

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015KY113
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<b>Name of Service:</b>	McConologue Montessori
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<b>Address of Service:</b>	Scart, Gortatlea, Ballymacelligott, Tralee, Co Kerry
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<b>Eircode:</b>	VP2 P821
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<b>Name of Registered Provider:</b>	Denise McConologue
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<b>Service type:</b>	Full Day
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<b>Date(s) of Inspection:</b>	1 <sup>st</sup> April 2025
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<b>No of pre-school children:</b>	AM	17	PM	8
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<b>Address of the Early Years Inspectorate:</b>	Tusla Early Years Inspectorate Offices, 2nd Floor, Estuary House, Henry Street, Limerick.
<b>Inspection undertaken by:</b>	M Riordan / S O Brien
<b>Title:</b>	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).

<b>Conditions if applicable</b>	N/A
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### Description of service

McConologue Montessori school is a full day childcare service located in a rural setting in Co Kerry. It opens each morning at 8.00am for breakfast club. It offers an Early Childhood Care and Education sessional programme from 8.45am to 11.45am. A full day care service is offered each afternoon up to 6.00pm. A service for school aged children is also accessible each afternoon. The service operates from a large well-resourced room adjacent to the registered provider's home. There is a large outdoor play facility also accessible.

### Staffing

The registered provider owns and manages the service. There are 4 additional staff working at the service all of whom hold the required qualifications in Early Childhood Care and Education.

### 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.

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, 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.*

*(7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:*

*(a) the policies, procedures and statements of the service specified in Schedule 5;*

*(b) Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act, and*

*(c) these Regulations.*

### Compliance Information

(1)(a) The registered provider was the designated person in charge on the day of the inspection and there was a named person who could deputise as required.

(b) The registered provider was present in the service for the duration of the inspection.

(c) There was a clear management structure in place in the service indicating the person in charge, the deputy and the additional members of staff.

(2) The registered provider ensured that the staff were vetted prior to taking up employment in the service. All staff files were assessed.

(a) There were written validated references available in respect of each staff working at the service.

(b) All references were sourced from either previous employers or from reputable sources such as schools or colleges.

(c) Vetting disclosures from the National Vetting Bureau of the Garda Síochána were available in respect of each staff working at the service. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(4) All staff working in the service held appropriate qualifications in Early Childhood Care and Education from level 5 to level 7 on the National Qualifications Framework.

(7) The registered provider had documented notes of supervision meetings with all staff members. Details of training records and information sharing in relation to the following were available,

(a) the policies, procedures and statements of the service.

(b) Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act

(c) all relevant regulations.

### Non-Compliance Information

(d) There was 1 staff member working at the service who did not provide evidence of police vetting from a police authority in another state, where she resided for longer than 6 consecutive months.

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

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

The person who required police vetting has applied for clearance from her country of origin.

#### **Supporting documentation submitted**

A copy of the clearance certificate will be forwarded to the Office of the Early years inspectorate once available.

### Summary Comment

The inspector has reviewed the actions submitted. The non-compliance identified has been actioned and a copy of required clearance will be noted once returned.

## 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

The following policies of the service were reviewed. The procedures and statements specified in Schedule 5 were in place for the service.

**Policy on behaviour management:** This policy detailed how staff promoted good behaviour and managed challenging behaviour. It stated staff built trusting relationships with children and used calming strategies when needed, like distraction techniques or diverting children to alternative activities. Physical punishment, singling out, humiliation, raising voices, shouting, and using a bold step or naughty chair were listed as prohibited practices in the service.

**Policy on Recruitment:** This policy outlined procedures for recruiting new staff. References, proof of qualifications, Garda vetting, CVs, and training information were stored in individual staff files and retained per the data retention policy. New staff would undergo a three-month trial period with close supervision and weekly meetings during induction.

**Policy on accidents and incidents:** This policy was aimed to promote the well-being and safety of all children in the service. It outlined the following agreed procedures for responding to an accident and an incident. It ensured that all relevant personnel had up to date first day training and a well-stocked first aid box was at all times easily accessible in the service. After any accident or incident, as soon as it's practical, a detailed report form was completed and recorded in the accident and incident book. It stated parents were informed of incidents or accidents involving their child and requested to sign the relevant forms. Incident reports were regularly reviewed, and risk assessments were conducted to identify potential hazards, to ensure a safe environment for all children.

**Policy on healthy eating.** This policy described the healthy food options provided for children attending the service. It lists prohibited sweet snacks in pre-school and includes a detailed 3-week menu plan.

### 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) The registered provider ensured that there were adequate staff on the premises at all times. This was evidenced in the attendance records of the service where details were kept of all adults and children present each day.

(2) The service operates a morning sessional programme from 8.45am to 11.45am. The service offers a full-day care service each afternoon for preschool children up until 6.00pm. On the day of the inspection there were 17 pre-school children present with 3 staff for the morning sessional service. There were 8 preschool children present in the afternoon with 3 staff for the full day care service. The adult child ratio was compliant with the requirements of Regulation 11(2)

(8) (a) The registered provider ensured that there were two adults onsite in the service during the hours of operation when children were in attendance. This was noted on the staff sign in and sign out records document.

### 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 sample of 7 children’s registration forms were reviewed and on each of those forms the service had a record in writing 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) Provision was made to record 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 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, received by the child.
- (i) Written parental consent for appropriate medical treatment of the child in the event of an emergency.

### Part IV – Information and Records

#### Regulation 16 – Record in relation to pre-school service

(1) A registered provider shall ensure that a record in writing is kept of the following information in relation to the service:

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;
- (c) details of the adult:child ratios in the service;
- (d) the type of care or programme provided in the service;
- (e) the facilities available;
- (f) the opening hours and fees;
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;
- (h) details of attendance by each pre-school child on a daily basis;
- (i) details of staff rosters on a daily basis;
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;
- (k) details of any accident, injury or incident involving a pre-school child attending the service.

#### Compliance Information

(1) The registered provider ensured that a record in writing was kept of the following information in relation to the service:

- (a) The name, position, qualifications and experience of the person in charge and each staff working at the facility. This was displayed on the notice board in the Pre-school room.

- (b) Details of the type of service in operation and the age profile of children for which the facility is registered to provide services.
- (c) Details of the adult: child ratios in the service.
- (d) The type of care or programme provided in the service.
- (e) The facilities available.
- (f) The opening hours and fees.
- (g) A record in writing was maintained of policies and procedures required in accordance with Regulation 10.
- (h) Details of attendance by each pre-school child daily.
- (i) Staff rosters were maintained on a daily basis and available for inspection. These correlated with the numbers that were present on the day of inspection.
- (j) The service had a medication administration recording template book available that was completed in the event of a child requiring medication to be administered.
- (k) Details of any accident, injury or incident involving a pre-school child attending the service was recorded. All records were signed and dated.

### 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

(2) A registered provider shall ensure that no corporal punishment is inflicted on a pre-school child whilst attending the service.

(3) A registered provider shall ensure that no practices that are disrespectful, degrading, exploitive, intimidating, emotionally or physically harmful or neglectful are carried out in respect of a pre-school child whilst attending the service.

#### Compliance Information

##### (1)(a) BASIC NEEDS:

The service had a healthy eating policy with a 3-week menu plan documented. Breakfast was provided daily, and parents provided children with a range of healthy snacks and drinks for their mid-morning snacks. Children could access their drinks throughout the day. Toilets were easily accessible, and nappy changing facilities were available. Foot pedal operated lidded bins were used for waste disposal, and extra clothes and protective clothing were available for all children as needed. Soft child sized couches in the library corner and low-level beds offered rest opportunities for children if required. Children spent significant time outside in a well-equipped outdoor play area. Staff shared information informally with parents at drop-off and pick-up times, with photographs and updates regularly communicated with parents through an app.

##### PHYSICAL AND MATERIAL ENVIRONMENT:

The service operated from a large, well-equipped preschool room with low-level open shelves holding age-appropriate toys and play materials in labelled boxes. Waist-high tables and chairs were used for activities and meals. Posters promoting learning and children's artwork decorated the walls. A family wall displayed pictures of each child's family to foster a sense of connection and belonging.

The outdoor play area was a safe, enclosed space with rubber matting to minimise injury risk. Children developed motor skills on climbing frames, slides, and swings, and rode bikes on the tarmac area. The grassed area at the

rear allowed for planting and gardening. Children were observed being closely supervised by staff when playing outside. Both indoor and outdoor areas were regularly altered and equipment was updated to match the children's changing interests and needs.

(2) The registered provider ensured that no corporal punishment was inflicted on a pre-school child whilst attending the service. Staff spoke gently to children, assisting them in resolving conflicts with solutions suitable for their age and development.

(3) The registered provider stated that the service ensured that no practices that were disrespectful, degrading, exploitive, intimidating, emotionally or physically harmful or neglectful were carried out in respect of a pre-school child whilst attending the service. No time out practices were used at the service. All staff at the service stated they were aware of the behaviour management policy and the strategies to be implemented when necessary to promote positive behaviour.

### Non-Compliance Information

#### **BASIC NEEDS:**

1. There was no hot water available at the wash hand basins in the sanitary accommodation. The water pressure in the hot taps was also too low and was reduced to a trickle. To ensure effective and hygienic hand washing for the children, an adequate supply of thermostatically controlled hot water was required at all wash hand basins at all times.
2. The service lacked comfortable seating for adults allowing them space to sit next to children when needed. The preschool room's soft couches were only for children, limiting meaningful staff-child interactions.

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

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

1. Works have been completed at the service to adjust and increase the water pressure in the hot tapes. To ensure hygienic washing of hands the water temperature has been adjusted to ensure it is stable at 39° Celsius. The water heater is on a timer to ensure it is working at all times when the service is operational.
2. Comfortable adult seating has been added to the room to ensure staff and children can sit together and enjoy meaningful interaction time.

### **Supporting documentation submitted**

Photographic evidence of finished tasks along with receipts showing payment for all the works completed were forwarded to the Office of the Early year's inspectorate.

### **Summary Comment**

The inspector has reviewed the actions, and the evidence submitted. The non-compliances identified have been adequately addressed.

## 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 services had a 3-week menu plan which outlined the food choices offered each day at mealtimes. Breakfast of cereals and toast were offered each morning to children who attended at 8.00am when the service opened. Adequate snacks of fresh fruits, sandwiches, rolls, crackers, pasta shells and yogurts were provided by the parents and served each day at 10.15am. Breadsticks, banana bread, ham and cheese sandwiches, brown bread and tuna or savory pancakes were listed on the menu for the mid-afternoon snack served each day at 2.30 pm. At 5.00 pm before children leave the service an additional snack of breadsticks, sandwiches, yogurt, fruit, wraps, sausage rolls were available if needed.

### **Non-Compliance Information**

On the day of the inspection, the service provider served a toasted sandwich along with fresh fruit and yogurt for the main meal of the day at 12.30 pm. This was at variance with the healthy eating policy of the service and the foods choices listed on the menu plan, which stated a hot meal would be served each day for children attending the full-day care service.

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

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

The registered provider in their reply to the inspection report committed to providing a substantial hot main meal to the children each day at dinnertime.

## **Supporting documentation submitted**

The service has agreed to adhere to the 3-week menu plan in place in the facility. This is outlined in the Healthy Eating policy for the facility.

## **Summary Comment**

The inspector has reviewed the actions and evidence submitted. The noncompliance identified in the regulation has been adequately addressed.

## Part VI - Safety

### Regulation 27 – Supervision

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

## Compliance Information

Children were supervised primarily by sight at all times, with enough qualified staff on-site to effectively monitor the preschool children. Children who could use the toilet independently did so with staff nearby to assist if needed. Closer supervision was provided during risky activities like using low level climbing frames. The layout of the indoor and outdoor environments facilitated visual supervision of all children by staff while also allowing children some quiet space.

## Part VIII - Notifications and Complaints

### Regulation 31 - Notification of incidents

*A registered provider shall notify the Agency in writing within 3 working days of becoming aware of any of the following incidents occurring in the preschool service:*

*(d) a serious injury to a pre-school child while attending the service that requires immediate medical treatment by a registered medical practitioner whether in a hospital or otherwise;*

### Non-Compliance Information

The registered provider did not notify the Agency in writing of

(d) an injury to a child which required medical treatment in a hospital.

A registered provider must notify the Agency in writing within 3 working days of any such incident.

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

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

The registered provider has committed to ensuring that any accident or incident requiring medical attention will be reported to Tusla within the required 24-hour period.

#### **Supporting documentation submitted**

A copy of the updated policy on the management of accidents and incidents at the service has been forwarded to the office of the Early years inspectorate.

### Summary Comment

The inspector has reviewed the actions, and the evidence submitted the noncompliance identified under the regulation has been adequately addressed.

## Part VIII - Notifications and Complaints

### Regulation 32 – Complaints

- (1) A registered provider shall ensure that the complaints policy of the service specifies-
- (a) the procedure to be followed by a person for the purposes of making a complaint in relation to the service,
  - (b) the manner in which such a complaint shall be dealt with, and
  - (c) the procedures for keeping a person who makes such a complaint informed of the manner in which it is being dealt with.
- (2) A registered provider shall ensure that-
- (a) a record in writing is kept of a complaint made to the provider in respect of the pre-school service, and
  - (b) the complaint is duly dealt with in accordance with the provider's complaints policy.

### Compliance Information

- (1) The registered provider ensured that the complaints policy of the service specified the following,
- (a) The procedure to be followed by a person for the purpose of making a complaint in relation to the service.
  - (b) The manner in which such a complaint should be dealt with.
  - (c) The procedures for keeping the person who made the complaint up to date with any investigation under way.

The services Complaints policy stated that initially, a discussion seeking resolution would be explored. If a formal written complaint was received, an acknowledgment was issued, followed by an investigation and a written outcome. Child welfare concerns were forwarded to local Tusla social work department.

- (2) The service did not have any written complaint issued to the registered provider since commencement of operating.