

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015FL222
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Name of Service:	Mo's Montessori
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Address of Service:	Baldoyle Community Centre, Main Street, Baldoyle, Dublin 13
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Name of Registered Provider:	Maureen Phelan
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Service type:	Part Time, Sessional
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Date of Inspection:	22/10/2024
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No of pre-school children:	AM	29	PM	7
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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
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.

Description of service

Mo's Montessori is a private childcare service which provides part time and sessional education and care to children aged from 2 years 8 months to 6 years of age. The service operates from 9-2pm and 1-4pm Monday to Friday and participates in the Early Childhood Care and Education (ECCE) scheme.

The service is located in an urban area of Dublin city and operates from two prefabricated buildings to the rear of Baldoyle Community Centre, namely; Room 1 and Room 2. The service has access to an enclosed outdoor play area to the rear of the premises.

Staffing

The service employs six members of staff to include; the registered provider who is the designated person in charge and five childcare staff, one of whom is employed under the Access and Inclusion (AIM) scheme. There were six staff present on the day of inspection working directly with the children along with a support worker from an external agency.

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 The Child Care Act 1991 (Early Years Services) Regulations 2016.

- Regulation 9 Management and recruitment (2)(a)(b)(c)(d)(4) (6A,)
- Regulation 11 Staffing Levels (1)(2),
- Regulation 15 Record of a Pre-School Child,
- Regulation 19 Health, Welfare and development of Child (1)(a),
- Regulation 21 Equipment and Materials,
- Regulation 23 Safeguarding Health, Safety and Welfare of child,
- Regulation 25 First Aid and
- Regulation 26 Fire Safety measures.

However, on inspection an additional non-compliance was identified under Regulation 8 Notification of Change in Circumstances. These findings are outlined 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 all 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 22 October 2024 in relation to Regulation 23- Safeguarding, Health, Safety and Welfare of Child. Please see body of report for details

- On the 22 October 2024 the registered provider responded to the immediate action notice with the measures implemented within the service to mitigate the risk identified.

Acknowledgments

The inspector wishes 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 an early years' service from 9am-2pm and 1-4pm Monday to Friday. However, on review of the roll book it was observed that a child has been present in the service from 8:45am on 11 occasions since the 30 September 2024. This is at variance with the service registered status.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1) In response the service has stated that the child that attended at 8.45am from 14th October 2024 is no longer coming at that time. This situation will not arise again as children will only attend Mo's Montessori within the operating hours of 9am-2pm and 1-4pm.

Summary Comment

The registered provider has addressed the non-compliance through the corrective and preventive action taken.

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.

(6) Paragraph (4) shall not apply before 1 September 2021 to a person who-

(a) has signed a declaration on or before 30 June 2016 to the effect that he or she intends to retire from employment in a pre-school service before 1 September 2021, and

(b) is in possession of a letter from the Minister confirming that paragraph (4) shall not apply to him or her before that date.

(6A) is inserted by S.I. No.632 of 2016 CHILD CARE ACT 1991 (EARLY YEARS SERVICES) (AMENDMENT)

REGULATIONS 2016 which states; Regulation 9 of the Child Care Act 1991 (Early

Years Services) Regulations (S.I. No. 221 of 2016) is amended - in paragraph (4), by the substitution of “paragraphs (5), (6) and (6A)” for “paragraphs (5) and (6)”, and (b) by the insertion of the following paragraph after paragraph (6): “)

(6A) Paragraph (4) shall not apply to an employee of a registered provider where - (a) the registered provider receives funding for the employment of the employee pursuant to a scheme funded by the Minister and known as the Access and Inclusion Model, and (b) the employment of the employee is for the purpose of providing support,

pursuant to the scheme referred to in subparagraph (a), for a child attending the service to enable the child to participate in the programme known as the Early Childhood Care and Education (ECCE) funding Programme.”

Compliance Information

(2) The staff files of six staff employed in the service along with two support workers from an external agency were reviewed.

(a)(b)

- Two written references were available for the registered provider along with two validated written references for five staff employed and working in the service from recent past employers or a source other than a past employer.
- Three written references were available for the two support workers from an external agency.

(c) Garda Vetting disclosures were available for six staff members and two support staff from an external agency. 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 one country in respect of one staff member who had resided outside of the jurisdiction for more than 6 months as an adult.

(4) On review of documentation available four staff members working with the children had evidence to demonstrate that they held a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications.

(6)(A) One staff member was employed under the scheme Access and Inclusion Model (AIM).

Non-Compliance Information

(2)(a)(b)

1. Three written references for the two support workers were not validated.
2. One support worker did not have a second validated written reference.

(d) Police vetting was not available for two staff working in the service who had lived outside the jurisdiction for longer than six months as an adult.

(4) Two staff members employed by the registered provider did not have evidence to demonstrate that they held a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a)(b)

In response the service has stated that the references have been received and validated. The service will ensure that all references, including those from outside agencies, are contacted, validated and a written record is maintained.

(d)

- In response the registered provider has stated that following the inspection it was confirmed that one staff member spent less than 6 months outside the jurisdiction and therefore does not require police vetting.
- The second staff member has started the process to obtain vetting from the necessary country.

(4) In response the registered provider has stated that one staff member's college award is now attached. The second staff member is no longer working in the service.

Supporting documentation submitted

(2)(a)(b) Evidence of references and validations.

(d) Police vetting.

(4) Childcare qualification for one staff member.

Summary Comment

The registered provider has addressed the non-compliances as identified.

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)(a) a registered provider of a preschool service other than a child-minding service or a sessional preschool 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 6 adults working with 29 children aged between 2 to 6 years of age in the morning and 4 adults working with 7 children in the afternoon.

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

Room 1: Four adults caring for 18 children aged between 3-5 years.

Room 2: Two adults caring for 11 children aged between 2-4 years.

In the afternoon there were 4 adults caring for 7 children aged 2-4 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 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)

Basic Needs:

Snack time was observed to be a relaxed and sociable occasion with staff sitting with the children and having conversations. Food from home was available to the children and consisted of sandwiches, cheese, yogurts, fruit and vegetables. Children that attended the part time session were given the opportunity to sit and enjoy food later in the session. Children had drinks of water at snack time and throughout the day.

Staff encouraged the children to use the toilet independently and were available to supervise and assist with hand hygiene following toilet use. All children were observed in the outdoor play area on the day of inspection.

Rest areas consisting of soft seating, stools and floor mats were available should a child require a break from activities or decided to sit and read a book from the library.

Supporting Relationships:

Adults were observed to support children to enable them to interact positively with other children by diffusing minor disagreements between children appropriately and modelling social skills. Small group activities were implemented to enable staff to develop relationships with the children and support them in their play interests. Staff in the care rooms worked well together in providing care and support to the children.

Parents and guardians had the opportunity to speak with staff at drop off and collection and discuss their child's day and activities undertaken. Additional meeting with parents were arranged if required at an alternative time.

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

Physical and Material Environment

- The care rooms were bright and resourced with well-maintained toys and play materials. The children were observed to play with tabletop activities such as jigsaws and bead boards, floor play with connecting shapes, painting and gluing at the arts and crafts table and art easel, water play with dishes and funnels and playing house in the home and rest area with pots, pans, play food, cups, sauces and jugs. A construction area with blocks, bricks and cubes was also available.
- An area was available that comprised of Montessori equipment such as knobbed cylinders, button and bead boards and geometric puzzles. All materials and equipment in the care rooms were appropriate to the age and development of the child. The furniture provided in the room was low level and age appropriate for the children attending with equipment and play materials accessible.
- The enclosed outdoor play area consisted of a sand and bark surface. The opportunity for outdoor play for extended periods was incorporated into the daily curriculum of each care room. The materials in the outdoor area included a sand tray, mud kitchen (with pots, pans, bowls and rakes), a wooden playhouse, water tap with pots and pans, balance beam, climbing frame with a ladder and slide. The outdoor area had a view of the sea and coastline.

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 door to the service was secured to prevent unauthorised access or children exiting unsupervised. Toys and play equipment observed in use by children on the day of inspection were safe and in good working order. Cleaning products and hazardous materials were stored securely out of reach of the children.

Infection Control:

Children's hands were washed after outdoor play at low sinks in their respective care rooms. Tables were cleaned before and after snack and mealtimes. Adults washed their hands before assisting the children at snack time. The premises were observed to be maintained in a clean condition with warm water, liquid soap, paper towels and foot pedal operated bins available to facilitate appropriate hand hygiene practices.

Non-Compliance Information

General Safety:

1. The surface temperature of the radiator in Room 2 was recorded as 57.5°C at 10:04am, this is at variance with the maximum recommended temperature of 50°C. This increased the potential risk of burning a child. An immediate action notice was issued to the registered provider during the inspection and a response was received from the service on the 22 October 2024.

Infection Control:

2. Children's perishable food items such as cheese, yogurts and meats were not refrigerated on arrival to Room 2. This increased the potential risk of food borne infections.
3. Handwashing practice before meals were not consistently followed by all children. This increased the potential risk of cross infection.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. In response to the Immediate action notice the registered provider responded on the 22 October 2024 with the actions taken to reduce the risk identified on inspection.

The service stated that the control dial valve on the radiator has now been turned down and the service had engaged with a heating and plumbing engineer to review the radiator to ensure that the level is below the maximum temperature of 50°C.

Infection Control:

2. In response the service has stated that they are purchasing a new small fridge for the second class so they can easily put their lunches into the fridge and so they don't have to travel through a classroom and into the kitchen.

3. The two teachers running classroom 2 will ensure that the children always wash their hands, on arrival, after the garden and before the snack time.

Supporting documentation submitted

General Safety:

1. Corrective action.

Infection Control:

2. Documentary evidence.

3. Corrective action.

Summary Comment

The registered provider has addressed the non-compliances as identified through the corrective and preventive action taken.

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 Responder (FAR) certification was available to the children on the day of inspection.
- (2)
(a) and (b) Two first aid boxes were suitably equipped, accessible and available to the adults caring 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) The last recorded fire drill that took place in the service was 30 September 2024. Records demonstrated that fire drills are completed monthly.
(b) The number, type and maintenance of the firefighting equipment and smoke alarms was present in the service, the fire extinguishers were serviced on the 8 November 2023 and the smoke alarms on the 21 May 2024.
- (4)
A notice and diagram of the emergency exit route and the procedures to be followed in the event of an emergency were clearly displayed in the care rooms.