

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DY276
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Name of Service:	Lansdowne Lodge Preschool Montessori
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Address of Service:	6 Lansdowne Terrace, Shelbourne Road, Ballsbridge, Dublin 4, Co. Dublin
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Eircode:	DO4 VY67
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Name of Registered Provider:	Margaret Smyth
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Service type:	Full Day
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Dates of Inspection:	23/10/2023
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Date 2 of Inspection:	24/10/2023
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No of pre-school children:	AM	66	PM	66
Day 2	AM	75	PM	75

Address of the Early Years Inspectorate:	The Brunel Building, Heuston South Quarter, St. John's Road West, Dublin 8
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Inspection undertaken by:	R. Brien & M. Redmond
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Title:	Early Years Inspectors
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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	N/A
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Description of service

Lansdowne Lodge Preschool Montessori provides full day care for children from 16 months to 6 years of age. The service operates from 08:00 to 18:00, Monday to Friday.

The service is located in a residential area of Dublin south city in an adapted domestic dwelling over three floors. Care is delivered across four care units. The Tiny Tots unit caters for children from 16 months to 2 years. The Transition unit caters for children aged 1 to 2 years. The Junior Montessori unit caters for children aged 2 years. The Senior Montessori 1 and Senior Montessori 2 units cater for children from 3 to 5 years of age. There is a separate purpose-built structure located in the outdoor area which the children access for Montessori activities on a regular basis. There is a fully enclosed outdoor play area to the rear of the premises.

Staffing

The service currently employs 24 staff including the manager, an administrative assistant and a chef. There were 20 staff working directly with the children on the first day of inspection and 19 staff working directly with the children on the second day of inspection. The registered provider is not involved in the day-to-day operation 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/ safety/ premises and facilities. The inspection may also focus on other areas as required.

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

- 9(2)(3)(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,
- 25 – First Aid.

However, on inspection additional non-compliance was identified under Regulation 20 – Facilities for rest and play and Regulation 29(c)(d)- Premises. These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under regulations:

- 16(h)(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,
- 29(c)(d) - Premises.

As a result, the scope of the inspection included the Tiny Tots, Transition, Junior Montessori and Senior Montessori 1 units.

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

The service was referred to the National Registration Enforcement Panel for consideration of escalatory action.

Conditions were attached to the service's registration on 22 May 2023 under Regulation 9 – Management and recruitment.

A REM was held with the registered provider on the 16th November 2023 to address outstanding non-compliance and offer a final opportunity for the registered provider to demonstrate how these issues had or would be resolved.

A referral was made by the inspector on behalf of the service to a quality development service.

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

(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.*

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(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

(2) The files of twenty-seven adults were reviewed as part of the inspection. This included ten staff members who had commenced working in the service since the last inspection on 06 March 2023, an external contractor and two students. Documentation was reviewed in respect of these adults and met regulatory requirements as follows:

(a)(b) Of the fifty-four references that were required, forty-two were available from a past employer and twelve were available from a reputable source.

(c) Garda vetting disclosures from the National Vetting Bureau of An Garda Síochána were available for the twenty-seven adults.

(d) Police vetting was required for twenty-four staff members and was available for these staff members who had lived outside the State for a period exceeding six months as an adult.

(4) Records were available evidencing that nineteen staff members who were employed to work directly with the children held the required qualification or equivalent. Three of these staff members held letters of eligibility to practice or qualification recognition letters from the Department of Children, Equality, Disability, Integration and Youth (DCEDIY).

Non-Compliance Information

A number of issues were identified with how the service manages safer recruitment processes as detailed below:

(3) The registered provider did not take appropriate measures to ensure that all adults were suitable to work in an early years service prior to their commencement as outlined below:

- There was no evidence available to demonstrate that eleven references in respect of seven adults had been validated by the registered provider.

- Six references in respect of six adults were validated after the adults commenced working in the service.
- The registered provider did not ensure that a Garda vetting disclosure was obtained for one adult prior to them commencing work in the service. The staff member commenced working in the service on 09 October 2023 and Garda vetting was obtained on 12 October 2023.
- The registered provider did not ensure that Police vetting was obtained for this adult prior to them commencing work in the service. The staff member commenced working in the service on 09 October 2023 and Police vetting was obtained on 10 October 2023.

(4) At the time of this inspection there was no evidence to show that three adults working directly with children held the required qualification as follows:

- There was no evidence available to show that two of the adults who had been employed since the last inspection who were working directly with the children in the service held a relevant major award in Early Childhood Care and Education on the National Framework of Qualifications.
- The inspection included a review of previous non-compliance with regard to staff qualifications. Following the last inspection on 06 March 2023, the service was unable to demonstrate that two adults, who were working directly with the children, had attained the required qualification.

The first adult was present on the first day of inspection, however there was no evidence available to show that this adult held a relevant major award in Early Childhood Care and Education on the National Framework of Qualifications. On the second day of inspection, this adult was not present in the service. The person in charge stated that they had advised this adult that they could not work in the service until they could provide evidence of a relevant major award.

The person in charge stated that the second adult is not currently working in the service while they complete a relevant course. This adult was not on the staff roster and was not present during the course of the inspection.

The corrective and preventive actions previously submitted by the registered provider failed to address this non-compliance.

Non-compliances under Regulation 9 Management and Recruitment (4) have also been identified on inspections carried out on 06 March 2023, 24 May 2022, 19 August 2020, 09 October 2018 and 03 October 2016.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(3)
All references have now been validated either in writing or with Reference Validation Form if done verbally. A new checklist document has been created and put in place to ensure all adults are suitable to work BEFORE commencing employment. This includes all references validated before commencing employment and all Garda and Police Clearance sought before commencing employment.

(4)
One employee has been fully let go. One employee has applied for a Letter of Eligibility to Practice. This employee is not working in the service until this letter has been obtained. If this letter is not obtained, the employee is aware that they will be unable to continue to work in the service.
Evidence of completion of final award submitted for two other staff members.
Any new staff commencing employment will not be accepted until proof of final award is received, or at least, proof of payment for certificate – which needs to be on official paper and stamped by relevant college. In addition to this, a weekly update email with checklist will be sent between Manager and Registered Provider to ensure all staff in the service hold all required documentation.

Supporting documentation submitted

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

(4) 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 these non-compliances. These actions 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 sixty-six children attending the service being supervised by twenty adults on the first day of inspection. There were seventy-five children attending the service being supervised by nineteen adults on the second 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 in the Tiny Tots, Transitions, Junior Montessori and Senior Montessori 1 units were recorded at the time of entering and leaving the service.

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

Non-Compliance Information

(j) A sample of medication administration records were reviewed. Two of these records were incomplete. These records were not signed by a second staff member as a witness to the administration of the medication contrary to the service's administration of medication policy. Failure to have medication administration witnessed poses a risk to the children.

(k) A sample of accident and incident records were reviewed and were not completed adequately, contrary to the service's accident and incident policy. One record was not signed by staff and four records were not signed by a second member of staff.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(j)(k) All forms have been signed correctly and completely. November Staff Memo included a reminder to all staff about these forms. Unit Heads of each unit will check forms as part of their daily duties and Office Administrative Assistant will check each unit and their forms as part of additional duties/tasks. The Manager will check the admin daily tasks checklist to ensure it has been done.

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 these non-compliances.

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 the manager reported that all meals are provided by the service. Children are offered breakfast on arrival. Dinner was served between 11:00 and 11:30. Children were given a drink at dinnertime. Younger children were provided with bibs for dinnertime. Children were encouraged to feed themselves and staff supported younger children who needed assistance with their meal.

Children's care needs were observed to be met promptly. Staff were observed cleaning children's faces after dinner and cleaning children's noses as required. Children were encouraged and supported to be independent including cleaning up after their play. Older children were encouraged to use the toilet independently. Children's nappies were changed regularly, and staff were observed engaging warmly with children when providing this care. There was a designated nap time in the Tiny Tots and Transition units.

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 throughout the inspection. Staff were observed to use encouragement, gentle tones and praise when promoting positive behaviour in line with the service's behaviour management policy.

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 Tiny Tots unit described how they record information about each child's day detailing information on food, sleep, nappy changes and activities on a record sheet which is shared with parents.

Care rooms were arranged to provide a range of play materials providing children with the freedom to play and explore. Materials available included small world toys, construction toys, musical instruments, home corners and rest areas. The care rooms provided developmentally appropriate play experiences for the children. 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. Family photos, children's artwork and children's photos were displayed in the care rooms.

A fully enclosed outdoor play area was located to the rear of the premises and had shock absorbent surfacing. The area was divided into two separate play spaces which were well resourced with a range of developmentally appropriate play equipment. All children accessed the outdoor area during the course of the inspection.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

(1) Subject to this regulation, a registered provider shall ensure that-

(b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

Non-Compliance Information

(1)(b)

Appropriate rest facilities were not provided for all children under 2 years in the Tiny Tots unit. On the first day of inspection nine children aged 1 year were observed on low stackable beds. On the second day of inspection ten children aged 1 year were observed on low stackable beds. These beds were not fitted with firm, flat, waterproof and breathable mattresses.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1)(b)

Suitable and regulation floor beds have been purchased for all children under 2 not sleeping in a cot. These children also now have an individual sleep plan signed by the parents.

Any new or additional child moving from a cot to a floor bed will follow regulation with regards to discussion with parents, followed by the completion of the individualised sleep plan, signed by parents and educator.

Supporting documentation submitted

Written and 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 this non-compliance.

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.
- Hand sanitisers, medicines 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. The children were supported to wash their hands at regular intervals including after using the toilet and before meals.
- A system was in place for effective sterilisation of soothers.
- Individual bed linen was provided for the children in the Tiny Tots and Transition units. Staff stated that all bed linen is laundered weekly or as required.

Safe Sleep:

- Sleep room temperatures were maintained between the recommended temperatures of 16-20°C for safe sleep.
- Children were physically monitored while sleeping and sleep checks were documented every ten minutes. A member of staff was present in the sleep rooms while children were sleeping.

Outing:

- The person in charge reported that the service undertakes regular outings with the children. A detailed policy was in place to guide safe practice before and during outings. Staff demonstrated an awareness of measures to take to safeguard the children including obtaining parental consent, carrying out a risk assessment and ensuring a person trained in first aid is always available.

Non-Compliance Information

General Safety:

1. Three shelving units in the Tiny Tots unit were not secured posing a risk of tipping and injury.

Infection Control:

Inspectors observed a number of practices which posed a risk of transmission of infection within the service:

2. Some nappy changing practices observed during the inspection were inadequate for infection control purposes. A staff member was observed to redress a child with the same used gloves, to handle the lid of the bin during a nappy change and to clean the nappy mat while wearing the same gloves. The adult and child's hands were not washed following the nappy change.
3. The handwashing practices observed were inconsistent on the day of inspection and at variance with the policy in place in the service. Adult's hands were not consistently washed after cleaning children's noses.
4. The foot pedal functions of the pedal bins in the sanitary accommodation adjacent to the Tiny Tots unit and in the sanitary accommodation in the Junior Montessori room were broken.
5. The paper towel for hand drying was not stored in dispensers in the nappy changing area in use by the Tiny Tots and Transition units and in the sanitary accommodation area used by the Junior Montessori unit. There was no paper towel in the dispenser at the sink in the Tiny Tots unit.

Administration of Medication:

- The documentation, procedures and practices in place for all children attending the service requiring emergency medication were inadequate, posing a potential risk to the health and safety of children. While it is acknowledged that there was a comprehensive care plan in place for a child attending the service, there was no documented care plan available for another child who required emergency medication for an allergy, posing a risk to the timely treatment of the child in the event of an emergency.

Safe Sleep:

- There were no individual sleep plans in place for the ten children aged 1 year in the Tiny Tots unit who were observed on low stackable beds during the inspection. It is acknowledged that staff stated they discuss each child's readiness to move from a cot to a low bed with parents, however there was no documentation available to evidence this.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

- The carpenter has now fixed said shelves to the wall. Risk Assessments are carried out by Unit Heads daily in all rooms, to ensure furniture and any other risks of danger and reported and fixed promptly.

Infection Control:

- All staff have re-read Policies relating to Infection Control and Nappy Changing procedures. All staff have signed a policy sign off document in relation to these policies as proof.
- Staff have re-read and signed the Infection Control Policy pertaining to handwashing procedures. It was also mentioned in the monthly staff memo (after a Unit head meeting with the Manager) to remind staff to be more aware of appropriate and consistent handwashing.
- New Bins have been purchased to replace broken bins in both sanitary accommodation areas mentioned.
- Daily Checks on Paper Towel Dispensers have been added to the Office Administrator's Daily Tasks. Staff have also been reminded to keep checks on stock control.

All Staff will be more vigilant in checking equipment for breakages and stock levels. All breakages are to be reported to Management for fixing and Management will also do room checks for additional assessments of equipment relating to safety and infection control.

Administration of Medication:

- Emergency Care Plan for said child has been completed and signed by parents and is on display in corresponding Unit/room. Unit Heads are responsible for creating care plans for all children with allergies who require medical attention. Unit Heads have been made aware of this necessity – during monthly Unit Head Meeting.

Safe Sleep:

- The Safe Sleep Policy has been updated. All staff have read it and signed off using the document “Policy Sign off”. In addition, an Individualised Sleep Plan document has been created, which is now in use for all children moving from a cot to a floor bed – that evidences parents’ knowledge and agreement to this change.

Supporting documentation submitted

General Safety:

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

Infection Control:

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

Administration of Medication:

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

Safe Sleep:

7. 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 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

(1) A person trained in first aid was immediately available to the children at all times on the day of inspection.

(2)

(a) A first aid box was safely stored in an easily accessible and conspicuous location within the Tiny Tots, Transition, Junior Montessori and Senior Montessori 1 units.

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

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-

(c) kept adequately lit, heated and ventilated

(d) cleaned, maintained and repaired, as required

Non-Compliance Information

(c) A malodour was present in the nappy changing area and in the sanitary accommodation area adjacent to the Tiny Tots unit indicating that the mechanical ventilation in place was inadequate.

(d) An accumulation of dust and dirt was observed in the mechanical vent in the nappy changing area adjacent to the Tiny Tots unit.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(c)(d)

Two new vents have been purchased and fitted in the Nappy Changing Area and the Sanitary Accommodation area adjacent to the Tiny Tots Unit. All staff are now aware about ensuring all facilities are in working order and will notify management of broken equipment. The cleaner (coming daily when the school is closed) has been notified to clean the vents in the bathrooms weekly.

Supporting documentation submitted

Photographic evidence was submitted 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.