

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015FL082
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Name of Service:	AVS Montessori t/a Daisy Montessori
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Address of Service:	2 Saint Mochtas Chase, Clonsilla, Dublin 15, Co. Dublin
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Name of Registered Provider:	Agnieszka Sharma
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Service type:	Sessional
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Date of Inspection:	21/10/2024
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No of pre-school children:	AM	19	PM	5
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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 & L Jameson
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).

Conditions if applicable	Not applicable.
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Description of service

AVS Montessori t/a Daisy Montessori, is a sessional childcare service located in Dublin 15. The service caters for the care needs of a maximum of 22 pre-school children per session, aged between 2 - 6 years. The service is registered to open from Monday to Friday for a morning session 8.45am to 11.45am and for an afternoon session 12.00pm to 3.00pm. The premises is a two-storey semi-detached house with the service on the ground floor with two care rooms, sanitary facilities and a kitchen. There is an outdoor play area with artificial grass surface available to the children to the rear of the house.

Staffing

The registered provider works in the service and employs two staff members. On the day of inspection, the registered provider and one staff member were present.

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 regulations as follows:

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

Regulation 11 Staffing Levels (1)(3)

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

Regulation 23 Safeguarding Health, Safety and Welfare of child

Regulation 25 First Aid (1)(2)

Regulation 26 Fire Safety(1)(a)(b) (4)

However, on inspection additional non-compliances which posed a risk were identified under

Regulation 8 Notification of Change in circumstances.

Regulation 15 Record of a Preschool Child.

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

A sampling process was used to assess compliance under Regulation 15 Record of a Preschool Child and Regulation 23 Safeguarding Health, Safety and Welfare of child.

As a result, the scope of the inspection included room 1 and room 2.

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 service on the 21 October 2024 in relation to Regulation 23- Safeguarding, Health, Safety and Welfare of Child. Information regarding the non-compliance is documented in body of the inspection report.
On the 22 October 2024 the registered provider responded to the immediate action notice with the measures implemented within the service.

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 II - Registration and Register

Regulation 8 - Notification of change in circumstances

(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.

Non - compliance Information

(1) The service is currently registered to operate as a sessional service with operating hours of 8.45am to 11.45am for the morning session and operating hours of 12.00pm to 3.00pm for the afternoon session. On the day of inspection, the service was observed to operate the morning session from 8.30am to 11.45am for 10 children and from 8.30 am to 12.00pm for 3 children present in the service. The service was operating outside the registered hours of operation from 8.45 to 11.45pm for the morning session.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1) The Agency was notified and change in hours of operation was approved. The registered provider will contact the Agency in future for any changes they would like to do in the future.

Supporting documentation submitted

(1) Documentation

Summary Comment

Under Regulation 8, the corrective and preventive actions taken has addressed the non-compliance identified on 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.

(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

The files of three adults were reviewed as part of the inspection, to include the registered provider who works in the service and two staff members and the garda vetting of one adult was reviewed.

(2)(a)(b) The registered provider had two written references and ensured that two written and validated references were available in relation to two adults employed.

(c) Garda vetting disclosures had been obtained for four adults. 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) The registered provider had taken reasonable measures to obtain police vetting for 3 adults who had resided outside of the state for over 6 months as an adult.

(4) Documentation was available to show that the two 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

(4) Documentation was not available to demonstrate that one adult 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

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(4) Teacher who was working in the service who does not have a level 5 certificate, will remain as a student and will no longer work as a preschool teacher until they achieve a major award in Early Childhood Care and Education at Level 5. In future, the registered provider will make contact to any college to double check before recruiting new teacher.

Supporting documentation submitted

Document from the college of enrolment of major award in Early Childhood Care and Education at Level 5

Summary Comment

The non-compliance, under Regulation 9, outlined above has been 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.

Operating hours as per the DOS Compliance Information

(1)(3) On the day of inspection, there were two adults working with 19 children, aged 2 years 8 months to 5 years old, for the morning session from 8.30 am to 12.00 pm and two adults working with five children aged 2 years 8 months to 5 years old for the afternoon session from 12pm to 3pm, with ratios being maintained.

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;*
- (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.*

(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-
(c) an authorised person.

Compliance Information

(1) A sample of 18 children’s registration records were reviewed as part of the inspection. The registered provider ensured that the information required under (a) and (d) was maintained for each child.

(3) Records were open to inspection by an authorised person. All records requested by the inspector were available for review.

Non-Compliance Information

(1) From a sample of 18 children’s registration records reviewed, the registered provider did not ensure children’s registration records were fully completed for children attending as follows:

- (b) the date on which the child first attended the service was not completed on 18 childrens records.
- (e) authorisation for the collection of the child information was not completed on 5 children’s records.
- (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 was not completed on 15 childrens records.
- (g) the name and telephone number of the child’s registered medical practitioner was not completed on 1 child’s records.

(h) record of immunisations, if any, received by 5 children had not been completed and immunisations while confirmed as completed, the record of immunisation was not present for 7 children.

(i) written parental consent for appropriate medical treatment of the child in the event of an emergency, was not completed on 3 childrens records. Parental consent is required in the event of a medical emergency occurring.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Enrolment forms were checked and some forms were sent home for completion.

- (a) The children's start date has been added to the forms.
- (e) authorisation collection information for five children have been checked and completed.
- (f) details of any illness, disability, allergy or special need of the child have been checked and forms have been sent home for completion.
- (g) for one child, the registered medical practitioner information was completed.
- (h) record of immunisations will be reviewed with parents, and vaccination books have been sent by email.
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency was completed by parents.

Supporting documentation submitted

Photographic evidence

Summary Comment

Under Regulation 15, the non-compliances outlined above, have 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

Basic Needs:

- Mealtime was observed, where children ate their lunches brought from home.
- All children were observed to access outdoor play for an extended period of time on the day of the inspection.

Non-Compliance Information

Supporting relationships around children:

1. The care needs of a child from Room 2, were not being met. The inspectors observed the following.
 - A child displayed signs of being upset over the course of the morning. At 10.11am, when the room 2 children moved to room 1 for lunch break a child was observed crying. At 10,25 am when lunch was over the child was still upset when the staff member was cleaning up after lunch. It is acknowledged that during outdoor play, between 10.30 and 10.50am the child was playing and not upset. However, on return to Room 2, the child continued to be upset and was not comforted until they were collected at 11.50am.
2. On collection of the upset child at 11.50am, no verbal update was provided to the authorised person of collection about the child's morning and no mention was made of the child being upset during the morning session, this does not support relationships between the parent and the service.
3. During the lunch times of room 2 from 10.00am to 10.30pm and of Room 1 from 10.42am to 11.05am, interactions between the children and staff were limited and there were long silences while children ate. The atmosphere during mealtimes should be a pleasant social interaction among the children and adults.

Physical Environment and Materials

4. Materials and equipment were not displayed and available to the children to enable them to explore and investigate their care room independently. For example,
 - In Room 1,
 - There was no supporting equipment for the play kitchen accessible to the children.
 - A suitable rest area was not available to enable a child to rest and take a break from activities throughout the day.
 - In Room 2,
 - There was no supporting equipment for the play kitchen, dolls house, two plastic playhouses, and fire station accessible to the children.
 - There were no construction toys accessible to children to play with.
 - The windowsill in the care room contained a mix of toys for example, two small houses, a fire station, two workbench construction toys, parts of a train track, a battery toy and three pumpkins not accessible to the children.
 - In the cosy area two cushions had no covers on them. It is acknowledged covers were put on the cushions after the morning session at 12.00pm.

- In the Outdoor play area,
 - There was no supporting equipment for the outdoor mud kitchen and shop accessible to the children.
 - The basketball net was broken with no hoop attached.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. The Service will work on better communication with parents. Meetings with parents take place to discuss different approach regarding their children and their setting time. Children coming back after being sick will need different approach, shorter time and more hugs will be given.
2. Parents will be informed by the door if child is not having a good day or is upset. Parents are always welcome to call and have a chat with staff.
3. During Snack time children will be listening to relaxing music or a story, to make snack time more social, relaxing music or a story will be playing in the background. Teacher will interact with children, sitting next to them have a conversation with them about their snack, friends, family. The teacher will encourage children to share some stories.
4. In room 1,
 - supporting equipment for the play kitchen and a suitable rest area was added to the room.
 In room 2,
 - supporting equipment was added for the play kitchen, dolls house, two plastic playhouses, and fire station,
 - construction toys were made accessible to the children.
 - The window still was cleared of toys.
 - The cosy area cushions will have covers present and will be made ready for the children.
 - The supporting equipment was made available for the outdoor mud kitchen
 The registered provider will make sure to have the environment ready for the children.

Supporting documentation submitted

2. Document re communication with parents.
3. Photographic Evidence
4. Photographic Evidence

Summary Comment

The non-compliances outline above under Regulation 19 have been adequately 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 kitchen area was not accessible to the preschool children during the operation of the service.
- Attendance records were present, accurate and completed for children, the registered provider and staff.
- The temperature of the classroom was recorded as 21.6°C at 11.42am, within the recommended ambient temperature of 18 - 22°C.
- Cleaning products were not accessible to the children.

Infection Control:

- Liquid hand soap and dispensed handtowels were available for hand hygiene.
- Handwashing was completed at regular intervals throughout the day as required for example children's hands were washed after outdoor play, before mealtimes and after toilet visits.

Non-Compliance Information

General Safety:

1. On the inspector's arrival to the service at 9:30am it was observed that main entrance door and the secondary internal door of the service were not secured to prevent an unauthorised entry of an adult or the unsupervised exit of a child. It is acknowledged that the registered provider secured the doors when the issue was highlighted by the inspector.

An immediate action notice was issued to the registered provider during the inspection and a response was received on the 22 October 2024 to outline the measures taken by the service to prevent a recurrence.
2. 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'.
3. A stair gate on the stairs was open from 9.30 am to 11.05am, posing a risk of safety as this allowed access up the stairs and to the second floor of the premises which is not part of the service.
4. Grapes present in four childrens lunches which were not quartered or halved, posing a choking risk.

Infection Control:

5. Perishable food items such as cold meats, cheese, yogurts and yogurt drinks consumed by the children were not refrigerated on arrival to the service. This increased the potential risk of food borne infection. This was a previous non-compliance on the last three inspections in 2017, 2020 and 2022.
6. In the sanitary facilities, effective hand handwashing was not promoted as follows:
 - No Running water was available out of the hot tap of the wash hand basin under the stairs, when the tap was turned on to check for hot water. The water available from the cold tap measured 15.8°C at 11.03am. This non-compliance was identified on inspection in 2022.
 - There was no warm water available out of the hot tap of the wash hand basin in the sanitary facility near the kitchen, the water temperature measured 14.5 °C at 10.52am. This non-compliance was identified on inspection in 2022.
7. The bin in the sanitary facility under the stairs was overflowing with used handtowels and handtowels were present on the windowsill behind the wash hand basin, leading to poor infection control.
8. A sofa used by the children in room 2 during the morning session was observed to be damaged with a cracked surface, leading to poor infection control as it could not be cleaned effectively. It is acknowledged a material cover was placed on the couch after the morning session.

Administration of Medication:

9. A care plan was not available for one child who had an allergy as demonstrated in their record of a preschool child, leading to a risk of safety.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The service responded to the immediate action notice on the 10 October stating the following actions taken:
 - **Staff Meeting:** A staff meeting was held to reinforce the importance of keeping both the main door and the second door closed at all times. It has been emphasised to all staff that one team member must always be present during drop-off and pick-up times to manage entry and exit.
 - **Signage:** "Keep Door Closed at All Times" signs have been placed on both doors to remind staff, parents, and visitors of the importance of keeping the doors securely shut.

- **Parent Notification:** All parents have been instructed to ensure both doors are closed behind them when entering and leaving the service. This communication reinforces the shared responsibility for maintaining a secure environment.
 - **Automated Door Closers:** The service has ordered automated door closers that are approved. These will be installed within the next week to further enhance safety and ensure the doors close securely after each use. As of the 26 November the automatic door closers have been installed.
2. Renewed Garda Vetting was obtained for the staff member and the service will make annual checks to ensure Garda Vetting of staff is kept updated.
 3. A stair gate on the stairs will be monitored to be closed. Monitor daily before children arrive That the baby gate remains closed.
 4. Grapes in children’s lunches will need to be cut to prevent risk of choking. Parents given information about healthy eating as well about children choking hazards. Photographic evidence of how grapes should be cut was sent to parents. Children’s Lunches will be monitored going forward.

Infection Control:

5. A small fridge was bought to store childrens lunches and childrens Lunches will be stored in the small fridge in the Montessori room.
6. Taps will need to be replaced; new tap and thermostatic mixing valve has been ordered. Once received, they will be installed, it will take 3 weeks minimum to get them fixed.
7. The bin in the sanitary facility under the staircase will be emptied by staff every evening.
8. The sofa requires a cover at all times, new covers were ordered, to ensure covers are available to have the sofa covered at all times.

Administration of Medication:

9. The registered provider contacted the parents about the child’s allergy and requested a care plan from the parents of the child to demonstrate information on managing an allergic reaction.

Supporting documentation submitted

General Safety:

1. Minutes of the meeting 22 October 2024, receipt for purchase of automated door, photographic evidence.
2. Renewed Garda Vetting.
3. Photographic Evidence.
4. Photographic Evidence.

Infection Control:

5. Photographic Evidence.
6. Evidence of purchase of tap and thermostatic mixing valve.
7. Photographic Evidence.
8. Evidence of purchase of additional sofa covers.

Administration of Medication:

9. Photographic Evidence

Summary Comment

Under Regulation 23, the corrective and preventive action taken will address non-compliant points 1, 2, 3, 4, 5, 7, 8 and 9 outlined above.

Regulatory compliance for point 6 remains outstanding until the tap and thermostatic mixing valve have been installed.

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) (b) A first aid box was stored in an easily accessible and conspicuous position in the classroom and in the event of an emergency was available to adults caring for the children in the service.

Non-Compliance Information

- (1) On the day of inspection, there was no person trained in First Aid Responder training available to the children. A sufficient number of adults must be trained with First Aid Responder training and available to children at all times to include cover of appointments, leave and breaks. It is acknowledged that the one staff member had valid Paediatric first aid training.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (1) First Aid responder Training completed 11 and 20 of November 2024. The registered provider will check the certificates regularly to ensure training remains in date.

Supporting documentation submitted

- (1) Evidence of completion FAR course.

Summary Comment

The non-compliance outlined above, under Regulation 25 has been 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) A written record was available of the fire drills completed in the service.
The last recorded fire drill took place on the 21 September 2024.
- (b) The number type and maintenance record for smoke alarms were available. The smoke alarms were last serviced on 2 October 2024.
- (4) Fire evacuation procedures were displayed throughout the service.

Non-Compliance Information

- (1)(b) A record of evidence of maintenance for the firefighting equipment with the number and type was not available.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (1)(b) The fire extinguishers were serviced on 20 November 2024; the registered provider will check the fire extinguishers regularly.

Supporting documentation submitted

- (1)(b) Photographic Evidence

Summary Comment

Under Regulation 26, the non-compliance outlined above has been addressed.