

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015LK089		
<b>Name of Service:</b>	Karibu Montessori		
<b>Address of Service:</b>	The Newtown Centre Annacotty Co Limerick		
<b>Eircode:</b>	V94 DK02		
<b>Name of Registered Provider:</b>	Liza Eyres		
<b>Service type:</b>	Full Day, Part Time, Sessional		
<b>Dates of Inspection:</b>	22/11/2023		
<b>No of pre-school children:</b>	AM	81	PM 70
<b>Address of the Early Years Inspectorate:</b>	Tusla Early Years Inspectorate Office, 2 <sup>nd</sup> Floor Estuary House, Henry Street  Limerick		
<b>Inspection undertaken by:</b>	J Ryan E Browne		
<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>	Not applicable
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### Description of service

Karibu Montessori is a full day childcare service located in the Newtown Centre in Annacotty, close to Limerick city. It operates Monday to Friday from 7.45am to 6.00pm. It offers full day, part time and sessional services to children of all pre-school ages. A service for school aged children is offered each afternoon.

The service operates from a two story, purpose build premises. At ground floor level there is a Baby room, a Wobbler room, a Toddler room and 2 sleep rooms. A kitchen, a manager's office and a staff room are also located on the ground floor. At first floor level there is a sleep room, 4 Pre-school rooms and 2 rooms for the school aged children.

There are 2 large outdoor play areas located adjacent to the building, one to accommodate the younger pre-school children and the second for the older age groups and for the school aged children.

### Staffing

The registered provider has leased the business to another childcare provider and named them the designated person in charge. They in turn have appointed a manager and an assistant manager to manage and operate the facility on a day-to-day basis. Fifteen staff employed to work at the service have achieved a major award in early childhood care and education or a qualification deemed by the Minister to be equivalent in childcare.

### Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Childcare 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.

The inspection focused on an examination of compliance under regulations 9,10,11,19 and 32; however, on inspection additional non-compliances which posed a risk was identified under Regulation 23 and 29. These findings are outlined within the relevant regulations in this report.

A sampling process was used to assess compliance under regulation 19 Health, Welfare and development of the child. As a result, the scope of the inspection included the Wobbler and Toddler rooms.

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

The inspection was carried out following information received to the Early Years Inspectorate.

## Acknowledgments

The inspectors wish to acknowledge the cooperation of the person in charge, staff and children who were present on the day of the inspection.

### Part III – Management and Staff

#### Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

- (a) the service has a designated person in charge and a named person who is able to deputise as required,
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises,

(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) A designated person in charge of operating the service was present on the day of the inspection. There was a named person available who was able to deputise if required.

(b) During the period of the inspection, the designated person in charge was present and the staff roster indicated that this person or their deputy were always available on the premises.

(2)(a) Two written and validated references were available for 16 of the 17 staff members employed to work at the service.

(b) References were submitted by staff from either their past employers or from other reputable sources.

(c) Garda vetting disclosures received from the National Vetting Bureau of An Garda Síochána were available for all staff employed to work at the service.

(d) Police vetting was available for seven staff members who had resided outside of Ireland for longer than 6 consecutive months.

(4) Of the 17 staff files examined 15 staff working directly with children held an appropriate qualification in Early Childhood Care and Education or an equivalent such qualification.

(7) Each employee had signed induction training records to demonstrate that they had received training on the policies and procedures of the service.

### Non-Compliance Information

(2)(a) A second validated reference was not available for one staff member who had commenced work in the service in April 2023.

Evidence that references for five staff had been validated was not available.

(4) There were two staff who did not have documentary evidence of childcare qualifications.

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

#### Corrective and Preventive Action

(2)(a)

A second validated reference for a staff member that was not available on the day on inspection is now available on the staff members file.

Management stated that all references have been validated.

(4)

Documentation has been submitted for 1 member of staff who has completed two modules of her level 5 qualification.

The manager has stated that the 2<sup>nd</sup> staff member is undertaking a childcare course presently.

Management documented that all staff files are kept up to date with the required documentation.

#### Supporting documentation submitted

A childcare qualification for 1 staff member.

Document detailing participation by a staff member in a childcare course.

## Summary Comment

(2)(a)

The actions as stated by the manager of the service has addressed this non-compliance.

(4) This remains non-complaint as evidence that the 2<sup>nd</sup> staff member has completed a qualification to a minimum of level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent has not been submitted to the Early Years Inspectorate.

## 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.*

### Non-Compliance Information

1. The following information was not detailed on the outdoor play policy.
  - The measures to deal with weather conditions.
  - The play opportunities available.
  - How the children are supervised.
  - A daily risk assessment.
  
2. The following information was not detailed on the infection control policy.
  - The requirement by staff to wear an apron while changing childrens nappies.
  - The requirement by staff to change the apron for each nappy change for each child.
  - The requirement by staff to wash their hands before they commence each nappy change.
  
3. A policy on staff supervision which specified the way employees, unpaid workers and contractors were supervised and supported in the service in relation to their work practices was not available.
  
4. A policy on staff training which specified the way the registered provider must identify and address the training needs of employees and unpaid workers was not available.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

- The outdoor play policy has been updated to include daily risk assessments and the requirement for children to play outdoors every day.
- The infection control policy has been updated to include the requirement for staff to wear an apron for nappy changing and the requirement that aprons must be changed following each child's nappy change.
- A staff supervision policy and staff training policy has been documented following the inspection.

Management will ensure all policies and procedures are reviewed regularly and are kept up to date with regulations.

### Supporting documentation submitted

Copies of the policies were submitted.

### Summary Comment

The actions as stated by the registered provider address the non-compliances identified.

## Part III – Management and Staff

### Regulation 11 - Staffing levels

*(2) Subject to paragraphs (4) and (5), a registered provider of a full day care service or a part-time day care service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 1 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) thereof at that reference number is satisfied.*

### Compliance Information

(2) On the day of the inspection there were 81 pre-school children and 14 adults on the premises. The adult child ratio was correct in the facility.

There were 3 preschool children and 1 staff in the Baby Room.

There were 14 preschool children and 3 staff in the Wobbler Room.

There were 11 preschool children and 2 staff in the Toddler Room.

There were 9 preschool children and 1 staff in ECCE Room 1.

There were 15 preschool children and 2 staff in ECCE Room 2.

There were 14 preschool children and 2 staff in ECCE Room 3.

There were 15 preschool children and 2 staff in ECCE Room 4.

Relief staff were available to replace staff during breaks. A designated person was available to prepare and serve food to each room 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)BASIC NEEDS**

Healthy eating was promoted within the service with fresh hot meals provided. Children had all meals and snacks in their designated rooms and mealtimes were observed to be a sociable occasion for the children. At dinner time children were observed having enough time to eat and enjoy their food without being rushed. Children had access to their drinks throughout the day and staff were observed reminding the children to take regular drinks.

Each room had a supply of tissues and wipes available to the children. Two separate sleep rooms were provided for children under 2 years who required a sleep, with enough standard cots accessible at all times for the children in the Baby and Wobbler rooms. The toddlers over 2 years who required a sleep had access to low level beds in a third sleep room on the first floor. Designated rest areas were assessable in all rooms of the service throughout the day.

##### **PHYSICAL AND MATERIAL ENVIRONMENT:**

The Baby room had safe and comfortable spaces for the children not yet walking to lie, roll, creep and crawl with lots of soft floor mats to facilitate floor-based activities.

The Wobbler and Toddler rooms had low level tables and chairs to facilitate tabletop activities and dining at mealtimes. Open low-level shelving provided storage for toys and equipment.

Defined interest areas were provided where equipment and play materials were accessible in each room upstairs. Adult seating was available to facilitate staff sitting with children during the day.

### Non-Compliance Information

1. Appropriate seating was not used for children attending the Wobbler room. Eight children aged 18 months plus were seated in highchairs for more than 15 minutes while waiting for their dinner to be served. According to their age and stage of development these children were observed to walk steadily and therefore would have been more appropriately placed seated at a table with the rest of the group in the room.
2. The dignity of children was not respected at dinner time in the Wobbler room. All 14 children had their pants removed before their dinner in preparation for sleep time. This resulted in them waiting for their dinner for a considerable period of time without their pants on and waiting to be placed in their cots for a sleep.
3. Some of the children in the Wobbler room did not have bibs to protect their clothing while they ate their food and painting aprons which were plastic with long sleeves were used instead. Children did not appear to have freedom of movement to use their hands as the aprons were cumbersome.
4. While the children waited for their dinner, seated in the highchairs they were not given toys or books to play with which resulted in children missing an opportunity to explore and learn.
5. Staff stood while feeding the children as opposed to being seated at the child's eye level to support better communication with the child.
6. There was no sand available in the large sand box in the outdoor play area to support children's learning through the senses.
7. The outdoor play policy stated, 'in the summertime children can engage in sand and water play'. Sensorial play must be facilitated all year round to support children's play, exploration and learning. Children in the Wobbler room did not get access on a daily basis to outdoor play. Staff in the Wobbler room stated the children were not outdoors to play and get some fresh air on the 21/11/2022. The outdoor play policy for the service stated, 'The children have access to outdoor play most days but unfortunately with the Irish climate it can't be every day'. The outdoor area is an extension of the indoor area and is linked with the learning that goes on inside. All age groups of children must have opportunities to be outside as often as possible in all weather conditions except where a risk assessment does not allow.
8. Sensory play materials such as sand and water play was not available in ECCE rooms 2,3 and 4 to allow children to explore and learn by interacting with their environment through the senses.

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

### **Corrective and Preventive Action**

1. Children who are capable of sitting on chairs at tables for dinner will be facilitated to do so and staff will ensure that children will use age-appropriate furniture at all times.
2. Staff will ensure that the dignity of the children in the service will be respected at all times and pants will be removed only when children are ready to go for their sleep.
3. Staff will ensure that the children in their care have the appropriate protective clothing for mealtimes.
4. Staff will be asked to provide children with some learning materials when they are sitting in the highchairs.
5. Staff will be encouraged to use adult seating when feeding children in highchairs and to sit at the table with the children who are seated at tables.
6. The sandbox in the front play area will be removed and smaller sandboxes will be sourced to support children's learning through the senses.
7. The outdoor policy has been amended to include that the opportunity for outdoor play must be given to children at all times when it is safe to do so.
8. Management will monitor all rooms to ensure that sensory materials are present in all rooms.

### **Supporting documentation submitted**

Photographic evidence was submitted of additional sensorial play materials which have been made available

### **Summary Comment**

The actions as stated by the registered provider will address the non-compliances identified. These actions will be assessed on next inspection.

### Part VI - Safety

#### Regulation 23 - Safeguarding health, safety and welfare of child

*A registered provider shall ensure that all reasonable measures are taken to safeguard the health, safety and welfare of a pre-school child attending the service and that the environment of the service is safe.*

#### Non-Compliance Information

##### General Safety:

1. Coats and handbags belonging to staff were accessible to children in the Toddler room and posed a safety hazard.
2. The sponge foam material on an adult seat in the Wobbler sleep room was exposed and posed a risk to the safety of the children.
3. There was no cover available to close the sand box at nighttime to ensure vermin didn't access it. The timber surround of the sand box was in a poor state of repair and required painting.

##### Infection Control:

4. There was evidence that the policy on infection control was not being implemented and followed by staff. This posed a potential risk of cross infection between children and between staff. Childrens hands were not washed in the wobbler room before they ate their dinner.
5. The nappy changing policy was not up to date as it did not indicate the necessity of staff to wash their hands before and after nappy changing and the requirement to wear a clean apron for each nappy change.

A staff member in the toddler room was observed not to wash her hands before she changed the nappies for three children. The children's hands were not washed when the child's nappy was changed. A staff member did not remove her apron when she returned to the playroom. A staff member did not use a clean apron for each individual nappy change. There were three nappies changed while the same apron was used. The changing mat was not sanitised following each nappy change.

The lid of the bin for the disposal of the nappies was broken and the used nappies were visible.

##### Safe Sleep:

6. The white noise machine sounds in both sleep rooms was heard to be loud and posed a potential threat to the safety of children as the sleep room doors were closed and babies and young children may not be heard if they become upset and cried. Staff were requested to lower the volume of the white noise machine.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

##### General Safety:

1. Staff have been advised that all personal belongings including coats and handbags are to be kept in the staff room.
2. The chair has been removed from the wobbler sleep room.
3. The sandbox has replaced.

##### Infection Control:

4. Staff have been reminded of the importance of following our infection control policy and to ensure handwashing takes place before mealtimes.
5. The infection policy has been updated to include hand washing and sanitization procedures while nappy changing. This policy has been signed by all staff and is on display in all nappy changing areas. A new nappy bin has been purchased for the toddler changing area.

Management will monitor staff to ensure all policies and procedures are being followed correctly and that all policies are up to date.

##### Safe Sleep:

6. Staff have been advised to keep the white noise machine to a lower volume in the interest of the health and safety of the children in the sleep rooms. Management will monitor the sleep rooms to ensure that white noise is kept at an appropriate level.

#### Supporting documentation submitted

##### General Safety:

Not available

##### Infection Control:

Policies were submitted.

##### Safe Sleep:

Not available

### Summary Comment

The actions as stated by the manager will address the non-compliances identified.

## Part VII - Premises and Space Requirements

### Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-  
(d) cleaned, maintained and repaired, as required.*

### Non-Compliance Information

- (d)
1. The outside play area used by the older age group of children was not cleaned and maintained as there were two sections that were dirty, mucky and wet. The area had been cordoned off by chairs and plastic dividers to prevent the children accessing the spaces. Children could not use this area as it posed a potential risk to their safety. This has been highlighted on a previous inspection dated 09/09/2021. The registered provider documented in their response at this time that work would commence in January 2022 on the required maintenance of the all-weather surface.
  2. In the outdoor area used by the older preschool children there were sections under the two slides, wooden house and where the trees were growing which were dirty with mud and grime.
  3. A section of the outdoor play area used by the younger children was waterlogged, covered in moss, leaves and dirt. Children could not use this area as it posed a potential risk to their safety.
  4. Play equipment in the outdoor play area used by the younger children such as sand boxes and prams were full of water. This posed a potential risk to the safety of children.
  5. Weeds were growing at the entrance to the rooms.
  6. In ECCE room 3 the radiator cover was broken with the nails exposed which posed a potential risk to the safety of children.

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

#### Corrective and Preventive Action

1.2.3.

The outdoor area for the older children is power washed at certain times of the year in order to maintain it. Management have identified the need for a drainage system to be installed in certain areas in order to prevent mud, moss and leaves from gathering. We are in the process of sourcing a company to carry out this work. Management will monitor the outdoor area and ensure that it is clean and safe for the children to use at all times.

4. Staff will be reminded to carry out risk assessments of the outdoor area prior to leaving the children out to play. Any equipment holding water will be emptied to eliminate any risks to the children's safety.
5. Maintenance will be carried out to remove all weeds from outdoor areas.
6. A new heater has been purchased and installed in ECCE room 3.

### **Supporting documentation submitted**

1, 2, 3 – no evidence submitted.

Photographic evidence was submitted of the radiator installed.

### **Summary Comment**

Point 6 has been addressed.

The actions as stated by the manager do not address the non-compliances listed under points 1, 2, 3, 4 and 5 and evidence to support these actions have not been submitted to the Early Years Inspectorate.

Maintenance and cleaning of both outdoor play areas have been highlighted as non-compliant in previous inspection reports dated 28/04/2023, 15/07/2022, 09/09/2021 and 30/01/2020 and the proposed actions as stated by the registered provider have not rectified the non-compliances.

## **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.*

### **Compliance Information**

(1) The complaints policy of the service specified:

- (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 a complaint will be dealt with.
- (c) The procedures for keeping a person who made the complaint informed in relation to how the complaint was being dealt with.