

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015FL309
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Name of Service:	The Montessori Way
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Address of Service:	27 Berwick Way, Swords, Co. Dublin
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Eircode:	K67 X2W2
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Name of Registered Provider:	Valerie Donnelly
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Service type:	Sessional
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Date of Inspection:	12/11/2024
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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

The Montessori Way was established by the registered provider in 2000 and is operated as a privately-owned sessional early years service which participates in the Early Childhood Care and Education (ECCE) scheme from 9.00am to 12.00midday each weekday for 38 weeks each year. The service is registered to cater for a maximum of 16 pre-school children aged 2 – 6 years. School aged children are not accommodated in the service. The Montessori Way is conducted from one pre-school room attached to the rear of the registered provider’s family home, located in a residential setting in Swords. The children’s sanitary facilities adjoin the care room while staff can access toilet facilities in the registered provider’s home. The service does not have access to outdoor play space and is not required to do so as it was registered as an early years service prior to 30/06/2016.

Staffing

The registered provider works directly with the children in the service on a daily basis and employs 1 core staff member who also works directly with the children.

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. 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.

Additional Information

An immediate action notice was issued to the registered provider in relation to the absence of Garda vetting disclosures for the relief staff member who was working in the service on the day of inspection and for the core staff member who was absent on the day of inspection. The registered provider provided written assurances of appropriate immediate actions taken to address the risk identified within 24 hours of issue. The registered provider stated that neither the core staff member nor the relief staff member would be present in the service until the Garda vetting disclosures were obtained and that this would not impact the services' ability to maintain adult to child ratios, with the registered provider engaging a different relief staff member for whom a Garda vetting disclosure was available. This response was accepted.

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*

(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

(1)(a) The registered provider was the person in charge and the core staff member was appointed to deputise in her absence as required.

(b) The registered provider was present and in charge of the service when the inspector arrived unannounced at 9.30am on the morning of the inspection and remained on the premises for the duration of the inspection.

A total of 3 staff files were reviewed, maintained for the registered provider, the core staff member who was absent on the day of inspection and for the relief staff member who was present.

(2)(a)(b) There were 2 written references available for the registered provider and 2 written, validated references available for the core staff member and for the relief staff member.

(c) Garda vetting disclosures had been obtained for the registered provider with this record demonstrating 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 adult who had resided outside of the Irish jurisdiction for more than 6 consecutive months as an adult.

(4) The registered provider held a major award in Early Childhood Studies at Level 8 on the National Framework of Qualifications (NFQ).

Non-Compliance Information

(2)(c) A Garda vetting disclosure was not available for the relief staff member (who was an adult female relative of the registered provider and who lived in the family home) who was working directly with the children in the service in a relief capacity on the day of inspection.

Additionally, a Garda vetting disclosure was also not available for the recently recruited core staff member who had been present and working directly with the children in the service on the days immediately preceding the inspection and who was scheduled to be present in the service on the days following the inspection.

An Immediate Action Notice was issued to the registered provider on the day of inspection in respect of this breach of Regulation 9(2)(c).

(3) Based on a review of the staff files maintained, it was evident that both the core staff member and the relief staff member were present in the service in advance of Garda vetting disclosures being issued to the registered provider by the National Vetting Bureau of the Garda Síochána in accordance with the Children and Vulnerable Persons Act of 2012.

(4) Neither the relief staff member who was working directly with the pre-school children in the service on the day of inspection nor the core staff member had certification available to confirm that they held a major award in Early Childhood Care and Education at a minimum of Level 5 on the NFQ.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated the following corrective actions and preventive actions have been undertaken:

Corrective Action

(2)(c) Garda vetting applications had already been applied for, in advance of the inspection and the registered provider was awaiting receipt of same. The service has since received Garda vetting disclosures for the two staff in question.

(3) The service had a different relief person, previously Garda vetted, as cover until such time as Garda vetting for the persons in question was obtained.

(4) The job was posted on multiple sites listing a minimum FETAC/QQI Level 5 award as a requirement.

While the registered provider was awaiting a suitable candidate, she arranged cover to meet the adult/child ratio with a family member.

Preventive Action

(2)(c) The service will ensure that no new staff start in the service until such time as the registered provider is in receipt of Garda vetting disclosures.

(3) The registered provider will ensure that only Garda vetted individuals will cover in the service.

(4) The registered provider has hired an individual with a Full Level 5 award in childcare who meets the requirements of the job advertisement and the early years regulations.

Supporting documentation submitted

- An advertisement placed by the registered provider on a sector-specific website in advance of the inspection seeking to recruit a new staff member.
- Copies of relevant Garda vetting disclosures (including for the new staff member recruited following the inspection).
- A copy of the new staff member's Level 5 childcare qualification certificate.

Summary Comment

An immediate action notice was issued to the registered provider in relation to the absence of Garda vetting disclosures for the relief staff member who was working in the service on the day of inspection and for the core staff member who was absent on the day of inspection.

The registered provider provided written assurances of appropriate immediate actions taken to address the risk identified within 24 hours of issue. This response was accepted.

The inspector reviewed the corrective actions and documentation submitted by the registered provider after the inspection. The non-compliances found on inspection under Regulation 9 have been adequately addressed.

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.

(3) The adult to child ratio was correct in the service for the duration of the inspection with 2 adults working directly with the 13 pre-school children aged 2 years 11 months to 4 years 7 months who were present during the session.

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) An assessment of compliance of children's records was carried out. Registration forms were available for all 16 children enrolled in the service as required and each form was appropriately completed as specified in sub-sections (a) to (i) in this regulation.

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 examples demonstrate how the registered provider ensured that each child's learning, development and well-being was facilitated in the service:

Basic needs:

- The registered provider and staff member interacted with the children in an interested and enthusiastic manner and were observed praising the children for kind actions, sharing, taking turns and saying please and thank you. The children were observed to seek out the registered provider and the staff member for assistance and comfort on a number of separate occasions during the inspection which was readily and positively provided by both adults in a caring manner.
- The children brought healthy snacks from home, in line with the healthy eating policy of the service. The adults were observed chatting with the children at snack time, encouraging conversation and extending interactions.
- All children were toilet trained and were facilitated to use the toilet independently with discreet supervision and assistance provided by the adults when required.

- Children were observed taking a break from activities and relaxing with books in sit-in plastic pods fitted with cushions during the inspection.

Supporting Relationships around Children

- The adults were observed working collaboratively to support children's play and learning. Regular informative interactions were heard taking place between the registered provider and relief staff member when planning and coordinating the implementation of activities during the inspection.
- On a number of occasions during the session the registered provider communication with the children using Lámh vocabulary as well as spoken English and the children responded confidently using both sign and spoken language.
- The service operated in partnership with parents. Parents were spoken to informally on a daily basis during drop off and collection. Folders containing the children's work was maintained for each child and made available to the parents on an ongoing basis. Parents were invited to attend the service for the children's Christmas concert and for the end of year graduation ceremony.
- The registered provider fostered links between the service and the local community with photographs available on the premises showing invited visitors attending the service including the lollipop lady, an Garda Síochána and fire service personnel.

Physical & Material Environment:

- The pre-school room was well resourced with a wide range of Montessori equipment which was freely available to the children throughout the session. The room, although not overly spacious, was well laid out in a variety of interest areas including practical life, sensorial, numeracy, language and cultural areas.
- Natural, wooden and ceramic materials were particularly evident and readily used in the service.
- Art supplies were provided and accessible to the children including a range of paint, brushes, paper, colouring pencils, crayons and adhesive.
- A broad range of books were available in the library area which supported children's language development.
- Representations of the children and their learning experiences were evident in the broad range of photographs provided in 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

The following are examples of measures undertaken by the registered provider to safeguard the health, safety and welfare of the pre-school children attending the service:

General Safety:

- The entrance door leading in to the premises was appropriately secured to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the service when the inspector arrived unannounced and for the duration of the inspection.
- The door connecting the pre-school room to the registered provider's family home was secured, making the residence inaccessible to the children during the inspection.
- The water temperature in the sanitary accommodation in the service did not exceed the recommended maximum water temperature of 43°C. This reduced the risk of scalding for the children in attendance.
- Cleaning agents were stored safely out of the reach of children.
- Safety scissors were available to the pre-school children in attendance, and used under adult supervision. These were stored safely with handles up and the blades inserted into a scissors rack when not in use. Scissors with sharper blades were stored out of the reach of children.

Infection Control:

- There was running warm water, liquid soap and paper hand towels provided for hand hygiene at the wash hand basins in the sanitary accommodation of the service. The children in the service were encouraged by the adults to wash their hands before eating, after using the toilet and after messy play.
- A refrigerator was available and used to store lunch boxes provided by the parents for the children's snacks. This reduced the risk of bacteria growth in perishable food items.
- The children's tables were observed to be appropriately cleaned prior to and following the morning snack.
- Up-to-date documented cleaning schedules were maintained in the service.

Administration of Medication:

- A medication administration record template was available in the service, to be used in the event of a child requiring medication to be administered when in attendance.

- No children were observed having medication administered on the day of inspection.

Fire Safety:

- The door leading into the service was clear and unobstructed.

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 registered provider maintained accurate details of all children in attendance during the inspection. The children were entered as present in attendance records, noting each child's arrival and departure times.

(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 log was maintained and on arrival 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) A training certificate was available to show that the registered provider held in-date first aid response (FAR) training and her scheduled attendance on a daily basis in the service ensured that a suitably trained first aider was at all times immediately available to the children when the service was in operation.

(2)(a) and (b) The first aid box was suitably equipped and safely stored in a readily accessible and conspicuous position on the premises and was available in the pre-school service 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 monthly fire drills completed in the service. The last recorded fire drill was carried out on 17/10/2024.

(b) A record was kept of the number, type and maintenance of the fire fighting equipment and smoke alarms in the premises. The fire extinguishers and the smoke detection system were both certified as having been serviced in September 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 up to 22 pre-school children attending the service on a sessional basis. The in-date policy was valid from 28/11/2023 to 27/11/2024.