

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2015DY134

Name of Service: Lullabys Montessori & Afterschool

Address of Service: St. Josephs CBS NS, Fairview, Marino Park Avenue, Dublin 3

Eircode: D03 PF72

Name of Registered Provider: Tracey Kendellen

Service type: Sessional

Date of Inspection: 09/10/2024

No of pre-school children:	AM	20	PM	20
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Address of the Early Years Inspectorate: Early Years Inspectorate,
Floor 7 Brunel Building,
Heuston South Quarter,
St. John's Road West,
Kilmainham,
Dublin 8

Inspection undertaken by: E. Finnegan Hayes

Title: Early Years Inspector

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

Lullaby's Montessori & Afterschool is a privately run service which operates from one classroom in a national school in North Dublin. The service is registered to provide early childhood care and education to a maximum of 22 children aged 2-6 years on a sessional basis. The service participates in the Early Childhood Care and Education (ECCE) scheme with a morning session running from 9:15am to 12:15pm 38 weeks of the year in line with the programme rules. A registered school age service operates in the room in the afternoon. A fully enclosed outdoor play area is available onsite.

Staffing

The registered provider employs three staff to work directly with the children in the service. All three staff were present in the service on the morning of the inspection. The registered provider does not work directly with the children in the service but does attend the service regularly to support the delivery of the service.

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.

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 inspector wishes 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*
- (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) The service had a designated person in charge and a named person to deputise when required.
 - (b) Discussion with the registered provider and staff showed that the designated person in charge or the deputy was rostered to be on the premises during the opening hours of the service.
 - (c) A defined management structure is in place in the service.
- (2) Discussion with the registered provider and a review of the staff information showed that there are currently three adults employed in the service. The files of all three staff members were reviewed as part of the inspection along with the file of the registered provider who attended the service during the inspection.
- (a) (b) Eight written and verified references were available for four adults currently employed in the service.
 - (c) Garda vetting disclosures had been obtained for four adults employed in the service. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.
 - (d) Police vetting was available for four adults who had lived in a country other than Ireland for a period of more than 6 months as an adult.
- (4) Evidence was available to show that four staff members who work directly with the children 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.

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.*

Compliance Information

- (1) There were 20 preschool children being cared for by three adults on the day of inspection. The registered provider was also available from 10:25am in a supernumerary capacity.
- (3) Ratios were maintained throughout the morning in the service.

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)
- (a) The name, position, qualifications and experience of the person in charge and of every other employee was available in the staff files.
 - (b) (c)(d)(e)(f) The details required under (b) to (f) were available in the statement of purpose and function.
 - (g) The policies, procedures and statements the service is required to maintain in accordance with Regulation 10 were available in the service.
 - (h) A software application is used to record details of the daily attendance of the children.
 - (i) Staff work set hours each day information on staff rosters was available on the software application.
 - (j) A medication administration form was readily available for use in the care room. The service do not routinely administer medication and as such no records were available for review.
 - (k) A sample of ten accident and incident records were reviewed as part of the inspection. All records contained the necessary details.

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) **Basic Needs:**

- The service has a healthy eating policy. A snack is provided each day by the children's parents in line with the service policy. Children were provided with individual place mats and plates at lunchtime. This helps the children to identify their own space for eating and promotes healthy eating behaviours.
- Drinks in individual labelled beakers were readily available to the children on a low-level shelf.
- Children who had recently toilet trained were supported to use the toilet as necessary throughout the day.

- Children enjoyed freedom of movement through the day. Staff supported children to engage in activities but allowed choice for children who wanted to play something else.

Physical and Material environment:

- Child sized tables and chairs were available which allowed the children to engage in tabletop activities and mealtimes comfortably.
- A variety of toys and equipment were available in the care room and were grouped together into defined interest areas.
- Books were maintained in good condition and displayed at a level suitable for the children to choose and access independently.
- A cosy area with a soft mat and cushions was available for children to rest during the day.
- The outdoor area provided opportunities for a range of play types and provided ample space for gross motor activities not appropriate for the indoor environment.

Supporting relationships:

- Staff were observed to use gentle tones when speaking to the children and were observed to use encouraging language to support children.
- Staff supported children to engage in transitions in a supportive and encouraging way by singing songs and allowing children time to move through the transition unhurried.
- Staff spoke in a gentle empathetic manner about the children and their families and were supportive of the varied and individual lives of the families.
- Children help with giving out lunches to their friends which promotes a sense of belonging in the care room and supports children to get to know each other at the beginning of the year.

Part V - Care of Child in Pre-school Service

Regulation 22 – Food and drink

A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.

Compliance Information

A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service in the following ways;

- A healthy eating policy is available and communicated to parents at the beginning of the term.
- Water was readily available to the children as needed.
- Lunches were observed to be in line with the service healthy eating policy.

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:

- Entrance to the school is controlled by a receptionist and a coded door which prevents unknown persons entering the premises.
- The classroom door was fitted with a thumb turn lock which prevented children leaving the room unsupervised.
- The outdoor area is adequately secured with a high fence.
- Toys and equipment were maintained in good condition free from hazards.
- Low level presses were secured with child proof locks.

Infection Control:

- Thermostatically controlled warm water, dispensed soap and paper handtowels were available to support adequate hand hygiene.
- Handwashing was completed regularly throughout the day after outdoor play and before mealtimes in line with the service policy.
- Pedal operated bins were available for disposal of contaminated items such as used tissues.

- Lunches which were brought from home were refrigerated to prevent spoiling of perishable items.
- Windows were open in the care room allowing fresh air to circulate.

Fire Safety:

- Staff were aware of the procedure to be followed in the event of a fire emergency.
- Fire exits were clear and unobstructed on the day of inspection.

Non-Compliance Information

General Safety:

1. A garda vetting disclosure that was available for one staff member was not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. Updated Garda vetting has been obtained for the staff member. All garda vetting will be checked annually to ensure they are in date, particularly in the case of long-term staff members

Supporting documentation submitted

Updated Garda vetting was reviewed.

Summary Comment

The corrective and preventive actions taken by the registered provider are sufficient to address the non-compliance under Regulation 23.

Part VI - Safety

Regulation 24 - Checking in and out and record of attendance

(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.

(3) A registered provider shall ensure that-

(a) no person other than-

(i) pre-school child attending the service,

(ii) a person dropping or collecting such a child,

(iii) an employee, or

(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and

(b) a daily record in writing is kept of the entry on the premises of any such person.

Compliance Information

- (1) The registered provider ensured that children were checked into and out of the service by a staff member. A digital record of attendance was maintained for all children present.
- (3) (a) (b) Access to the care room is provided by staff who attend the door to allow access. A written visitor record was maintained in the service and provided to the inspector on the day of inspection.