

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DS099
--------------------------	-------------

Name of Service:	Ashling Nursery and Montessori
-------------------------	--------------------------------

Address of Service:	4 Main Road, Tallaght, Dublin 24, Co. Dublin
----------------------------	--

Eircode:	D24 F8C2
-----------------	----------

Name of Registered Provider:	Vincent Traynor
-------------------------------------	-----------------

Service type:	Full Day
----------------------	----------

Date of Inspection:	19/03/2024
----------------------------	------------

No of pre-school children:	AM	32	PM	29
-----------------------------------	----	----	----	----

Address of the Early Years Inspectorate:	The Brunel Building, Heuston South Quarter, St. John's Road West, Dublin 8
Inspection undertaken by:	R. Brien & O. Quill
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

Ashling Nursery and Montessori is registered to provide full time care for children from 0 to 6 years of age. The service is registered to operate from 07:00 to 18:30, Monday to Friday. On the day of inspection, the service was operating from 07:30 to 17:30.

The service is located in a purposely adapted, two storey residential property in Tallaght, south Dublin. There are three preschool rooms in the service. The Toddler room caters for children from 1 to 3 years of age. The Honeybees Early Childhood Care and Education (ECCE) room caters for children from 3 to 4 years of age. These rooms are located on the ground floor and children attend on a full-time basis. The Ladybirds ECCE room is located on the first floor and operates on a sessional basis and caters for children from 3 to 5 years of age. There is also a dedicated sleep room. The children have access to a large, fully enclosed outdoor play area to the rear of the premises.

Staffing

The service currently employs 9 staff including a manager. There were 9 staff working directly with the children on the day of inspection. The registered provider does not work directly with the children and 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 and safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under the following regulations:

9(1)(a)(b),(2),(4) Management and Recruitment,
11(1),(2),(8)(a) Staffing Levels,
16 (h),(i),(j),(k) Record in relation to pre-school service,
19(1)(a)(b) Health, Welfare and Development of Child,
23 Safeguarding, Health, Safety and Welfare of Child,
26(1)(4) Fire Safety Measures,

However, on inspection additional non-compliance was identified under the following regulation:

8 Notification of change in circumstances,

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.

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 II - Registration and Register

Regulation 8 - Notification of change in circumstances

(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.

(3) Where a registered provider has been unable for good and proper reason to notify the Agency within the time specified in paragraph (1) or (2), as the case may be, of a change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2), the registered provider shall notify the Agency in writing of the change as soon as possible thereafter.

Non-Compliance Information

(1)(3)

The registered provider did not notify the Agency in advance of implementing changes to the service's registered details. The person in charge on the service's registered details was not present on inspection and does not work in the service. On the inspector's arrival, the manager identified themselves as the person in charge.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Notification of Proposed Change in Circumstances Form completed, signed and submitted to TUSLA. All future changes to be notified to the relevant authorities in a timely manner.

Supporting documentation submitted

Written evidence was presented to demonstrate the corrective and preventive action 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 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

(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
- (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.

(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 who were both on the premises throughout the inspection.

(2)

Following a discussion with the manager it was confirmed that two adults commenced working in the service since the last inspection on 16 October 2023. Documentation was reviewed in respect of these adults and met regulatory requirements as follows:

(a) Four validated, written references were available from a past employer for the two adults.

(c) Garda vetting disclosures from the National Vetting Bureau of An Garda Síochána were available for the two adults. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) Police vetting was available for the two adults who had lived outside the State for a period exceeding six months as an adult.

At the close of the last inspection Police vetting remained outstanding for one staff member. This inspection included a review of this adult's Police vetting. Police vetting was available for this adult who had lived outside the State for a period exceeding six months as an adult.

(4) Records were available evidencing that the two staff members who commenced working in the service since the last inspection and who were employed to work directly with the children held the required qualification or equivalent. One of these staff members held a letter of qualification recognition from the Department of Children, Equality, Disability, Integration and Youth (DCEDIY).

Non-Compliance Information

(4)
The inspection included a review of previous non-compliance with regard to staff qualifications. At the close of the last inspection there was no evidence available to show that two adults who were employed to work directly with the children in the service held a relevant major award in Early Childhood Care and Education on the National Framework of Qualifications.

Evidence of the required qualification remains outstanding for these two adults who were observed working directly with the children on the day of inspection. It is acknowledged that one of these adults is enrolled in a relevant course which the staff member stated will be completed in September 2024.

The corrective and preventive actions previously submitted by the registered provider did not prevent recurrence of this non-compliance.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

One staff member is currently studying and will be completed by Summer 24. One staff member is now looking after cooking and cleaning duties. Other floating staff member will now cover breaks and lunches. All newly recruited staff will be qualified to the appropriate level for the area they will be employed within the Creche.

Supporting documentation submitted

No supporting documentation submitted.

Summary Comment

(4)
Evidence of appropriate qualifications remains outstanding for two adults. The registered provider has committed to amending the work duties of one of these staff members. The regulatory non-compliance identified on inspection for this staff member has been addressed.

The second staff member is enrolled in a relevant course with an end date of September 2024. The regulatory non-compliance for the second staff member has not been addressed. The registered provider must ensure that all staff employed to work directly with children hold the minimum required qualification. This regulation will be assessed on the 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.

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

(2) The minimum ratio of adults to children for full day care services was adhered to at all times during the inspection. There were thirty-two children attending the service being supervised by nine adults on the day of inspection.

(8)(a) There were at least two adults on the premises at all times.

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

(h) Details of the attendance of each child were recorded at the time of entering and leaving the service.

(i) The staff roster was available and reflected the adults working in the service on the day of inspection.

(j) A sample of twenty-five medication administration records were reviewed. These records were signed by staff and parents and were completed appropriately.

(k) A sample of twenty 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)

The service had a healthy eating policy in place and staff reported that children attending on a sessional basis in the Ladybirds ECCE room bring in their own lunch from home. Staff stated that the service provides breakfast and dinner for the children attending the Toddler and Honeybees ECCE room. Dinner took place at 11:00. Drinking water was accessible to children throughout the day and children were given water with their meal. Younger children were provided with bibs for dinnertime and children were encouraged to feed themselves. Staff were observed assisting younger children in the Toddler room with their meal as required. Children were given time to eat their meal and additional servings of dinner were given to children who requested more. Three children in the Toddler room who did not eat the dinner provided by the service were provided with an alternative from home.

Children's care needs were observed to be met promptly. Staff were observed cleaning children's faces after dinner. Older children were encouraged to clean their own faces after their dinner. Children in the Ladybirds and Honeybees ECCE room were encouraged and supported to be independent, including using the toilet independently and cleaning up after their play. Children's nappies were changed regularly and staff were observed engaging warmly with children when providing this care.

Children's sleep needs were observed to be met on the day of inspection. There was a designated nap time in the Toddler room. The sleep needs of the younger children in the Toddler room were met with children placed to sleep when they displayed signs of tiredness. Older children in the Toddler room who do not have a nap during the day were provided with alternative activities during the designated nap time.

Staff demonstrated a good awareness of the needs of each child in their care. Staff interacted warmly with the children throughout the inspection and were observed to use encouragement, gentle tones and praise when promoting positive behaviour in line with the service's policy on behaviour management policy. Staff provided an appropriate level of supervision whilst supporting the children's independence during play and mealtimes.

Staff described how they communicate with parents regarding their child's day at arrival and collection times and parents were observed in the service during these times. Staff in the Toddler room described how they record information about each child's day detailing information on food, sleep, nappy changes and activities in a booklet.

Care rooms were arranged to provide a range of play materials and areas of interest providing children with the freedom to play and explore. Areas of interest included small world toys, construction toys, jigsaws, mark making stations, home corners and dress up materials. These 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. Family photos, birthday displays, children's photos and children's artwork were displayed in the care rooms.

A fully enclosed outdoor play area was available to the rear of the premises with a mix of artificial grass, real grass and bark surfacing. The outdoor area was well resourced with a range of developmentally appropriate play equipment. Children from the Honeybees and Ladybirds ECCE groups accessed the outdoor area on the day of inspection and were observed engaging in energetic and imaginary play.

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 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.
- Medicines, hand sanitisers and cleaning agents were stored safely out of reach of children.
- All storage facilities were inaccessible to children.
- The toys and play equipment observed in use by the children on the day of inspection appeared in good working order.

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. The children were supported to wash their hands at regular intervals including after nappy changing, after using the toilet and before meals.
- Children's nappies were changed in line with the service's nappy changing policy to reduce the risk of the spread of infection.
- A system was in place for effective sterilisation of soothers.
- Waste was managed appropriately with the use of pedal bins.
- Individual bed linen was provided for children. Staff stated that bed linen is laundered weekly or as required.

Non-Compliance Information

Infection Control:

1. The five cot mattresses in the cot room did not have a waterproof cover posing a risk of the spread of infection as they could not be adequately cleaned and disinfected. This non-compliance was present on the last inspection on 16 October 2023. The corrective and preventive actions submitted by the registered provider did not prevent recurrence of this non-compliance.

Safe Sleep:

2. Procedures and practices in place in relation to safe sleep for children attending the Toddler room were inadequate and contrary to the service's policy on safe sleep posing a potential risk to the health and safety of children. It is acknowledged that sleep checks were carried out every 10 minutes for four children who were sleeping on low beds in the Toddler room. However, these sleep checks were not recorded on the sleep check sheet in the room at the time of checking and staff were observed filling in the sleep check sheet retrospectively at intervals of 10 minutes.

Concerns regarding unsafe sleep practices had been identified on previous inspections in 2021, 2022 and 2023.

Action submitted by the Registered Provider

Corrective & Preventive Action

Infection Control:

1. New mattress covers were purchased. Mattress and covers to be checked regularly and well maintained. Any damaged/torn items will be replaced immediately

Safe Sleep:

2. Issues noted in the Tusla report were discussed with staff by the Manager and also the service owner. Safe sleep policies and procedures are regularly reviewed & discussed by the Manager with all staff members and also discussed at monthly staff meetings

Supporting documentation submitted

Infection Control:

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

Safe Sleep:

2. No supporting documentation submitted.

Summary Comment

The corrective and preventive actions as stated by the registered provider have been deemed to address these non-compliances. These actions will be assessed on the next inspection.

Part VI - Safety

Regulation 26 - Fire safety measures

- (1) A registered provider shall ensure that a record in writing is kept of-*
- (a) any fire drill that takes place in the premises, and*
 - (b) the number, type and maintenance record of 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 28 February 2024.
 - (b) The number, type and maintenance record of the fire fighting equipment was available. The maintenance records for the fire fighting equipment were dated 09 January 2024.
- (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.

Non-Compliance Information

- (1)(b) There were no records available on the day of inspection to evidence that the maintenance for the smoke alarm system was up to date. Records evidenced that quarterly maintenance of the smoke alarms had last taken place on 30 March 2023.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

New Maintenance contract to ensure that quarterly maintenance of Smoke alarms will be carried out along with other regular maintenance required and service certificates issued.

Supporting documentation submitted

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. These actions will be assessed on the next inspection.