

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015LH026
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Name of Service:	Ferndale Creche & Montessori
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Address of Service:	Matthews Lane, Drogheda, Co. Louth
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Eircode:	A92 T998
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Name of Registered Provider:	Miriam Rice
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Service type:	Full Day
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Date of Inspection:	02/11/2023
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No of pre-school children:	AM	45	PM	45
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Address of the Early Years Inspectorate:	Early Years Inspectorate, 181-189 Lakeshore Drive, Airside Business Park, Swords, Co. Dublin K67 Y5C6.
Inspection undertaken by:	S Taaffe and AM Coyle
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).

Conditions if applicable	Not Applicable
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Description of service

Ferndale Creche & Montessori has been operating as a privately-owned full day care service since 2002, catering for a maximum of 75 pre-school children from 7.30am to 6.15pm each weekday. School aged children are not accommodated in the service. The service is conducted from a purpose built and extended 2-storey premises located to the rear of and separate from the registered provider's private residence on the outskirts of Drogheda. There are 5 care rooms provided on the premises, namely the Nursery, the Wobbler Room, the Toddler Room and Montessori Room 1 which are located on the ground floor and Montessori Room 2 which is located on the first floor. Eligible pre-school children are facilitated to participate in the Early Childhood Care and Education (ECCE) scheme from 8.30 to 11.30am in Montessori Room 1 and from 9.00am to 12.00 midday in Montessori Room 2. Each of the 4 pre-school rooms on the ground floor have access direct access to outdoor play areas adjoining these individual care rooms whilst all children have additional opportunities for outdoor play in the spacious fully enclosed garden at the front of the service.

Staffing

The registered provider employs 19 staff members, of whom 18 work directly with the children in the service, and one staff member who is employed in a caretaker role. Two of the 18 staff members are appointed as managers, both of whom work full time in the service on a daily basis. The registered provider and all 18 staff members who work directly with the children in the service held a major award in Early Childhood Care and Education at Level 5 - 8 on the National Framework of Qualifications. The registered provider generally does not work directly with the children in the service.

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, persons 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

(1)(a) The two managers were the designated persons in charge of the service and in the event that neither manager was present in the service the registered provider would deputise as required.

(b) The two managers were present and in charge of the service when the inspectors arrived unannounced at 9.05am on the morning of the inspection. The registered provider was present in the service for part of the inspection and for the closing meeting.

All staff files were reviewed. A total of 20 files were maintained in respect of the registered provider and the 19 staff members employed in the service.

(2)(a)(b) There were 2 written references available for the registered provider and 2 written, validated references available for the 19 staff members employed in the service.

- (a) Thirty-two written references were from past employers.
 - (b) Eight written references were from sources other than a previous employer.
 - (c) Garda vetting disclosures were available for the registered provider and 19 staff members.
 - (d) International police vetting was available as required for 1 staff member who had resided outside of the Irish jurisdiction for more than 6 consecutive months as an adult.
- (4) The registered provider and the 18 staff members who work directly with pre-school children in the service each held a major award in Early Childhood Care and Education at Level 5 - 8 on the National Framework of Qualifications (NFQ) or had been issued with a letter of eligibility to practice following an assessment of their qualification by the Department of Children, Equality, Disability, Integration and Youth (DCEDIY).

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) On the day of inspection there was an adequate number of staff members working directly with the children attending the service.
- (2) The adult to child ratios were correct in the service when the inspectors arrived unannounced and remained so throughout the inspection.

The following adult to child ratios were observed during the inspection:

- In the Nursery there were 6 children (of whom 1 child was 11 months of age and 5 children were aged between 12 months and 1 year 3 months) being cared for by 2 staff members.
- In the Wobbler Room there were 4 children aged 1 year 5 months to 1 year 9 months being cared for by 1 staff member.
- In the Toddler Room there were 9 children aged 2 years to 2 years 10 months being cared for by 2 staff members.
- In Montessori Room 1 there were 12 children (of whom 1 child was aged 2 years 10 months and the remaining 11 children were aged between 3 years and 4 years 4 months) being cared for by 2 staff members.
- In Montessori Room 2 there were 14 children aged 4 years to 4 years 8 months being cared for by 2 staff members.

All children were attending on a part-time or full day care basis on the day of the inspection.

The two managers were also present supporting the staff members and caring for the children when required, in addition to two additional named staff members who were employed to provide relief for staff breaks, support in the care rooms and prepare the children's evening meal.

(8)(a) The registered provider ensured that 2 adults were present on the premises at all times, as evidenced in staff rosters and staff attendance records maintained in 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, and

Compliance Information

(1)(a) The following observations are examples of how each child's learning, development and well-being was facilitated within the daily life of the service:

Basic needs:

- The staff members were observed to be warm and responsive in their interactions and with meeting the care needs of with the children in their care.
- A 4-week menu was on display on the premises. Breakfast was available for children in the morning up until 9.30am, if required. Children attending the service on a sessional basis bring their own snacks from home. The service provided sliced apples and bananas and mandarin segments for morning snack at 11.00am on the day of inspection. A rolling snack format was facilitated in Montessori Rooms 1 and 2 with children helping themselves to their healthy snacks when they were hungry, which promoted the children's independence and provided choice in when to take a break from play. Dinners are sourced in bulk from a specialist catering company and stored frozen on the premises, in advance of use. On the day of inspection, a chicken casserole dish with potato and mixed vegetables was served for dinner from 12.00midday. The children's tea is prepared on the premises each afternoon with sandwiches served at 3:30pm on the day of inspection. Jugs of drinking water and plastic beakers and cups were accessible to the children during the day and water was provided to children while eating. Mealtimes were observed to be social occasions with children and staff members observed talking together and children allowed time to finish their food at their own pace in a relaxed manner with support provided when needed. Highchairs were available in the Baby Room for the children who were not yet developmentally ready to sit unsupported in standard chairs during mealtimes and children who could not yet feed themselves were spoon-fed.
- Children wore protective bibs at mealtimes and during messy play activities including water play and painting to protect their clothes. Waterproof rain gear and wellington boots provided by the parents and spare hats and gloves were available in each care room which facilitated the children to play outdoors daily whilst dressed appropriately for the winter weather.
- Staff members in the Nursery informed the inspector that the sleep needs of the children were generally met in line with their home routine, when possible, but should variation occur collaboration would take place with the parents to revise the plan. The children were placed to sleep when they showed signs of tiredness during the inspection and if sleep time coincided with mealtimes the children were provided with their meal after they woke. The children attending the remaining care rooms who still slept during the day were placed to sleep for a scheduled period of rest in the afternoon, either on sleep mats set up on the floor of the Toddler Room and for children under 2 years including the children attending the Wobbler room in cots in the sleep room.

Mats and soft furnishings including cushions were available in the care rooms and children were observed spending time in these areas for short periods of rest and relaxation during the day.

- Nappy changing was carried out regularly and promptly when required and was handled in a positive and sensitive manner.

Supporting relationships around children:

- The atmosphere in the service was warm and child centred as evidenced in the sensitivity and kindness shown by the staff members to the children through nurturing interactions in a relaxed partnership style. The staff members were observed listening attentively and giving each child plenty of time to express their thoughts and questions and responding to children's social bids by engaging in individual conversations, joint laughter and shows of affection.
- During periods of direct care including nappy changing and mealtimes, staff members were observed to engage children in warm one-to-one interactions and engage in natural reciprocal conversations about the children's home and family life, making reference to their siblings, pets and favourite toys. The children in turn responded well to the staff members caring for them. On a number of occasions individual children in the Nursery held their arms up to a staff member to be lifted, to which the staff members responded immediately, lifting, cuddling and speaking soothingly to each child until they were ready to resume play.
- Representations of the children and their families were very visible in the service as evidenced through the broad range of photographs on display, all within the children's eyeline and reach, which supported the children to develop a sense of belonging and connectedness in the service.
- Staff members communicated with parents and guardians on a daily basis through update in real time on a mobile phone application (an 'App') regarding each individual child's snacks and meals, nappy changes, sleep times, activities and other relevant information. Parents could remotely access this information online throughout the day, in relation to their own particular child, and could message the staff members working in the care rooms if required. Notices were in place in the entrance hallways which provided parents with relevant general information regarding the service. Parents were communicated with in a friendly, unhurried manner at drop off and collection time.

Physical and material environment:

- In each care room, play materials and equipment were accessible on low-level shelving to facilitate children's independent choice and play.
- The five care rooms were laid out in designated areas of interest including well-resourced home corners with dress up costumes on rails, construction areas, arts and crafts areas, and rest areas equipped with soft matting and cushions for children to take a break from activities and rest if required. Age-appropriate play equipment to support the development of the children's fine motor skills were provided in the care rooms. These included jigsaws, wooden and plastic bricks, shape sorters, magnets, interlocking plastic toys, stacking toys, threading equipment and peg boards. A range of specialist Montessori equipment was provided in Montessori Rooms 1 and 2.
- The Nursery contained equipment to provide opportunities for the youngest children in the service to engage in physical activity through self-initiated movement with padded floor mats, covered foam wedges and push-along toys provided to support gross motor development. Wall-mounted mirrors supported the development of the children's visual senses.
- Sensory play experiences were facilitated in each care room with a range of sensorial materials including large well-resourced water tables (in use by children in a number of rooms when the inspectors arrived unannounced), dried rice and pasta, cones and conkers provided. Sand tables deeply filled with sand were also provided in the outdoor play areas.
- The Nursery, the Wobbler Room, the Toddler Room, and Montessori Room 1 each led out to separate enclosed outdoor play areas which were equipped with play materials and equipment suitable for the age and stage of development of the children attending the adjoining care rooms. Play equipment in these spaces included sand tables, push-along toys, ride-on toys and rocking toys. An attractive and well-resourced large garden was located at the front of the premises which was laid out in defined interest areas including a large wooden boat in which the children could stand, sit and play, a raised wooden playhouse with a slide, a wooden playhouse with a sandpit and kitchen area within, a construction area, balance beams, picnic benches and seating for adults and children. An area immediately adjacent to the service was covered with a rigid plastic roof which enabled the children to enjoy time outside regardless of the 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.

Compliance Information

General Safety:

- The entrance doors and garden gates were secured to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the service.
- The designated emergency exit doors were clear and unobstructed.
- The water temperature in the hot taps did not exceed the recommended maximum water temperature of 43°C. This reduced the risk of scalding for the children in attendance.
- Cleaning agents were stored safely out of the reach of children.

Infection Control:

- Thermostatically controlled running warm water, liquid soap and single use paper towels were available at all wash hand basins in the service.
- The premises' play equipment and materials were in a clean and hygienic condition. There was a process in place for the cleaning of toys and equipment on a daily and weekly basis. Tables were observed to be appropriately cleaned prior to and following meals and snacks.
- The children in the service were facilitated to wash their hands before eating and following outdoor and messy play. Children who were toilet trained were gently reminded, and assisted when necessary, to wash their hands after using the toilet.
- Staff members wore individual aprons and gloves for nappy changing procedures. Children's hands were washed after they had their nappies changed.
- The service implemented effective soother management procedures, with all individually labelled soothers stored in personalised containers when not in use. A steam steriliser was provided in the Nursery and the inspector was informed that soothers were washed and sterilised at least on a daily basis.
- The sand tables provided in the outdoor play areas had appropriate lids available and were covered when not in use, to prevent contamination by animals and birds.

Administration of Medication:

- Medications were stored out of the reach of children. No children were observed having medication administered on the day of inspection.
- There was evidence of appropriate record keeping in relation to medication administered to children in the service, with the records maintained electronically using the software application. The electronic records showed that written parental consent had been provided in advance of administration of medication and the completed forms had been shared with and reviewed by the children's parent or guardian, ensuring that parents were aware of when and how much medication had been administered to their child over the course of the day.
- There was evidence that detailed care plans and medication protocols were in place for a number of children in attendance who had specific allergies. The registered provider and managers demonstrated comprehensive knowledge of the relevant safety issues associated with administration of medications to pre-school children.

Safe Sleep:

- The inspectors observed that 10-minute sleep check observations noting each child's colour, position and breathing pattern were being performed and documented on all sleeping children.
- Based on an examination of the children's attendance records maintained in the service, all children under 2 years of age have access to a standard cot on a daily basis including on the day of inspection.
- The temperature in the sleep rooms was monitored and recorded on a daily basis and was maintained between 18 - 20°C.

Outings:

- The inspectors were informed that children do not partake in outings from the service.

Non-Compliance Information

General Safety:

1. A trampoline which is considered to be inappropriate equipment in an early years setting was provided in the outdoor play area. It is acknowledged that the registered provider had endeavoured to minimise risk by ensuring that high netting was in place around the frame and padding was fitted to cushion the springs. Additionally, the service implemented a policy where only one child was facilitated to play on the trampoline at any one time. However, trampoline use is not recommended for children under 6 years of age due to the safety risk.

Infection Control:

2. The paper hand towels in Montessori Room 1 and also in the adjoining sanitary accommodation were not hygienically dispensed as rolls of paper were provided which were subjected to repeated handling; this posed a risk of cross-contamination and was inadequate for infection control purposes.
3. A staff member was observed not to wash her hands in between changing children's nappies.

Safe Sleep:

4. Inadequate space, less than the recommended distance of at least 50cm apart, was left between 3 cots in the sleep room which increased the risk of cross infection and could potentially delay staff in accessing children in the event of an emergency.

Action submitted by the Registered Provider

The registered provider stated the following corrective actions and preventive actions have been carried out:

Corrective Actions:

General Safety:

1. A trampoline has been in use in the service for over 20 years without any accidents or incidents occurring. Only one child at a time may use the trampoline and the zip/net closure must be intact.

Infection Control:

2. A hand-towel holder has been installed in the Montessori 1 toilet area.
3. Educators have been reminded of the nappy changing policy and reminded that wearing gloves does not negate the need for hand washing.

Safe Sleep:

4. Cots have been rearranged to ensure 50cm between each cot.

Preventive Actions:

General Safety:

1. The service's trampoline policy states that children are supervised at all times when using the trampoline. Educators ensure the safety netting has no imperfections, the safety zip is closed at all times, children use the trampoline one at a time and no toys are to be brought on.

Infection Control:

2. Staff have been reminded to use the hand-towel dispenser in the main room and ensure it is full at all times.
3. A nappy changing policy is in place to ensure a safe and hygienic process for both adults and children.

Safe Sleep:

4. Service's safe sleep policy states: "Cots and floor mattresses will be spaced at least 50cm apart to allow staff to easily move around cots/floor beds".

Supporting documentation submitted

The registered provider submitted the following supporting documentation:

- A copy of the service's trampoline policy, nappy changing policy and safe sleep policy.
- Photographs of paper hand towels in dispensers.
- Photographs of cots spaced at least 50cm apart, with a tape measure in place showing the appropriate distances.

Summary Comment

The corrective and preventative action submitted by the registered provider have addressed the non-compliance identified on inspection in relation to points 1, 2, and 3.

However, the corrective and preventative action in relation to the provision of a trampoline in the early years service demonstrates that this equipment continues to be used by the pre-school children. Trampolines should only be used in an early years service if prescribed as an individual therapeutic intervention and otherwise, are classified as unsuitable equipment. The regulatory requirement has not been met.

Part VI - Safety

Regulation 24 - Checking in and out and record of attendance

(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.

(3) A registered provider shall ensure that-

(a) no person other than-

(i) pre-school child attending the service,

(ii) a person dropping or collecting such a child,

(iii) an employee, or

(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and

(b) a daily record in writing is kept of the entry on the premises of any such person.

Compliance Information

(1) The service maintained accurate details of all children in attendance during the inspection. The children were entered as present on attendance records in each care room, noting each child's arrival and departure times, and these details were also recorded electronically on the software 'App' in use in the service.

(3)(a)(b) A system was in place to ensure that no person other than the children and their parents or guardians, employees, approved students or authorised visitors could enter the service. A visitor's book was maintained and on arrival the inspectors were requested to record their attendance on the premises and the purpose of their visit.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-

- (a) of sound and stable structure,*
- (e) equipped with adequate and suitable sanitary facilities.*

Compliance Information

(a) The premises appeared to be in good condition throughout.

Non-Compliance Information

(e) A hot tap at one of the 2 low level wash hand basins had seized in the closed position in the sanitary facilities adjoining the Toddler Room which reduced the opportunities for effective hand hygiene for the children using the toilets and having their nappies changed in this area. It is acknowledged that a staff member reported this to the manager as soon as she realised the tap was not working effectively and plans were being made to have the tap repaired or replaced.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action:

(e) The hot tap has been replaced and is in full working order.

Supporting documentation submitted

The registered provider submitted the following supporting documentation:

- Photograph of the newly installed hot tap.

Summary Comment

The corrective action submitted by the registered provider has addressed the non-compliance identified on inspection in relation to Regulation 29.