

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DS099
--------------------------	-------------

<b>Name of Service:</b>	Ashling Nursery and Montessori
-------------------------	--------------------------------

<b>Address of Service:</b>	4 Main Road, Tallaght, Dublin 24, Co. Dublin
----------------------------	--

<b>Eircode:</b>	D24 F8C2
-----------------	----------

<b>Name of Registered Provider:</b>	Vincent Traynor
-------------------------------------	-----------------

<b>Service type:</b>	Full Day
----------------------	----------

<b>Date(s) of Inspection:</b>	18/03/2025
-------------------------------	------------

<b>No of pre-school children:</b>	AM	30	PM	28
-----------------------------------	----	----	----	----

<b>Address of the Early Years Inspectorate:</b>	Floor 7 Brunel Building Heuston South Quarter Kilmainham, Dublin 8 D08X01F
<b>Inspection undertaken by:</b>	R Phillips and E Mulhern
<b>Title:</b>	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).

<b>Conditions if applicable</b>	NA
---------------------------------	----

### Description of service

Ashling Nursery and Montessori is a privately run service that is registered to provide full day care for children from 0-6 years. The preschool service participates in the Early Care and Education Scheme (ECE). This service operates from a purposely adapted two story residential building in Tallaght, South Dublin. The service operates from 07:30-17:30. There were three care rooms in the service. The Toddler room catered for children from 1-3 years of age. The Honeybees Preschool room provided for 3-4 year olds. These two rooms are on the ground floor. There is another Preschool room on the first floor, Ladybirds room which facilitated 3-4 year olds.

### Staffing

This Early Years service employs a total of eight staff including the manager who also works 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

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 regulations:

- 9 (1)(2)(4) Management and Recruitment,
- 11 (1) (2) Staffing levels

- 15(1)(a) -(i) (3) Records of a Preschool Child,
- 16(1)(k) Records of a Preschool service,
- 23 Safeguarding Health Welfare and Safety of Child
- 25 First Aid,
- 28 Insurance.

These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under regulation 15 (1) Records of a Preschool child and Regulation 16(1)(h) records in relation to a preschool 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 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

(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
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.

(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.

(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) There was a designated person in charge and named person to deputise as required.

(b) The named person in charge remained on the premises throughout the inspection.

(c) There was a clear management structure in place. The manager and staff demonstrated an awareness of their roles and lines of authority within the service.

(2) Following discussion with the manager it was confirmed that one adult commenced employment in the service since the last inspection.

2(c) Garda Vetting had been sourced for the adult who had been employed since the previous inspection.

However, in the case of one employee, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorates Regulatory notice, requiring services to renew Garda vetting every three years. Please

refer to the information outlined under regulation 23 of this report. It is acknowledged that in date Garda Vetting disclosures from the National Bureau of An Garda Síochána were available for eight staff members.

(d) A police vetting certificate was available for one staff member who had lived outside the Irish jurisdiction for longer than six consecutive months as an adult, as required.

### Non-Compliance Information

(2)(a) (b) Appropriate consideration had not been given to references of one adult as outlined:

A statement of employment had been accepted despite it not being from the most recent employer. Another reference for the adult was a character reference despite having had previous employers.

(4) It was not evidenced that one adult employed to work directly with children held at least a major award in Early Childhood Care and Education at level 5 on the National Framework of Qualifications or a qualification deemed equivalent by the Minister.

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

#### Corrective and Preventive Action

(2)(a)(b)

The manager of the service followed up with verification of the reference required. The manager noted that all future references will be more detailed and from most recent employer.

(4) The staff member is currently studying Early Childhood Care and Education at level 5 on the NQF. Staff member has since left the service.

#### Supporting documentation submitted

Resignation letter submitted.

### Summary Comment

The written response and evidence submitted has been reviewed by the Early Years Inspectorate. Regulatory compliance has been met for regulation 9.

### 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) On the day of inspection the inspectors observed that there was an adequate number of staff working directly with the preschool children.
- (2) There were 30 preschool children being cared for by 7 adults, in the morning, with the manager also working directly with the children as required. There were 28 children being cared for by 5 adults including the manager, in the afternoon.

### 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.*

*(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-*  
*(c) an authorised person.*

### Compliance Information

- (1) A sample of 10 records for children were reviewed. The information required was documented as outlined below.
- (a) The name and date of birth of each child.
  - (b) The date when each child first attended the service.
  - (c) A section was available for recording when each child ceases attending the service.
  - (d) The name address and telephone number of parents and information where parents can be contacted.
  - (e) Names and contact details of other adults who are authorised to collect the child.
  - (f) Medical information, allergies, additional needs and other information specific to the child.
  - (g) The name and telephone number of the child's medical practitioner.
  - (h) Immunisation details.
  - (i) Signed parental consent for medical treatment in the event of an emergency.
- (3) (c) The records as described above were made available for inspection by an authorised person.

### 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:*

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

*(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.*

#### Compliance Information

- (1) (k) A sample of 11 accident and incident records were reviewed. These records were fully completed with the pertinent information and signed by relevant staff and parents as required.
- (3) The records as described above were made available for inspection by an authorised person.

### 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 following are examples of the measures undertaken by the registered provider, manager and staff members to safeguard the health, safety and welfare of the children attending the service.

#### General Safety:

The entrance doors and outdoor area were appropriately secured preventing children from exiting the premises unsupervised and prevented unauthorised persons from gaining access to the service.

There was artificial grass in the outdoor area, providing a safe all-weather surface for outdoor play.

The toys and play equipment observed in use by the children on the day of inspection were safe and in good working order.

The stairs were well lit and was covered by carpet and had a handrail as appropriate.

Thermostatically controlled warm water was available in the children's sanitary facilities upstairs and downstairs, and did not exceed the maximum safe temperature of 43°C.

Cleaning agents were stored appropriately in locked cupboards, and up on high shelving out of reach of children.

### **Infection Control:**

Inspectors observed staff cleaning tables before and following meals and snacks.

The cots and floor beds appeared clean, with fresh linen, which staff stated was washed for cots and floor beds weekly or more frequently as required.

Soothers for some of the younger children were stored in individual boxes in their own bags until sleep time.

Children's individually labelled water bottles were stored in an accessible place in each care room. Staff were observed washing their hands before serving food to the children.

Children's hands were washed before meals and after wiping their noses, and after using the toilet or nappy changing.

Staff were observed carrying out nappy changing and used personal protective equipment and carried out handwashing in accordance with the services infection control policy.

Waste was appropriately managed throughout the service with the use of pedal operated bins in the sanitary areas and the care rooms.

### **Administration of Medication:**

Medicines were stored out of reach of children. Medicine was stored in the original packaging as required.

Staff demonstrated an understanding of the appropriate measures to be taken to safeguard children if medicine administration was required. A sample of medication records were reviewed. The forms were completed correctly including the name and dose of medicine given, rational for administration of medicine, written parental consent and a staff members signature who gave the medicine and a staff members signature who witnessed same.

No child was observed having medication on the day of inspection.

### **Safe Sleep:**

The children were observed to be facilitated to sleep in cots or low-level beds as appropriate.

The sleep room temperature was 18°C.

Staff remained in the room with the sleeping children on low level beds. Staff were observed to carrying out sleep checks at ten-minute intervals and documented same. Observations included the children's breathing pattern, sleep position, colour, room temperature, staff comments and signatures.

### **Fire Safety:**

Fire exits were clearly marked and unobstructed throughout the service.

A 'Fire Action Sign' outlined what to do in case of a fire in a conspicuous place in the sleep room and hallway.

**Outings:**

The Manager stated they do not take the children on outings.

**Non-Compliance Information**

**General Safety:**

One staff member's Garda vetting disclosure was not dated within the previous three years contravening the Early Years Inspectorate's Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'. This poses a risk to the safety of the children in the care of the service.

**Action submitted by the Registered Provider**

**Corrective & Preventive Action**

**General Safety:**

The staff member was to leave employment before Garda Vetting expired, however she stayed for a few extra weeks to cover holidays. The staff member has left the services employment.

Service manager to review renewal dates for Garda Vetting on a regular basis and apply for renewed Garda Vetting well in advance of expiry dates.

**Supporting documentation submitted**

**General Safety:**

Letter of resignation submitted.

**Summary Comment**

The written response and evidence submitted has been reviewed by the Early Years Inspectorate. Regulatory compliance has been met for regulation 23.

## 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) Adequately equipped first aid boxes were stored in conspicuous locations that were easily accessible in the Toddler room and in the kitchen.

#### Non-Compliance Information

(1) While it is acknowledged that three members of staff had First Aid Responder (FAR) training, the staff roster indicated that the staff members on duty on the day of inspection between 16:30-17:30hrs did not have the required FAR training.

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

##### Corrective and Preventive Action

Staff member in charge from 16:30-17:30 has received FAR certification.

Current staff members are going to renew FAR training this year, and new staff members going to do training with them also.

##### Supporting documentation submitted

FAR certificate submitted.

#### Summary Comment

The written response and evidence submitted has been reviewed by the Early Years Inspectorate. Regulatory compliance has been met for regulation 25.

### Part VI - Safety

#### Regulation 28 - Insurance

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

#### Non-Compliance Information

There was no evidence of current insurance cover available on the day of the inspection.

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

##### **Corrective and Preventive Action**

Insurance certificate detailing insurance cover from 28<sup>th</sup> March 2025 to 27<sup>th</sup> March 2026 obtained and submitted. On renewal next year certificate will be requested.

##### **Supporting documentation submitted**

Insurance certificate submitted.

#### Summary Comment

The written response and evidence submitted has been reviewed by the Early Years Inspectorate. Regulatory compliance has been met for regulation 28.