

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015KY126
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<b>Name of Service:</b>	Tus Nua Montessori
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<b>Address of Service:</b>	Addergown, Ballyduff, Co. Kerry
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<b>Eircode:</b>	V92 C6P6
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<b>Name of Registered Provider:</b>	Joanne Mcdermottroe
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<b>Service type:</b>	Sessional
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<b>Date(s) of Inspection:</b>	23/04/2024
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<b>No of pre-school children:</b>	<table border="1"> <tr> <td>AM</td> <td>16</td> <td>PM</td> <td>None</td> </tr> </table>	AM	16	PM	None
AM	16	PM	None		

<b>Address of the Early Years Inspectorate:</b>	Áras an Phobail, Deans Lane, Tralee, Co. Kerry
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<b>Inspection undertaken by:</b>	N. Reidy
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<b>Title:</b>	Early Years Inspector
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### 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

Tus Nua Montessori is a private early years service that is registered to provide sessional care for children aged between the age of 2 years and 6 years. The service is operating between the hours of 09:00 am and 12 mid-day Monday to Friday. The service operates from a purpose-built single-story building located. The children attending the service have access each day to spacious outdoor play area that is enclosed and secured encompassing an area that is covered in.

### Staffing

There are three adults employed in the service of whom one is the registered provider. Each of the three adults are involved in the direct care of the children.

### Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Child Care Act 1991 (Early Years Services) Regulations 2016 define the duty of a registered provider to ensure the safety and well-being of children and to comply with these regulations. This Act also gives Tusla the authority to assess compliance with the regulations. The purpose of regulation in relation to early years services is to ensure that the care, safety, and well-being of children attending such services is upheld. Inspections of early years services are planned based on the following:

- Previous inspection history
- Any information received in relation to the service

The findings on inspection are based on:

- Information obtained through examination of documentation
- Direct observation
- Discussion with relevant staff

This inspection was unannounced and focused on the area of governance/ health, welfare and development of child/ safety/ premises and facilities. The inspections 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, 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

(1) (a) The registered provider is the designated person in charge and there a named deputy who can deputize as required on the premise.

(b) At all times during the period when the pre-school service is being carried on, the designated person in charge and the named deputy is on the premise. Both adults were on the premise to facilitate the inspection process.

(2)

The registered provider confirmed that three adults were employed in the service. The recruitment records in respect of these three adults were the subject of the inspection.

(a)

Three written reference and validations were on file from a past employer.

(b)

One written reference and validation was on file from a source other than a past employer.

(c)

The service had demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years in respect of each of the three adults.

(d)

Not applicable as neither of the three adults had resided outside the jurisdiction for a period of longer than 6 consecutive months.

(4) The adults working directly with the children had attained Quality Qualifications Ireland (QQI) in childcare training at Level 5 and above.

### Non-Compliance Information

(2)

(a), (b) Two written references and validation records were not on file for one adult.

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

### Corrective and Preventive Action

The two written references and validations were sought immediately.

### Supporting documentation submitted

The two validated references in respect of the adult in question.

### Summary Comment

The requirement has been met.

## Part III – Management and Staff

### Regulation 11 - Staffing levels

*(1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.*

*(3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) therefore at that reference number is satisfied.*

*(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) Throughout the period of inspection, the registered provider did ensure that there was an adequate number of adults caring for the children attending the service.

(3) There were 2 adults caring for 16 children aged between 3 to 5 years attending the service on a sessional basis. The adult child ratio was correct.

(8)(c) Not applicable as the service does not currently operate single-handedly.

## 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:*

- (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) A record in writing was kept of the following:-

- (h) details of attendance by each pre-school child on a daily basis;
- (i) details of staff rosters on a daily basis;
- (j) A template to record any medication administered to a pre-school child attending the service. There were no completed records in respect of medication administered to a child in the service. The registered provider informed the inspector that no child was in receipt of medication,
- (k) A template to record details of any accident, injury or incident involving a pre-school child attending the service was on file. There were no completed records for any accidents, injuries or incidents on file.

### 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

- The adults caring for the children were kind, caring and respectful towards the children, they spoke to the children in low soft tones of voice.
- The adults interacted in a positive way with the children for example they sat at children's level, maintained eye contact and were observed to be caring and supportive in their interactions with the children.
- The children were facilitated to move about freely in the playroom where they had access to the toys and resources on low level open shelving.
- The children availed of outdoor play time during the session. The spacious outdoor area consisted of a tarmac surface where the children played for example: - hopscotch, writing with chalks on the tarmac surface and on the walls and using the ride on toys. There was a covered in area where children were observed playing in the kitchen area and building blocks on a low-level table. A fully enclosed chicken coup was located in the outdoor play area where the children could see the hens.
- When going outdoors to play the children were appropriately dressed in coats and hats.
- The children had the opportunity to rest, relax or opt out of an activity during the session on the newly purchased seating area with cushions and storage beneath and the children's family tree with family photographs.
- The playroom had a selection of artwork complete by the children drying overhead and on a low-level display table, there was Spring themed books, animals with posters and pictures displayed on the walls.
- The staff informed the inspector that children that telling stories to promote cognitive and speech development was promoted and afforded to the children for example the opportunity to take the toy named "sweety pie" home to share in their home activities, take photographs of the time spent at home and share the photographs and stories with their peers on return to the service.
- The children had unrestricted access to the toilets located within the playroom.
- There was a helper system used at mealtime for example, a child was nominated to distribute the lunches assisted by the staff.
- The staff issued gentle reminders to the children to use their manners during the session.

### 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 parents of the children attending provide the food consumed on the premise.
- The food observed on inspection included sandwiches, yogurts, a variety of fruit and crackers with water to drink.
- The children had access to water throughout the session: - their drinks bottles were stored on a shelf in the playroom.
- The perishable food items were stored in the fridge in the secured kitchenette.
- The inspector observed the children had ample time to eat their food in a relaxed environment. The adults encouraged and supported the children to eat independently.

### 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 kitchenette door and the office door were appropriately secured.
- The blind cords were secured on the windows.
- The external door was secured to restrict unauthorised access in and to prevent children going out unsupervised.
- The fire exit door with the push bar device for opening it was unobstructed.
- The first aid box was stored out of the reach of the children in the designated office.

##### Infection Control:

- The children were observed to wash their hands for example after using the toilet and prior to the mealtime.
- There was warm water, liquid soap and disposable paper hand towels at the sinks for effective hand washing by the adults and the children.
- Pedal operated lidded bins were in use for the hygienic disposal of refuse.
- The children's perishable food items were stored in the fridge to prevent food spoilage.

### Non-Compliance Information

#### General Safety:

1. In the outdoor play area that was covered in there was a slide in use, it was positioned on the tarmac surface without soft matting around it posing a risk of injury to the children should they fall onto the ground.
2. Some of the recommended first aid box content including dressings and antiseptic wipes had expired and were not fit for purpose.

#### Administration of Medication:

3. The service stock of anti-pyretic medication had an expiry date of February 2023. This posed a risk that the medication may be ineffective in treating the child's medical needs, in the event it was required.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### General Safety:

1. The slide was removed immediately for the present time until appropriate matting/flooring appropriate for the weather and for the safety of the children is sourced.
2. The first aid box was restocked and the expired items were replaced. A sheet for recording items that have been removed and need to be replaced has been put in place as well as a box allocated for any items out of date.

#### Administration of Medication:

3. The medication was replaced, the expiry date on the bottle of medication is 10/2025.

#### Supporting documentation submitted

## General Safety:

1. A photograph of the outdoor area demonstrating the slide has been removed.
2. Photographs of the first box contents that were replaced, the first aid box contents list and the box labelled for expired items.

## Administration of Medication:

3. A photograph of the medication that was replaced.

## Summary Comment

The requirement has been met.

## 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) There were 2 adults working with the children had current First Aid Responder (FAR) training, the certifications in respect of these on file.
- (a) The suitably equipped first aid box was stored in the secured office.
- (b) The first aid box was accessible to the adults and out of the reach of the children.

### Part VI - Safety

#### Regulation 28 - Insurance

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

#### Compliance Information

A copy of the insurance certification was furnished for inspection.

The information provided on the insurance certificate included:

- the contact details for the insurance provider.
- the name and address of the service insured.
- the category of insurance cover for the service was sessional.
- the number of children covered by the insurance was for 11 children.
- The expiry date of the current insurance cover was 27/03/'25.

### Part VII - Premises and Space Requirements

#### Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-*  
*(c) kept adequately lit, heated and ventilated*

#### Compliance Information

(c) Openable windows were in place in the sanitary accommodation and in the playroom to ventilate the rooms.  
The air temperature of the playroom was recorded at 19.3 degrees Celsius.