

Early Years Inspectorate Regulatory Report

Pre School

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| TUSLA Identifier: | TU2015CW030 |
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| Name of Service: | Myshall Montessori |
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| Address of Service: | Myshall Community Centre, Myshall, Co. Carlow |
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| Eircode: | |
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| Name of Registered Provider: | Pauline Murphy |
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| Service type: | Sessional |
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| Date of Inspection: | 14/02/2025 |
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|-----------------------------------|----|----|----|-----|
| No of pre-school children: | AM | 13 | PM | N/A |
|-----------------------------------|----|----|----|-----|

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| Address of the Early Years Inspectorate: | Early Years Inspectorate, Tusla Child & Family Agency, Athy Road, Carlow. |
| Inspection undertaken by: | Norma Thornton |
| 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).

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| Conditions if applicable | Not applicable |
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Description of service

Myshall Montessori is a private, registered sessional early childhood care and education (ECCE) session that operates from a designated classroom in the Myshall Community Centre in the rural village of Myshall in north county Carlow. The service is registered to operate an ECCE session, between the hours of 09:00 -12:00 and from 12:30 to 15:30 hours. The service is comprised of two rooms connected by an open archway and there is a designated outdoor space behind the community hall which can be directly accessed from the early years classroom.

Staffing

There was one staff member employed to work directly with the children with the registered provider. The registered provider also had a named relief staff member to cover for staff absences. Both the registered provider and staff member present on inspection, held early childhood care and education qualifications at Level 6 on the national Quality and qualifications Ireland (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.

The inspection focused on an examination of compliance under regulations 9, 10,11,15,19,23,24,25,26, and 28; however, on inspection additional non-compliance which posed a risk was identified under Regulation 29. These findings are outlined within the relevant regulation within this report.

A sampling process was used to assess compliance under regulation 10, 15,19, 23. As a result, the scope of the inspection included the classroom.

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 (IAN) was issued on the day of inspection for the following non-compliance. Regulation 23 – There was no evidence to demonstrate that there was always a staff member present with the children, who was accredited with current First Aid Responder (FAR) training. It is acknowledged that an appropriate response was submitted for the IAN, to the office of the Early Years Inspectorate by close of business on the 17 February 2025.

A referral was submitted to the local authority fire officer for their consideration of fire safety in the setting.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, staff member, student 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.*

(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) The registered provider was the registered designated person in charge and the staff member was the named deputy designated person in charge in the absence of the registered provider/designated person in charge.*
- (b) On the day of inspection, the deputy designated person in charge was onsite throughout the inspection. The registered provider/ designated person in charge arrived onsite at 10:55 hours.*

(2)(c) Garda vetting disclosures were on file for three staff members employed in the service and for the registered provider. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, for one staff member, as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.

(d) Police vetting was not required as no staff member employed in the service had worked outside of the state for a period of longer than six months.

(4) There were two certificates of qualifications on file for the two staff members present in the service on the day of inspection. Both staff members present held early childhood care and education qualifications at Level 6 on the national Quality and Qualifications Ireland (QQI) framework.

Non-Compliance Information

(2)(a)(b) One file was produced on request for staff which contained elements of the required documentation for each staff but not all the required documents.

While there was one reference available on file for one staff member, there was not a second reference available. There were no references available on file for the other two staff members employed in the service.

(3) Due to absence of some recruitment records in the service, the inspector was unable to determine if all the procedures specified in paragraph (2) of regulation 9, were carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(4) There was no evidence of a qualification in early childhood care and education on file for the relief staff member who was not present on the day of inspection.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider has responded stating that they have ensured all Garda vetting certificates, references and copies of qualifications certificates are maintained on file for each staff member.

Supporting documentation submitted

Copies of required documentation submitted.

Summary Comment

The actions submitted are appropriate to address the non-compliances. 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 following policies were selected for review on the day of inspection- Statement of Purpose and Function, Policy on administration of Medication, Policy on Infection Control, Policy on Manging Behaviour, Fire Safety Policy, Policy on Outings, Policy on Authorisation to collect children, Policy on Health Eating, and the Policy on the Use of the Internet and Photographic and Recording Devices.

The content of these policies was found to be adequate.

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.

Compliance Information

(1) From 10:55 hours when the registered provider arrived onsite, until the session ended at 12:00 hours the minimum ratio of adults to children were maintained.

Non-Compliance Information

- (1) The registered provider did not ensure that there was always an adequate number of adults working directly with the children attending the pre-school service.
- (3) On arrival to the service the inspector observed that there was 1 qualified staff member and 1 post-primary student present with 13 preschool children aged 2 years and 3 months to 4 years 6 months. The staff member confirmed that they were present with the children since opening at 09:00 hours. The minimum ratio of adults to children as specified in Schedule 6 was not satisfied.
It is acknowledged that the registered provider arrived onsite at 10:55 hours, and from that time the minimum ratio of adults to children were maintained.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider states that they are committed to ensuring the adult to child ratios are maintained in the service as is required by regulation. An additional relief worker has been employed in the service.

Supporting documentation submitted

Copy of required documentation for new staff member recruited.

Summary Comment

The actions submitted by the registered provider will be reviewed on next inspection.

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) - (d) The inspector observed that particulars (a) – (d) were recorded on 12 registration forms sampled on the day of inspection.

Non-Compliance Information

(1)(e) – (i) The children's registration forms were missing some key information which can pose risks to the health and safe care of the children attending the service.

The following examples were found:

1. Parental consent for appropriate medical treatment in the event of an emergency was not clearly documented.
2. There was no documented record on 6 of the registration forms to demonstrate if the child had received their vaccination schedule. The inspector observed that the incorrect forms had been used; parents had been asked to complete school age care enrolment forms which did not request vaccination information.
3. One registration form did not record the names of those authorised to collect the child or who were the designated emergency contacts.
4. One child attending the service, who had a serious medical condition, had incorrect information recorded in their registration form.
5. The inspector observed that there was no registration forms present for 2 children who attended the service on the day of inspection.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider has responded stating that they distributed new appropriate pre-school registration forms and have checked to ensure all information was correctly recorded. The registered provider stated that it is their intention to carry out frequent audits on all records to ensure ongoing regulatory compliance. The registered provider stated that all staff will be trained on how to complete records, policy revision on how to maintain records and will ensure that adequate staffing is maintained for staff to have dedicated time for administrative tasks.

Supporting documentation submitted

Copies of revised document templates.

Summary Comment

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

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)(b) The inspector observed that the classroom had areas of interest and play resources and materials available and accessible to the children.

Several age-appropriate desks and child seating were provided for the children to use for tabletop activities and art and craft projects.

Children were observed to be encouraged and supported with their handwashing and to get ready for their snacks which consisted of healthy options such as rice cakes, crackers, sandwiches, yoghurts and fruit. Most of the children had bought their own individual drink bottles of water and appropriate plates and eating utensils were provided. The student present was observed to sit with the children supporting them with opening lunch boxes and yogurt cartons, while also engaging in conversations and encouraging them to confidently use their sentences and tell exciting stories.

While eating their snacks the children voiced a desire to watch television at 11:10 hours however were distracted by the staff member and student to participate in alternative table activities such as sensory play and painting.

Non-Compliance Information

(1)(a) 1. While there were several interest areas in the classroom, they were not clearly identified with associated themes or play materials. The interest areas were observed to be messy, not well maintained and lacking resources that invited and stimulated the children to play.

It is acknowledged that the registered provider intends to re-engage with the early years specialist and has also submitted photographic evidence that corrective actions have been implemented to enhance the physical environment since inspection.

2. The toilet facilities adjacent to the entrance hall contained two child sized toilets which were divided by a partition but had no door in front of each of them to preserve the dignity of the children while using the toilet. It is acknowledged that a second toilet unit was available at the other end of the classroom, however the inspector observed that most of the children used the one off the entrance hall.

(b)
1. The inspector observed that it was the post- primary school student present on the day who engaged most with the children and supported the children's activities and responded to the children's needs and interests. The staff present were not observed to be actively engaged with the children and their activities.

2. There was no evidence of curricular planning documented and available for review. On observation of the progress of the session, the inspector observed that there was no schedule in place or planned activities.

At 10:45 hours the children sat at the tables provided for circle time supported by the post -primary school student however when the registered provider arrived at 10:55 hours, the registered provider decided that the children would suddenly transition to having their snack.

It is acknowledged that since the previous inspection on the 04 February 2022, the service had engaged with the national quality development initiative, but this was not reflected in the physical environment or in the practice observed on this inspection.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1)(a) 1. The registered provider responded, stating that the physical environment had been revised to include a literacy and language area, dramatic play area, art and creativity area, sensory area, science and discovery area, music and movement area with associated play materials and resources. The registered provider stated that they have returned to the quality initiative engagement.

The registered provider stated that the classroom will be kept clean, safe and well equipped.

2. The registered provider has responded stating that there are two designated children's toilets, one inside the main door and one beside the sensory area. The registered provider and staff have spoken to the children and

explained that only one child can use the bathrooms at a time. The registered provider stated that the staff will ensure that there will only be one child using the designated children's toilets at a time.

(1)(b) The registered provider stated that they have displayed their curriculum and are following it. The service is maintaining a learning journal for each individual child.

Supporting documentation submitted

Floor plan of physical interest areas including an imaginative area, library, sensory/ sand play area, numeracy and literacy area, community area, construction area, small world area and home corner.

Photographic evidence of revised physical environment incorporating enhanced interest areas.

Photographic evidence of redefined outdoor interest areas.

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 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 entry was located at the side of the community hall, which could be entered via a gate and then a call bell system alerted staff to any potential visitors at the entrance door.

Infection Control:

The inspector observed the children washing their hands on the day of inspection post toileting and messy play and prior to snack time.

Outing:

The service had an outings policy in place if the staff and children arranged an outing away from the service.

Non-Compliance Information

General Safety:

Garda vetting was available for the staff members, however one of the Garda vetting disclosures available was not dated within the previous three years, in adherence with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

Administration of Medication:

While there was an adequate documented policy on administration of medication in the service, the inspector on triangulation of evidence observed the following non-compliances.

1. A child registered to attend the service with a serious medical condition did not have an appropriate administration of medication plan documented as stated in the service's administration of medication policy.
2. There was no evidence to demonstrate that the registered provider had arranged appropriate training for the staff in administration of specific emergency medication for this child.
3. The staff informed the inspector that a child's emergency medication was stored in their school bag on a low wall hook while the child attended the service. The inspector observed that the child's bag could easily be accessed by the children in the service.
4. The administration of medication policy provided information on self-administration of medication which was not appropriate or safe for preschool children.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

The registered provider responded stating that she will ensure all required Garda vetting documentation is maintained within the required timeframes.

Administration of Medication:

1. The registered provider responded stating that she had developed a nut allergy policy which included declaring the service a nut free environment. The registered provider also stated that an individual health plan will be developed for any child with a diagnosed allergy in conjunction with the child's GP and parents.
2. The registered provider stated that all staff will complete annual training on allergy awareness and emergency response.
3. The registered provider stated that all medications will be stored safely and not in the children's school bags. Any emergency medication will be stored high on a shelf out of the reach of any children however easily accessible to all staff.
4. The registered provider stated that staff will be trained to ensure that all administration of medication forms will be completed correctly, that medications will be stored safely and under no circumstances will there be medications stored in children's bags.

Supporting documentation submitted

General Safety:

No supporting documentation submitted.

Administration of Medication:

Evidence of emergency medication procedure submitted.

Copy of new proposed parent/guardian medical consent form.

Copy of new proposed preschool child's registration form.

Copy of service's policy review cycle, signed by the registered provider and staff post review.

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 24 - Checking in and out and record of attendance

(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.

Compliance Information

On observation of the register book for the daily record of attendance of children to the service, the inspector observed that 10 of the 13 children present had their times of arrival to the service recorded.

Non-Compliance Information

The inspector observed that 3 children who were also present in the service had no record of their times of arrival maintained. The inspector observed that 3 children were collected by a childminder at 11:15 hours but staff did not record this time on the attendance records until later when the inspector asked if they had been signed out.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider submitted a response stating that clear guidelines have been communicated to staff on recording the times of entry and exit of the children in the service. A designated staff member will record the entry and exit times of children. Staff will be requested to also sign the record. The registered provider states that the sign in and sign out book will be reviewed weekly to ensure compliance and accuracy in record keeping in line with the service's newly developed Record Keeping policy.

Supporting documentation submitted

Copy of sign in and out register for children attending 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 one staff member with current First Aid Responder (FAR) training available to the children attending the service from 09:00 to 12:00 hours. An email was submitted to the office of the early years inspector following inspection confirming that the staff member had attended FAR training on the 08, 15, and 22 January 2025

(2)(a)(b) There was a first aid box present in the service which was immediately available to all staff and children in attendance at the service.

Non-Compliance Information

(1) There was no staff member with current First Aid Responder (FAR) training immediately available to the two children who remained with the registered provider, from 12:00 until they were collected.

There was evidence that previous certificates of FAR training had expired on 17 November 2022 and basic first aid training had expired in 2021.

It is acknowledged that an email submitted to the office of the early years inspector following inspection confirmed that a second staff member would attend training on the 15, 22 and 29 May 2025.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider responded, stating that she had obtained first aid training for all other staff members in the month of May 2025.

The registered provider stated that she will ensure that all staff have first aid responder training and there will always be a staff member with FAR training with the children in the service.

Supporting documentation submitted

Copy of email confirming FAR training.

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 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 firefighting equipment and smoke alarms in the premises.

Non-Compliance Information

(1)(a) The registered provider informed the inspector that fire drills are carried out in the service, however a documented record of same was not maintained and not open for inspection.

(b) While a maintenance date for the fire-fighting equipment was recorded as having taken place in November 2024, there was no date recorded for any previous smoke alarm maintenance checks. The last date recorded on a previous inspection on 15 October 2019 for a previous smoke alarm maintenance check was 13 November 2018.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider submitted the following response stating that she has ensured that all the service fire drills are documented accurately in the service fire book and will also ensure that this is done in the future. A contractor is engaged with the service to maintain annual fire alarm and fire safety equipment checks.

Supporting documentation submitted

Copy of fire drill carried out on the 20 March 2025.

Copy of fire detection and alarm system report from a service carried out on the 26 March 2025.

Summary Comment

The actions submitted and evidence provided 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 was submitted to the office of the Early Years Inspectorate which detailed insurance cover for a sessional childcare service for up to 22 preschool children. The date of renewal for the insurance certificate was the 27 March 2025.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

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

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

Non-Compliance Information

1. The inspector observed that the classroom temperature was recorded as 15°C at 11:15 hours on the day of inspection. This was not within the recommended temperature range of 18 - 22°C. On checking the room temperature again at 12:00 hours the temperature remained at 16.9 °C. The inspector also observed that since her arrival to the service at 11:15 hours the registered provider had continued to wear her coat and a hat indoors.
2. The inspector observed that the running water from the hot taps in each of the wash hand basins was cold. On checking the temperature of the running water, the inspector found the temperatures ranged between 6-8.4 °C, which did not provide a comfortable environment for the children to wash their hands in.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider responded stating that she had met with the community centre committee and the heating system is now reverting to oil heating which will enable the room temperature and running water temperatures to be maintained within the appropriate recommended ranges. Thermometers will be used to ensure that room temperatures and water temperatures are maintained within the recommended ranges required.

Supporting documentation submitted

Copy of letter confirming above actions from the community hall submitted.

Photographic evidence of record maintained of room temperature.

Summary Comment

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