

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CW023
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Name of Service:	Little Learners Montessori
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Address of Service:	Phelan Street, Rathvilly, Co. Carlow
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Eircode:	R93 HK20
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Name of Registered Provider:	Sharon Molloy
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Service type:	Sessional
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Date(s) of Inspection:	17/01/2024
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No of pre-school children:	AM	13	PM	N/A
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Address of the Early Years Inspectorate:	Tusla Child & Family Agency, Athy road, Carlow.
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Inspection undertaken by:	N. Thornton
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Title:	Early Years Inspector
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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
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Description of service

Little Learners Montessori is a registered sessional service located in the village of Rathvilly, in north county Carlow. The service operates from an end row terraced house with an outdoor play area provided in the garden area at the back of the building. A sessional service is provided for two to six year olds from 09:00 to 12:00 and from 12:30 to 15:30 hours.

There is one classroom provided on the ground floor with adjacent children's and staff toilets. The outdoor play area at the back of the building includes an acrylic covered area.

Staffing

There are three staff members currently employed in the service including the registered provider. All staff working directly with the preschool children hold a qualification in early childhood care and education from Level 6 to Level 8 on the National Quality and Qualifications (QQI) framework.

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/safety/premises and facilities. The inspection may also focus on other areas as required.

A sampling process was used to assess compliance under the following regulations:

Regulation 10 - Policies, Procedures etc. of a Pre-school service.

Regulation 15 - Record of a Preschool Child.

As a result, the scope of the inspection included the physical environment indoors and outdoors.

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 person in charge on the day of inspection.

The immediate action notice was issued in respect of two non-compliances identified as an immediate risk to the safety of the children attending the service which is contrary to the requirement of regulation 23.

The registered provider responded on the 18 January 2024 demonstrating the actions that were taken to address the risks identified.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the persons 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*
- (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.

Compliance Information

- (1)(a) There was a named designated person in charge in the service and two named deputy designated persons who were able to deputise as required.
- (b) On the day of inspection, both deputy designated persons in charge were present in the service directly supervising the children in attendance.
- (2) The staff files for the three staff employed in the service were reviewed by the inspector.
- (a)(b) Two validated references were available on file for each of the three staff members, from either a past employer or from a reputable source.
- (c) Garda vetting certificates were on file for each staff member employed in the service.
- (d) Not applicable as no staff member employed in the service had lived in a state other than Ireland for a period of longer than six months.
- (3) On review of files the inspector was assured that the procedures specified in paragraph (2) had been completed prior to staff members commencing employment in the service.
- (4) Certificates of qualification were available on file for each staff member working directly with the children, demonstrating that staff held at least the minimum Level 5 ranging to Level 8 qualifications in early childhood care and education on the National Quality and Qualifications Ireland (QQI) Framework.

Non-Compliance Information

(c) There was no clear structure that identified the lines of authority and accountability in the service, the specific roles, and responsibilities of each employee.

In the absence of the designated person in charge, there was confusion in the setting about which staff member was registered as deputy designated person in charge. Two members of staff identified themselves as being responsible for this role. There was no named person to deputise for the person in charge.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider submitted the following corrective and preventive actions.

Corrective and Preventive Action

Staff meetings were held with both staff members. Staff were updated with their duties and responsibilities in the absence of the manager re- occurring. Staff understand that the manager is the designated person in charge and another team member is now aware that they are the Deputy Designated Person in Charge.

The designated person in charge and the deputy designated person in charge has been printed and is on display on the main wall in the arrival area of the service.

Supporting documentation submitted

Copy of outline of staff duties/ responsibilities as displayed in the service.

Summary Comment

The actions submitted are appropriate to address the non-compliances identified. The implementation of these actions will be reviewed on next inspection.

Part III – Management and Staff

Regulation 10 - Policies, procedures etc. of pre-school service

A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.

Compliance Information

The service's policies and procedures as required by Schedule 5 were available in the service and open for inspection. The following policies were reviewed and observed to be specific to the service and adequate in content; policy on administration of medication, policy on infection control, policy on behaviour management, fire safety policy, inclusion policy, policy on outings, policy on accidents and incidents, policy on authorisation to collect children, policy on healthy eating, policy on outdoor play, policy on staff absences, policy on the use of internet, photographic and recording devices, recruitment policy, settling in policy, staff training policy and supervision policy.

Non-Compliance Information

1. While it is acknowledged that a curriculum statement and mission statement of intent philosophy were available for review, a statement of purpose and function was not available. Details such as, the type of service provided, for whom it is provided, the hours of the operation, the age range of the preschool children catered for and the maximum number of children that the service is registered to accommodate were not recorded in a statement of purpose and function.
2. An accident and incident/risk management policy were available but did not detail how risk in the service is prevented, identified, and recorded. A safety statement was referred to in this policy, however, was not available for inspection.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider submitted the following response.

Corrective and Preventive Action

1. Copy of Statement of Purpose and Function attached.
2. The Accident and Incident/Risk Management Policy has been reviewed and updated.

The Policy has been amended and details of how risk in the service is prevented, how it is identified and how it is recorded. Risk assessment template within policy. Risk assessments have always been recorded however, the electronic device that the documents are on was out of the service and with managers belongings on the day of inspection. Document is attached to email. Photos of completed risk assessment checklist also attached.

Safety Statement has been updated be available for inspection and to be always on the Premises.

Safety Statement and all-important documents will always be on the premises going forward.

Supporting documentation submitted

- Copy of Statement of Purpose and Function.
- Copy of revised Accident and Incident /Risk Management Policy.

Summary Comment

The actions submitted are appropriate to address the non-compliances identified. The implementation of these actions will be reviewed on next inspection.

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)-

(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) There was an adequate number of staff members always present during the inspection, directly caring for the children in attendance at the service.

(3) There were 13 preschool children aged 3 to 6 years of age being directly cared for and supervised by two qualified staff members.

(8) On review of the staff roster available, the inspector observed that the registered provider ensured that there was always two staff members always present on the premises when the service was in operation.

Part IV – Information and Records

Regulation 15 – Record of pre-school child

(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:

- (a) the name and date of birth of the child;*
- (b) the date on which the child first attended the service;*
- (c) the date on which the child ceased to attend the service;*
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
- (e) authorisation for the collection of the child;*
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
- (g) the name and telephone number of the child's registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.*

Compliance Information

(1) A sample of 16 pre-school records of children in attendance at the service were reviewed by the inspector. On review of the 16 records, the inspector observed that the details of the elements (a) to (i) as required by Regulation 15, were clearly recorded by the registered provider.

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

(b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.

Compliance Information

(1)(a) Throughout the inspection the inspector observed that the two staff members present were engaged with the children in child led play in groups and supported children's individual needs as required. The classroom had designated interest areas including a rest/sensory area, reading area, construction area, home/kitchen area, art and creativity area and low-level shelving providing easy access for the children to play material such as jigsaws, peg boards, manipulative and connective play resources, writing materials, art materials, small world figurines, superhero figurines, animal and dinosaur figurines, vehicles and various forms and sizes of blocks for construction. Children played freely at the start of the session, choosing what table of activities to join or what friends to play with.

At 10:45, children prepared for snack time by using the toilet facilities if required, washing their hands and taking allocated turns to prepare the table settings with individualised place mats for snack time.

Children's snacks were brought from home and stored in the refrigerator until the children were ready to get them at snack time. Children demonstrated independence and confidence in preparing the table for snack time and then ensuring that each of their classmates had their individual lunch bag and drink container. The inspector observed that plates and drinking cups were also provided for use in the service.

Both staff members were always present to support and assist as required. The staff sat with children at snack time, again engrossed in interesting conversations about home life and plans for the weekend.

The inspector observed that emergent interests were noted by staff and after snack time some of the children who had talked about handbags during snack explored the dress up clothes available. After chatting excitedly, the entire group of children were all dressed in either princess dresses or superhero outfits playing imaginatively.

Later as children demonstrated cues that they were tired of playing dress up, the staff members asked if it was time to explore the outdoor play area, which the children eagerly agreed to. Children and staff put on their coats, hats, gloves, and wellies, and went outside.

The outdoor area contained a swing set and climbing frame, growing area, all located on a bark mulch surface towards the rear of the garden.

A cement surface to the front of the play area provided space for the children to push their dolls buggies, ride on a rocking horse or balance bikes. Just outside the patio doors a roofed area provided children with opportunities for sensory play in the tuff tray or to sit at the child sized picnic table playing with some of the outdoor table activities which was stored in a secure storage container.

(b) Staff were observed to speak softly and calmly to the children and used positive reinforcement when good behaviours such as sharing and taking turns were observed. One child who was nervous about dressing up was reassured when the child watched a staff member joining in and sorting through the dress up clothes available to help everyone choose what they wanted to wear.

The inspector observed that children confidently called staff members if they required help and went to them without hesitation if they needed comforting or assurance.

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 was accessed through the main door of the building. This was secured by a metal gate which had to be opened first, prior to ringing a call bell to be allowed access to the building. The staff could view any visitors from an adjacent window and access could only be permitted to authorised persons by staff members. Children could not exit the main entrance of the service unsupervised.

An internal door from the entrance hall led to the classroom inside. The outdoor play area at the back of the service was secured by a ten-foot-high metal fence.

Infection Control:

The staff and children in the service were observed to wash their hands after toileting, using tissues for runny noses, after messy play and in preparation for meal or snack time, in line with the service's infection control policy. Children's toileting needs were supported as required by the staff, in line with the service's toileting policy, contained within the service's infection control policy.

The inspector observed that effective cleaning procedures were performed to in the service, with cleaning schedules recorded.

Administration of Medication:

No medications were currently required to be administered in the service. The staff explained to the inspector that an administration of medication policy was in place for the safe administration of any potential emergency medications, that a child might require for a medical condition or for anti-febrile medications if required.

Outing:

The inspector observed that an adequate outings policy was in place in the service. The staff present informed the inspector that outings were not currently operated away from the service.

Non-Compliance Information

General Safety:

1. The inspector observed that the cord of a window blind on the window at the front of the service had become unsecured, causing a potential danger to a child.
2. A large double metal fence gate at the end of the outdoor play area was observed by the inspector to have a gap of approximately one foot, whereby a child could potentially squeeze through into the neighbouring property.
3. A small electrical heater was observed on top of a printer in the front part of the classroom which could potentially fall and cause an injury to a child. Both the lead of the printer and the heater were accessible to the children posing a potential risk of a safety injury to a child.

An immediate action notice for the safety risks posed by the above identified non-compliances was issued onsite on the day of inspection.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

A written response to the immediate action notice issued on the day of inspection regarding the non-compliances identified, was submitted by the registered provider on the 18 January 2024 demonstrating that corrective actions had immediately resolved the identified risks.

Supporting documentation submitted

General Safety:

Photographic evidence was submitted to assure the inspector of the following. A new safety blind cord wind up had been installed and the blind cord was secured. The rear gate was secured tighter with a chain and lock to prevent children from exiting the outdoor play area. The heaters and printer were removed from the classroom while children were present in the service.

Summary Comment

The actions submitted are appropriate to address the non-compliances. The implementation of these actions will be reviewed on next inspection.

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) There was documented evidence displayed in the entrance hall that all three staff members employed in the service held current certificates in first aid responder (FAR) training.

(2)(a) A first aid box was available in the service and located on a shelf in the kitchenette area at the back of the classroom.

(b) The first aid box was always available for the children with staff informing the inspector that the contents were checked regularly to ensure that its contents were adequate and in date. This was confirmed by the inspector on inspection of the contents.

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)(b) A record of the maintenance checks of the firefighting equipment and alarms was maintained. The last maintenance check was recorded as having taken place on the 10 October 2023.

(4) A notice of the procedure to be followed in the event of a fire was displayed in the entrance hall of the service.

Non-Compliance Information

(1)(b) While the inspector observed that there was a record of fire drills that had been carried out in the service, the inspector observed that the last fire drill was recorded as having taken place on the 6 November 2023 at 09:53, no monthly fire drill had been carried out during the month of December 2023 as is recommended by best fire safety practices for preschool services.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Fire Drills are performed monthly; however, the December fire drill record sheet had not been returned to its correct place with the rest of the documents. It was left in a to do pile that they had mistakenly forgotten to return to its file.

Staff will be more conscious to complete and file important documents as soon as they are performed.

Supporting documentation submitted

Copy of fire drill record.

Summary Comment

The actions submitted are appropriate to address the non-compliances. The implementation of these actions will be reviewed on next inspection.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

An insurance certificate detailing adequate insurance for a sessional service up to a maximum of 16 preschool children was available for inspection in the service.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

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

- (b) safe and secure,*
- (c) kept adequately lit, heated and ventilated*
- (e) equipped with adequate and suitable sanitary facilities.*

Compliance Information

(b)The inspector observed that the entrance to the service was managed securely to prevent any unauthorised persons from entering the service and to prevent any children exiting the service unsupervised.

(c)Lighting- Natural lighting through a large front window, rear window and patio doors was supplemented by artificial lighting. While it was noted that electric plug-in heaters had been used in the morning to supplement the oil heating system during cold weather, the temperature of the classroom was recorded at 18°C at 10:00 and at 12:00 hours.

Openable windows safely provided natural ventilation in both the classroom and toilet facilities.

(e)Two child sized toilets and handwash basins were provided for the children, while a third toilet was designated for staff use.

Non-Compliance Information

(c)Ventilation- While on observation of the building, the overall structure appeared to be of sound and stable structure and staff reported that they had no concerns with the premises, the inspector observed black spotted discolouration on the lower part of the last toilet unit to the right.

Corrective & Preventive Action submitted by the Registered Provider

The following response was received from the registered provider.

Corrective and Preventive Action

The last toilet unit to the right showed black spotted discolouration. This was due to a water leak that had occurred a few weeks ago. A registered plumber visited the service and fixed the problem which occurred. The walls in the bathroom have been washed down with disinfectant and the toilet unit has been painted with a white bathroom anti-mould paint.

Observe the bathroom walls and clean and treat more frequently.

Supporting documentation submitted

Photographic evidence of toilet unit, now showing no evidence of mould and freshly painted.

Summary Comment

The actions submitted are appropriate to address the non-compliances. The implementation of these actions will be reviewed on next inspection.