

Early Years Inspectorate Regulatory Report

Pre School

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| TU2015TUSLA Identifier: | TU2015KK035 |
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| Name of Service: | Head Start Montessori |
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| Address of Service: | 69 Springfield, Waterford Road, Kilkenny, Co. Kilkenny |
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| Eircode: | R95 K6HP |
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| Name of Registered Provider: | Lynn Finnegan |
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| Service type: | Part Time |
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| Date of Inspection: | 14/10/2024 |
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| No of pre-school children: | AM | 18 | PM | N/A |
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| Address of the Early Years Inspectorate: | Early Years Inspectorate, Tusla Child & Family Agency, Athy Road, Carlow |
| Inspection undertaken by: | Norma Thornton, Roisin Phillips. |
| Title: | Early Years Inspectors. |

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).

Description of service

Head Start Montessori is a registered part-time childcare service located in Kilkenny city. The service provides an Early childhood Care and Education (ECCE) and a part-time childcare service for children aged 2 to 6 years between 09:00 to 14:00 hours. The service operates from a purpose built premises at the back of the registered provider's private residence and a secure onsite outdoor play area is also provided.

Staffing

There were five staff members employed in the service including the registered provider. All five staff members held qualification in early childhood care and education ranging from Level 5 to Level 8 on the Quality and Qualifications Ireland (QQI) framework.

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/ premises and facilities. The inspection may also focus on other areas as required.

A sampling process was used to assess compliance under the following regulations.

Regulation 10 - Policies, Procedures etc.-of a preschool service,

Regulation 15- Record of a Preschool Child,

Regulation 20-Facilities for Rest and Play,

Regulation 23- Safeguarding Health, Safety and welfare of Child,

Regulation 25 - First Aid,

Regulation 26 - Fire Safety Measures,

Regulation 28 - Insurance.

As a result, the scope of the inspection included the classroom and outdoor play area.

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 on the day of inspection regarding Regulation 23, the absence of First Aid Responder trained staff in the service and the significant risk that this posed to the children in the service. An adequate response was submitted by the registered provider on the evening of inspection, 14 October 2024.

Acknowledgments

The inspectors wish 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) The registered provider was the designated person in charge on the day of inspection and there was a named person who was able to deputise as required.

(b) Both the registered provider and deputy designated person in charge were onsite during the inspection.

(c) There was a clear management structure in place which was observed by the inspectors, displayed for parents/guardians on the notice board in the entrance area of the service and on observation of the staff in practice on the day.

(2) Staff files for five staff members employed to work directly with the children as part of their role in the service were reviewed by the inspectors and the following observations found.

(a)(b) There were two validated references available in each staff member's file from either a past employer or reputable source in the case of a person who had no past employers.

(c) Garda Vetting certificates were available on file for each staff member working directly with the children. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda Vetting every three years. Please refer to the information outlined under regulation 23 of this report.

(d) No staff member employed to work directly with the children had lived outside of the State for a period of six months or longer.

(4) Certificates of accredited qualifications were available in each of the four staff members' files demonstrating that each staff member held a qualification at the minimum level 5 and above on the national framework of qualifications.

Part III – Management and Staff

Regulation 10 - Policies, procedures etc. of pre-school service

A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.

Compliance Information

On review of documentation the inspector observed that the written policies, procedures and statements required under schedule 5 of the Child Care Act 1991 (Early Years Services) Regulations 2016 were available in the service and open for inspection. The service policies were specific to the service and their contents adequate.

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)-

(a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times,

Compliance Information

(1) There was an adequate number of qualified staff members directly caring for the children throughout the inspection.

(2) There were 18 children aged 2 years and eight months to 4 years directly supervised by 4 qualified staff members.

(8)(a) The registered provider ensured that there were at least two adults on the premises at all times while the children were in attendance.

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 (j) On review of a sample of 12 records of pre-school children, the inspector observed that records of the particulars (a) to (i) were maintained for each preschool child.

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.*

Compliance Information

(1)(a) The service provided a warm inviting environment for the children in attendance. The “L” shaped classroom provided a variety of interest areas, including a kitchen/ home area, construction area, sensory play, art and creativity are and an inviting rest and reading area in the junction of the “L” shaped classroom which had been created to promote rest and relaxation. The reading materials available were further resourced with characters

from well-known stories that had been made by the registered provider using amigurumi, a form of crochet. The children excitedly showed the inspectors the characters from “Goldilocks and the Three Bears” and “The Three Little Pigs”. The also showcased Halloween spider webs and decorations that had been crafted out of amigurumi, proud of their decorated physical environment.

Low level shelving provided the children with play materials and resources which they could access with ease to play with at the appropriate child sized tables provided. Connective and manipulative materials, small world figurines, jigsaws, pegboards, Montessori tasks and equipment were provided.

A special additional speaker and IT system had been installed to provide support for a child with additional needs which staff confidently demonstrated to the inspectors.

A secure outdoor play area with an artificial grass surface was provided onsite, with a five-foot wooden fence securing the outdoor play environment which had a covered over section for shelter from rain or sun, The outdoor area included areas of interest such as an outdoor kitchen, shop area, construction area and messy play area. suitable child sized seating was also provided for children to have class or eat their snack outside on warm days.

(b) The registered provider demonstrated that she has suitable sleep equipment available should a child attending the service require to nap or rest.

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 was appropriately secured with a keypad call system at the entrance gate to the service.

This assisted in preventing any child from exiting the service unsupervised and ensuring that no unauthorised person could enter the premises.

The outdoor play area was safely secured with a five-foot wooden fence.

A daily risk assessment of the outdoor play area was carried out and a record of each assessment maintained in the service.

All cleaning materials and liquids were stored in designated storage areas safely out of the reach of children

Infection Control:

The service had an adequate infection control policy in place. The inspector observed that hand washing was carried out by both staff and the children, prior to snack time, after children/ staff used tissues to blow noses, after messy and outdoor play.

Toileting was supported by staff and carried out in line with the service's toilet training policy.

Cleaning schedules were displayed in each classroom and demonstrated that these were recorded daily by the staff present.

Administration of Medication:

The registered provider informed the inspectors that medications were not generally administered in the service, however there was an adequate administration of medication policy in place in the service if a child required administration of an anti-febrile medication or if a child centred medication plan was required for the administration of a specific medication in the event of an emergency.

Non-Compliance Information

General Safety:

Garda vetting was available for all staff members. However, two of the vetting disclosures were not dated within the previous three years in adherence to the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

The following corrective and preventive actions were submitted by the registered provider.

The Garda Vetting applications have been sent away, they have been through the initial assessment process, and we are now awaiting the processed clearance. I will attach to this email the confirmation of the receipt of these applications.

I have dated the applications and set up a reminder process in the business calendar so will be alerted ahead of time for the applications to be sent.

Supporting documentation submitted

General Safety:

Copy of email confirming receipt of application for Garda vetting of two staff members, whose Garda vetting was not dated within the last three years.

Summary Comment

The actions submitted are appropriate to address the non-compliances. The implementation of these actions will be reviewed on next inspection.

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) A first aid box which was observed to be stocked with appropriate materials was easily located secured on a holder on the service wall.

(b) The first aid box was always available if required for the children in attendance at the service.

Non-Compliance Information

(1) On review of staff files and in discussion with the registered provider, it was evident that no staff member employed in the service was qualified in Pre-Hospital Emergency Care Council (PHECC) approved First Aid Responder (FAR) training, as is the regulatory requirement of the inspectorate.

An IAN was issued under Regulation 23 for this safety risk.

An adequate response was submitted by the registered provider on the evening of the inspection.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider submitted the following corrective and preventive actions.

I immediately booked both staff members into the FAR training, one staff member has completed the course already on Nov 4th, 5th and 6th and a second staff member is booked in to complete FAR training on Nov 18th, 19th and 20th.

We were informed that there is a 5-week delay in receiving the certs but will confirm with the email booking attached.

Supporting documentation submitted

A copy of email confirming booking of FAR training attached. Email confirming staff member's attendance at FAR training attached.

Summary Comment

The actions submitted are appropriate to address the non-compliances. The implementation of these actions will be reviewed on next inspection.

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) On review of current fire drill records the inspector observed that the last fire drill had been carried out on the 19 September 2024. Fire drill records prior to this date demonstrated that fire drills were carried out monthly while the service was in operation as recommended by fire safety guidelines for pre-schools.
- (b) Records were also available demonstrating that the firefighting equipment was last serviced on the 18 December 2023 and the fire alarm system in the service was last serviced on the 17 April 2024.
- (4) A notice of the procedures to be followed in the event of a fire was displayed in the entrance area of the service.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

On review of the service's current insurance certificate, clearly displayed on the notice board, the inspector observed that insurance certificate detailed cover for a part-time childcare service for 26 children.