

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DR162		
<b>Name of Service:</b>	Once Upon a Time Nursery & Montessori		
<b>Address of Service:</b>	Carrickmines Manor, Glenamuck Road, Carrickmines, Dublin 18, Co. Dublin		
<b>Eircode:</b>	D18 V802		
<b>Name of Registered Providers:</b>	Annemarie McCormack and David McCormack		
<b>Service type:</b>	Full Day, Part Time, Sessional		
<b>Date of Inspection:</b>	13/06/2023		
<b>No of pre-school children:</b>	AM	63	PM 62
<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Tusla Child and Family Agency, Loughlinstown Health Centre, Loughlinstown Drive, County Dublin		
<b>Inspection undertaken by:</b>	Olivia Quill and Sarah Quigley		
<b>Title:</b>	Early Years Inspectors		
<b>Authority to Inspect</b>			
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>	N/A		

### Description of service

Once Upon a Time Nursery & Montessori is a private childcare facility which is one of nine services operated by the registered providers in the Dublin region; this service was established in January 2013. The service is registered to provide a full day care for pre-school children and operates Monday to Friday between the hours of 07:30 - 18:30.

The early years service is located at ground floor and operates from a purpose-built premises within an apartment complex in a residential area in Carrickmines South Dublin. There are six care rooms available for the pre-school children; Junior Wobbler (1 year), Wobbler (1year), Toddler (2 years), Pre-Montessori (2- 3 years), Junior Montessori (3 - 4 years), and Montessori room (4 - 6 years). On arrival to the service, inspectors were informed by the person in charge that the Junior Wobbler room was closed as they did not have enough staff. An outdoor play area is available for the children to the rear of the premises.

### Staffing

On the 13 June 2023 thirteen adults were present when the inspectors arrived this included the designated person in charge, a student and domestic worker. The designated person charge and ten staff worked directly with the children.

### 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

The inspection was unannounced and focused on the area of governance and safety.

This inspection focused on an examination of compliance under regulations 9(2) and (4) –Management and Recruitment, 11 – Staffing Levels, 23 - Safeguarding Health, Safety and Welfare.

However, on inspection additional non-compliance was identified under Regulation 9 (3) Management and Recruitment. 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

This inspection was triggered by a concern received to the Feedback and Concerns Department.

An Immediate Action Notice was issued on 14 June 2023 for non-compliance with regulation 23. Safe Sleep temperatures in the rooms where children were sleeping exceeded the required temperature of 16°C -20°C. The temperatures in the care rooms exceeded the required temperature of 18°C -22°C as detailed under regulation 23. The registered provider submitted a response on 15 June 2023 however, the actions submitted did not provide assurance that the risk identified has been addressed. The registered provider subsequently outlined a long-term plan to adequately address the risks identified, this plan is yet to be implemented.

### Acknowledgments

The inspectors wish to acknowledge the cooperation of the 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) From reviewing the records and speaking to the person in charge and staff it was confirmed one new staff member had commenced working in the service since the last inspection dated 24 May 2023. This inspection focused on 9(2) (a),(b),(c) (d) and (4) and was limited to the recruitment records for staff employed in the service since the last inspection. Regulation 9(2)(c) was inspected in relation to all staff employed by the service. The details are as follows;

(a),(b) Two written validated past employer references were available on file.

(c) Garda vetting disclosures from the National Vetting Bureau of An Garda Síochána were available for all staff employed in the service.

(d) International police vetting was available for this adult who had lived in another state for more than six consecutive months as an adult.

### Non-Compliance Information

- (3) The registered provider did not ensure a Garda vetting disclosure was obtained for the one adult prior to them commencing work in the service, contrary to the National Vetting Bureau (Children and Vulnerable Persons) Act 2012. One staff member commenced working in the service on 1 June 2023 and Garda vetting was obtained on 2 June 2023.
- (4) There was no evidence available to confirm that one staff member who was employed to work directly with the children held the required qualification or a qualification deemed by the Minister to be equivalent.

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

#### Corrective and Preventive Action

- (3) No staff member will be allowed on the premises until the Garda Vetting is on file.
- (4) The staff members qualification and the certificate was sent to the inspector. The recruitment manager will ensure that certificates are on file prior to staff starting.

#### Supporting documentation submitted

Copy of staff qualification.

### Summary Comment

The corrective and preventive actions stated by the registered provider have addressed the non-compliance. The regulatory requirement has been met. Practice 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.*
- (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

(2) There were sixty-three children attending the service being supervised by eleven adults on the day of inspection. Although it is acknowledged the minimum adult: child ratio was maintained in the Wobbler, Toddler, Junior and Senior Montessori rooms. The minimum ratio of adults to children was not maintained at all times as outlined below under Regulation 11(1).

### Non-Compliance Information

(1) An adequate number of staff were not available at all times to work directly with the children as outlined below.

#### Non-Compliant Adult to Child ratio on day of inspection

Room Name	Time	Number & Age of children (years)	Number Of Adults required	Number of adults available	Minimum adult to child ratio requirement
Pre-Montessori	12:50- 13:38	10 aged 2 – 3	2	1	1:6 (2-3 years)
	13:40- 14:23	13 aged 2 – 3 <u>3 aged 3 – 6</u> <u>Total = 16</u>	3	2	1:6 (2-3 years) 1:8 (3-6 years)

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

#### Corrective and Preventive Action

New staff have been hired. Management have closed rooms to maintain the correct ratio. Staff members stay within the rooms while the children are sleeping to monitor them. The recruitment manager is continuously recruiting new staff and the service will continue to close rooms if sufficient staff are not available to maintain the correct ratio.

#### Supporting documentation submitted

Files for three new staff employed.

### Summary Comment

The corrective and preventive actions stated by the registered provider have addressed the non-compliance. The regulatory requirement has been met. Practice 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:

- External doors were secured to prevent children from exiting the service unsupervised and to restrict unauthorised persons from gaining access to the pre-school.
- Cleaning agents were stored safely and the cupboard in the Pre-Montessori room was secured since the last inspection on the 24 May 2023.
- In the outdoor area the area beneath the see-saw had been made safe since the last inspection on the 24 May 2023.
- The air conditioning unit had been removed from the low-level cupboard in the Junior Wobbler room since the last inspection on the 24 May 2023.

## Infection Control:

- The service had a cleaning schedule and the environment was clean.
- Children in the Wobbler room were assisted to clean their faces after eating.
- Staff followed the nappy changing policy.
- Liquid soap, warm water and paper towels were available to facilitate hand washing. Children were supported to wash their hands at regular intervals including following outdoor play and using the toilet and before meals.

## Non-Compliance Information

### General Safety:

1. The temperature of care rooms on the day of inspection exceeded the required range of 18 – 22°Celsius as follows. The outdoor temperature on the day of inspection ranged between approximately 22- 28°C. An immediate action notice was issued to the registered provider on the 14 June 2023.
  - (a) Senior Montessori 25.2°Celsius.
  - (b) Pre-Montessori 25.5°Celsius.
  - (c) Junior Montessori 25.6°Celsius.

It is acknowledged that external temperatures on the day of inspection reached 28°C.
2. In the Pre-Montessori room before and after children were placed to sleep the low-level beds were stacked upright against the wall of the room. Children were observed moving around the room at the time posing a potential injury risk.

### Safe Sleep:

3. The temperature of sleep rooms on the day of inspection exceeded the required range of 16- 20°Celsius as follows. An immediate action notice was issued to the registered provider on the 14 June 2023.
  - (a) The cot room 23.1°Celsius @ 11:49am 10 children sleeping all aged 1-2 years.
  - (b) The Toddler room 23.3°Celsius @11:53am 5 children sleeping.
  - (c) The Pre-Montessori room 25.4°Celsius @12:08pm 17 children aged 2-3 years were being placed to sleep.

It was noted that the room thermometer in the cot room was unsuitability positioned beside a fan and was not providing an accurate room temperature.
4. During observations of practices and a review of documentation, it was noted that no sleep checks were completed on three children from the Wobbler room between 13:15-13:37.

## Action submitted by the Registered Provider

### Corrective & Preventive Action

#### General Safety:

1. The service has linked in with a private company and they will supply air conditioning units when needed going forward.
2. The beds will be laid flat when in the room to prevent risk of falling. The domestic will lay the beds flat when they are brought to the room going forward.

#### Safe Sleep:

3. Management has linked in with a private company who have agreed to supply us with air conditioning units when needed.
4. All staff are aware of the importance of sleep checks, this has been addressed with them and they have been retrained in this area. Our training manager will ensure that staff are regularly trained in sleep checks during our onsite training.

### Supporting documentation submitted

#### General Safety:

1. None.
2. Written record.

#### Safe Sleep:

3. None.
4. Written records.

## Summary Comment

The corrective actions submitted by the registered provider for points 2 and 4 are accepted as suitable to address the non-compliance once implemented. These actions will be assessed in practice on next inspection. While the service submitted corrective and preventive actions for point 1 and 3 no evidence was submitted to demonstrate the action taken. The Inspectorate accepts the assurances from the registered provider that air conditioning units will be provided when required and this will be assessed at the next inspection.