

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DY391
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<b>Name of Service:</b>	Little Smarties Montessori
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<b>Address of Service:</b>	War Memorial Hall, Rathfarnham Road, Terenure, Dublin 6W, Co. Dublin
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<b>Eircode:</b>	D6W RV10
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<b>Name of Registered Provider:</b>	Sarah Shields
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<b>Service type:</b>	Sessional
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<b>Date of Inspection:</b>	08/02/2024
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<b>No of pre-school children:</b>	AM	27	PM	N/A
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<b>Address of the Early Years Inspectorate:</b>	Carysfort House, Carysfort Avenue, Blackrock, Co Dublin
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<b>Inspection undertaken by:</b>	L. Magee & O. Quill
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<b>Title:</b>	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).

<b>Conditions if applicable</b>	Not applicable
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### Description of service

Little Smarties Montessori school is located in an urban setting in Terenure, south county Dublin. A service is provided to children aged between 2.5-6 years. The service currently provides two sessional services from 8:30am to 12 midday and 9am to 12:30 Monday to Friday. The premise has two preschool rooms and a kitchen. An outdoor enclosed area is located to the front of the building. An afterschool service is also available.

### Staffing

There are six staff members employed to work in the service including the registered provider.

### 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.

Compliance was assessed under the following regulations:

Regulation 9 (2) & (4) Management and recruitment.

Regulation 11 Staffing levels.

Regulation 16(h) Attendance records. 16 (i) Details of staff roster 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.

Regulation 19 (1b) Health Welfare and Development of child.

### Regulation 25 First Aid.

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

8 February 2024

1. An Immediate Action Notice was sent to the registered provider under Regulation 23- The service had one adult trained as a First Aid Responder. Between the hours of 8.30am – 9am when the first sessional service commences, there is no adult on the premises trained as a First Aid Responder.
2. A mobile heater in the Bird room measured 61.5 degrees Celsius and could be a risk to the safety of the children.

On 11 February 2024, a response was received by the registered provider which addressed this concern.

The Corrective Action and Preventive Action plan was to be submitted on 3 April 2024. The registered provider requested an extension due to leave. The Early years inspectorate received evidence for the Corrective Action and Preventive Action plan (CAPA) on 12 April 2024, however the CAPA document was not enclosed. The Inspectorate was unable to assess regulatory compliance. A second opportunity was afforded to the registered provider. This second response was received on 19 April 2024 and addressed regulatory compliance.

### Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, 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 seven adults were reviewed as part of the inspection process and for the purpose of assessing compliance with this regulation.

These 7 files were reviewed on the day of the inspection as evidenced below;

- (a) Seven validated references were available from past employers.
- (b) Five validated references were available from a source other than a past employer.
- (c) Garda vetting was available for all adults.
- (d) Police vetting was available for 3 adults who had lived outside the state for longer than six consecutive months.

### Non-Compliance Information

(2)

(b) Two references were available from a source other than a past employer but were not validated in respect of one adult.

(d) Police vetting was not available for one adult who had lived outside the state for longer than 6 months convectively.

(3) One adult began working in a different service owned by the registered provider on 3 August 2023. This adult moved to Little Smarties Montessori when it reopened after the summer break. Garda vetting for this adult was dated 2 October 2023. The registered provider did not ensure that the procedures specified in paragraph (2) were carried out before this adult was appointed, assigned or allowed access or contact to children in the service.

Regulation 9 (2) (b) & (d) and (3) were a non-compliance on the last inspection (17 October 2022). A regulatory compliance meeting was held on 16 January 2023. The registered provider submitted assurances during the corrective action and preventative action to ensure this would not reoccur.

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

#### Corrective and Preventive Action

(2) (b) Two references in question are now validated and marked validated in respect of the member of staff.

(d) Police vetting is now on file for the person residing out of the state longer than 6 months.

(3) The application for Garda vetting for this candidate was submitted 31/8/2023 as the applicant did not receive the confirmation link from ECI due to an error in her email address which delayed this by a few weeks. The vetting was not returned until October 2<sup>nd</sup>. The service held a copy of the candidate's international vetting and garda vetting from their previous employers. However, Little Smarties takes this matter seriously and will ensure this will not happen again. All applications will be made and double-checked links have been received in a timely manner before employment commences to ensure the turnaround for all vetting applications.

#### Supporting documentation submitted

Supporting documentation was reviewed.

### Summary Comment

The actions taken by the registered provider have addressed this non-compliance. This regulation 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.*
- (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.*
- (8) Without prejudice to paragraphs (2) to (7)-*
- (c) a registered provider of a sessional pre-school service shall ensure that, where the person in charge operates the service single-handedly, a second person familiar with the operation of the service and in a position to provide assistance to the person in charge in operating the service is, at all times, within close distance of the service and available to attend the service to assist the person in charge in the event of an emergency.*

### Compliance Information

- (1) An adequate number of adults were working directly with the children attending the preschool service.
- (3) The minimum adult/child ratio was maintained at all times. There were five adults working directly with twenty-seven pre-school children on the day of inspection.
- (8) (c) Two adults were 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) Children’s attendance was accurately recorded in electronic format.

(j) There were no medication records. The service policy states no medication is administered in the service unless it is lifesaving emergency medication. If the children are unwell and require medication, the parents are contacted to come and collect their child.

(k) Two accident and Incident records were recorded in electronic format. Parents are informed of their child’s accident or incident electronically when the event happens. When the record has been reviewed, parents’ consent to say they have been made aware of the record electronically.

#### Non-Compliance Information

- (i) The staff roster did not accurately reflect who was present on the day of inspection.

This was a non-compliance on the last inspection (17 October 2022). A regulatory compliance meeting was held on 16 January 2023. The registered provider submitted assurances during the corrective action and preventative action to ensure this would not reoccur.

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

##### Corrective and Preventive Action

The manager’s morning check list has now been updated to amend the roster in the event of any member being sick/absent.

## Supporting documentation submitted

Supporting documentation was reviewed by the early years inspector.

## Summary Comment

The actions as stated will address the non-compliances. The regulatory requirement is deemed to have been met.

## 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-*

*(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 (b)

Appropriate and suitable care practices were observed on the day of inspection as evidenced below:

All children bring in a snack and a light lunch from home. Water was available during the day. Staff encouraged and supervised the children during mealtimes. The children's nappies were changed, and the older children were supervised using the toilet. The adults supervised the children as they washed their hands. Soft furnishings were provided to facilitate children to rest during the session when required. On the day of inspection as the children were not able to go outside due to inclement weather, they all were brought into the ahll in small groups to play games.

### 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 entrance/exit door was secure to avoid unauthorised persons accessing the service or children exiting unsupervised.

Emergency exits were kept clear at all times during the inspection.

##### Infection Control:

The sanitary facility was equipped with warm water and liquid soap.

Completed cleaning schedules were in place demonstrating the daily and weekly procedures taken by the service.

#### Non-Compliance Information

##### General Safety:

An Immediate Action Notice was sent to the registered provider

1. The service had one adult trained as a First Aid Responder. Between the hours of 8.30am – 9am when the first sessional service commences, there was no adult on the premises trained as a First Aid Responder.
2. A mobile heater in the Bird room measured 61.5 degrees Celsius and could be a risk to the safety of the children.

On 11 February 2024, a response was received by the registered provider which addressed this concern.

3. A door off the cupboard in the Bird room was broken and sitting against the cupboard. This could cause an injury to a child.
4. A TV unit was unsteady in the Bird room and could cause an injury to a child.

##### Infection Control:

1. Both staff and children in the Oak room were observed lifting the lid of the bin with their hands posing a risk of cross contamination.
2. In the Bird room, the nappy changing mat used by the children could not be cleaned effectively, posing a risk of cross contamination. Inspectors observed a large tear in the mat with the inner foam exposed.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

##### General Safety:

1. The member of staff scheduled from 8:30am is now FAR trained.
2. The mobile heater was removed on the day of inspection. Mobile heaters will be not be used in the future and are strictly prohibited.
3. Cupboard door in Bird Room lock is now fixed. Will remove any items that are broken or in need of repair until repair is complete.
4. The TV unit is now fully secure. Manager's check list is now amended to include checking the TV unit stand before service opens.

##### Infection Control:

1. Bins are all now labelled to remind all staff and children to please use the pedal on the bin and not to use their hand to lift the lid of the bin. Manager's check list amended to include check that the signs are in place on the bins and all bins are in correct working order.
2. The changing mat is now replaced with a new one. Manager's morning check list now includes check changing mat in bathroom before the service opens. Sign to clean after every use.

#### Supporting documentation submitted

Supporting documentation was reviewed by the early years inspector.

#### Summary Comment

The actions as stated will address the non-compliances. The regulatory requirement is deemed to have been met.

## Part VI - Safety

### Regulation 25 - First aid

*(1) A registered provider shall ensure that a person trained in first aid for children is, at all times, immediately available to the children attending the pre-school service.*

*(2) A registered provider shall ensure that a suitably equipped first aid box for children-*

*(a) is safely stored in an easily accessible and conspicuous position on the premises, and*

*(b) is available to the children attending the pre-school service at all times.*

### Compliance Information

- (2)
- (a) The first aid box was adequately stored in an easily accessible and conspicuous location within the service as required.
- (b) A first aid box was always available to the adults and children in the service.

### Non-Compliance Information

- (1)
- A person trained as a First Aid Responder (FAR) was not immediately available to the children at all times. Between the hours of 8.30am – 9am when the first sessional service commences, there was no adult on the premises trained as a First Aid Responder.

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

#### Corrective and Preventive Action

The member of staff scheduled from 8:30am is now FAR trained. There are now 3 members of staff FAR trained so if this member of staff is absent for any reason there will be another member of staff available who is FAR trained.

#### Supporting documentation submitted

Supporting documentation was reviewed by the early years inspector.

# Early Years Inspectorate Regulatory Report

## Pre School

### Summary Comment

The actions as stated will address the non-compliances. The regulatory requirement is deemed to have been met.