

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015FL226
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Name of Service:	Mulberry Montessori School
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Address of Service:	9 Mulberry Crescent, Castleknock, Dublin 15, Co. Dublin
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Eircode:	D15 A09W
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Name of Registered Provider:	Cathy Connolly
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Service type:	Part Time, Sessional
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Date of Inspection:	26/05/2023
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No of pre-school children:	AM	15	PM	8
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Floor 7 Brunel Building, Heuston South Quarter, St. John's Road West, Kilmainham, Dublin 8
Inspection undertaken by:	E. Finnegan Hayes
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

Mulberry Montessori School is a privately operated service providing Part-time care 9am-1pm and Sessional care 9am - 12pm daily for children aged 2-5 years. The service operates the Early childhood Education and Care (ECCE) scheme 38 weeks per year. The service operates from a single storey purpose-built building to the side of the registered providers home and consists of one care room with sanitary facilities. An enclosed outdoor area is available to the rear of the service.

Staffing

The registered provider employs two staff members and works directly with the children in the service herself. The registered provider and one staff member were present during the 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

This inspection was unannounced and focused on an examination of compliance under Regulation 9; (1)(a)(b), (2)(a)(b)(c)(d), (4), Regulation 11; (1), (3), Regulation 22, Regulation 23, Regulation 25; (1), (2)(a)(b), Regulation 27, Regulation 28. These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under
Regulation 22- Food and Drink,
Regulation 23 – Safeguarding Health, Safety and Welfare of Child,

Regulation 25- First aid,
Regulation 27- Supervision,
Regulation 28- Insurance.

Regulation 9 - Management and Recruitment was assessed in relation to all staff working in the service and
Regulation 11- Staffing Levels was assessed in relation to all children in attendance.

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 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
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.

(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)(b) There was a designated person in charge and a named person to assist when required. The designated person in charge was present in the service when the inspector arrived and remained there for the duration of the inspection.

(2) Discussion with the registered provider and a review of the staff attendance record showed that there are three staff employed to work directly with the children in the service including the registered provider. The files of all staff members were reviewed.

(a) Three written and verified references were available from a past employer in relation to 2 staff members.

(b) Three written and verified references were available from a source other than a past employer in relation to 2 staff members.

(c) Garda vetting disclosures were available in relation to all staff members.

(d) Evidence showed that none of the staff members required police vetting.

(4) Evidence was available to show that one staff member held at least a major award in Early Childhood Care and Education at Level 5 on the National Qualifications Framework

Non-Compliance Information

(4) There was no evidence to show that two staff members who work directly with the children held at least a major award in Early Childhood Care and Education at Level 5 on the National Qualifications Framework.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Both qualifications were submitted to the DCEDIY for review and were deemed to meet the minimum requirements.

Supporting documentation submitted

Documentation in relation to above has been reviewed by the inspectorate.

Summary Comment

The registered provider has addressed the non-compliance under Regulation 9.

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) The registered provider ensured an adequate number of adults were working directly with the children on the day of inspection.

(3) Ratios were maintained during the inspection. Two staff were caring for 15 children aged 3 to 5 years.

Part V - Care of Child in Pre-school Service

Regulation 22 – Food and drink

A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.

Compliance Information

Children bring lunches to the service on a daily basis; these are stored appropriately in the fridge to prevent spoiling of perishable items. The service implements a healthy eating policy which is communicated to parents and the service reports a positive partnership with parents in implementing the healthy eating policy. This was further evidenced by the lunches eaten by the children on the day which were observed to be healthy and contained a variety of food such as sandwiches, fruit and yoghurts. Children were observed to drink water from individual beakers during the session which were easily accessible to the children on a low shelf.

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 service entrance was securely locked when the inspector arrived at the service and remained secure throughout the day. This prevented children leaving the service unaccompanied.
- Staff were observed to attend the door to allow access to visitors which prevented unauthorised persons gaining access without staff knowledge.
- Equipment in the service both indoors and outdoors were maintained in good condition free from hazards.
- Barriers were in place on either side of the swing set to prevent injury to children moving around the garden while the swings were in use.
- Cleaning products were stored on a high shelf out of reach of the children.
- Finger pinch protectors were in place as needed.

Infection Control:

- The service was observed to be clean and well maintained.
- Handwashing was completed at regular intervals throughout the day for example children washed their hands on return from the garden immediately prior to eating.

Administration of Medication:

- A detailed care plan was available for a child who required emergency medication for an allergy. The plan and the child's medication were stored safely out of reach of the children but easily accessible in the event of an emergency.
- Temperature reducing medication was stored appropriately in the original packaging on a high shelf in the care room.

Fire Safety:

- Fire exits were unobstructed during the inspection.
- Staff were knowledgeable on the evacuation procedure in the event of an emergency.

Part VI – Safety

Regulation 25 - First aid

(1) A registered provider shall ensure that a person trained in first aid for children is, at all times, immediately available to the children attending the pre-school service.

(2) A registered provider shall ensure that a suitably equipped first aid box for children-
(a) is safely stored in an easily accessible and conspicuous position on the premises, and
(b) is available to the children attending the pre-school service at all times.

Compliance Information

(2)(a)(b) A suitably equipped first aid box was stored safely in the care room readily available and easily accessed if required.

Non-Compliance Information

(1) The registered provider did not ensure that a staff member trained in First Aid Response was available to the children at all times. On the day of inspection there was no evidence to show that any staff member employed in the service held up to date FAR certification. An Immediate Action Notice was issued to the provider.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider has registered on a course to complete FAR. The other staff members are looking at appropriate dates to complete the training. A record is now being maintained of all refresher training and will be monitored monthly /yearly to ensure this does not re occur.

Supporting documentation submitted

Documentation in relation to above has been reviewed by the Inspectorate.

Summary Comment

The registered provider has attempted to address the non-compliance under Regulation 25 however this will remain outstanding until FAR certificates have been submitted to the Inspectorate.

Part VI – Safety

Regulation 27 – Supervision

A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Compliance Information

The registered provider ensured adequate supervision at all times throughout the inspection. Staff were observed to position themselves appropriately in the care room and outdoor area to avoid blind spots. Staff were also observed to accompany children into the care room from the outdoor area when they needed to use the sanitary facilities.

Part VI – Safety

Regulation 28 – Insurance

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

Compliance Information

The registered provider ensured the service was adequately insured as a part-time service catering for 22 children at one time.