

Early Years Inspectorate Regulatory Report

Pre School

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| TUSLA Identifier: | TU2015DY381 |
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| Name of Service: | D2 Montessori |
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| Address of Service: | 6 Camden Street Upper, Dublin 2, Co. Dublin |
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| Eircode: | D02 KF53 |
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| Name of Registered Provider: | Joyce Grant |
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| Service type: | Full Day, Part Time, Sessional |
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| Date of Inspection: | 04/03/2024 |
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|-----------------------------------|----|----|----|----|
| No of pre-school children: | AM | 37 | PM | 36 |
|-----------------------------------|----|----|----|----|

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| Address of the Early Years Inspectorate: | Early Years Inspectorate, Child and Family Agency, Unit 4&5 Nexus Building Block 6A, Blanchardstown Corporate Park, Dublin 15 |
| Inspection undertaken by: | Á Dunne & E Hosford |
| 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).

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| Conditions if applicable | Not applicable. |
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Description of service

D2 Montessori provides a full day care service and is located in Dublin City Centre. The service is open from Monday to Friday between 8am and 6pm and provides a service to children aged between 1 and 5 years old. The service is based in a three-storey building. There are 4 care rooms in operation which are the Wobbler, Toddler, Pre-school room and Montessori rooms. There is an enclosed rear area of the property which allows children to access outdoor play.

Staffing

On the day of inspection there were 13 adults working in the service to include the person in charge, nine childcare staff working directly with the children, two staff employed under the Access and inclusion Model and one student. The registered provider does not work in 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 regulations.

Regulation 9 Management and recruitment (1) (a)(b)(c),(2)(a)(b)(c)(d), (4),

Regulation 11 Staffing Levels (1)(2),

Regulation 16 Record in relation to Preschool service (i), (j), (k)

Regulation 19 Health, Welfare and Development of child (1) (a)

Regulation 21 Equipment and Materials,

Regulation 23 Safeguarding, Health, Safety and Welfare of child,

Regulation 25 First Aid

Regulation 29 Premises,

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

A sampling process was used to assess compliance under Regulation 16 Record in relation to Preschool service, Regulation 23 - Safeguarding, Health, Safety and Welfare of child and Regulation 11- Staffing Levels was assessed across all of the rooms.

The scope of the inspection included three rooms – Wobbler room, Toddler room and Montessori room and did not include the Preschool room.

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

04/03/24

An Immediate Action notice was issued to the service in relation to the following:

Regulation 23 Safeguarding, Health, Safety and Welfare of Child

1. The temperature of the radiator, one in the Wobbler room and one in the Montessori room, exceeded the recommended 50°C which posed a risk to the safety of children.

Please see details in the body of the report.

05/03/24:

An Immediate Action notice was issued to the service in relation to the following:

Regulation 9 Management and Recruitment

1. Garda Vetting was not available for one adult on the day of inspection.

05/03/24:

The registered provider responded with an outline of a plan to address the non-compliances.

Please see details in the body of the report

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) The registered provider ensured there was a designated person in charge and a named person to deputise as required.
 - (b) The designated person in charge was on the premises when the inspector's arrived unannounced to the service and remained in the service for the duration of the inspection.
 - (c) There was a clear management structure in the service that identified the lines of authority and accountability in the service and the specific roles and responsibilities of each employee.

(2) It was confirmed by the designated person in charge that five new staff members have been employed and one student had started work experience in the service since the last inspection.

The files of the six adults were reviewed as part of the inspection. In addition, the files of 14 adults were reviewed to ensure each had up to date Garda Vetting Disclosures.

(a) Two written and validated references were available for two adults from a past employer.

One written and validated reference was available for two adults from a past employer.

(b) Two written and validated references were available for one adult from a source other than from a past employer.

One written and validated reference was available for one adult from a source other than a past employer.

(c) Garda vetting disclosures were available for 13 adults employed. 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 from four countries, for five staff who have lived outside the State for longer than six months as an adult.

(4) Documentation was available to show that the five adults 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 and Youth Affairs.

Non-Compliance Information

(2)

(a) One written and validated reference for two adults were not available from a past employer or reputable source.

(b) One written reference for one adult from a source other than a past employer was available but not validated.

(c) A Garda vetting Disclosure was not available for one adult. An immediate Action notice was issued.

(d) Police vetting from one country for one adult who have lived outside the State for longer than six months as an adult was not available. It is acknowledged that documentation was present to demonstrate efforts made to obtain this police vetting.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2) (a)(b) A new staff checklist for future staff has been drafted up and implemented. All checklists need to be completed before the staffs start date.

(c) The registered provider responded on the 5th March 2024 to the Immediate Action Notice issued on the 5th of March 2024 and stated; The adult in question is to remain at home until the service receive the Garda vetting disclosure. The service contacted the National Vetting Bureau to ask for the Garda vetting disclosure application to be fast tracked.

(d) Staff member has reapplied for Police Vetting Clearance. The service will ensure all clearance has been approved before staff have started in the service.

Supporting documentation submitted

(2) (a)(b) Copy of Checklist submitted

(c) Evidence of Garda vetting submitted.

(d) Evidence of Application for Police Vetting submitted.

Summary Comment

Under Regulation 9, non-compliance (9)(2)(d) remains outstanding as the police vetting for one staff member has not been received, but it is acknowledged that attempts to apply and obtain this vetting have been made.

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) There was an adequate number of adults working directly with the children as follows :

There were 11 adults working with 37 children in the morning and 9 adults working with 36 children in the afternoon.

(2) The correct adult/child ratio was maintained in the service throughout the inspection as follows:

During the morning:

Wobbler Room - 2 adults to 5 children aged between 1 years to 2 years,

Toddler Room - 3 adults to 11 children aged between 1 years 10 months to 2 years 10 months,

Preschool Room - 3 adults to 10 children aged between 2 years 8 months to 3 years 6 months,
Montessori Room - 3 adults to 11 children aged between 3 years 6 months to 5 years,

During the afternoon:

Wobbler Room - 2 adults to 5 children aged between 1 years to 2 years,
Toddler Room - 2 adults to 11 children aged between 1 years 10 months to 2 years 10 months,
Preschool Room - 2 adults to 9 children aged between 2 years 8 months to 3 years 6 months,
Montessori Room - 3 adults to 11 children aged between 3 years 6 months to 5 years,
The designated person in charge was present in a supportive role were required

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:

- (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)
- (i) Details of staff rosters on a daily basis were available on the day of inspection.
 - (j) A review of three medication forms with five medicine administrations demonstrated that all the details of any medication administered to a pre-school child attending the service with signed parental consent were completed.

Non-Compliance Information

- (1)
- (k) On review of 19 accident and incident records available, the following information was missing:
 - The date of birth of the child was missing on one form.
 - The date of the parent's signature was missing on eight forms.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (1) (k) A staff meeting was held 27 March 2024 and all staff had up to date breakdown of completing an accident form. Accident and incident books will be checked daily by management to ensure the accident and incident records are completed.

Supporting documentation submitted

- (1) (k) Copy agenda of and attendance at staff meeting held 27 March 2024 and management checklist submitted.

Summary Comment

The non-compliance outlined above under Regulation 16, has been addressed.

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

Non-Compliance Information

(1)(a)

Basic Needs:

1. The care needs of the children in the Toddler room were not facilitated at dinner time due to the following.
 - While the children sat and ate their dinner the three available staff prepared the room for sleep time. This did not create a sociable and relaxed environment for the children.
 - The two tables used by the children at dinner time were positioned closely together which limited the space available to them and their teachers to comfortably move around the area.
2. In the Wobbler room, at 10.51am, the room was darkened with no natural light as the wooden shutters and curtains were closed during free play time and mealtime up to sleep time at 12.13pm, this is not a suitable environment for play and mealtimes.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. A new layout of the toddler room has been put in place. Management will ensure the room remains the same by checking the room daily.
2. Staff in the Wobbler room have been informed that the shutters remain open until the children are going to bed. Management will check daily to ensure the shutters are open.

Supporting documentation submitted

1. Photographic evidence and copy of management checklist submitted.
2. Copy of Management checklist submitted

Summary Comment

Under Regulation 19, the non-compliances outlined above, have been 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

- In the Montessori Room, the play materials and equipment were stored on low shelves to include: arts and crafts materials of paper, stencils, pencils, glue sticks, glitter and paint accessible to the children; home areas with play kitchens with supporting equipment of delph, pots and pans and play food, a play Hoover; range of construction toys to include wooden puzzles, building blocks, building bricks, stickle bricks, plastic nuts and bolts, play tools and tool box; toys for transporting such as cars, tractors, trucks, boat, trains with train tracks and small world play toys of dolls house with furniture and small characters, sea life, wild and farm animals and dinosaurs; Montessori learning approach materials supporting the areas of practical life, sensorial, language, maths and culture were also present.
- An outdoor play area was available for the children with a soft artificial surface. The equipment and toys available included a climbing frame, a mud kitchen, ball pit, wheelbarrow, spades, rakes, diggers, trucks and plastic building bricks providing learning opportunities for the children.

Non-Compliance Information

1. The environment of the Wobbler Room did not support play opportunities for the children present as areas of interests were poorly defined and developed with limited equipment available, for example:

- No supporting equipment for the play kitchen.
- Equipment was stored in five boxes and not visible for the children as they were located on a high shelf inaccessible to the children, for example box of building blocks, animals, sensory toys, and two sensory trays and limited equipment for tabletop play opportunities.
- At 10.51am, low-level chairs were inaccessible to the children during free play between mealtimes as they were stacked against a wall, limiting the tabletop play opportunities.

This non-compliance was observed on the previous inspection in May 2023 and the preventive action had not been sustained.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. All toys have been put-on low-level shelving and all staff have been informed that they need to at the child's level at all times. To ensure this does not happen again rooms will be monitored and checked weekly.

Supporting documentation submitted

1. Photographic Evidence submitted

Summary Comment

The non-compliance identified under Regulation 21, has been addressed.

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:

- The weekly roster was available for review by the inspectors.
- The kitchen area was inaccessible to the children throughout the inspection.
- The outdoor area was a safe and secure environment with play equipment and materials clean and suitable for use by the children.
- In the Preschool room, at 12pm, the black plastic storage bags used for floor sleep mats storage, were positioned on a high shelf out of reach of children.

Infection Control:

- Thermostatically controlled water, liquid hand soap and paper towels were available for handwashing.

Safe Sleep:

- The temperature of the room was documented and 10-minute sleep checks were completed on the children for colour, breathing, position while children slept.
- Shoes and outer clothing such as hooded tops were removed from children while they slept

Non-Compliance Information

General Safety:

1. Garda vetting was available for one staff member. However, this vetting disclosure 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.
2. The temperature of two plug-in radiators were recorded as follows:

| Room | Temperature recorded | Time |
|-----------------|----------------------|------------|
| Wobbler room | 72.7°C | at 11.35am |
| Montessori room | 59.5°C | at 12.23pm |

This exceeded the recommended temperature of 50°C and posed a risk of burning to the children. It is acknowledged that staff members took immediate action to address the non-compliance and the radiators were turned off. An immediate action notice was issued.

3. On the inspectors unannounced arrival at the service at 10.25am, the service door was locked and on ringing the entrance bell, the main door of the service was opened by a parent allowing the inspectors access, this poses a risk of unauthorised persons gaining access to the service.
4. Children attendance books were not monitored to ensure staff knew how many children were present in the care rooms, as follows:
 - In the Toddler room, there were 11 children observed to be present at 11.08am, on review of the attendance book there was five children marked present.

This reduced the effective evacuation in the event of an emergency.

5. Trailing flexes were observed, leading to a risk of injury, as follows:
 - In the Toddler room, at 10.59am, there was a trailing flex from fairy lights accessible to the children.
 - In the Montessori room, at 11.01am, there was a trailing flex from a plug-in heater accessible to children. It is acknowledged that this trailing flex of the plug-in heater was addressed by the person in charge at 11.38am.
6. In the Toddler room, a glass cleaning chemical product was not stored securely and out of reach of children, leading to a risk of injury.

Infection Control:

The practices and equipment in the service did not ensure that effective infection control measures were in place to reduce the spread of infection leading to poor infection control, as follows:

7. In the Wobbler room, individual storage was not available for the storage of sheets used by the children during sleep time. Sheets were stored on six mattresses which were stored against a wall in the care room.
8. In the Wobbler room, three mattresses in use had no washable wipeable covers and three mattresses in use were torn with foam exposed. This did not allow for easy cleaning and posed a choking hazard should a child ingest the foam.
9. In the Wobbler room and Preschool room, sleeper beds and floor beds were not positioned to be 50 cm apart at sleep time.

10. In the Toddler room, the blue sofa and soft foam wedges were torn exposing foam inside. This did not allow for easy cleaning and posed a choking hazard should a child ingest the foam. This non-compliance was observed on the previous inspection in May 2023 and preventive action had not been maintained.

Safe Sleep:

11. In the Wobbler room, three children under two years of age were observed to be sleeping on sleeper beds and in the Toddler room, one child under two years of age was observed to be sleeping on a low bed. Parents were not included in the decision and no parental consent was approved as Sleep Risk Assessments for these four children were not completed by the service, this is at variance to the best practice sleep guidelines issued to the sector in September 2023.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. Garda vetting has been applied for and files will be reviewed monthly.
2. The registered provider responded on the 5th March 2024 to the Immediate Action Notice issued on the 4th of March 2024 and stated; All staff have been spoken to about the maximum degrees for the radiator in a room. All radiators will be kept midway between max and min to ensure the safety of all children.
3. The service spoke with the parent in question and a letter was drafted up and sent to each parent and also a sign has been put on the door for further instruction for all parents. Also, all staff have been advised on letting unauthorised people in the building. Ensuring the sign remains on the door for all to see. Regularly reminders to staff and parents of this will be sent via newsletters and email.
4. A staff meeting was held 27 March 2024 and all staff were advised on filling the book as the children arrived. Observing how the rooms fill out the books. Roll book checks have been added to management checklist.
5. The trailing flex has been removed. This is on the risk assessment; staff will complete daily checks.
6. A box has been placed high on the shelf and labelled for all cleaning products. Checking all cleaning products has been added to management checklist

Infection Control:

7. All sheets are being stored in separate bags and Staff have been informed to use the bags at all times.
8. All mattresses that are not washable and wipeable have been replaced. Regularly checking the mattresses to ensure all are in good condition.

9. A new sleep plan has been made in each room. Ensuring the beds are 50cm apart. All staff have been given the Agency Sleep Guidance on sleep in the early years document.
10. The blue sofa and sofa foam wedges have been removed from the classroom. Checking all soft furnishings has been added to the management checklist.

Safe Sleep:

11. Parents have been issued with a sleep assessment form. All children that are moving from a cot to a bed will have an assessment filled out before moving.

Supporting documentation submitted

General Safety:

1. Evidence of Garda Vetting application submitted.
2. Photographic evidence and evidence of staff training submitted.
3. Photographic Evidence of Sign, copy of letter to parents and a training sign off by staff submitted.
4. Copy agenda of and attendance at staff meeting held 27 March 2024 and management checklist submitted.
5. Photographic evidence submitted.
6. Photographic evidence submitted.

Infection Control:

7. Photographic evidence submitted.
8. Purchase invoice submitted.
9. Photographic evidence submitted.
10. Photographic evidence management checklist submitted.

Safe Sleep:

11. Evidence of completed sleep plans completed submitted.

Summary Comment

Under Regulation 23, the non-compliances outlined above have been 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.

Non-Compliance Information

(1) While it is acknowledged that the service provided evidence that three adults had valid in date training in Paediatric First Aid, no staff member had valid in date First Aid Responder training with the training of one staff member expired since 17th August 2023.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1) Two staff members have completed First Aid Responder Training with an expiry date of 15 March 2026 and the renewal date for the First Aid Responder Training has been added to the service calendar.

Supporting documentation submitted

(1) First Aid Responder Training certificates.

Summary Comment

(1) The non-compliance under Regulation 25 outlined above has been addressed.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-
(d) cleaned, maintained and repaired, as required, and

Non - Compliance Information

(d) The inspectors observed that the premises was not cleaned or maintained to provide a clean and safe environment for children. The following was observed:

- Mechanical vents, whilst working had a thick layer of dust, which reduced the effective removal of stale air.
- The skirting boards and the carpet on the stairs of the service were observed to be visibly dirty, damaged and in a state of disrepair, areas of the skirting boards were chipped and covered with black water marks. Walls in the Toddler room were damaged which reduced the ability to clean the area adequately. This non-compliance was observed on the previous inspection in May 2023 and the corrective action had not been completed and preventive action had not been sustained.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (d)
- The vent has been cleaned and checking all vents has been added to the daily checklist.
 - The carpets on the stairs have been changed.
- Maintenance have been informed and will have the skirtings and walls will be done. All furnishings will be checked by management.

Supporting documentation submitted

- (d)
- Photographic Evidence submitted.
 - Photographic Evidence for carpet replacement submitted.

Summary Comment

Under Regulation 29, the non-compliance relating to the vents and the carpet replacement have been addressed. However, maintenance to skirting boards and walls remains outstanding but it is acknowledged that there is a plan in place with maintenance to rectify these issues.