

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015KK002				
<b>Name of Service:</b>	Apple Tree Farm Montessori and Afterschool				
<b>Address of Service:</b>	Grove, Goresbridge, Co. Kilkenny				
<b>Eircode:</b>	R95 KAA4				
<b>Name of Registered Provider:</b>	Pamela Drennan				
<b>Service type:</b>	Full Day, Part Time, Sessional				
<b>Date(s) of Inspection:</b>	15/09/2023				
<b>No of pre-school children:</b>	<table border="1"> <tr> <td>AM</td> <td>29</td> <td>PM</td> <td>15</td> </tr> </table>	AM	29	PM	15
AM	29	PM	15		
<b>Address of the Early Years Inspectorate:</b>	Nexus Building, Floor 2 Blanchardstown Corporate Park , D15F9K				
<b>Inspection undertaken by:</b>	G. Fagan, N. Ruddy				
<b>Title:</b>	Early Years Inspector, Inspection and Registration Manager				

### 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).

<b>Conditions if applicable</b>	Not applicable
---------------------------------	----------------

### Description of service

Apple Tree Farm Montessori and Afterschool is set in a rural area in Goresbridge, County Kilkenny. The service consists of two classrooms downstairs and one classroom upstairs. There is a large outdoor area for the children to play. At the front is a gated space for the children to play that is secure from the car park area. There is an expansive garden area to the back with climbing frames and picnic benches. The property has horses, chickens and a forest that the children can visit. The service has a fully functioning kitchen where hot meals are prepared daily.

### Staffing

On the day of inspection there was the registered provider, who was not working directly with the children on the day of inspection, one manager who worked directly with the children, 8 childcare practitioners, a cook, and 1 student were present.

### 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 and health, welfare and development of child.

The inspection focused on an examination of compliance under regulations 9 (1) (a)(b) ,11 (1)(2) and 19(1)(a); however, on inspection additional non-compliance which posed significant risk was identified under Regulation 23. These findings are outlined within the relevant regulations within this report.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

## Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, person in charge, 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.

(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

9(1) (a)(b)

The registered provider and the manager of the service were on site and available on the day of the inspection.

9(2)

On the day of inspection 13 files were reviewed, these included the registered provider, 10 childcare practitioners, 1 cook and one student who was in attendance on the day. Of the 13 files that were inspected the following was available for inspection:

(a)(b)

21 validated references were on file, 12 were from a previous employer and 9 were from reputable sources.

(c)

All 13 files reviewed had Garda vetting received from the National Vetting Bureau of the Garda Síochána.

(4) All of the 11 adults that are employed to work directly with the children had at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework

### Non-Compliance Information

Not sourcing references, validating references, reviewing CV's or ensuring each employee or unpaid worker has been adequately vetted does not provide assurances that those working in the service are suitable or competent for the role they have been assigned.

9(2)(a)

1 reference from a previous employer was not validated.

(b)

2 references from a reputable source were not validated.

1 file did not have two references available or a CV available.

(d) One staff member did not have police vetting available from a country outside of the Irish jurisdiction that they had resided in as an adult for a period of longer than 6 consecutive months as documented in their curriculum vitae.

### Corrective & Preventive Action submitted by the Registered Provider

#### **Corrective and Preventive Action**

9(1)(a)(b) outstanding references are now on file and all references have been validated.

(d) Police vetting has been applied for staff member.

A checklist will be on file to ensure all documents are on file as each new employee/student starts.

#### **Supporting documentation submitted**

Assurances that a checklist is on file.

### Summary Comment

The actions submitted are suitable to address the non-compliance once police vetting has been obtained and considered. This will be assessed on next inspection

### 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.*

#### Compliance Information

11(1)(2)

On the day of inspection there was an adequate number of adults working directly with the children. There were 29 children present in the morning with 10 adults and 15 children in attendance in the afternoon with 3 adults in attendance.

### 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) Children brought in their morning snacks from home and children who stayed for longer days were provided with a hot meal in the afternoon prepared on the premises. Children were observed eating their snack and drink independently and encouraged to clear up and put their lunch boxes back into their bags in the Butterfly room. In the afternoon after the hot meal was served in The Birds Nest room a child was heard asking the staff member for more dinner, the child was assisted by the staff member in getting a second portion of food.

Children has access to toilets outside the room in the Butterfly and Caterpillar rooms. The children could use the toilet and wash their hands independently and a staff member checked in to see if they required support, checking in every minute or so from the classroom door.

At nappy changing time there was positive engagement between the child and the childcare practitioner, with open ended questions being asked throughout the nappy changing procedure, with the childcare practitioner pausing for the child to respond to their questions.

The programme of activities was appropriately paced, the children were not rushed and the transitions were at a pace that allowed the children to independently choose an activity, tidy up or put on their coats. Transitions to the garden were calm and at the children's pace.

Childrens individual needs were catered for, and communication between staff to support the needs of each child was observed on the day of inspection, for example a child was brought outside to support their ability to manage busy transitions.

The programme of activities was adapted so each child could be included, and adjustments were made to the daily routine to meet the needs of all the children in the classroom.

The Caterpillar room, Butterfly room and The Birds Nest room all had defined interest areas, such as the home corner, the book and cosy area and toys were stored on low level shelves that the children were able to independently. This allowed for the children to choose activities and return them when they have finished, for example in the Butterfly room children were seen to choose a book and sit in the cosy area to read the book and place it back in the book holder before picking another.

In the outdoor area there were three sheltered spaces on either side to the front of the main building. The "Welly sheds" housed the children's water repellent clothing and wellington boots. Each room has access to a welly shed. The clothes hooks were accessible to the children as were the wellington boots. There were soft mats and soft seating for the children to sit while putting on their outdoor clothing in this sheltered space.

On the day of inspection, the sheltered space was being used as a play space should a child choose not to play outside; two children from the caterpillar room were playing with the sand tray while the remainder of the group played outside. The children had access to sand play, art materials and rocking horses in the welly sheds. The children in the caterpillar room could move seamlessly between the welly shed and the garden space.

Each room had a defined programme of activities for the day that was appropriate to the age, stage and development of the children in the room, for example the Butterfly room had, circle time, snack time, outdoor time, stories and free play.

Circle time in the butterfly room consisted of the children and staff gathering on the floor in the book area where everyone joined in for the morning song and other action songs such as old McDonald. The children were invited to call out an animal that old mac Donald had on his farm and the noise of that animal was included in a verse.

Circle time supported children's language and motor development. Singing as a whole class group creates a sense of belonging within the learning environment.

On the day of inspection, it rained for the duration of the day. Children from all rooms spent time in the outdoors while suitably dressed to enjoy the wet weather.

### 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.*

#### Non-Compliance Information

##### General Safety:

1. In the Birds Nest room, a small window close to floor level in the Birds Nest room opened fully presenting a risk of fall injury. It is acknowledged that another similar window in the room was suitably secured, and that staff took immediate action to address this once it was brought to their attention.
2. In the Birds Nest room, to the left of the sanitary accommodation area there was an electric socket box exposed at the bottom where plasterboard was missing. This posed a risk to the children.
3. During the inspection the kitchen was unlocked throughout the day. Children from the caterpillar and butterfly rooms used the corridor independently and unsupervised for short periods of time to use the sanitary facilities. The service had a notice on the door requesting that the door be locked at all times when not in use and a key was available for this purpose, however this was not reflected in practice on the day of inspection. An unlocked unsupervised kitchen poses a risk to young children due to the accessibility of the contents contained in the kitchen environment.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

##### General Safety:

1. The window is locked in the Birds Nest room and the key is stored in the office. Window checks have been added to the risk assessment for the room.
2. The area around the socket has been covered. Management will carry out a risk assessment after any works have been carried out in the service.
3. A new lock has been added to the kitchen door and staff have been informed to use it when kitchen is not in use. Management will do regular checks throughout the week to ensure the door is locked when not in use.

#### Supporting documentation submitted

##### General Safety:

1. Assurances have been given that the window is now locked in the Birds Nest room
2. Photographic evidence was provided to show the repair works around the exposed socket
3. Photographic evidence was provided to show the new lock for the kitchen door.

#### Summary Comment

The requirements of this regulation have been met as risks have been mitigated.

### 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.*

#### Compliance Information

On the day of inspection there were 5 staff members who had FAR First Aid training that were immediately accessible to the children and this was reflected on the daily roster.