returned the documents to the staff members.

The manager informed the inspector that two of the new staff members were qualified but there was no evidence available to support this.

The inspectors arranged to return to the nursery the following day and asked the manager to ensure the staff members brought all the missing documentation to the nursery in order to ensure all the required checks had been completed.

18 April 2019
The inspectors returned to the nursery in order to ensure all the missing information was now in place. A lot of the information not available yesterday was now in the staff files but there were still some checks outstanding. The matter has been brought to the attention of the Head of the Registration and Inspection Unit.

There was a volunteer at the service who had a DBS in place but no other checks had been carried out. Although the volunteer was not an employee of the setting, it is recommended that all other pre-employment checks be undertaken to ensure suitability.

There was still no evidence available to show that one member of staff held a childcare qualification. The manager was informed that the member of staff must be classed as unqualified until her qualification has been verified.

Evidence Source:

Observation	✓	Records	✓	Feedback		Discussion	✓

Requirements:
One

Recommendations:
One

Regulation of Care Act 2013 Part 2 (37) and Care Services Regulations Part 3 (9) Standard 2 – Organisation
2.4 - The minimum staffing ratio requirements are:

1:2 children under 2 years who are cared for above ground floor level.
1:3 children under 2 years.
1:8 children aged 2-7 years.

These ratios include any children of staff or volunteers. Regular volunteers who have had the required checks can be included in the normal staffing ratios.

Our Decision:
Non-compliant

Reasons for our decision:
On the day of inspection there were 27 children attending the setting; five of whom were aged 0-2 years. There were three qualified members of staff, two apprentices, a staff member who hadn't officially commenced her employment and the manager, who was supernumerary.

When one of the inspectors walked around the setting, it was observed the playroom for the 0-2 year olds was staffed with an apprentice and a practitioner whose qualification had not been seen or verified, meaning that until the diploma has been seen, they have to classed as an unqualified assistant. This meant the staffing ratio was not correct.

The playroom for the 3-4 year old children was staffed with one qualified member of staff looking after 15 children. The other adult in the room was on an induction session and had not officially commenced her employment at the setting. This meant the adult:child ratios were not correct.

The playroom for the 2-3 year old children was sufficiently staff with a qualified staff member and an apprentice but the qualified member of staff left the apprentice unsupervised with the children while she went to carry out the nappy changes for another group of children. This meant the staffing ratios were not correct.

Prior to leaving the setting, the inspectors advised the manager in regards to staff deployment changes to ensure the safety and well-being of the children. The manager was informed that the appropriate staffing levels must be in place as of the following day.

When the inspectors returned to the setting the following day, the appropriate staffing levels were observed to be in place.

Evidence Source:

Observation	✓	Records	✓	Feedback		Discussion	✓

Requirements:
One

Recommendations:
None

Regulation of Care Act 2013 Part 2 (37) and Care Services Regulations Part 3 (9)
Standard 4 – Physical Environment
4.2 - The premises must be clean, well lit, usually with adequate natural lighting, adequately ventilated and maintained in a suitable state of repair and decoration.

Our Decision:
Substantially compliant

Reasons for our decision:
All areas were found to be clean and in good decorative order but there was a loose fitting tap on the hand-wash basin in the children's toilets and this was discussed with the manager.

Evidence Source:

Observation	✓	Records		Feedback		Discussion	✓

Requirements:
One

Recommendations:
None

Regulation of Care Act 2013 Part 2 (37) and Care Services Regulations Part 3 (9)
Standard 5 – Equipment
5.2 - Furniture, resources (including toys) and equipment on the premises must be in good repair and must conform to British Standard and European Standard (BS EN) safety standards or the Toys (Safety) Regulations (1995) where applicable. Where public playgrounds are used, the registered person must ensure that the children do not use faulty equipment.

Our Decision:
Compliant

Reasons for our decision:
All toys, furniture and resources were observed to be in good condition. The inspectors were informed that the equipment in public playgrounds are checked before the children use them.

Evidence Source:

Observation	✓	Records		Feedback		Discussion	✓

Requirements:
None

Recommendations:
None

Regulation of Care Act 2013 Part 2 (37) and Care Services Regulations Part 3 (9)
Standard 6 – Safety
6.2 - The registered person must undertake a written risk assessment of the premises and activities (including staffing levels) this is reviewed if there is a significant change or if the registered person suspects that it is no longer valid. An action plan with timescales identifies action to be taken to minimise identified risks.

Our Decision:
Substantially compliant

Reasons for our decision:
There were a variety of written risk assessments available for inspection but there was no consistency in dating the documents and there was no evidence to show they had been reviewed.

Evidence Source:

Observation		Records	✓	Feedback		Discussion	✓

Requirements:
One

Recommendations:
None

Regulation of Care Act 2013 Part 2 (37) and Care Services Regulations Part 3 (9)
Standard 6 – Safety
6.4 - Children must not be exposed to water temperatures above 43°c.

Our Decision:
Compliant

Reasons for our decision:
The hot water temperatures were checked and found to be within the required range although one of the temperatures was close to the maximum limit of 43°c and the need to monitor this was discussed with the manager.

Evidence Source:

Observation	✓	Records		Feedback		Discussion	✓

Requirements:
None

Recommendations:
One

Regulation of Care Act 2013 Part 2 (37) and Care Services Regulations Part 3 (9)
Standard 6 – Safety
6.9 - Portable Appliance Testing (PAT) must be undertaken by a competently trained, certificated person a minimum of every 2 years.

Our Decision:
Compliant

Reasons for our decision:
There was evidence available to show that all portable electrical appliances were tested in October 2018.

Evidence Source:

Observation		Records	✓	Feedback		Discussion	

Requirements:
None

Recommendations:
None

Regulation of Care Act 2013 Part 2 (37) and Care Services Regulations Part 3 (9)
Standard 6 – Safety
6.14 - Where required, carbon monoxide detectors must be in place and maintained regularly.

Our Decision:
Non-compliant

Reasons for our decision:
The setting does not have a carbon monoxide detector in place.

Evidence Source:

Observation		Records		Feedback		Discussion	✓

Requirements:
One

Recommendations:
None

Regulation of Care Act 2013 Part 2 (37) and Care Services Regulations Part 3 (9)
Standard 6 – Safety
6.16 - People, including parents, must not be allowed to have free open access into the building/facility.

Our Decision:
Compliant

Reasons for our decision:
The main doors into the nursery were found to be locked and staff had control over access into the building by means of a 'release lock' system inside the nursery.

Evidence Source:

Observation	✓	Records		Feedback		Discussion	

Requirements:
None

Recommendations:
None

Regulation of Care Act 2013 Part 2 (37) and Care Services Regulations Part 3 (9)
Standard 6 – Safety
6.35 - Appropriate car seats and/or seat belts must be used when transporting children in a vehicle.

Our Decision:
Not assessed

Reasons for our decision:
The setting does not transport children in a vehicle therefore this criterion was not assessed.

Evidence Source:

Observation		Records		Feedback		Discussion	✓

Requirements:
None

Recommendations:
None

Regulation of Care Act 2013 Part 2 (37) and Care Services Regulations Part 3 (9)
Standard 7 – Health
7.7 - There must be a first aid box, the contents of which are checked frequently for the re-stock of used items/out of date sterile items. This must be kept in an accessible place out of the reach of children. There is no legal requirement for the contents of a first aid box but the following list is a guide to what should be included:

- A leaflet giving general guidance on first aid.
- Hypo-allergenic plasters or micro pore tape and melolin.
- Sterile eye pads with attachments.
- Individual wrapped sterile wound dressings.
- Safety pins.
- Crepe bandages.
- Triangular bandages.
- Scissors.
- Saline solutions.
- Anti-septic wipes.

- Blue plasters (adult use only).
- Disposable gloves.
- Fever thermometer.

Our Decision:
Compliant

Reasons for our decision:
Four first aid boxes were checked and found to be adequately stocked and all contents were in date.

Evidence Source:

Observation	✓	Records		Feedback		Discussion	

Requirements:
None

Recommendations:
None

Regulation of Care Act 2013 Part 2 (37) and Care Services Regulations Part 3 (9) Standard 7 – Health
7.8 - All staff either when on the premises or on outings must hold a current first aid certificate. The first aid qualification includes training in first aid for infants and young children.

Our Decision:
Non-compliant

Reasons for our decision:
The manager informed the inspector that not all staff had a current first aid certificate.

Evidence Source:

Observation		Records	✓	Feedback		Discussion	✓

Requirements:
One

Recommendations:
None

Regulation of Care Act 2013 Part 2 (37) and Care Services Regulations Part 3 (9) Standard 14 – Documentation
14.2 - Individual records of each child must contain:
- Their full name and address.
- Their date of birth.
- Their photograph.
- Contacts in the case of an emergency.

- GP contact.
- Authorisation for outings and travel in vehicles and other appropriate permissions and parental consents.
- Details of who will collect the child, including photographs where appropriate.
- Known medical conditions (including allergies).
- Dietary requirements and preferences.
- Any social, emotional and/or behavioural needs.
- First language/any additional languages spoken.
- Any other cultural needs.
- Permission to seek emergency medical advice and treatment.

Our Decision:
Substantially compliant

Reasons for our decision:
There were 52 children registered at the setting and a number of children's records were examined.

There were two different child record formats being used and they were inconsistent in regards to the information contained. The following information was missing between the two types of forms:

- Authorisations
- Photographs
- Social needs
- Permission to seek emergency medical treatment or advice

Evidence Source:

Observation		Records	✓	Feedback		Discussion	✓

Requirements:
One

Recommendations:
One

Regulation of Care Act 2013 Part 2 (37) and Care Services Regulations Part 3 (9) Standard 14 – Documentation
14.4 - The registered person must have public liability insurance for the provision. The insurance must cover any circumstance of a child/children suffering harm whilst being looked after at the service, and will include allegations being made against a member of staff.

Our Decision:
Compliant

Reasons for our decision:
The setting had the appropriate Public Liability insurance in place and the certificate was displayed.

Evidence Source:

Observation	✓	Records	✓	Feedback		Discussion	

Requirements:
None

Recommendations:
None

Other areas identified during this inspection /or previous requirements which have not been met.

Standard 2.3
One of the apprentices had worked for a number of years as an unqualified member of staff at the setting but in order to be able to be counted in the ratios as an apprentice, there needs to be substantial evidence of competency. This was not available. The other apprentice had only been at the setting for a short time. This meant neither apprentice could be counted in the adult:child ratio.

It was also observed that one apprentice was working unsupervised with the children and this was discussed with the manager.

Standard 2.9 and 14.12
The manager explained to the inspectors that a staff member had called in sick that morning so she had to go into the staffing ratio to cover the absence. The inspector explained that the Registration and Inspection Unit should have been notified and approval sought for this to take place.

Standard 6.26
At the time of the setting's last inspection, they had begun to care for babies but had not carried out a fire drill to ensure staff team were confident evacuating the younger aged children. A requirement was made in regards to this. The manager implemented a plan to carry out twice yearly fire drills.

Standard 12.5
A requirement was made during the setting's last inspection in regards to ensuring there were signed contracts between the provider and the parents. When the children's records were checked during this inspection it was noted that there were no contracts. Some files contained the setting's terms and conditions; many of which were unsigned and the manager explained that a lot of the parents hadn't returned them to her. The terms and conditions included an authorisation section which for some children had either not been completed by the parents, or returned to the nursery. Discussion was had with the manager in regards to clarifying with parents that her expectation was that the terms and conditions must be signed and returned to the nursery as some parents may be under the impression that the copy given to them is theirs.

Standard 14.17
During the setting's previous inspection the staff files were not at the premises and therefore not available for inspection. The submitted action plan stated that all files had been updated and were stored in the locked office. Although there were staff folders available for this inspection, they were mostly empty files that did not contain evidence that the pre-employment checks had been undertaken or other documentation related to the staff member.

Evidence Source:

Observation	✓	Records	✓	Feedback		Discussion	✓

Requirements:
Six

Recommendations:
None

The inspector would like to thank the management, staff and service users for their co-operation with this inspection.

If you would like to discuss any of the issues mentioned in this report or have identified any inaccuracies, please do not hesitate to contact the Registration and Inspection Unit.

Inspector: Becci Rea **Date:** 24 April 2019

Provider's Response

From: Jenny Coyle and Peter Halpin

I / we have read the inspection report for the inspection carried out on **17 April 2019** at the establishment known as **Little Diamonds Nursery**, and confirm that there are no factual inaccuracies in this report. ☒

I/we agree to comply with the requirements/recommendations within the timescales as stated in this report. ☒

Or

I/we am/are unable to confirm that the contents of this report are a fair and accurate representation of the facts relating to the inspection conducted on the above date(s) ☐

Signed
Responsible Person Peter Halpin
Date 30/05/2019

Signed Jenny Coyle
Registered Manager
Date 30/05/2019