

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DS039		
<b>Name of Service:</b>	Ballycullen Montessori		
<b>Address of Service:</b>	69 Hunters Walk, 69 Hunter's Walk, Ballycullen, Dublin 24, Co. Dublin		
<b>Eircode:</b>	D24 X9KV		
<b>Name of Registered Provider:</b>	Elaine McAllister		
<b>Service type:</b>	Sessional		
<b>Date of Inspection:</b>	18/09/2023		
<b>No of pre-school children:</b>	AM	20	PM n/a
<b>Address of the Early Years Inspectorate:</b>	The Brunel Building, Heuston South Quarter, St. John's Road West, Dublin 8		
<b>Inspection undertaken by:</b>	R. Brien		
<b>Title:</b>	Early Years Inspector		
<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>	Not applicable		

### Description of service

Ballycullen Montessori is registered to provide sessional care for children from 2 to 6 years of age. The service operates from 09:00 to 12:30, Monday to Friday. The service operates the Early Childhood Care and Education (ECCE) programme from 09:30 to 12:30.

The service operates on the ground floor of a three-storey house in a residential area of Dublin south. There are two care rooms in the service, the Montessori 1 room caters for children aged 2 to 3 years and the Montessori 2 room caters for children aged 3 to 4 years. There is a fully enclosed outdoor play area to the rear of the premises.

### Staffing

The service currently employs four staff including the registered provider. There were three staff working directly with the children on the day of inspection. The registered provider was not present on the day of 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/ health, welfare and development of child/ safety. The inspection may also focus on other areas as required.

A sampling process was used to assess compliance under regulation 15(1) – Record of a Pre-school child and regulation 16(1)(k) - Record in relation to Pre-school service.

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 wishes 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

*(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,*
- (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*

*(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)(b) The service had a designated person in charge and a named person to deputise as required.
- (2) The files of four adults were reviewed as part of the inspection. This included two staff members who had commenced working in the service since the last inspection on 25 March 2021. Documentation was reviewed in respect of these adults and met regulatory requirements as follows:
- (a) Eight validated references were available from a past employer for the four adults.
- (c) Garda vetting disclosures from the National Vetting Bureau of An Garda Síochána were available for the four staff members.
- (4) Records were available evidencing that four staff members who were employed to work directly with the children held the required qualification or equivalent.

### Part III – Management and Staff

#### Regulation 11 - Staffing levels

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

*(3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) therefore at that reference number is satisfied.*

*(8) Without prejudice to paragraphs (2) to (7)-*

*(c) a registered provider of a sessional pre-school service shall ensure that, where the person in charge operates the service single-handedly, a second person familiar with the operation of the service and in a position to provide assistance to the person in charge in operating the service is, at all times, within close distance of the service and available to attend the service to assist the person in charge in the event of an emergency.*

#### Compliance Information

(1) An adequate number of adults were working directly with the children at all times during the inspection.

(3) The minimum ratio of adults to children for sessional care services was adhered to at all times during the inspection. There were twenty children attending the service being supervised by three adults on the day of inspection.

(8)(c) Not applicable, the service is not operated single-handedly.

## Part IV – Information and Records

### Regulation 15 – Record of pre-school child

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

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

### Compliance Information

(1) A sample of ten records were reviewed which demonstrated that a record was available in writing which contained the information required in (a) to (i) above.

## 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;*

*(k) details of any accident, injury or incident involving a pre-school child attending the service.*

#### Compliance Information

(h) Details of the attendance of each child in the Montessori 1 and Montessori 2 rooms were recorded at the time of entering and leaving the service.

(k) A sample of ten accident and incidents records were reviewed. These records were signed by staff and parents and were completed appropriately.

## 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)

Staff reported that children bring in their lunch from home and lunch took place at 11:20. Children were given responsibility appropriate to their age and were observed taking their own lunches and drinks from their bags. Staff sat with children during their lunch. Children were observed engaging in conversation with their peers during their meal and staff supported children who needed assistance with their lunch.

Children were encouraged and supported to be independent including using the toilet independently, cleaning up after their lunches and play and cleaning their own noses as required.

The service had a key person system in place and staff demonstrated a good awareness of the needs of each child in their care and responded to children's cues promptly. Staff interacted warmly with the children in their care throughout the inspection and were observed supporting children in their play. Staff were observed to use distraction, gentle tones and praise when promoting positive behaviour in line with the service's positive behaviour management policy. Transitions within the service were managed well and children appeared to be familiar with the daily routine. The atmosphere in the service appeared calm and relaxed.

Staff were observed communicating with parents at collection time.

Children's language development was supported through one to one and group discussions, songs and storytelling which were observed during the inspection. Children's choices were respected with children given the opportunity to choose their own play equipment and activities during free play and outdoor play.

Care rooms were arranged into defined areas of interest providing children with the freedom to play and explore. Designated areas of interest included Montessori equipment, mark making stations and arts and crafts materials, small world toys, construction toys, rest areas with books and natural play materials. The care rooms provided a range of developmentally appropriate play experiences for the children and were adequately resourced with a variety of materials. The materials were observed to be accessible to the children on low level shelving. Low level tables and chairs were available in the care rooms. The children's artwork was displayed throughout the care rooms.

A fully enclosed outdoor area was located to the rear of the premises and had an artificial grass surface. A range of developmentally appropriate play equipment was provided in the outdoor play area. Children from both care rooms accessed the outdoor play area on the day of inspection and were observed engaging in energetic and imaginative play. Staff were observed engaging children in gross motor movement games.

### 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 inspector 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 to the service was adequately secured to ensure the safety of the children within and 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 appeared in good working order.
- All blind cords were secured.

##### Infection Control:

- Liquid soap, warm water and paper towels were available to facilitate hand washing. Staff were observed to carry out hand washing as appropriate.

#### Non-Compliance Information

##### General Safety:

1. In the Montessori 2 room, the cupboard beneath the sink was not safely secured on the day of inspection. Six bottles of different cleaning agents were accessible posing a safety risk if accessed by a child.
2. Personal bags belonging to staff were stored in an area accessible to children in the Montessori 2 room. This posed a safety risk if accessed by a child.

##### Infection Control:

3. Waste was not managed appropriately in the service posing a risk of the transmission of infection as follows:
  - a. The bin in the Montessori 2 room was not pedal operated and staff were observed lifting the lid of the bin with their hands to dispose of waste.
  - b. An open bin was observed in use with waste inside in the Montessori 2 room.
  - c. An open bin was observed in use with waste inside in the sanitary area used by children.

4. Handwashing observed on the day of inspection was not consistent. In the Montessori 2 room children's hands were not washed after outdoor play posing a risk of transmission of infection.
5. Toilet paper was not stored in a toilet roll holder in one of the cubicles in the sanitary area posing a risk of cross contamination.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

##### General Safety:

1. In the Montessori 2 room a new safety latch has been fitted to the cupboard beneath the sink to prevent access to this cupboard by children.
2. Personal bags belonging to staff are now stored out of reach of the children.

##### Infection Control:

3. 3 covered, pedal operated bins have replaced the non-pedal operated bins in Montessori room 1 and 2 and in the sanitary area.
4. Handwashing for all children will take place after outdoor play as well as before eating, after use of the toilet and at any other time when children's hands may become soiled.
5. A toilet roll holder has been fitted to the left-hand cubicle in the sanitary area.

#### Supporting documentation submitted

##### General Safety:

Photographic evidence was presented to demonstrate the corrective and preventive actions submitted by the registered provider.

##### Infection Control:

Photographic evidence was presented to demonstrate the corrective and preventive actions submitted by the registered provider.

### Summary Comment

The corrective and preventive actions as stated by the registered provider have been deemed to address these non-compliances.

## 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) A first aid box was safely stored in an easily accessible and conspicuous location within the service.

(b) A first aid box was available to the adults and children in the service at all times.

### Non-Compliance Information

(1) There was no one immediately available to the children who was trained in First Aid Responder training. A staff member was trained in Paediatric First Aid.

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

#### Corrective and Preventive Action

(1) A second staff member has been enrolled to take part in First Aid Responder training.

#### Supporting documentation submitted

Written evidence was presented to demonstrate the corrective and preventive actions submitted by the registered provider.

### Summary Comment

The corrective and preventive actions as stated by the registered provider have been deemed to address this non-compliance.

## 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 monthly fire drills that had taken place in the service. The last fire drill had been recorded as undertaken on the 30 May 2023.
  - (b) The number, type and maintenance record of firefighting equipment and smoke alarms on the premises was available. The maintenance records for the fire equipment were dated November 2022 and September 2022 for the smoke alarms.
- (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.