

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2015CE013

Name of Service: Brookhaven Montessori

Address of Service: Castlecrine, Sixmilebridge, Co. Clare

Eircode: V95 XA49

Name of Registered Provider: Mary Kearns

Service type: Sessional

Date of Inspection: 15/11/2024

No of pre-school children:	AM	4	PM	N/A
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Address of the Early Years Inspectorate: Early Years Inspectorate
Tusla Child and Family Agency
Primary Care Centre
Station Road
Ennis
County Clare.

Inspection undertaken by: A. McCarthy

Title: Early Years Inspector

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

Description of service

Brookhaven Montessori was established in 1994, as a private childcare facility in Sixmilebridge, County Clare. The service is provided in one care room adjacent to a registered provider's domestic dwelling. An outdoor play area is located to the side of the service. The programme of care and education is facilitated Monday to Friday from 08:45 to 12:45 on a sessional basis.

Staffing

The manager operates the service single-handedly and the registered provider is the emergency contact and is located within close proximity to 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

This inspection was unannounced and focused on the area of governance, health, welfare and development of child and safety. The inspection focused on an examination of compliance under regulations:

Regulation 9 – Management and recruitment (1)(a)(b), (2)(a)(b)(c)(d) and (4)

Regulation 11 - Staffing levels (1) (3) (8)(c)

Regulation 19 - Health, welfare and development of child (1)(a)

Regulation 23 - Safeguarding health, safety and welfare of child

Regulation 25 - First aid (1), (2)(a)(b).

Regulation 26 - Fire safety measures (1)(a)(b)(4).

Regulation 28 – Insurance

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

On the 18 November 2024 a referral was sent to the Local Fire Authority in Clare in relation to a non-compliance found under Regulation 26.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the person in charge and children who were present on the day of the inspection.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

- (a) the service has a designated person in charge and a named person who is able to deputise as required,*
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and*

(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:

(1)(a)

The manager was the person in charge and an emergency contact was available within close proximity in the event of an emergency.

(b)

The manager was available at all times during the inspection.

(2)

Two files were available and reviewed in respect of the registered provider and the manager. The findings included the following:

(a)

Two written references sourced from past employers was available.

(b)

Two written references were available from a source other than a past employer.

(c)

Garda vetting disclosures were available in respect of the two adults working in the service. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d)

Not applicable, international police vetting was not required as the adults had not lived in another state for a period longer than six months.

(4)

The registered provider and the manager working held Early Childhood Care and Education qualifications at Level 6 on the National Framework of Qualifications.

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) therefore at that reference number is satisfied.

(8) Without prejudice to paragraphs (2) to (7)-

(c) a registered provider of a sessional pre-school service shall ensure that, where the person in charge operates the service single-handedly, a second person familiar with the operation of the service and in a position to provide assistance to the person in charge in operating the service is, at all times, within close distance of the service and available to attend the service to assist the person in charge in the event of an emergency.

Compliance Information

- (1)
During the inspection an adequate number of adults worked directly with the children in attendance.
- (3)
On the 15 November 2024 the ratio of adults supervising children was maintained in the service. One adult cared for four children in attendance.
- (8)(c)
The manager operated the service single-handedly. The registered provider who is familiar with the operation of the service and in a position to provide assistance to the person in charge in operating the service was available within close distance to assist in the event of an emergency.

Part V - Care of Child in Pre-school Service

Regulation 19 - Health, welfare and development of child

- (1) A registered provider shall, in providing a pre-school service, ensure that-
- (a) each child's learning, development and well-being is facilitated within the daily life of the pre-school service through the provision of the appropriate activities, interaction, materials and equipment, having regard to the age and stage of development of the child, and

Compliance Information

- (1)(a)
Basic Needs of Children:
- The adult treated the children in a caring and respectful manner. Positive behavioural strategies were used during interactions. The adult conversed with the children in a sensitive manner, used soft tones of voice, acknowledged the children by their individual names and responded promptly to their cues for assistance. The children were encouraged to be independent in play and learning, while caring for their belongings and using the toilet. The adult offered praise and encouragement. The children were respected and supported in their choice of individual and group engagement in activities. The transitions in the children's activities were completed with ease. The children sat together during mealtime and conversed amicably with their peers and the adult. The parents/guardians provided the children's food and beverages. Mealtime was observed to be a relaxed and sociable occasion. The transitions in activities were completed in a calm manner and the children were notified in advance of these changes.

Physical and Material Environment:

The care room was bright, spacious and well-resourced and was laid out to enable the children to freely move and play. On the inspector's arrival, the children were engaged in open ended play, in the indoor area. The children transitioned to song and rhymes, mealtime and outdoor play-based activities. The children were offered a range of developmentally challenging play and educational activities and observed to be fully engaged as they transitioned from the indoor to the outdoor environment.

Learning aids and creative work were displayed on the walls in the care room. A variety of opportunities for play and learning activities were available and accessible in the indoor and outdoor environments with defined areas of interest. The care room was appropriately resourced with a pretend play wooden kitchen, a wooden construction bench, a farmhouse, pirate ship and dolls house. A relaxing area was available with soft furnishings and reading materials. This area was used by the children to rest and relax. Low level shelving units were accessible to the children with a range of manipulative, imaginative and constructive toys and learning materials for the age and level of development of the children. The outdoor play area is located to the side of the service and was accessed by the children during the inspection. The children had access to a goalpost, balls, a balance beam, a slide, a sandpit, a swing and a wheelbarrow. The children were observed to enjoy their time in the indoor and outdoor environments.

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 entrance to the service was secured to monitor the safe entry and exit of the children to and from the childcare facility.
- The designated outdoor area was secured with surrounding perimeter secured with concrete walls and gates to protect the children within.
- Cleaning agents and equipment were stored in a secure area out of reach of the children.
- The two fire exits and routes and passageways were clearly identifiable and free from obstruction.

Infection Control:

- The service was maintained in a clean and hygienic manner.
- The children washed their hands at appropriate intervals after activities, using the toilet and before mealtime.
- The sanitary facilities were equipped with warm running water, liquid soap, hand paper towels and pedal operated bins. Visual aids demonstrating good hand hygiene practices were displayed for children at the wash hand basins to prompt children to wash their hands.
- A refrigerator was available to store the children's perishable food items.

Administration of Medication:

- Medication was not administered during the inspection. An administration of medication policy was available to inform practice.

Outing:

- The manager stated that outings are not undertaken by the service.

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 manager held a record of up to date First Aid Responder (FAR) training.

(2)(a)

A suitably equipped first aid box was stored in a readily identifiable area in the care room.

(b)

A first aid box was available in the care room for use by the adults in the event of an emergency.

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 were available to demonstrate that monthly fire drills were carried out in the service. The last recorded fire drill took place in October 2024.

(b)

A record of the number, type and maintenance for the firefighting equipment was available. The most recent firefighting equipment maintenance service took place on the 02 May 2024.

(4)

A fire action notice demonstrating the procedures to be followed in the event of a fire was displayed in the service.

Non-Compliance Information

(1)(b)

A mains powered smoke detection and alarm system was not in place in the premises. The battery-operated smoke detector does not meet fire safety requirements. A record for the maintenance of the smoke alarm system was not available.

This non-compliance was noted on the last inspection, 24 March 2022. On the 18 November 2024 a referral was sent to the Local Fire Authority in Clare.

Corrective & Preventive Action submitted by the Registered Provider

(1)(b)

Corrective and Preventive Action

A main operated smoke alarm system has been put in place.

Supporting documentation submitted

Photographs of the new system and a maintenance service record.

Summary Comment

Based on the corrective actions and evidence submitted by the registered provider the non-compliance is addressed. The requirement under Regulation 26 (1)(b) is met.

Part VI – Safety

Regulation 28 – Insurance

A registered provider shall ensure that the pre-school service is adequately insured.

Compliance Information

Up to date insurance cover was available for eleven pre-school children. The policy is valid until the 27 November 2024.