

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2015DS012

Name of Service: Chuckleberries Montessori & Creche

Address of Service: 1 Dalriada Hall, Dalriada Court, Knocklyon, Dublin 16.

Eircode: D16 E029

Name of Registered Provider: Barbara Thornberry

Service type: Full Day, Part Time

Date(s) of Inspection: 06/03/2024

No of pre-school children:	AM	55	PM	53

Address of the Early Years Inspectorate:	Early Years Inspectorate 2 nd Floor, Unit 4/5 The Nexus Building Blanchardstown Corporate Park Ballycoolin Dublin 15 D15 CF9K
Inspection undertaken by:	T. Nelson and E. Finnegan Hayes
Title:	Early Years Inspectors

Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

Conditions if applicable Not applicable.

Description of service

Chuckleberries Montessori and Creche is a full day care service located in a residential area of Dublin 16 and is registered to provide early childhood care and education to a maximum of 75 children aged 0 to 6 years. The service currently operates 7.15am to 6.00pm Monday to Thursday and 7.15am to 4.30pm on Fridays.

Chuckleberries Montessori and Creche operates from a purpose-built premises on the ground floor of a residential building with six care rooms to include the Tweeny Room (12 to 18 months old), Wobbler Room (1 to 2 years old), Toddler Room (1 to 2 years old), Playschool Room (2 to 2.5 years old), Pre Montessori (2 to 3 years old years) and Senior Montessori (3 to 4 years). Other facilities include nappy changing and sanitary facilities located off the rooms, a cot room, staff room, kitchen and office. There is an enclosed outdoor area located to the rear of the building.

Staffing

There are currently 21 staff employed by the registered provider including the person in charge, an operations manager and two kitchen staff and the registered provider manages the oversight of the service. There were 21 adults present on the day of the inspection including the registered provider, one kitchen staff member, the person in charge, the operations manager, a staff member from another service operated by the registered provider and 16 staff who work 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

This inspection was unannounced and focused on the area of governance/ 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:

- Regulation 9(1),(2)(a)(b)(c)(d),(3)(4) Management and Recruitment
- Regulation 11(1),(2),(8) Staffing Levels
- Regulation 16(1)(a) to (k) Records in relation to Preschool Service
- Regulation 19(1)(a) Health, Welfare and Development of child
- Regulation 23 Safeguarding the Health, Safety and Welfare of the Child
- Regulation 26 First Aid

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

- Regulation 16(1)(h)(i)(j)(k) – Record in relation to Preschool Service
- Regulation 19 (1)(a)-Health, Welfare and Development of child
- Regulation 23 – Safeguarding Health, Safety and Welfare of Child

As a result, the scope of the inspection included the Toddler, Playschool and Pre Montessori Room and did not include the Tweenie, Wobbler and Senior Montessori rooms. Regulation 11 was inspected across all rooms.

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.

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

(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 service had a designated person in charge and named person to deputise as required.

(b) The person in charge was present during the inspection.

The following was reviewed:

- Eight full files were reviewed. These included six staff, five who were new to the service since the last inspection held on the 3 April 2023 and a staff member from another service operated by the registered provider; and the full files of two students who were present on the day of the inspection.
- The Garda Vetting disclosures of 16 staff.
- International police vetting for a staff member which was outstanding from the previous inspection on the 3 April 2023.

The registered provider had completed the following checks:

- (2) (a)(b) Sixteen validated written references were available from recent past employers or a source other than a past employer.
- (c) Garda vetting disclosures had been obtained for all 24 adults. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d) Documentary evidence showed that five adults had lived outside of the state for six months or more as an adult and international police vetting from that state was available for inspection.
- (3) Documentary evidence was available that checks had been carried out for eight adults prior to them commencing in the service.
- (4) Five staff who worked directly with children attending the service held at least a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications or a qualification deemed eligible by the Department of Children, Equality, Disability, Integration and Youth Affairs.

Non-Compliance Information

- (4) There was no documentary evidence available to demonstrate that one staff member who was working directly with children attending the service held 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.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

This was a student who was on the premises to complete her paid employment placement. The placement has since ended, and the student has left the service to complete a full level 7/8 degree.

Preventive Action

The service will ensure we have documentation specifically stating the students have the minimum major award or qualification deemed by the minister to be equivalent before completing their paid work placement with us. If they cannot secure this, they will no longer take students onto the premises.

Supporting documentation submitted

No evidence submitted.

Summary Comment

The inspector has reviewed the actions submitted. The non-compliance identified under Regulation 9(4) has been addressed.

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.

(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) On the day of inspection there were an adequate number of adults working directly with the children attending the service to meet their basic care needs. There were eighteen staff available to the 55 children on the morning of the inspection.

(2) The adult to child ratios were correct when the inspectors arrived unannounced to the service and throughout the inspection. Twelve staff were allocated to work directly with the 55 children who were present on the morning of the inspection with a breakdown as follows:

- Tweeny room - 2 adults to 10 children aged between 1-2 years old.
- Wobbler room - 1 adult to 3 children aged between 1-2 years old.
- Toddler room – 2 adults to 5 children aged between 1-2 years old.
- Playgroup room - 2 adults to 7 children aged between 2 -3 years old.
- Pre-Montessori room - 3 adults to 15 children aged between 2 -3 years old.
- Montessori room - 2 adults to 15 children aged between 2 years 8 months - 4 years old.

Eleven staff were allocated to work directly with the 53 children who were present in the afternoon of the inspection with a breakdown as follows:

- Tweeny room - 2 adults to 10 children aged between 1-2 years old.
- Wobbler room - 1 adult to 3 children aged between 1-2 years old.
- Toddler room – 2 adults to 7 children aged between 1-2 years old.
- Playgroup room - 2 adults to 9 children aged between 2 -3 years old.
- Pre-Montessori room - 2 adults to 10 children aged between 2 -3 years old.
- Montessori room - 2 adults to 14 children aged between 2 years 8 months - 4 years old.

(8) (a) The staff roster provided for a minimum of two adults to be on the premises at all times of opening.

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:

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;
- (c) details of the adult:child ratios in the service;

- (d) the type of care or programme provided in the service;*
- (e) the facilities available;*
- (f) the opening hours and fees;*
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*
- (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) The registered provider ensured that a record in writing was kept of the following information in relation to the service:

- (a) Details of the name, position, qualifications, and experience of the person in charge and of every other employee were maintained within the staff files.
- (b) The service Tusla certificate was displayed within the service and detailed the class of service and the age profile of children for which the service is registered to provide services.
- (c) (d) (e) The key information sheet on the service outlined the adult: child ratios, the type of care or programme provided and the facilities available within the service.
- (f) The opening hours and fees of the service were displayed on the noticeboard in the entrance hall of the service.
- (g) The registered provider maintained all of the policies required in accordance with Regulation 10.
- (h) Attendance records detailing the arrival and departure of the children on a daily basis were maintained.
- (i) A record was maintained of the staff roster which was reflective of the staff present on the day.
- (k) Following a review of a sample of 26 records, the registered provider ensured a full record in writing was maintained for accident and incidents.

Non-Compliance Information

(1)(j) The registered provider did not ensure a full record in writing with signed parental consent for the administration of medication was consistently maintained. From a sample of 25 records, 8 records were incomplete with the following observed:

- A child's surname was not recorded on 1 record.
- A child's date of birth was not recorded on 2 records.
- The date of administration was unclear on 1 record.
- Inaccurate dates of birth were included on 2 records.

Medication administration records must be accurately maintained in order to support the safe administration of medication.

This was identified as a non-compliance on the previous inspection held on the 3 April 2023 and actions put in place failed to prevent a recurrence.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

A reminder memo was issued to management and supervision staff, reminding staff of clear guidelines in line with service policy on the Administration of Medication.

Preventive Action

Each child has been printed full pages of stickers with their full name and DOB. These will be used in any form, including medication, going forward. All medication forms were edited to allow for the child's sticker to be added.

Supporting documentation submitted

Memo to staff.

Sample of updated personalised medication consent form.

Sample updated personalised medication administration log.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 16(1)(j) has been adequately addressed.

Part V - Care of Child in Pre-school Service

Regulation 19 - Health, welfare and development of child

(1) A registered provider shall, in providing a pre-school service, ensure that-

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

Compliance Information

(1)(a) The following examples ensured the child's learning, development and wellbeing was facilitated:

Basic Needs:

- Childrens personal care needs such as nappy changing and toilet training were facilitated in a timely and respectful manner, with staff respectfully asking children would they like to use the toilet in the Pre-Montessori room.
- Staff were knowledgeable of the individual care needs of the children, and well able to support the child's comfort. For example, knowing the daily food intake for a child with a dietary issue; or gently reassuring a child who was transitioning from using a soother at sleep time.
- Mealtimes were observed to be pleasant sociable experiences for the children. Rice with beef and vegetables was provided by the service on the day of the inspection, with meals served according to the preference of the child, for example vegetables on the side. Children were offered additional helpings, and alternatives were provided for those who chose not to eat it.

Supporting Relationships:

- Staff were observed to interact with the children in a positive, playful, manner. Interaction strategies such as active listening, questioning, distraction, praise, reassurance and careful observation were used. These can assist in managing challenging behaviour.
- Staff communicated with parents report with information regarding their child such as food, toileting, sleep and activities via an online software application, and conversations at drop off and collection. For example, parents were communicated regarding an upcoming event on world book day where children can dress up as their favourite book character.
- Children were supported to transition to new rooms by spending time in the new room on a phased basis. This can facilitate security and comfort for the child.

Physical and Material Environment:

- Images of the children and their families were displayed throughout the rooms, providing a sense of welcome and belonging.
- Rooms were bright, with large windows which provided natural light and the opportunity for the children to see the outdoor environment. Window seats in the Pre-Montessori room provided a comfortable space for the children to engage with the environment outside of the service.
- Products of children's recent activities such as painting and other artwork were displayed throughout the premises, facilitating a sense of mastery and achievement.

Non-Compliance Information

(1)(a) The following did not support the child's learning, development and wellbeing:

Physical and Material Environment:

1. Furniture and equipment were not made accessible to the children, which limited their ability to freely choose and engage in independent play, and to extend and expand on their play experiences. The following was observed:
 - Seven shelving units in the Pre-Montessori room were observed to be turned to face the wall from 10.00am until 2.25pm leaving the equipment stored there inaccessible to the children. Staff reported that the shelves are accessible to the children when the routine allows. The daily routine details this as from 8.40am to 9.20am and 3.30pm to 3.45pm.
 - No chairs were available to the children in the Toddler room. Staff reported that the chairs are brought into the room for mealtimes and arranged tabletop and art activities.
 - There were no props available to the children to support play with the outdoor mud kitchen.

Children require freely accessible furniture and equipment to support independent decision making in their play choices, to facilitate curiosity and enquiry, and to make their chosen play experiences comfortable.
2. The selection of books which were accessible to the children in the Playschool and Pre-Montessori rooms were observed to be limited and maintained in poor condition, for example torn or missing pages. This could potentially impact the engagement of children in early language and literacy experiences.

Programme of Activities:

3. Supportive strategies such as reading the child's cue, following the child's interest, careful timing of activities, the provision of age-appropriate and alternative activities was not observed, which limited the child's choice and movement through their care environment. This could potentially hamper the child's independent decision-making skills. The following was observed:
 - Children in the Pre Montessori room ranging in age from 2 to 3 years old were required to remain seated for a circle time activity from 10.20am to 10.40am, and again from 11.30am to 11.50am. The children were observed to show signs of disinterest by moving off their seats, and they were repeatedly reminded by staff to stay seated. Alternative activities were not provided during these adult-led activities. The daily routine which was displayed on the wall showed circle time from 10.15am to 10.45am and storytelling from 11.30am to 12.00pm. The timing of these activities should be led by the child's interest, with the option to move freely through the care room and choose an alternative activity always available.

The non-compliances for points 2 and 3 were identified as non-compliances on the previous inspection held on the 3 April 2023 and actions put in place failed to prevent a recurrence.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

1. The service engaged with an external company that changed the layout of all the rooms in the service. Where necessary, new furniture was purchased and designed so that all equipment and materials are freely available to children at all times.
The chairs in the Toddler room are now available to the children at all times.
Outdoor props were immediately available to the children. The specific outdoor props were found in the outdoor shed, which had been packed away the previous evening, as the under-3-year groups were using the garden last. The service could not secure props for the outdoor kitchen suitable for children under 3 years of age and have made a storage box that can be used to store these props while the under 3's use the garden.
2. Damaged books were removed from the bookshelf and replaced immediately from the service in-house resource room.
3. A classroom meeting was organised, and staff were reminded that group engagement in activities was not compulsory for children and that the service follow a child-led emerging curriculum. Staff training regarding the programming of activities and room management is scheduled for 25/04/2024.

A staff meeting took place on 12/02, where details of curriculum and routine were discussed; there is also daily support and training by managers to ensure that children are accessing activities of their choice.

Preventive Action

Senior management will periodically document spot checks on these non-compliant areas and room reviews, which will highlight any need for new equipment or materials, such as books.

Staff training is still ongoing and made available for new staff.

Supporting documentation submitted

Agenda for staff meeting.

Photographic evidence of room layout and outdoor equipment.

Receipt for new items.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliances identified under Regulation 19 have been addressed and will be reviewed on the 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 had an electronic entry system which was managed by staff to restrict unauthorised persons from gaining access to the premises, and door handles and exit buzzer was up high out of reach of children to prevent children from exiting the service unsupervised.
- Cleaning products and hazardous equipment were stored up high out of reach, or in presses with child proof locks.
- Windows were fitted with restrictors and all blind cords were appropriately secured.
- An appropriate system for the recording of accidents and incidents that occur in the setting was maintained.

Infection Control:

- Liquid soap and hygienically dispensed single use paper towels were available at all wash hand basins used by staff and children.
- Childrens creams in the nappy changing unit were individually labelled and there was an appropriate supply of gloves and aprons available to support hygienic nappy changing practices.
- Children were supported to hand wash after outdoor play and before meals.
- Up to date cleaning rosters were displayed throughout the rooms.
- Appropriate pedal operated lidded waste disposal systems were available in the nappy changing rooms and throughout the care rooms.
- Children were supplied with individual bed linen which was stored in the child's box.
- The rooms were appropriately ventilated, with open window's throughout.

Administration of Medication:

- Clearly detailed care plans were available for children who required specific medication, and staff were aware of the practice around this.
- Medication was stored in a visible location in the hallway, which was up high out of reach of children.

Safe Sleep:

- A log was maintained where the temperature of the room and the colour, breathing and position of sleeping children was checked every 10 minutes.
- Rooms temperatures were maintained between the recommended ambient temperature of 18-22°C while children over one year old slept.

Fire Safety:

- Fire exits were unobstructed, and staff reported being aware of the fire evacuation procedures.

Non-Compliance Information

General Safety:

1. The water temperature in the wash hand basin used by the children in the Playschool room exceeded the recommended temperature of 43°C. A temperature of 44.1°C was recorded by the inspector at 11.20am. This posed a potential scald risk to the children.

Infection Control:

The following increased the potential risk of infection:

2. The wood skirting around the toilet and sink area in the sanitary accommodation off the Playschool was chipped and flaking, leaving the surface unsealed and therefore an ineffective area to clean.
3. There was a build-up of dirt and debris on the nappy changing unit off the Toddler and Playschool room.
4. Childrens boots were stored on the ledge behind a toilet in the sanitary accommodation off the Playschool. Only items for use in the sanitary accommodation area should be stored there.

Fire Safety:

5. The details of the attendance of the children in two rooms were not accurately recorded in the attendance book. Contemporaneous accurate attendance logs must be maintained to support the safe evacuation of children in an emergency.

This was identified as a non-compliance on the previous inspection held on the 3 April 2023 and actions put in place failed to prevent a recurrence.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. **Corrective action:** A plumber has identified the rise in the water temperatures and has adjusted the thermostat accordingly.

Preventive action: Water temperatures will be checked using a temperature probe and recorded on the water temperature checklist. This is already a procedure within the service, but the rise in water temperature was not recorded previously. The probes used were all calibrated and checked to ensure they were recording the temperature correctly.

Infection Control:

Corrective actions:

2. Wood skirting replaced/ sealed and painted.
3. The nappy unit was steam cleaned immediately, and staff showed how the unit is to be maintained.
4. All items not deemed sanitary were removed from this area.

Preventive actions:

2. Not applicable.
3. The general manager demonstrated to the staff in this room how the unit and area are to be cleaned and maintained, and the checklist was updated to suit this change area specifically.
4. The general manager spoke to all staff and provided a memo reminding them that items not deemed sanitary should not be stored in the change areas.

Fire Safety:

5. **Corrective action:** A memo was issued to all staff regarding the accurate log-in of children between rooms; The general manager spoke to all staff to reinforce the importance of the content of the memo.
Preventive action: A memo was issued to all staff regarding the accurate log-in of children between rooms; The general manager spoke to all staff to reinforce the importance of the content of the memo.

Supporting documentation submitted

General Safety:

1. Water temperature checklist

Infection Control:

2. Photographic evidence, evidence of invoice for maintenance.
3. Copy of memo to staff
4. Copy of memo to staff

Fire Safety:

5. Copy of memo to staff.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliances identified under Regulation 23 have been adequately addressed.

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

The registered provider ensured the following:

- (1) (a) A record of fire drills was available on the premises with the last drill dated as having been carried out on the 23 February 2024.
- (b) An up-to-date maintenance record was available for the Fire extinguishers and smoke alarms in the premises. The fire extinguishers were serviced on the 15 December 2023 and the smoke alarms were maintained on the 6 November 2023.
- (4) A procedure to be followed in the event of a fire was on display in each of the care rooms and communal areas.