

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015FL006
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Name of Service:	Acorns Montessori
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Address of Service:	3 The Cove, Hand Park, Rush, Co. Dublin
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Eircode:	K56 D853
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Name of Registered Provider:	Valerie Kelly
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Service type:	Sessional
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Date of Inspection:	03/12/2024
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No of pre-school children:	AM	15	PM	0
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Address of the Early Years Inspectorate:	Early Years Inspectorate, 181-189 Lakeshore Drive, Airside Business Park, Swords, Co. Dublin K67 Y5C6.
Inspection undertaken by:	S Taaffe
Title:	Early Years Inspector

Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

Conditions if applicable	Not Applicable
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Description of service

Acorns Montessori was established in 2015 and operates as a privately-owned sessional early years service which facilitates eligible pre-school children to avail of the Early Childhood Care and Education (ECCE) scheme from 9.15am to 12.15pm each weekday for 38 weeks each year. Acorn Montessori is registered to accommodate a maximum of 15 pre-school children, catering for children from 2 years 8 months of age. The service is conducted from two rooms which are attached to the side of the registered provider's family home. The front doorway leads into the smaller of the two rooms which is set up mainly for arts and crafts activities while the adjoining larger main pre-school room is located to the rear of the premises. Outdoor play is facilitated in the enclosed back garden which is accessed directly from the larger pre-school room.

Staffing

The registered provider and the core staff member were present on the day of the inspection, both of whom work directly with the pre-children in the service on a daily basis.

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.

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 by hand on the day of inspection as neither the registered provider nor the core staff member held in-date First Aid Response (FAR) training. The registered provider provided written assurances of appropriate immediate actions taken to address the risk identified within 24 hours of issue, confirming that on the day of the inspection she had booked to attend First Aid Responder refresher training on 10/12/2024. This response was accepted.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, staff member 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,

(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 is present and in charge of the service on a daily basis. The core staff member is appointed to deputise in her absence when required.

(b) The registered provider was present and in charge of the service when the inspector arrived unannounced on the morning of inspection.

The staff files for the registered provider, the core staff member who works in the service on a daily basis, and the staff member employed when necessary in a relief capacity to cover staff absences were reviewed.

(2)(a)(b) There were 2 written references available for the registered provider, and 2 written, validated references available for the core staff member. There was 1 written, validated reference available for the staff member employed in a relief capacity.

(a) Two of the 5 written references were from past employers.

(b) Three of the 5 written references were from sources other than a past employer.

(c) Garda vetting disclosures had been obtained for the registered provider, the core staff member and the relief staff member. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) International police vetting was available for 1 adult who had resided in 2 countries outside of the Irish jurisdiction for more than 6 consecutive months as an adult.

(4) The registered provider, the core staff member and the staff member employed in a relief capacity all held a major award in Early Childhood Care and Education at Level 5 – 7 on the National Framework of Qualifications (NFQ).

Non-Compliance Information

(2)(a)(b) A second written and validated reference was not available for the relief staff member.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated the following corrective actions and preventive actions have been undertaken:

Corrective Action

(2)(a)(b) The registered provider has included a verified written reference for the relevant staff member in the service records.

Preventive Action

(2)(a)(b) Ensure verified references are always present in staff files.

Supporting documentation submitted

- A copy of a written, validated reference for the relevant staff member.

Summary Comment

The registered provider demonstrated that the non-compliance identified under Regulation 9(2)(a)(b) has been adequately addressed.

Part III – Management and Staff

Regulation 11 - Staffing levels

- (1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.*
- (3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) therefore at that reference number is satisfied.*

Compliance Information

- (1) During the inspection there were an adequate number of adults working directly with the children attending the service.
- (3) On the day of inspection, the registered provider and the core staff member were working directly with 15 pre-school children aged 3 years to 4 years 10 months, all attending the service on a sessional basis.

Part IV – Information and Records

Regulation 15 – Record of pre-school child

- (1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:*
- (a) the name and date of birth of the child;*
 - (b) the date on which the child first attended the service;*
 - (c) the date on which the child ceased to attend the service;*
 - (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
 - (e) authorisation for the collection of the child;*
 - (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
 - (g) the name and telephone number of the child's registered medical practitioner;*
 - (h) record of immunisations, if any, received by the child;*

(i) written parental consent for appropriate medical treatment of the child in the event of an emergency.

Non-Compliance Information

(1)(a) – (i) Of the 15 children’s forms required to be maintained in the service, the form for 1 child who was present in the service on the day of inspection was unavailable. Therefore, the service did not have sufficient documented details available for this child including a record of the person(s) authorised to collect the child from the service, information as to whether the child had allergies or not or written parental consent for the child to avail of medical treatment in the event of an emergency.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated the following corrective actions, and preventive actions have been undertaken:

Corrective Action

(1)(a) – (i) The registered provider obtained the child’s form from the child’s mother on the evening of the inspection.

Preventive Action

(1)(a) – (i) The registered provider will ensure to continue to request forms when parents haven’t sent them in, even if the parents are personal friends of the registered provider as was the case in this instance.

Supporting documentation submitted

- Copy of the relevant child’s enrolment form.

Summary Comment

The registered provider demonstrated that the non-compliance identified under Regulation 15(1)(a) – (i) has been adequately 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

Compliance Information

(1)(a) The following observations are examples of how each child's learning, development and well-being was facilitated within the service:

Basic needs:

- The registered provider and staff member demonstrated sensitivity, warmth and positive regard for the children throughout the inspection and it was evident that they knew the children well, recognising and naming their individual preferences, interests and needs.
- The children brought healthy snacks from home and the adults were observed sitting with the children at snack time, encouraging conversation and extending interactions in a friendly and relaxed manner.
- The adults were observed to be responsive to the children's cues should they need to use the toilet, with gentle reminders, discreet supervision and assistance provided when required.
- A standard-sized couch with soft furnishings was available in the library area which allowed a child to take a break from activities, rest and relax if required.

Supporting relationships around children:

- The children seemed to be very familiar with the registered provider and staff member, frequently using their names to confidently ask questions, to invite them to join in play and to assist them when required.
- One child needed extra comforting and reassurance at times during the inspection and the adults consistently used gentle touch and tones of voice to soothe and support this child to very good effect.
- The registered provider and staff member was observed working collaboratively to support children's play and learning. Regular informative interactions were heard taking place between the two adults when updating each other on the children's needs and progress, and when coordinating the implementation of activities.
- The adults communicated with parents and guardians on a daily basis, both informally during drop off and collection, and electronically using a softwear application which enabled messaging and also facilitated parents to see photographs of their children engaged in activities in the service.

Physical and material environment:

- A sufficient number of child-sized tables and chairs were provided for the children in the service.
- The main pre-school room was laid out in designated interest areas including a home corner, construction area and library area, each of which was equipped with supportive play materials which facilitated child-led play experiences. For example, the home corner contained a wooden kitchen which was equipped with suitable play resources including pots, pans, play food, tea sets and a range of dolls and baby care items. A plentiful supply of books was available in the library area which supported children's language development.
- The front arts and crafts room facilitated the children to engage in art activities at times of their own choosing, with paint in pots, brushes, sponges and rollers amongst the equipment provided at the children's level and paper in place on low wall-mounted boards.
- Children's artwork was on display in the service.
- The outdoor play area located to the rear of the premises was fully enclosed and surfaced mainly in natural grass with a section of artificial grass in place beneath the free-standing slide while separate small sections were surfaced in paving and also in decking. A large, covered sandpit and a stone pit, wheelbarrows, shovels, spades, an outdoor kitchen and ride-on toys were amongst the play materials provided to support children's outdoor play experiences.

Non-Compliance Information

1. Some play materials and equipment including building blocks, jigsaws, shape sorters and interconnecting toys were stored in 6 zipped canvas boxes fitted into wooden cubby-style shelving units. Storing the play materials within the enclosed boxes which were snugly fitted into shelving units resulted in the contents not being easily visible and did not readily capture the children's interest. Furthermore, the contents were not easily accessible to the children as the standard nylon zips were fitted with small pull tabs making them difficult for a child to open.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated the following corrective actions and preventive actions have been undertaken:

Corrective Action

1. Toys are taken out from the zipped boxes out every morning now and they are put back after end of class. Also the toys behind the curtain are always accessible.

Preventive Action

1. Keep reviewing the play areas and access to toys. The service has a lot of materials for the children so it goes against the energy of the classroom to have them ALL out and accessible every day.

Summary Comment

The inspector reviewed the corrective action submitted by the registered provider after the inspection in relation to Regulation 19(1)(a). Assurances given by the registered provider have been accepted and this will be reviewed at the next inspection.

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 are examples of the measures undertaken by the registered provider and staff member to safeguard the health, safety and welfare of the pre-school children attending the service:

General Safety:

- The door connecting the main pre-school room to the registered provider's family home was secured, making the residence inaccessible to the children during the inspection.
- The warm water temperature in the sanitary accommodation and at the low level sink in the front pre-school room did not exceed the recommended maximum water temperature of 43°C and the registered provider stated that the warm water supply in the service was thermostatically controlled. This reduced the risk of injury from scalding for the children in attendance.
- Cleaning agents were stored safely on high shelving out of the reach of children.

- The children attending the service may be required to access a second toilet located on the ground floor of the registered provider's family home, adjacent to the pre-school room, based upon demand for the single toilet located in the sanitary accommodation between the 2 pre-school rooms. Children were accompanied by a staff member at all times when using the second toilet.
- A risk assessment of the indoor area and the outdoor area was conducted and recorded electronically by the registered provider on a daily basis to identify any potential risks to children attending the service. The documented outdoor risk assessment included checking for the presence of dog and cat litter; checking that toys and equipment were in good repair; checking that the sandpit was covered when not in use, and confirming that the area was free from hazards and gardening equipment. The registered provider was observed conducting the outdoor risk assessment and taking appropriate corrective actions in advance of the children going out to play on the day of inspection.

Infection Control:

- A refrigerator was available and used to store the children's snacks which were provided from home by the parents, reducing the risk of bacteria growth in perishable food items.
- The children's tables were observed to be appropriately cleaned prior to and following the morning snack.
- The sanitary accommodation, pre-school rooms and indoor play equipment and materials were in a clean and hygienic condition.
- Up-to-date cleaning schedules were maintained electronically in the service.

Administration of Medication:

- Medications were stored out of the reach of children.
- There was a child-specific care plan available for a child attending the service to authorise staff members to administer an auto-injector adrenaline pen in the event that the child would become exposed to an allergen and develop signs of a reaction.

Fire Safety:

- The emergency exit doors were clear and unobstructed.

Non-Compliance Information

Infection Control:

1. A bar of soap was provided for hand washing at the wash hand basin in the children's sanitary accommodation and at the sink in the front pre-school room. As opposed to liquid soap, bars of soap pose

a risk of bacteria growth and cross-infection for the children in attendance. This non-compliance was also found during the last inspection on 18/10/2021.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated the following corrective actions and preventive actions have been undertaken:

Corrective Action & Preventive Action

1. The soap was replaced with liquid soap and will be used going forward.

Summary Comment

The inspector reviewed the corrective action submitted by the registered provider after the inspection in relation to Regulation 23. Assurances given by the registered provider have been accepted and this will be reviewed at the next inspection.

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.

Non-Compliance Information

(1) Neither the registered provider nor the core staff member held in-date First Aid Response (FAR) training. This resulted in pre-school children being present in the service without an adult trained in First Aid Response (FAR) being present and available at all times to the children when on the premises.

(2)(a)(b) The first aid box on the premises was not suitably equipped as all dressings and eye patches were out of date. A similar non-compliance was also found during the last inspection on 18/10/2021.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated the following corrective actions and preventive actions have been undertaken:

Corrective Action

(1) The registered provider has completed FAR training in December 2024. The registered provider had previously done the FAR training, but it was out of date.

(2)(a)(b) The registered provider has updated the first aid kit.

Preventive Action

(1) The registered provider has set an alert in her mobile phone calendar for timely completion of the refresher course.

(2)(a)(b) The registered provider has set a reminder in an electronic calendar for the next replacement date for bandages and eye pads in the first aid kit.

Supporting documentation submitted

- Copy of the registered provider's updated FAR training certificate dated 10/12/2024.
- A photograph of a range of new first aid supplies.

Summary Comment

An immediate action notice was issued to the registered provider on the day of inspection as neither the registered provider nor the core staff member held in-date First Aid Response (FAR) training. The registered provider provided written assurances of appropriate immediate actions taken to address the risk identified within 24 hours of issue, confirming that on the day of the inspection she had booked to attend First Aid Responder refresher training on 10/12/2024. This response was accepted.

The registered provider demonstrated that the non-compliances identified under Regulation 25 have been adequately addressed.

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

(1)(a) An electronic record was maintained of fire drills which had been completed in the service. The records indicated that fire drills were carried out monthly. The last recorded fire drill took place on 20/11/2024.

(b) A record was kept of the number, type and maintenance of the fire extinguishers in the service, which were certified as having last been serviced in February 2024.

(4) A notice of the procedures to be followed in the event of a fire was conspicuously displayed in the premises.

Non-Compliance Information

(1)(b) There was no written maintenance record available for inspection to indicate that the smoke alarms had been appropriately serviced by a person with expertise in fire safety on an annual basis, in accordance with best practice guidelines. This non-compliance was also found during the last inspection on 18/10/2021.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated the following corrective actions and preventive actions have been undertaken:

Corrective Action & Preventive Action

The registered provider had had the servicing completed on time but did not have the document available when the inspector was here. The registered provider will ensure that all documents for proof of servicing are immediately requested and put on file.

Supporting documentation submitted

- A maintenance certificate dated January 2025 for the fire extinguishers in the service.

Summary Comment

The registered provider demonstrated that the non-compliance identified under Regulation 26(1)(b) has been adequately addressed.

Part VI - Safety

Regulation 28 - Insurance

A registered provider shall ensure that the pre-school service is adequately insured.

Compliance Information

The registered provider had insurance cover in place for 22 pre-school children attending the service on a sessional basis. The policy showed that the service was insured until 27/03/2025.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

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

(b) safe and secure,

(d) cleaned, maintained and repaired, as required,

Compliance Information

(b) The external doors were appropriately secured to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the service. Glass panels at the front door facilitated staff members to see visitors before facilitating their entry to the premises. The outdoor play area fully enclosed by walls and high-level fencing.

Non-Compliance Information

- (d)
1. The low-height space beneath the wooden play structure platform in the outdoor play area contained a car roof box, tarpaulin, discarded toys, lengths of timber and weeds which posed a risk of harbourage for pests. A similar non-compliance was also found during the last inspection on 18/10/2021. Additionally the narrow space between the two garden sheds was cluttered with tubing, timber, sacking and tents which also posed a risk of harbourage for pests.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated the following corrective actions, and preventive actions have been undertaken:

Corrective Action

(d)

1. The registered provider has ordered a strong coloured plastic cover to seal off the underneath of the raised decking area from children. The registered provider will send on photographs when the work is complete. The registered provider will seal it off in the meantime with a temporary cover. The registered provider has cleared out the narrow gap between the two sheds.

Preventive Action

(d)

1. The registered provider will ensure that this is included in the service's risk assessment forms for the outdoor space.

Supporting documentation submitted

- Photographs showing that the area beneath the wooden platform had been decluttered and made inaccessible and showing that the narrow gap between the sheds had been decluttered were submitted to the Inspectorate.

Summary Comment

The registered provider demonstrated that the non-compliance identified under Regulation 29(d) has been adequately addressed.