

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015GY275
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Name of Service:	Top Marks Montessori
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Address of Service:	Father Sammon Centre, Monivea, Co. Galway.
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Eircode:	H65 H393
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Name of Registered Provider:	Hazel McNulty
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Service type:	Sessional
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Date of Inspection:	13/10/2023
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No of pre-school children:	AM	15	PM	N/A
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Address of the Early Years Inspectorate:	TUSLA - Child and Family Agency, Early Years Inspectorate, Quality Assurance Directorate, Clinical & Administration Building, Block A - (1st Floor- Green Corridor), Merlin Park, Galway.
Inspection undertaken by:	H. Heagney
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

This pre-school service relocated in 2023 to a playroom, behind Father Sammon Centre the community hall in the village of Monivea, Co Galway. The service operates an Early Childhood Care and Education (ECCE) pre-school care and sessional programme from 9.30hrs to 12.30hrs, from Monday to Friday. The service is registered for a maximum number of 22 pre-school children, at any one time. There is one playroom and sanitary areas. The children have access under supervision to the community centre hall during inclement weather. There is a designated outdoor play area to the rear. The service is registered for a school aged service with a breakfast club, and afterschool programme.

Staffing

The registered provider works in the service daily. There are three staff who hold a Quality and Qualifications Ireland (QQI) at a Level 5 to 7, in Early Childhood Care and Education. The staff have documentary evidence of on-going training, and education, with experience in working in childcare for several years.

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 announced and focused on the area of governance, health, welfare and development of child, safety, 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 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.*

(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) There was a designated person in charge and there was a named person available to deputise in the service.
- (b) The registered provider was the person in charge and on the premises when the early years inspector arrived and remained on site for the duration of the inspection.
- Documentary evidence indicated that either the designated person in charge or deputy were available, on the premises, when the pre-school children were present.
- The three staff files were reviewed.
- (2)(a)&(b) Six of the six written validated references on file in respect of the three staff were from a past employer or a source other than a past employer.
- (c) Garda vetting disclosures were available in respect of the three staff.
- (d) Documentary evidence indicated that one of the staff had lived outside the jurisdiction, for longer than 6 consecutive months, while over the age of 18 years, and had the required police vetting.
- (4) The three staff who worked directly with the children had evidence of Quality and Qualifications Ireland (QQI) Level 5 to 7, in Early Childhood Care and Education.

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)-*
- (c) a registered provider of a sessional pre-school service shall ensure that, where the person in charge operates the service single-handedly, a second person familiar with the operation of the service and in a position to provide assistance to the person in charge in operating the service is, at all times, within close distance of the service and available to attend the service to assist the person in charge in the event of an emergency.*

Compliance Information

- (1) At all times during the period of the inspection, the registered provider ensured that an adequate number of staff were working directly with the children.
- (2) Documentary evidence in the form of attendance records and staff rosters indicated that adult child ratios were adhered to.
- On the morning of the inspection, there were 15 children present. All children were aged between 2 years and 8 months to 5 years. There were three staff directly caring for these children.
- (8)(c) The registered provider ensured that there were two staff on the premises while the pre-school service was operating.

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.*

(4) A registered provider shall ensure that a record in writing referred to in paragraph (1) is retained for a period of 2 years from the date on which the child to whom it relates ceases to attend the service.

(5) A registered provider shall ensure that a record in writing referred to in paragraph (2) is retained for a period of 2 years from the date on which the child attends the service.

Compliance Information

(1)(a)(b)(c)(d)(e)(f)(g)(h)&(i)

The fifteen children’s records were reviewed by the early year’s inspector.

The entries were factual, consistent, and accurate.

The fifteen children’s records contained the following:

- The name and date of birth of the child.
- The date in which the child first commenced in the service.
- The date on which the child stopped attending the service (where relevant).
- The name and address of the child’s parent or guardian, and a telephone number where that parent or guardian (or a relative or friend of the parent or child) can be contacted during the hours of operation.
- Written authorisation / permissions for collecting the child.

- Details are recorded of any illness, allergy, or additional need(s) the child had, together with all the information relevant to the provision of specific care or attention.
 - The name and telephone number of the child’s registered medical practitioner.
 - A record of any immunisations the child has had.
 - Written parental or guardian consent was included to allow the child to have appropriate medical treatment if there was / is an emergency.
- (4)&(5) The registered provider advised and documentary evidence from file review indicated, that all relevant children’s records were kept for 2 years from the date a child stops attending 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.

Compliance Information

- Each child was given enough time to eat and enjoy their snacks without being rushed. The atmosphere during snack time was relaxed, with pleasant social interaction among the children and staff.
- The crockery, cutlery and drinking utensils used were suitable for the children’s ages and stage of development.
- The staff responded to children’s individual personalities, sensitivities and needs in relation to toileting and toilet training. The children had unrestricted access to the toilet and did not have to wait to use the toilet. Children were allowed to take their time during toileting. The staff encouraged and supported children to become more independent in toileting practices.
- Children were encouraged and supported to manage their own personal care appropriate to their own level of independence, and to develop self-help and personal hygiene skills.
- Children had plenty of opportunities to move themselves, to practice and improve their emerging skills, such as co-ordination and balance.
- The service supported the children in forming and sustaining positive relationships with the staff.

For example:

- assigning a key person to each child;

- showing respect for each unique child and developing their trust;
 - being actively involved in children’s play, where appropriate (initiating games, joining in when invited to by children);
 - behaving in a way that creates a positive atmosphere (having frequent social conversations, joint laughter and showing affection);
 - listening to the voice of the child as they communicate their needs, thoughts and experiences both verbally and non-verbally, by reading children’s cues, gestures and body language;
 - encouraging children to think critically, ask questions and respond to them in a way that promotes sustained shared thinking; nurturing and comforting children;
 - using soft tones, the child’s individual name, and getting down to their level and making eye contact.
- Visual aids (picture and word reminders) and instructions were displayed and used with the children to support their learning.
 - The atmosphere in the learning environment was encouraging and unhurried.
 - The children were supported to be confident about their identity and to have a strong sense of belonging each day while in the service.
 - The service respected and valued working with parents and guardians by sharing knowledge and observations of the child’s interests, strengths, developmental and care needs, approaches to learning, changes in their life, and any other concerns. The service provided parents and guardians with daily information, including significant events or activities involving their child, for example, verbal communication at drop of and collection times, and a learning journal showing, activities engaged in. There were curriculum planning, schedules, and upcoming events on display.
 - The staff collated for each child a profile scrapbook learning journal, showing the ‘child’s journey’ using observations and including samples of a child’s work. The themes in the profile journals to date included my first day at pre-school, colours, all about me, and photographs of children engaged in play and each child’s own artwork and drawings.
 - The staff adjusted the level of support provided to children depending on the child’s abilities, allowing for children’s partial participation and participation with support.
 - On the day of inspection, the children were observed at free play, at circle time, at story time, at construction, building, connecting, and at gluing and painting. The children played at pretend kitchen / house, and sorting stacking materials. The children were involved in role play and played games, puzzles, and insets. One child did the rugby ‘haka’ and another sang ‘Ireland’s call’.

The children played with small world furniture, little people, mix and match cards and bears. At story time, a staff member read a book about 'a falling star' and each child made a wish to the group. Every Friday, the children received an individual affirmation sticker. Before home time each child was given the opportunity to select a sticker 'a good job', 'you're a star', 'well done'.

On the day of inspection, in the outdoor area, the children were observed watering the plants, on the rocker, in the mud kitchen making soup and pancakes, and at role play. The children were observed riding on push cars and playing with transport vehicles. The children played with sand, making 'ice creams' and 'cakes', digging, scooping, and measuring. The children also enjoyed water play, scooping, measuring, and pouring water. The children played catch, and were observed hopping, running, sorting, and exploring.

- The staff listened to children in a caring, gentle way when they expressed emotions, and reassured them that it was normal to experience positive and negative emotions at times. The staff acknowledged and accepted children's feelings (positive and negative) and the relationships between children's actions and other's responses. For example, throughout the session the children were given choice on what to do next and take their turns and share materials.
- The staff were observed helping children to find solutions, supporting them, and talking to the children in a variety of ways, discussing, questioning, modelling, and commentating, extending a child's activities and initiating games and activities. The staff provided significant opportunities for the child to decide their play activities and experiences.
- The staff used positive strategies to support children's inclusion. For example, the inspector noted that they acknowledged a child's engagement in an activity 'that is great' 'well done' and used open ended questions such as 'what should we do next?', 'is there any other way to do this?', 'tell me about...', 'how did you...', 'is there anything else you could use' to allow children to critically think and explore.
- The staff supported children to enter social groups, and to learn to help and positively engage with other children. They encouraged and praised children for specific, positive, and appropriate behaviours. Children were given positive alternatives, rather than just being told 'no'. Children were supported in preventing, managing, and resolving conflict. Children could identify, name, and explore their feelings both positive and negative.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

(1) Subject to this regulation, a registered provider shall ensure that-

(a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child to play indoors and, where required by these Regulations, outdoors, during the day, and

(b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

(3) A registered provider of a full day care service, a part-time day care service or a childminding service, other than such a service to which paragraph (2) applies, shall ensure that-

(a) a suitable, safe, and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises.

Compliance Information

(1)(a) The playroom space was designed and arranged to:

- maintain a space that is clean, organised and free of clutter;
- accommodate children individually, in small groups and in a large group;
- divide into areas that were supplied with materials organised in a way to support children’s play and learning;
- give children with additional needs access to the same facilities, activities and play opportunities as the other children, to promote their welfare and development.

- The design, organisation and resourcing of the environment supported each child’s wellbeing, learning and development, within the ethos and philosophy of the service.
- The environment was comfortable, inviting and laid out to accommodate the needs of all children and staff in the pre-school.
- The environment provided a range of challenging, diverse, creative, and enriching experiences for all children in line with their stage of development. Staff encouraged the children to interact and to engage with a range of materials, activities, equipment in the indoor and outdoor environment, based on the child’s needs, choices, interests and age and stage of development.
- The children had access to enough varied materials and equipment, which were rotated to suit the changing programme, and the current and new interests and skill levels.

- Materials and equipment were arranged so they were visible and readily accessible to promote independent access by children. There were different interest areas provided, where equipment and materials of similar use were arranged or grouped together.
- There were play materials with a variety of colours, textures, shapes, and sizes to experiment with and explore freely available in the service. For examples: open-ended objects such as play dough, rolling pins, shape cutters, construction and building materials such as stacking shapes, magnets, links, connectors, threading material, buttons, velcro, pins, suckers, towers, rods, shapes, sandpaper numbers and letters, cutters, and blocks. There were problem solving items such as insets, a wooden clock, latch boards, puzzles, counters, timers, links, matching cards, frames, games, and jigsaws. There were measuring and pouring items, such as jugs, scales, bowls, and containers. There were role play areas such as kitchens, shops, houses, and construction tables with trolley, registers, weighing scales, utensils, and tools. There was a selection of hair heads, vanity and hair dressing items and a hospital medical equipment. There were creative play areas with a selection of art and craft materials, paper, scissors, chalk, glue, stencils, drawing boards and aprons. There were books, animals, dinosaurs, transport vehicles, suckers, a stable, musical instruments, dolls, action figures, baby baths, and prams. There were plants and pumpkins.
- Displayed on the walls were notice boards, visual aids, posters, educational materials, and children's artwork. Displays included birthday plates, animals, shapes, numbers, friendship ring, insects, colours, seasons, and months. There were handprint crafty flowers, the life cycle of the daffodil, calendars, schedules, and information on bug hotels.

(1)(b) There was a cosy area with soft seating, cushion poofs, in a designated area in the playroom.

(3)(a) Outdoor area

- The service balanced the need for safety with the need to provide physical, challenging experiences for children. The outdoor area was secured by fencing and gates and covered with bark and a wide disability access concrete pathway with a railing. The outdoor area was surrounded by high metal fencing, walls, and gates.
- The registered provider advised that the outdoor area was an extension of the indoor playroom and linked with the learning that goes on inside. On the day of inspection, the children played outside.
- The equipment and materials in the outdoor play area supported children's play, movement, and exploration, and provided opportunities exclusive to the outdoors.
- Materials and items included a wooden climbing frame with a vantage point, steps, a slide, a hide out, and an easel. There was a wooden teepee with a wooden base. There was a theatre / shop. There was a

climbing bridge. There was a wooden and plastic kitchen with utensils. There were sand and water basins with watering cans, funnels, sieves, buckets, shovels, racks, containers, utensils, and transport vehicles. There was a storage box with footballs / toys. There was a large soil area for children to dig, with diggers, trucks, and utensils. There was a double-sided easel, a mounted blackboard, wind chimes, a bug hotel, and various planters with plants. There were push cars, rockers, wooden pieces, and a container with wellingtons. There was seating, and four section tray basin with leaves, rice and spoons.

- Behind the outdoor play area was a designated car park area for staff.

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

- The service had a healthy eating policy.
- At 11.2 children had their snack of fruit pieces, meat slices, yogurt, crackers, sandwiches, and bread sticks, provided by parents and guardians.
- Children’s drinks were available on a worktop in the playroom to allow the children the opportunity to ‘self-serve’.
- Plates, and cutlery, were offered to the children at their snack time.
- Perishable items from children’s lunch boxes were stored in a fridge.

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:

- There was a double high gate access system, to enter the pre-school premises.
- The staff only areas, community hall kitchen, staff sanitary area and storage areas were secure and thereby inaccessible to a pre-school child.
- The external outdoor play area was secure so that children could not leave the area unsupervised and unauthorised persons could not enter the area.
- Fire doors were unobstructed.
- All cleaning agents were stored inaccessible to the children.
- A system was in place to ensure that daily records of attendance were kept for all the children, attending the pre-school.
- Leads, cables, and flexes were secured and or inaccessible to prevent any trips or strangulation hazard.
- The playroom temperatures were thermostatically controlled, to ensure the temperatures were maintained between 18°C to 22°C.
- Thermostatically controlled warm water not exceeding 43°C to facilitate hand washing was available to facilitate hygienic hand washing.
- Heavy equipment and furnishings were anchored appropriately.
- One window had restrictive access devices as a safety precaution and the remaining high windows were high and thereby inaccessible.
- All toys and play equipment were observed to be safe and in good condition.
- There was a documented risk assessment system for the indoor and outdoor play areas, for checking that toys and equipment were not broken, in a clean condition and maintained in a good state of repair.
- The registered provider clearly identified to the early year’s inspector, the drop off and collection procedures for children.
- There were no pits or ponds in the designated outdoor area to cause any risk of injury to the pre-school child.

Infection Control:

- Hand washing facilities were provided with a supply of warm water, liquid hand soap and disposal paper towels.
- Children were observed washing their hands after toileting, after messy play and outdoor play and prior to their snacks.
- Tabletops and work surfaces were cleaned with disposal paper towels and disinfectant spray.
- The playroom was observed to be kept adequately ventilated with the windows and doors left open whilst maintaining the room temperatures at the required levels.
- Adequate supplies of disposable tissues were readily available in the playroom.
- The service had cleaning schedules and documented templates showing identified areas, equipment and furniture and materials that were regularly cleaned.

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) One staff member working in the pre-school service had evidence of a current paediatric first aid qualification.

(2)(a) A suitably equipped first aid box was available and in an easily accessible conspicuous position.

(b) The first aid box was readily available, with content items within date.

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) Arrangements were in place to record monthly fire drills. The last documented fire drill was dated 29th of September 2023.
- (b) A record of the number, type, and maintenance of firefighting equipment in the service was on file. Records indicated that the last annual maintenance for the firefighting equipment was dated 17th of July 2023. Records indicated that the smoke and fire detection system was serviced on 4th of July 2023.
- (4) A notice of the procedures to be followed in the event of a fire was displayed in the playroom.

Part VI – Safety

Regulation 28 – Insurance

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

Compliance Information

The service had insurance with an expiry date 27th of March 2024, which was for a sessional service for 22 pre-school children and a school aged service for 36 children and included the following: -

- public liability insurance,
- insurance against fire and theft,
- buildings insurance,
- insurance for outings undertaken as part of the service provision.