

Early Years Inspectorate Regulatory Report

Pre School

Nigel TUSLA Identifier:	TU2015FL123
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Name of Service:	Jolly Junior's Montessori & After School Club
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Address of Service:	38 Alden Drive, Bayside, Dublin 13, Co. Dublin
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Name of Registered Provider:	Laura Keegan
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Service type:	Part Time
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Date of Inspection:	10/10/2024
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No of pre-school children:	AM	25	PM	N/A
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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:	E Hosford and E Saini
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

Jolly Juniors Montessori and Afterschool is a private service which operates from two care rooms, namely Small room (Room 1) and Larger room (Room 2) to the rear of a residential house on the north side of Dublin City. It provides a sessional and part time service to a maximum of 22 children aged from 2 to 6 years of age and operates from 8am to 6pm Monday to Friday. The service participates in the Early Childhood Care and Education (ECCE) scheme and also provides a service to school age children. The service has access to an outdoor area to the rear of the premises.

Staffing

The service employs a total of eight staff to include the registered provider, designated person in charge, six childcare staff, of whom two work directly with the school age children. The registered provider does not work in the service and the designated person in charge was available to provide assistance to the two care rooms if required. Four adults were working directly with the children in the two care rooms on the day of inspection.

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

The unannounced inspection focused on an examination of compliance under regulations

- Regulation 9 Management and recruitment (2)(a)(b)(c)(d)(3)(4),
- Regulation 11 Staffing Levels (1)(2)(8)(a),

- Regulation 15 Record of a Pre-School Child,
- Regulation 21 Equipment and Materials,
- Regulation 25 First Aid,
- Regulation 26 Fire Safety measures and
- Regulation 28 Insurance

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

- Regulation 8 Notification of Change in Circumstances
- Regulation 23 Safeguarding Health, Safety and Welfare of child,
- Regulation 29 Premises and
- Regulation 30 Minimum Space Requirements.

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 Pre-School Child.

Regulation 9 Management and Recruitment and Regulation 11 Staffing levels were assessed in both care rooms.

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 10 October 2024 in relation to Regulation 23- Safeguarding, Health, Safety and Welfare of Child.

On the 10 October 2024 the registered provider responded to the immediate action notice with the measures implemented within the service to mitigate the risk. See body of report for details.

- An Immediate Action notice was issued to the registered provider on the 11 October 2024 in relation to a non-compliance identified under Regulation 9.

A written response was received on the 11 October 2024 with the actions taken by the service to reduce the risk. See body of report for details.

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 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 did not notify the inspectorate of an increase in the number of children that are being accommodated in the service. On the 10 October 2024 there were 25 children present in the morning of the inspection. The service is currently registered to accommodate a maximum of 22 children aged from 2-6 years of age attending on a sessional or part time basis from 8am to 6pm daily.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1) In response the registered provider has stated that the non-compliance is in the process of being rectified. Communication has been sent to the regulatory escalation and enforcement department explaining why the change in circumstances application had not been submitted and we are currently in process of handling the matter in order for us to revert back to our approved registration of 22 children.

The registered provider and management are aware of the process for approval of change of circumstances. As stated above, we will be reverting to our original approved registration and will not be seeking to increase our numbers further going forward.

Supporting documentation submitted

(1) Documentary evidence.

Summary Comment

The registered provider has proposed a plan which will rectify the non-compliance identified on inspection and will result in the service reverting back to their registration status of a maximum of 22 children by December 2024.

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 staff files of eight employees employed in the service were reviewed.

(a)(b)

- Two written references were available for the registered provider along with two validated written references for four staff employed and working in the service from a past employer or a source other than a past employer.
- One validated reference was available for one staff member from a past employer or a source other than a past employer.

(c) Garda Vetting disclosures were available for seven staff members. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) International police vetting was available from three countries in respect of three staff members who had resided outside of the jurisdiction for more than 6 months as an adult.

(4) Documentation was available to demonstrate that the five staff members working directly with the early years children held a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications.

Non-Compliance Information

(2)(a)(b)

1. Two written references were not available for two staff members from a past employer or a source other than a past employer.
2. One staff member did not have a second reference from a past employer or a source other than a past employer.

(2)(c) A Garda Vetting disclosure was not available for one staff member working directly with the children during the inspection.

- An Immediate Action notice was issued to the registered provider on the 11 October 2024 in relation to the non-compliance identified under Regulation 9.

(3) Procedures specified in paragraph (2) were not carried out prior to four staff being appointed and allowed access to children attending the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a)(b)

In response the service has stated that the non-compliances have been rectified. Management requested and received two references from staff members, these references were obtained and validated. Copies of these references have been supplied to the early year's inspectorate. Management have revised the recruitment policy in consultation with the Child Care Act 1991 (Early Years Services) Regulations 2016. This will ensure staff will not commence working without the service having received and validated references.

(c) In response to the non-compliance the registered provider has stated that the staff member has been placed on leave until the vetting has been received and the person in charge will ensure that the adult child ratios are maintained during this time.

(3) The lack of vetting and references for the three staff members referred to in the report was rectified in a timely manner by management obtaining and validating the documents. Evidence of these documents has been sent to the inspectorate.

Supporting documentation submitted

(2)(a)(b) Required references and validations.

(2)(c) Garda vetting for 1 staff member.

(3) Service recruitment policy.

Summary Comment

The corrective and preventive actions taken by the registered provider have addressed the non-compliances identified on inspection.

Part III – Management and Staff

Regulation 11 - Staffing levels

(1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.

(2) Subject to paragraphs (4) and (5), a registered provider of a full day care service or a part-time day care service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 1 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) thereof at that reference number is satisfied.

(8) Without prejudice to paragraphs (2) to (7)-

(a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times,

Compliance Information

(1) There were an adequate number of adults working directly with the children as there were 4 adults working with 25 children aged between 2 to 6 years of age.

(2) The correct adult/child ratio was maintained in the service throughout the inspection at all times. The adult child ratios were maintained as follows;

Room 1: Two adults caring for 8 children aged between 3-4 years

Room 2: Two adults caring for 17 children aged between 4-5 years

(8)(a) The registered provider ensured that two adults were present on the premises at all times.

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.*

Compliance Information

(1)

(a) to (i)

On review of the documentation relating to a sample of ten children's files within the service, the required information and detail was available and complete.

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

- The care rooms were bright and laid out in a variety of designated interest areas to include; arts and craft area (with paint, paint brushes, paper and glue), home corner and shop (with play kitchen, dolls, buggies and additional supporting equipment such as; shopping baskets, utensils, dishes, pots and pans), construction area (with cars, trucks, train tracks and building blocks), table top area (jigsaws, books, bead boards and threading games).
- All materials and equipment in the care rooms were appropriate to the age and development of the child. The furniture provided in the care rooms were low level and age appropriate for the children attending with toys and play materials accessible to the children and stored on low level shelving.
- The outdoor play area was surfaced with concrete paving and artificial grass. An enclosed area was available to enable staff and children to enjoy the outdoor area during all weather conditions. The materials available to the children included a play kitchen, activity table with coloured paper and glue, toy animals and figures, balance board and blocks, building blocks, building shapes and play wheelbarrow.

Non-Compliance Information

1. Suitable rest areas were not available in Room 1 and Room 2 to enable a child to rest and take a break from activities throughout the day. It is acknowledged that a rest area was available in Room 2, however, it was not of an adequate size for the 17 children accommodated in the care room. It consisted of a small mat and 4 cushions.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. In response to the non-compliances the service has stated that the registered provider and person in charge acknowledge the lack of rest areas and will invest in some foam tiles that can be used to create a comfy place for a child to rest if needed.

Supporting documentation submitted

1. Photographic evidence.

Summary Comment

The service has addressed the non-compliance, this will be reviewed on 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.

Non-Compliance Information

General Safety:

1. On the inspector's arrival to the service at 9:54am it was observed that access into the outdoor area and Room 2 was not secured to prevent an unauthorised entry of an adult or the unsupervised exit of a child. It is acknowledged that the person in charge secured the area when the issue was highlighted by the inspector.
An immediate action notice was issued to the person in charge during the inspection and a response was received on the 10 October 2024 to outline the measures taken by the service to prevent a recurrence.
2. An unstable shelf unit was present which increased the potential risk of falling on a child and injuring them.
3. Emergency medication for a named child was stored in the child's bag which was accessible to the children. This increased the potential risk of children gaining access to prescribed medication.
4. A trailing flex was accessible to the children. This increased the potential risk of strangulation.

Infection Control:

5. Perishable food items contained within the children's lunchboxes such as cheese and yogurt were not refrigerated on arrival to the service. This increased the potential risk of food borne infection.
6. Children were not encouraged or prompted to wash their hands after blowing their nose. This increased the potential risk of cross infection.

Administration of Medication:

7. Prescribed medication for a named child was present in the service, however, a care plan was not available to ensure that the correct procedures and practices were carried out in the event of illness.

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 that a new procedure for those arriving late or leaving early has been implemented. The gate will be closed directly after the arrival of the children in the morning and the parents of those arriving late will be required to ring the service to gain access. A new lock and bell on the gate will also be fitted.
2. In response the shelf unit was secured by the registered provider. Person in charge will now thoroughly check all shelving and fixtures are secured before reopening after all mid-terms or school breaks and after any work is done to the service.
3. To address the non-compliance the medication was moved out of the reach of the children immediately by the educators in the room. Educators had a conversation with parents and asked them to please make us aware of the presence of medication if and or when it is in the child's possession. Educators check bags each the morning now for the presence of any dangerous or hazardous items.
4. The non-compliance was removed immediately by the person in charge. The person in charge will ensure to secure trailing flex in future should there be a need to introduce electronics to rooms.

Infection Control:

5. In response a note was sent home to all parents asking them to place items in the bag from their child's lunch that contain perishable food products. Children will now remove their lunches from their school bag upon arriving at school in the mornings and place them in a box so staff can transfer them to the fridge to be kept fresh. Parents and staff have been briefed on the importance of food safety and the need to refrigerate perishable items to avoid potential risks. A new procedure has been implemented to prevent this non-compliance from reoccurring.
6. In response we continued our ongoing nose and hand hygiene education, reiterating to the children the importance of washing their hands after blowing their nose. Person in charge and educators will maintain

vigilance going forward and continue to encourage the children to practice good hand and nose hygiene. Educators will continue to educate the children on germs, hand hygiene, nose hygiene and infection control in an age-appropriate manner.

Administration of Medication:

7. To address the non-compliance the medication for the named child is no longer stored in the service as it is not required during their attendance. A care plan therefore was not necessary in this case. A care plan is in place for those who have a possible need for medication over the course of the preschool session. Management will continue to screen our enrolment forms of incoming children and will create and implement a care plan where it is required.

Supporting documentation submitted

General Safety:

1. Photographic evidence of communication with parents regarding the renewed procedure for children arriving late to the service.
2. Photographic evidence.
3. Corrective actions.
4. Corrective actions.

Infection Control:

5. Corrective actions.
6. Documentary evidence of staff training, review of service policy.

Administration of Medication:

7. Corrective actions.

Summary Comment

The corrective and preventive action taken by the registered provider have addressed the non-compliances identified on 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.

Compliance Information

(1) Three staff members held in date First Aid Responder (FAR) certification and were available to the children on the day of inspection.

(2)The first aid box within the service was suitably equipped.

(a) The first aid box was stored in an easily accessible and conspicuous position on the premises.

(b)The first aid box was available to the adults caring for the children at all times.

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 13 September 2024.

(b) A record was maintained of the number, type and maintenance of the firefighting equipment which was last serviced on the 27 October 2023.

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

Non-Compliance Information

(1)(b) An up-to-date record was not available for the maintenance of the smoke alarms in the service. The last recorded service was dated 18 September 2023.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1)(b) In response the service has stated that a service of the Smoke alarms and the fire safety system which will be carried out on Thursday 21st November 2024.

The service provider will arrange the yearly service and maintenance visit at this time to prevent a future non-compliance.

Supporting documentation submitted

(1)(b) Documentary confirmation of servicing.

Summary Comment

The corrective and preventive action taken by the registered provider have addressed the non-compliance identified on inspection.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

An insurance certificate commencing on the 28 March 2024 demonstrated that the service had adequate insurance for the number of children present.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-
(e) equipped with adequate and suitable sanitary facilities.

Non-Compliance Information

(e) The service was not equipped with adequate sanitary facilities for the number and age profile of the children in attendance. During the inspection there were 25 children aged from 2.5 years to 4 years of age using 2 toilets and 2 sinks. An additional toilet and sink were required as one toilet and 1 sink are required for every 11 children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(e) In response the service has stated that they are in discussion with the escalation and enforcement department of the inspectorate to determine if the third sanitary facility available in the service can be used to facilitate the early years children. If this is not suitable, they will revert to their registered number of children.

Supporting documentation submitted

(e) Documentary communication with the inspectorate.

Summary Comment

The service in communication with the National Registration Enforcement Panel will revert to their registration status of 22 children by December 2024. Regulatory compliance is outstanding until this has been actioned.

Part VII - Premises and Space Requirements

Regulation 30 - Minimum space requirements

(1) Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.

(2) A registered provider of a full day care service or a part-time day care service shall ensure that the minimum amount of clear floor space specified in column (3) of Schedule 7 opposite a particular reference number specified in column (1) of that Schedule in respect of the age range of children specified in column (2) thereof at that reference number is available for each child in that age range attending the service.

(3) A registered provider of a sessional pre-school service or a pre-school service in a drop-in centre shall ensure that a minimum of 1.818 square metres of clear floor space is available for each child attending the service.

Non-Compliance Information

(1) Adequate clear floor space was not available to the children present in Room 1 of the service during the operation of the service.

(2) and (3) The clear floor space available to the children in Room 1 was measured as 12.78m².

The 8 children present in the room required 14.54 m² during the operation of the sessional service and 18.6 m² during the operation of a part time service. Children require adequate space within the care room to enable them to move freely and expand their play opportunities fully.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1) The service responded that they have increased the number of children that can be accommodated in Room 2 to ensure that a maximum of 7 children are in Room1. Going forward we will measure all rooms if any further changes are carried out in the service to ensure we have adequate space.

Supporting documentation submitted

(1) Corrective action.

Summary Comment

The corrective and preventive action taken by the registered provider have addressed the non-compliances identified on inspection.