

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015FL207
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Name of Service:	Market Green Montessori
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Address of Service:	25 New Market Green, Balbriggan, Co. Dublin
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Eircode:	K32 X856
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Name of Registered Provider:	Fiona Halligan
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Service type:	Sessional
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Date of Inspection:	23/04/2024
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No of pre-school children:	AM	13	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

Market Green Montessori is a sessional early years service which is operated from one pre-school room on the ground floor of the registered provider's family home located on a residential street in Balbriggan in north County Dublin. The service was established by the registered provider in 2009 and is registered to accommodate a maximum of 19 pre-school children aged between 2 and 6 years attending on a sessional basis. Market Green Montessori participates in the Early Childhood Care and Education (ECCE) scheme from 9.30am to 12.30pm each weekday. School aged children are not accommodated in the service. The pre-school children have access to a fully enclosed outdoor play area in the owner's garden to the side of the premises.

Staffing

The registered provider and 2 staff members work in the service on a daily basis, each of whom work directly with the pre-school children. One of these 2 staff members is employed to reduce the adult to child ratio, and when necessary to work directly with children with additional needs, a post which is funded by the Minister as part of the Access and Inclusion Model scheme.

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 9, 11, 15, 19, 23, 24, 25, 26 and 28, however, on inspection a non-compliance which posed a risk was identified under Regulation 29. These findings are outlined within the relevant regulations within this report.

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 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, 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 is the designated person in charge of the service and a named staff member is appointed to deputise in the absence of the registered provider when required.

(b) The registered provider was present and in charge of the service when the inspector arrived unannounced to the service at 9.30am on the day of inspection.

The staff files for the registered provider and the 2 staff members were reviewed.

(2)(a)(b) There were 2 written validated references available for the registered provider and for the 2 staff members employed in the service.

(a) Five of the 6 written references available were from past employers.

(b) One of the 6 written references available was from a source other than a past employer.

(c) Garda vetting disclosures were available for the registered provider and for the 2 staff members. 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 staff member who has lived outside the Irish jurisdiction for more than 6 consecutive months as an adult.

(4) The registered provider and both staff members held a major award in Early Childhood Care and Education at Level 5 - 6 on the National Framework of Qualifications (NFQ).

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.

(2) The registered provider and 1 staff member were working directly with 13 pre-school children aged 3 years 5 months to 4 years 8 months, all attending the service on a sessional basis, on the day of inspection. The staff member who was employed to reduce the adult to child ratio, and when necessary, to support children with additional needs as part of the Access and Inclusion Model scheme was absent on the day of inspection.

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.*

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

- (a) a parent or guardian of a pre-school child but only in respect of the record relating to that child,*
- (b) an employee who is authorised in that behalf by the registered provider, and*
- (c) an authorised person.*

Compliance Information

(1) The registered provider ensured a record in writing was available in respect of all 15 children attending the service with each form found to contain the required information as specified in (a) to (j) in this regulation.

(3)(c) The children's records were open to inspection as requested by the inspector as an authorised person.

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 are examples of how each child's learning, development and well-being was facilitated in the service:

Basic Needs:

- The registered provider and staff member spoke positively to and about the children during the inspection and were very responsive to the children's individual needs, likes and preferences.
- The children brought their own packed lunches and drinks from home to the service. The registered provider and staff member sat with and chatted to the children at snack time, encouraging conversation and extending interactions.
- All the children were toilet trained and used the toilet independently with discreet supervision and assistance provided by the registered provider and staff member when required.
- A floor cushion and child-sized armchair were provided in the pre-school room for children to rest and opt out of activities if they wished during the day.
- All children were afforded the opportunity for a change of environment in the outdoor play area and were dressed appropriately prior to going outside.

Supporting Relationships around Children:

- Warm and positive interactions were observed taking place between the registered provider, the staff member and the children during the inspection. Both adults were observed displaying anticipation and appropriate responsiveness when children experienced challenges within the environment and when children chose to change or opt out of activities or seek movement to an alternative environment.
- The registered provider and staff member were observed supporting children to regulate their behaviour and emotions by talking to them about their feelings, and by encouraging and affirming positive

interactions with other children. Both adults were observed using distraction and re-direction promptly and appropriately to effectively prevent minor issues from escalating.

- The inspector observed that children’s transitions were very well supported using visual and verbal strategies. Upcoming activities were signalled by the registered provider and staff member who announced the countdown to tidy-up time in minutes and tidy-up songs were used to signal and prepare children for up-coming activities and facilitate their participation in the tidy-up routine.
- A softwear application was used on a weekly basis to share photographs of the children engaged in activities in the service. The registered provider stated that parents were also contacted by phone when required. In addition, parent-teacher meetings were held each May to allow parents and the registered provider discuss each child’s progress and development.

Physical & Material Environment:

- The pre-school room laid out in a variety of designated interest areas including a home corner, arts and crafts area, construction area and library area, all suitably equipped with a range of supportive play materials and books which facilitated child-led play experiences. A range of specialist Montessori equipment was also provided.
- The play materials and equipment were stored on low open-fronted shelves which were accessible to the children.
- Family photographs were on display which supported the children to develop a sense of belonging and connectedness in the service and bridge the gap between the service and home.
- The children had opportunities for sensorial play activities throughout the inspection. For example, on the inspector’s unannounced arrival to the service a number of children were observed building models with playdough while a large sandbox was provided in the outdoor play area.
- The service fostered a sense of belonging in the local community with a hard-backed book available to the children which contained photographs of a number of local schools, park, library, train station, the local beach and lighthouse, playground, cinema, supermarkets, ice cream parlour and indoor play centre.
- The outdoor play area located in the registered provider’s garden to the side of the premises was mainly surfaced in natural grass, with a concrete path in place along the edge of the premises and a paved area in one section. Play materials outdoors included a tray-top activity table with sand and stones, a large lidded sand box, an outdoor kitchen, a basket swing and slide set, sturdy logs and a raised wooden planting box with parsley, chives, sage and strawberry plants growing.

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 doors and garden gates were appropriately secured to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the premises. A bell was in place at the tall entrance gate to allow parents or visitors notify the registered provider of their arrival to the service.
- Cleaning agents were stored safely on high shelving out of the reach of children.
- The warm water temperature in the sanitary accommodation did not exceed the recommended maximum water temperature of 43°C which reduced the risk of scalding for the children.
- The play materials and equipment provided in the service were stored on stable-based low level shelving which reduced the risk of the furniture toppling over and causing injury to a child.

Infection Control:

- Up to date cleaning schedules were on display in the service.
- Thermostatically controlled warm water, liquid soap and paper hand towels were provided to support hand hygiene in the sanitary accommodation of the service.
- The children in the service were encouraged by the registered provider and staff member to wash their hands under supervision before eating, after using the toilet and following outdoor and messy play.
- The outdoor sand box was covered when not in use to prevent contamination by animals and birds.

Administration of Medication:

- There were forms available to record the details of any medication administered to a child in the service, should the need arise.

Outing:

- The registered provider stated that children were not taken on outings from the service.

Part VI - Safety

Regulation 24 - Checking in and out and record of attendance

(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.

(3) A registered provider shall ensure that-

(a) no person other than-

(i) pre-school child attending the service,

(ii) a person dropping or collecting such a child,

(iii) an employee, or

(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and

(b) a daily record in writing is kept of the entry on the premises of any such person.

Compliance Information

(1) The service maintained accurate details of all children in attendance during the inspection. The children were entered as present on electronic devices noting each child's arrival and departure time on a daily basis.

(3)(a)(b) A system was in place to ensure that no person other than the children and their parents or guardians, employees, approved students or authorised visitors could enter the service. A visitor's book was maintained and on arrival to the service on the day of inspection the inspector was requested to record her attendance on the premises and the purpose of the visit.

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) The registered provider held in-date First Aid Response (FAR) training and she stated that she was always on the premises when the service was in operation, ensuring that a person with FAR training was at all times immediately available to the children attending the service.

(2)(a)(b) The first aid boxes were suitably equipped and easily accessible to the staff and available at all times for the children attending the service.

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 record was maintained of fire drills which had been completed in the service. The last recorded fire drill took place on 22/03/2024 with the records indicating and the registered provider confirming that fire drills took place on a monthly basis.

(b) A record was kept of the number, type and maintenance of the fire fighting equipment and smoke alarms in the premises. Fire extinguishers were certified as having been serviced on 13/03/2024 and the smoke detection system on 11/03/2024.

(4) A notice of the procedures to be followed in the event of a fire was conspicuously displayed in the pre-school room.

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 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-

- (c) kept adequately lit, heated and ventilated,*
- (e) equipped with adequate and suitable sanitary facilities.*

Compliance Information

(c) The ambient temperatures of the care room and the sanitary accommodation was found to be within the optimum care room temperature range of 18-22°C on the day of inspection, reading 20.2°C at 9.45am.

Non-Compliance Information

(e) The children's sanitary accommodation which was accessed directly from the care room had 2 toilets located side by side but there were no partitions or screens in place to give privacy to the pre-school children when using the toilet.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated the following corrective action will be undertaken:

Corrective Action:

To install a partition in the bathroom to provide privacy for the children when using the toilet. Work to be completed by 4th September 2024.

Summary Comment

The non-compliance under Regulation 29(e) remains outstanding as evidence has not been submitted to demonstrate that privacy partitions and doors have been put in place.

Once completed, the registered provider is required to submit evidence that a partition and doors have been installed and the suitability of this will be assessed at the next inspection.