

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DY157
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<b>Name of Service:</b>	Ollie's Montessori & After School Club
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<b>Address of Service:</b>	St Oliver Plunketts GAA Club, Spur Road, Navan Road, Dublin 7, Co. Dublin
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<b>Eircode:</b>	D07 H516
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<b>Name of Registered Provider:</b>	Edel O'Rourke
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<b>Service type:</b>	Sessional
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<b>Date of Inspection:</b>	01/10/2024
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<b>No of pre-school children:</b>	AM	21
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate 2 <sup>nd</sup> Floor, Unit 4/5 The Nexus Building Blanchardstown Corporate Park Ballycoolin Dublin 15   D15 CF9K
<b>Inspection undertaken by:</b>	T. Nelson and R. Duff
<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>	Not applicable.
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### Description of service

Ollies Montessori and Afterschool is a sessional service located in a residential area of Dublin 7 and is registered to provide early childhood care and education to a maximum of 22 children aged 2 to 6 years old, Monday to Friday during term time and is also registered to provide a school age service in the afternoons.

Ollies Montessori and Afterschool operates from Oliver Plunkett's GAA club and has one care room. There are sanitary facilities located opposite the care room. Further sanitary facilities are available for staff. A fully enclosed outdoor area is located to rear of the premises.

### Staffing

There are currently two staff employed the by the service. The registered provider is supernumerary and manages the oversight of the service. Present on the day of the inspection was the registered provider, the person in charge and a staff member.

### 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), (4) Management and Recruitment
- Regulation 11(1),(3) Staffing Levels
- Regulation 16(1) Records in relation to the Preschool Service
- Regulation 21 Equipment and Materials
- Regulation 23 Safeguarding the Health, Safety and Welfare of the Child
- Regulation 25 First Aid
- Regulation 26 Fire Safety Measures

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

- Regulation 16(1)(h)(j)(k) – Records in relation to Preschool Service.

However, on inspection an additional non-compliance which posed a risk was identified under Regulation 27. This finding is outlined within the relevant regulation 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.

### Additional Information

An Immediate Action Notice was issued to the registered provider on the day of the inspection under Regulation 23, in relation to a non-compliance identified under Regulation 23. A response was received from the registered provider which mitigated the risk identified. See body of the report for details.

### 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.

(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.

(2) The files of the two staff and for the registered provider were reviewed, and the following checks had been completed:

(a)(b) Six 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 three staff members employed. 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 no adults had lived outside of the state for six months or more.

(4) The three 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.

## 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

The registered provider ensured the following:

(1) (3) On the day of inspection there were an adequate number of adults working directly with the children. There were two staff available to the 21 children aged between 2 to 5 years old when the inspectors arrived unannounced to the service at 9.25am. The registered provider arrived at 10.15am and was available to provide support throughout the inspection.

### 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 all staff were maintained within the staff files and in the Parent Handbook.
- (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) (f) The Parent Handbook outlined the adult: child ratios, the type of care programme provided, the facilities available within the service and the opening hours and fees.
- (h) Attendance records detailing the arrival and departure of the children on a daily basis were maintained.

- (i) A record was maintained of the attendance of staff who work in the service.
- (j) The service did not administer medication, and this was in line with the service policy on the administration of medication.

### Non-Compliance Information

(1) The registered provider did not ensure the following:

- (g) There was no Inclusion policy available, which is required under Regulation 10, detailed in Schedule 5.
- (k) From a sample of 12 records reviewed, a full record in writing for accidents and incidents was not consistently maintained, for example:
  - Two records did not have a parent's signature.
  - Two records did not have details of the staff member completing the form.
  - One record was not dated.

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

#### Corrective Action

- (1)(g) The service inclusion policy wasn't on the premises at the time of the inspection as it was being reviewed as part of the Quality Improvements processes.
- (k) Staff were re-trained in the completion and maintenance of accident / incident reports and the importance of completing them correctly and having parents signing them was highlighted. This is now being done through the service management system using a software package.

#### Preventive Action

- (1)(g) Staff and Managers have been informed that Copies of the Policy Documents cannot be removed from the premises/facility. If people need a copy for work outside the premises a request should be sent by email and a copy of the document will be sent.
- (1)(k) All future accidents/incidents will be recorded on a digital form in the software application. This form will be sent automatically (by email) to the parents for signature and to the registered provider for counter signature. Once the report is entered on the software, all parties involved need to counter sign before the report can be closed on the system.

#### Supporting documentation submitted

- (1)(g) Copy of Inclusion Policy.

(k) Evidence of digital management of accident and incidents available on the software application in use. Sample of accident and incident form in use.

### Summary Comment

The inspector has reviewed the actions taken and evidence submitted. The non-compliances identified under Regulation 16(1)(g)(k) have been adequately addressed.

## Part V - Care of Child in Pre-school Service

### Regulation 21 – Equipment and materials

*A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.*

### Compliance Information

The service ensured there was adequate and suitable furniture and equipment available, for example:

- The furniture and equipment in the room was observed to be adequate for the number of children in the rooms. There were different height tables to cater for the age range of the children attending.
- The toys and equipment were laid out on low level shelving, visible to the children, and were grouped in themed areas of interest such as an enclosed home area, library area with child sized couch, construction and table top activities.
- Each of the themed interest areas were resourced with a range of props, materials and accessories accessible to the children to extend their play opportunities.
- Images of the children and their families and local areas of interests such as the local shops were displayed throughout the room. Labelling with imagery and text was used effectively to signal where things belong. This can support a sense of comfort and familiarity.

### 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 measures were observed to be in place to safeguard the children:

##### General Safety:

- The entrance to the care room was locked on arrival and remained locked throughout the inspection. This restricted access from unauthorised persons and prevented children exiting unsupervised.
- Available toys and equipment were clean and in a good state of repair.
- Radiators were observed to be covered.
- The outdoor play area was fully enclosed.
- Grapes and tomatoes in children's lunch boxes were observed to be cut into appropriate bite sized pieces.

##### Infection Control:

- Thermostatically controlled warm water, liquid soap and appropriate hand drying was available at all wash hand basins used by the children and the staff members.
- Pedal operated lidded bins were available throughout the premises.
- Children's lunches which contained perishable items were observed to be refrigerated.

##### Fire Safety:

- Emergency exits were unobstructed.

#### Non-Compliance Information

The following posed a potential risk of injury:

##### General Safety:

1. The storage shed was unlocked and hazardous equipment such as an open tub of pitch-marking paint, metal spikes and rope was accessible to children. This posed a significant risk of injury. An immediate action notice was issued to the registered provider on the day of the inspection in relation to this risk. A response which addressed this risk was received to the inspectorate on the 2 October 2024.
2. The kitchenette area in the care room was accessible to children, and cleaning agents which were stored in an open press in this area were within reach of children. It is acknowledged that this was addressed on inspection as a bin that was preventing the gate to this area from closing was removed and replaced with a smaller bin thereby allowing the gate to close and making the kitchen inaccessible.

## Action submitted by the Registered Provider

### Corrective & Preventive Action

#### General Safety:

#### Corrective Action

1. A lock was purchased with immediate effect and is now in use.
2. The cleaning agents were removed from the area in the kitchenette and are now stored in a cupboard, not accessible to children. A smaller bin is now in the kitchenette area which no longer blocks the gate from closing.

#### Preventive Action

1. The shed lock will remain permanently in place and will be checked regularly as part of the service daily risk assessments.
2. The new storage area for cleaning agents will continue to be used. The new, smaller, bin will remain in place.

### Supporting documentation submitted

#### General Safety:

1. Photographic evidence of lock in use.
2. Photographic evidence of new storage area for cleaning products and of smaller bin.

## Summary Comment

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

### 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

(1) The service provided evidence that a person trained in First Aid Responder training was available at all times to the children attending the pre-school.

(2)(a) and (b) A suitably equipped first aid box was available and safely stored in an easily accessible and conspicuous position on the premises.

### 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 was available:

(1)  
(a) A record of fire drills was available on the premises with the last drill dated as having been carried out on the 16 September 2024.

(b) An up-to-date maintenance record was available for both the fire extinguishers and smoke alarms. The fire extinguishers were serviced on the 13 May 2024 and the smoke alarms were maintained on the 2 September 2024.

(4) A procedure to be followed in the event of a fire was on display in the care room.

## Part VI - Safety

### Regulation 27 – Supervision

*A registered provider shall ensure that pre-school children attending the service are supervised at all times.*

#### Non-Compliance Information

A number of children were observed to play unsupervised in the outdoor play area while staff remained indoors between the period the inspector arrived at the service at 9.25am until 10.06am. It is acknowledged that there are windows allowing visual supervision of the outdoor play area however there was a blind spot in the outdoor play area where staff in the care room had no visual supervision of the children.

The impact of this resulted in a risk to the safety of children in the outdoor play area which is detailed under Regulation 23 Safeguarding health, safety and welfare of the child.

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

##### Corrective Action

Staff were informed that all children must be supervised when in the outdoor play area. The service has purchased child safe protective barriers to close off the area that has no “Line of sight” from the Pre-school room.

##### Preventive Action

The new barriers will be set up on a daily basis and stored every evening.

##### Supporting documentation submitted

Photographic evidence of barriers in place

##### Summary Comment

The inspector has reviewed the action taken and evidence submitted. The non-compliance identified under Regulation 27 has been addressed.