

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015FL156
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Name of Service:	Marbles Creche & Montessori
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Address of Service:	Unit 10 Boroimhe Shopping Centre, Boroimhe, Swords, Co. Dublin
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Eircode:	K67 R252
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Name of Registered Provider:	Anne Hartford
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Service type:	Full Day
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Date of Inspection:	31/10/2023
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No of pre-school children:	AM	38	PM	36
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Address of the Early Years Inspectorate:	180-189 Lakeshore Drive, Airside Business Park, Swords, Co Dublin K67 Y5C6
Inspection undertaken by:	AM Coyle & S Cully
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

Marbles creche & Montessori is a privately owned and operated Early years' service which is located in a purpose-built building alongside a shopping centre in Swords, Co Dublin. The service provides full time, part time and sessional pre-school care and education to children from 1 year until they commence attendance at primary school. The service participates in the Early Childhood Care and Education scheme (ECCE) and currently operates from 07:45 am – 6:15 pm Monday to Friday including a morning and afternoon sessional service. The service also provides care to school aged children. There are 5 care rooms in the service namely the Wobbler room, Toddler room, Small Montessori room, Full day Montessori room and the ECCE sessional room which was closed on the day of inspection. An enclosed outdoor area is located to the rear of the service in addition to the courtyard garden which is located in the centre of the service.

Staffing

The service employs a total of 23 staff members, eighteen staff members including the registered provider work directly with the early year's children attending the service. The registered provider is not allocated to a care room but is available to provide support across all care rooms as required.

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.

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

(1) A registered provider shall ensure that-

- (a) the service has a designated person in charge and a named person who is able to deputise as required,*
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and*

(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 was the designated person in charge of the service and there was a named person available to deputise as required.

(b) The person in charge in the absence of the registered provider was present and in charge of the service when the inspectors arrived unannounced on the morning of the inspection and the registered provider arrived in the service shortly afterwards.

A total of 23 staff files were reviewed including the file for the registered provider. Eighteen staff members work directly with the Early year's children attending the service.

(2)(a)(b) Two written, validated references were available for the 23 staff members whose files were reviewed.

(c) Garda vetting disclosures were available for the 23 staff members who were or may be present during the service's operational hours.

(d) International police vetting was available for 4 staff members who had resided outside of the Irish jurisdiction for more than 6 consecutive months as an adult.

(4) Documentary evidence was available to confirm that 15 staff members whose files were reviewed and who work directly with children in the service held an appropriate childcare qualification at Level 5 or higher on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent.

Non-Compliance Information

(d) International police vetting was not available for 2 staff members who had resided outside of the Irish jurisdiction for more than 6 consecutive months as an adult.

(4) Documentary evidence was not available to confirm that 3 staff members whose files were reviewed and who work directly with children in the service held an appropriate childcare qualification at Level 5 or higher on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

(d) Police vetting has been received of staff member 1 for the jurisdiction in which they resided and is included with this CAPA.

Staff member 2 required Police vetting for 2 jurisdictions. Police Vetting for one has been received and is included with this CAPA. The police vetting for the second jurisdiction has been applied for (Receipt for same included with this CAPA) and is expected to be received by the start of January 2024.

(4) All 3 employee's qualifications are included with this CAPA to show that they meet the educational regulatory requirements.

Preventive Action

(d) Going forward all new staff who requires Police Vetting will not be allowed to commence work until Police Vetting forms have been received by the setting.

(4) Going forward all staff qualifications will be kept in their respective staff files.

Supporting documentation submitted

(d) Police vetting for 2 of the 3 jurisdictions that 2 staff members resided in. Evidence that one of the staff member has applied for police vetting from the third jurisdiction has been received.

(4) Evidence of appropriate childcare qualifications for 3 staff members has been received.

Summary Comment

The non-compliance in relation to staff qualifications has been adequately addressed.

As police vetting remains outstanding for one of the three jurisdictions that staff members required police vetting from, the regulatory requirement for regulation 9 – Management and recruitment remains outstanding.

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) On the day of inspection there was an adequate number of staff members working directly with the children attending the service.

(2) The adult to child ratios were correct in the service when the inspectors arrived unannounced at 09:10am the service and remained so throughout the inspection.

The following adult to child ratios were observed during the inspection:

- In the Wobbler room there were 9 children aged 14 months to 1 year 9 months being cared for by 2 staff members.
- In the Toddler room there were 9 children aged 2 years 1 months to 2 years 8 months being cared for by 2 staff members.
- In the Small Montessori room, there were 5 children aged 3 years to 3 years 6 months being cared for by 1 staff member.
- In the Full-day Montessori room there were 15 children aged 2 years 11 month to 4 years being cared for by 4 staff members.
- The Busy Bees Playschool room was not operational on the day of inspection.
- The Sessional ECCE room accommodated school aged children on the day of inspection.

(8)(a) The registered provider ensured that 2 adults were present on the premises at all times, verified by staff rosters and staff attendance records maintained at the service.

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:

- All meals and snacks consumed by the children attending the service on a full day care basis were provided by the service. The service has a designated member of staff who prepares children's meals and snacks. Children attending the service on a sessional basis bring their own morning snack with them from home. Mealtimes were observed to be relaxed and sociable, the staff members sat with the children engaging them in conversation whilst encouraging them to eat and provided assistance as required. In the Wobbler room the staff members sat in front of the younger children who were fed in highchairs and at a low-level table and warmly engaged with the children at their eye level.
- Children who required nappy changing had their nappies changed on a regular schedule and more frequently as required. Older children accessed the toilet independently with support and guidance provided as needed. The personal care needs of the children were attended to promptly as evidenced by bibs being placed on the younger children to protect their clothes while eating and children's faces were cleaned after eating.
- Rest areas consisting of appropriately sized couches, floor mats and cushions were provided in the care rooms for the children to take a rest from activities throughout the day. The children attending the Wobbler room slept in cots that were placed in the care room after the children had their dinner and the children attending the Toddler room slept on sleep mats on the floor of the care room following dinner.
- The staff members in the care rooms were sensitive and responsive in promoting positive behaviours. When minor disputes arose in the care rooms the staff members supported the children to find positive solutions.
- The children attending the service enjoyed time in the outdoor play area on the day of inspection.

Supporting relationships around children:

- Staff were observed throughout the service interacting with children in a warm, caring and sensitive manner. Staff working in the Wobbler room spoke in warm gentle tones and provided reassurance and encouragement when children were unsure or upset and were observed to place themselves close to children providing a sense of security whilst allowing the children the freedom to explore and investigate.
- In the Toddler room, the 2 staff who were present were not usually assigned to this care room, however the staff were observed to work well with the children, and the children seemed familiar with the staff calling their names and looking to them for help and comfort. The 2 staff members worked well together to meet the children's needs and provide nurturing care. This suggests that the whole staff team have supportive working relationships together and with the children in order to provide continuous care when staff are absent from the service.
- The staff in the Wobbler and Toddler room complete a daily record of the children's activities, eating, sleeping and toileting which they share with parents. Additionally, staff were observed updating parents on their children's progress at drop off and collection.
- Throughout the service staff members were observed to support each other in the care of the children and regularly updated each other in relation to the care of the children particularly around staff break times. This practice ensures a smooth transition of care for the children.

Physical and material environment:

- Throughout the care rooms the play materials and equipment were displayed and accessible on low level shelving to promote the children's choice and independence when selecting their play opportunities.
- Tables and chairs provided in the care rooms were appropriate to the age and stage of the children attending the individual care rooms.
- A range of books were available throughout all of the care rooms to support the children's language and reading development.
- An outdoor play area was available to the rear of the service. The outdoor play area was divided by fencing into 2 separate sections, one section was used by the children attending the Wobbler and Toddler room and the second area accommodated the children attending the Small Montessori room, the Full day Montessori room and the ECCE sessional room and the entire area was covered with a safety surface. The area used by the children attending the Wobbler and the Toddler room contained 2 small climbing frames one of which had a slide and a selection of ride on toys. The section for Small Montessori and Full day

Montessori had a large climbing frame, bikes, scooters, seesaw and a rocking horse. The Courtyard garden is located in the centre of the service this area was partially roofed and used by the sessional Montessori class or by other rooms who wanted access to sand/water trays, slides, picnic table and mud kitchen.

Non-Compliance Information

Basic needs:

1. The sleep needs of one of the children attending the Wobbler room were not met in a timely manner. The child was observed showing signs of tiredness including irritability, crying and eye rubbing at 11 am while in the outdoor play area and was not placed to sleep until 11:30am. Children must be facilitated to sleep when they exhibit signs of tiredness.

Physical and material environment:

2. There was a lack of natural and sensory materials in the Wobbler and Toddler room in order to facilitate sensorial play experiences or encourage the children's creativity and imagination, materials available in these rooms were predominantly plastic.
3. The areas of interest in the Wobbler and Toddler room were poorly resourced for example, in the Wobbler the home area had no additional materials to enable the children to extend their play and the sink was missing from one of the kitchen units that was available. In the Toddler room, the home area did not have enough additional materials for meaningful play. For example, a child was heard saying they were making a cup of tea, but there were no materials available to support or extend this play.
4. The kitchens in the outdoor area to the rear of the service did not have any play materials available to facilitate the children in extending their play.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

Basic Needs:

1. Staff have been reminded that children who show signs of tiredness must have sleep facilitated for them.

Physical and material environment:

2. Additional natural and sensory materials have been added to the room.
3. The rooms have been laid out into areas of interest – home corner, construction area, book corner and soft play area and additional resources have been introduced.
4. The kitchen in the outdoor play area has been fully resourced with sand and utensils.

Preventive Action

Basic Needs:

1. Management will monitor on an ongoing basis that a child's need for sleep is facilitated, as required.

Physical and material environment:

2. Management and staff will monitor on an ongoing basis that all rooms and the garden will continue to be fully equipped.

Supporting documentation submitted

Photographic evidence of the environments in both the Toddler and the Wobbler room received.

Summary Comment

The evidence submitted by the registered provider in relation to regulation 19 - Health, welfare and development of child has been reviewed and accepted and will be reviewed at the next inspection of the service.

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 doors leading into the service were appropriately secured to prevent children from exiting the service unsupervised and preventing unauthorised persons gaining access to the service.
- The kitchen was inaccessible to the children.
- Emergency exits were unobstructed.

Infection Control:

- Thermostatically controlled warm water, liquid soap and paper hand towels were provided to support effective hand hygiene in the sanitary accommodation in the service.
- The premises, play equipment and materials were in a clean and hygienic condition.

Administration of Medication:

- Medications were stored out of the reach of children. No children were observed having medication administered on the day of inspection.

Safe Sleep:

- All children aged less than 2 years had access to a standard cot in the service to sleep in.

Fire Safety:

- Documentary evidence was available to confirm that fire drills are completed on a monthly basis in the service.

Non-Compliance Information

General Safety:

1. A hole was present in the impact absorbing covering in the section of the outdoor area used by the children attending the Full day Montessori room which is a trip hazard for the children using this area.
2. Cleaning agents including window cleaner and antibacterial wipes, and bubble solution were in the toilet of the Small Montessori room on a ledge that was easily accessible by the children.
3. The door to the staff room, which is located in the Small Montessori room, was not locked and could be accessed by the children at the time of inspector's arrival to the room at 9.10am. The staff room is a source of hazards including staff belongings, electronic equipment, hot water, and should be secured at all times to prevent access by children.

Infection Control:

4. The steps in the services nappy changing policy were observed not to be followed as evidenced by the following:
 - Some of the children's hands were observed not to have their hands washed following nappy changing.
 - A staff member was observed not to wash their hands in between changing children's nappies.

Administration of Medication:

5. Medication administration forms were not signed by children's parents on collection as a means of ensuring that parents were aware that their children had medication administered while attending the service.

Safe Sleep:

- Sleep checks were not conducted and documented at 10-minute intervals. A child from the Wobbler room was placed to sleep at 11:30am, at 12:30pm no further sleep checks had been documented. All sleeping children must be checked individually every 10 minutes observing and recording the child's colour, position and breathing pattern.

Action submitted by the Registered Provider

Corrective Action

General Safety:

- The hole in the soft play area has been repaired.
- Cleaning agents have been removed to a secure location and a sign has been put up reminding staff not to store cleaning products in this location.
- Staff have been reminded to keep the staff room door locked when not in use. A sign has been placed on the door to remind staff.

Infection Control:

- Staff have been retrained to ensure that nappy changing policy and procedure is adhered to on an ongoing basis.

Administration of Medication:

- Service's medication forms have been updated to allow for parents to sign on a daily basis if their child has been given medicine.

Safe Sleep:

- Staff have been retrained to ensure that sleep monitoring charts document the 10-minute check intervals each time carried out.

Preventive Action

General Safety:

- 3. The above points will be included in service's daily risk assessment and monitored by staff and management of an ongoing basis.

Infection Control:

- Management will monitor that the nappy changing procedure is adhered to on an ongoing basis.

Administration of Medication:

- New medication forms are to be used within the setting going forward.

Safe Sleep:

6. Management will monitor on a daily basis to ensure that this is carried out.

Supporting documentation submitted

Photographic evidence of the following was received.

The hole repaired in the surface of the outdoor play area.

Notice on staff room door.

Sign indicating cleaning products are not to be stored in the area accessible to the children.

Copy of the medication administration record.

Summary Comment

The evidence submitted by the registered provider in relation to regulation 23 - Safeguarding health, safety and welfare of child has been reviewed and accepted.

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) A person trained in first aid including first aid responder (FAR) training was immediately available to the children attending the pre-school service as evidenced in the staff roster and the in-date FAR certifications provided for inspection in respect of a number of staff members.

(2)(a) and (b) The first aid boxes were suitably equipped and safely stored in readily accessible positions on the premises, out of the reach of children.

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 firefighting 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 record was maintained of fire drills which had been completed in the service. The most recent fire drill recorded as having taken place on 09/10/2023.
- (b) A record was kept of the number, type and maintenance of the firefighting equipment and smoke alarms in the premises. The fire extinguishers were certified as having been serviced in October 2023 and the smoke alarms were serviced on the 28/09/23.
- (4) Notices of the procedures to be followed in the event of a fire were conspicuously displayed in the premises.