

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DR095
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<b>Name of Service:</b>	Dundrum Montessori School
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<b>Address of Service:</b>	Holy Cross National School, Kilmacud Road Upper, Dundrum, Dublin 14, Co. Dublin
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<b>Eircode:</b>	D14 AD66
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<b>Name of Registered Provider:</b>	Sharon Coghlan
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<b>Service type:</b>	Full Day
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<b>Date of Inspection:</b>	17/10/2023
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<b>No of pre-school children:</b>	AM	42	PM	20
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<b>Address of the Early Years Inspectorate:</b>	1st floor Trinity Building, IDA Business Park, Southern Cross Road, Bray, Co. Wicklow.
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<b>Inspection undertaken by:</b>	Sarah Quigley & Fiona Carty
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<b>Title:</b>	Early Years Inspectors
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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).

<b>Conditions if applicable</b>	Not applicable
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### Description of service

Dundrum Montessori School is a full day care service which is located in Dundrum, South Co. Dublin. Education and care are provided to children aged between two and six years and the service is open from Monday to Friday between 08:30 and 18:00 hours. The service currently operates from four classrooms located on the first floor within the Holy Cross National School building. A fifth classroom is in use as an activity room which staff reported children use during adverse weather and a sixth classroom acts as a homework room for children availing of school aged care. Two of the care rooms are in operation in the afternoons, the other rooms are used for school aged care. An enclosed outdoor play area is available adjacent to the premises for the preschool children with artificial grass surfacing.

### Staffing

The service currently employs ten staff members, not including the registered provider. On the day of inspection ten staff members were present including the designated person in charge. The registered provider arrived subsequent to the inspector's arrival and remained on the premises for the duration of the inspection.

### 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/ Information and records/ health, welfare and development of child/ safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11, 16, 19, 23, 25, 26, 27, and 28; however, on inspection additional non-compliance which posed a risk was identified under Regulations 10, 29, and 30. These findings are outlined within the relevant regulations within this report.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re-occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

### Additional information

Corrective and preventive actions (CAPA) were submitted by the registered provider on the 24<sup>th</sup> November 2023 in response to non-compliances identified on inspection. The actions provided did not appropriately address each of the non-compliances. The registered provider was afforded a second opportunity to submit a CAPA which was received on the 30<sup>th</sup> November, the details of which are outlined in this report.

### Acknowledgments

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

### Part III – Management and Staff

#### Regulation 9 – Management and recruitment

*(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

(2) Documentation was assessed under Regulation 9 for all ten adults currently employed to work in the service who all commenced employment in the service since the last date of inspection. The following records were available for the ten adults:

(a) (b)

The registered provider demonstrated that they had verified the references obtained from two sources for four of the adults.

(c) A Garda vetting disclosure was available from The National Vetting Bureau for the ten adults.

(d) International police vetting was available for four of the adults who had lived outside the state for a period exceeding six months as an adult.

(3) Documentation reviewed evidenced that the procedures outlined above under Regulation 9(2) had been carried out prior to two of the ten adults commencing employment in the service.

(4) There was evidence that eight of the adults had attained at least a major award in Early Childhood Care and Education at Level 5 on the National Framework for Qualifications, or a qualification deemed to be equivalent.

Two of the adults who did not have the required qualification were in possession of a letter of eligibility to practice from the department.

## Non-Compliance Information

- (2)
- (a)(b)
- There were no references on file for one of the staff members.
  - Two references on file for four of the staff members and one reference on file for one staff member had not been appropriately validated.
- (d)
- International police vetting was not available for three adults who had lived outside the state for a period exceeding 6 months as an adult.
- (3) Documentation reviewed evidenced that the procedures outlined under Regulation 9(2) had not been carried out prior to of the ten adults commencing employment in the service as follows:
- There were no references on file for one of the staff members as outlined above.
  - A Garda vetting disclosure was not obtained prior to one adult commencing employment in the service and working directly with the children.
  - International police vetting was not available for three adults who required it as outlined above.

## Corrective & Preventive Action submitted by the Registered Provider

The registered provider provided the following response:

### Corrective and Preventive Action

(2)(a)(b)

Two references are now on file for all staff member and have been validated. The service will ensure references are on file and validated prior to employees commencing work in the service.

(d)

International police vetting has now been obtained for the three adults. This will be on file prior to an employee commencing work in the service moving forward.

(3)

The service will ensure correct vetting documents are obtained prior to employees commencing work in the service.

**Supporting documentation submitted**

Supporting documentation was submitted and reviewed by the early years inspector.

**Summary Comment**

The actions outlined as stated by the registered provider will address the non-compliance. These actions will be assessed on the next inspection of the service. The regulatory requirement has been met.

**Part III – Management and Staff**

**Regulation 11 - Staffing levels**

*(1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.*

*(2) Subject to paragraphs (4) and (5), a registered provider of a full day care service or a part-time day care service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 1 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) thereof at that reference number is satisfied.*

**Compliance Information**

- (1) An adequate number of adults were working directly with the pre-school children attending the service during the inspection.
- (2) The registered provider ensured that the minimum ratio of adults to children was maintained in the service on the day of inspection. There were 42 children present in the service being supervised by 9 adults during the inspection. The designated person in charge provided relief cover as required.

## 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.*

#### Non-Compliance Information

Although an infection control policy was in place in the service, the policy did not detail all necessary procedures to be followed in the service to protect staff and children from transmission of infections as follows:

- The safety and infection control requirements for nappy changing were not detailed in the policy. No separate document outlining the procedures in place for nappy changing was available in the service, despite nappy changing occurring in the service on the day of inspection.

#### Corrective & Preventive Action submitted by the Registered Provider

The registered provider provided the following response:

##### Corrective and Preventive Action

A nappy changing policy and associated procedure is now in place in the service and staff members have been trained accordingly.

##### Supporting documentation submitted

Supporting documentation was submitted and reviewed by the early years inspector.

#### Summary Comment

The regulatory requirement has been met.

## Part IV – Information and Records

### Regulation 16 – Record in relation to pre-school service

*(1) A registered provider shall ensure that a record in writing is kept of the following information in relation to the service:*

- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

### Compliance Information

- (1)
- (h) A written record was available in each of the care rooms detailing the attendance of each preschool child on the day of inspection.
  - (i) A staff roster was available in the service.
  - (j) Written records of the administration of medication were available. A sample reviewed on the day of inspection documented necessary details.
  - (k) Written records of accidents and incidents which occurred in the service were available on the day of inspection. A sample reviewed documented necessary details.

### 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-

(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

The inspectors observed appropriate care practices in place in the service during the inspection.

Drinking water was available in the care rooms at all times. Staff supported the children to wash their hands at appropriate times throughout the inspection. Children were observed using the toilet independently as required, and staff promptly changed children's nappies when required. Staff demonstrated kindness during interactions observed by the inspectors and took regular opportunities to engage in personal one on one conversations with the children. The routine and play experiences in the service were observed to be child-led and children were observed to be content in their play and Montessori based activities throughout the inspection.

Staff encouraged children to be independent in the classroom and assist with activities such as cleaning up following play and preparing for mealtimes.

#### Non-Compliance Information

Designated rest areas were not available in the care rooms on the day of inspection for children to lie down, rest, or take time away from the group if desired.

#### Corrective & Preventive Action submitted by the Registered Provider

The registered provider provided the following response:

##### Corrective and Preventive Action

Rest areas are now available in the service.

##### Supporting documentation submitted

Supporting documentation was submitted and reviewed by the early years inspector.

#### Summary Comment

The regulatory requirement has been met.

### 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

The inspectors found by observation of practice, review of documentation, discussion with staff, and inspection of the premises that the registered provider had taken the following steps to safeguard children attending:

##### General Safety:

The entrance door into the service was effectively secured to ensure the safety of the children within, to avoid unauthorised persons accessing the service, or children exiting unsupervised. The toys and play equipment observed in use by the children on the day of inspection were in good working order. The registered provider had taken measures to ensure the indoor play environments were safe and free from hazards. Cleaning products and hazardous materials were stored securely out of reach of the children.

##### Infection Control:

An infection control policy was in place to inform practice. The children were supported to wash their hands at regular intervals including after using the toilet, and before lunch. Staff stated appropriate exclusion periods for adults and children with infectious illnesses were implemented in the service as per the policy.

##### Administration of Medication:

There was written evidence of prior parental consent for the administration of both temperature reducing and prescribed medications, and there were procedures in place to safely administer and document such medication if required, including in the case of an emergency. Staff adequately detailed the procedures for administering medication when required during discussions with the inspectors and had appropriate documentation available to record such administration if required. Individual care plans were in place for children who may require emergency medication.

##### Fire Safety:

The designated fire escape routes were clearly indicated and free from obstruction on the day of inspection. Staff members adequately outlined the evacuation procedures in place in the event of a fire and stated that fire drills are practiced regularly on a monthly basis.

#### Non-Compliance Information

### Infection Control:

Some practices were observed which were at variance with the infection control policy in place in the service and posed a number of infection control risks as outlined below.

1. The children's sanitary area outside the Montessori 5 room required a deep clean. Accumulations of dirt, dust, and debris were noted on surfaces and areas of the flooring on the day of inspection.
2. In the Montessori 4 and 5 rooms perishable food items contained in children's lunch boxes were not appropriately refrigerated prior to consumption. Lunch boxes which were taken in from home remained at room temperature within the care rooms until lunch time posing a risk of gastrointestinal illness.
3. Children's belongings including coats and school bags were stored in the sanitary area outside the Montessori 2 room posing a risk of cross contamination.
4. Waste was not managed appropriately in some of the care rooms and sanitary areas. The pedal operated bin in the children's bathroom at Montessori 5 was broken and the bins in use in the Montessori 1 room were unlidded and accessible to the children posing a risk of cross contamination.

### Action submitted by the Registered Provider

The registered provider has provided the following response:

#### Corrective & Preventive Action

### Infection Control:

1. The sanitary area has been deep cleaned, and the pipe work has been boxed in by school caretaker. Dirt and debris have been removed on surfaces.
2. A fridge has been purchased for perishable food items.
3. Coat hooks and bag hooks have been removed completely from sanitary area to outside the sanitary area.
4. The bins have been replaced with new pedal operated, lidded bins.

#### Supporting documentation submitted

### Infection Control:

Supporting documentation was submitted and reviewed by the early years inspector.

### Summary Comment

The regulatory requirement has been met.

## 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

(2)  
(a)(b)  
A suitably equipped first aid box was observed to be immediately accessible to the children within the service and was stored in a conspicuous location on the day of inspection.

### Non-Compliance Information

(1)  
An adult trained in First Aid Responder (FAR) training was not available in the service at all times during the opening hours of the service on the day of inspection.

### Corrective & Preventive Action submitted by the Registered Provider

The registered provider provided the following response:

#### Corrective and Preventive Action

Two employees have now completed FAR training. The service will ensure sufficient staff are trained to cover the opening hours of the service.

#### Supporting documentation submitted

Supporting documentation was submitted by the registered provider.

### Summary Comment

The regulatory requirement has been met.

## 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) A written record was available detailing fire drills that had taken place in the service. The record showed that the last fire drill had taken place on 4<sup>th</sup> October 2023.
  - (b) There was record to show that the firefighting equipment had been serviced in June 2023 and the smoke alarm system had been serviced in October 2023.
- (4)
- The procedures to be followed during a fire drill and in the event of a fire were displayed in a conspicuous location within the service.

### Part VI - Safety

#### Regulation 27 – Supervision

*A registered provider shall ensure that pre-school children attending the service are supervised at all times.*

#### Compliance Information

The inspectors observed that at all times during the inspection the children in attendance were appropriately supervised.

### Part VI - Safety

### Regulation 28 - Insurance

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

#### Compliance Information

A review of documentation evidenced that the service was adequately insured for the type of service provided and the number of children registered to attend.

## 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*

#### Non-Compliance Information

The service was not adequately heated on the day of inspection. In a number of care rooms and sanitary areas, temperatures were noted below the required range of 18 - 22°Celsius as outlined below. Children were observed at times dressed inappropriately for these temperatures wearing t-shirts in the care rooms and undressing to use the toilet or change clothes in the bathroom area.

Room	Temperature noted
Montessori 4	14.1°Celsius
Montessori 5	14.7°Celsius
Montessori 5 sanitary area	14.9°Celsius
Montessori 1	16.4°Celsius

#### Corrective & Preventive Action submitted by the Registered Provider

The registered provider provided the following response:

#### Corrective and Preventive Action

Digital thermometers have been added to rooms. Parents have been reminded about appropriate clothing. If required, we have additional clothing and we will dress children appropriately. Thermometers have been added to monitor room temperature

#### Supporting documentation submitted

Photographs of a digital thermometer were submitted.

#### Summary Comment

Following the submission of two corrective and preventive actions (CAPA) to address the non-compliance, the registered provider has not provided assurance that the room temperature will be maintained at the required range. The regulatory requirement has not been met.

### Part VII - Premises and Space Requirements

#### Regulation 30 - Minimum space requirements

*(1) Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.*

*(2) A registered provider of a full day care service or a part-time day care service shall ensure that the minimum amount of clear floor space specified in column (3) of Schedule 7 opposite a particular reference number specified in column (1) of that Schedule in respect of the age range of children specified in column (2) thereof at that reference number is available for each child in that age range attending the service.*

#### Non-Compliance Information

An adequate amount of floor space was not available in the Montessori 5 room on the day of inspection for the 13 children in attendance from 1pm. A review of attendance records demonstrated that 13 children attend the care room in the afternoons from 1pm aged 2 and 3 years requiring a minimum of 30.55 square metres where only 20.24 square metres is available.

#### Corrective & Preventive Action submitted by the Registered Provider

The registered provider provided the following response:

##### Corrective and Preventive Action

Montessori 5 is no longer in use for the Montessori Afterschool children. Montessori 3 which is larger room is now used in the afternoons. New room schedule is implemented.

##### Supporting documentation submitted

No supporting documentation was submitted.

#### Summary Comment

The actions outlined as stated by the registered provider will address the non-compliance. These actions will be outlined on the next inspection of the service. The regulatory requirement has been met.