

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015LK155
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Name of Service:	St. Anthony's Montessori School
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Address of Service:	Mungret Soccer Club, Rathmale, Mungret, Co. Limerick
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Eircode:	V94 A9FE
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Name of Registered Provider:	Niamh Cusack
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Service type:	Sessional
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Date(s) of Inspection:	19/04/2023
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No of pre-school children:	<table border="1"> <tr> <td>AM</td> <td>17</td> <td>PM</td> <td>No.</td> </tr> </table>	AM	17	PM	No.
AM	17	PM	No.		

Address of the Early Years Inspectorate:	Tusla Early Years Inspectorate 2nd Floor Estuary House Henry Street Limerick
Inspection undertaken by:	J Ryan
Title:	Early Years Inspector

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

This private montessori sessional service was established in 2008. It operates a morning session from 09:00 – 12:00hrs, Monday – Friday for 38 weeks a year.

The service offers a play-based curriculum through the montessori ethos. It is operated from a designated room in a community building in a rural setting. The children have access to one playroom, the sports hall, sanitary accommodation areas and outdoor play facilities.

Staffing

The registered provider and one other adult work in the service each day. A relief adult is also available when required. The registered provider holds a major award in Early Childhood Care and Education at level 8 on the National Qualifications Framework. The second adult working with the children holds a major award in Early Childhood Care and Education at level 5.

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.

The inspection focused on an examination of compliance under regulations 9,11,15,19,22,23,24,25,26,28 and 29.

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

20/04/2023

An Immediate Action Notice was issued to the registered provider as there was no person trained in first aid for children (FAR – First Aid Responder) available in the service at all times while the children were in attendance. Please refer to Regulation 25 - First Aid in the body of the report.

21/04/2023

The registered provider responded that a person trained in first aid would be on the premises at all times.

24/04/2023

A referral was made to the fire safety department in relation to areas identified on inspection regarding fire safety. Please refer to Regulation 23 - Safeguarding health, safety and welfare of child and Regulation 26 - Fire safety measures in the body of the report.

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.

(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.

Compliance Information

(1)(a) There was a designated person in charge and a named person who was able to deputise as required.

(b) The deputy person in charge was available on the premises on the day of the inspection. The registered provider arrived at 11.20am during the inspection.

(2) There were two new members of staff employed since the last inspection of the service on 14/10/2020. The following documents were available on file for these staff. Records for the registered provider had been reviewed on previous inspections of the service and were deemed to meet the requirements of regulation 9.

(a) Two references from the person's past employers and in particular the most recent employer were available for one staff. The second staff member present had one reference only.

(b) References from sources other than past employers in the case of a person who had no past employers were not required.

(c) Vetting disclosures received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in was available in respect of all three staff.

(d) Police vetting was not required as no staff member had lived in another state for a period of longer than 6 consecutive months.

(4) One adult had a childcare qualification which was checked at a previous inspection of the service.

Non-Compliance Information

(2)(a) One reference only was available for one staff member present on the day of the inspection when two were required. There was no evidence available to demonstrate that the references that were available were validated by the registered provider prior to the staff commencing work in the service.

(4) The two staff who were present on the morning of the inspection did not have documentary evidence of their childcare qualification or a qualification deemed by the minister to be equivalent to a minimum of level 5 on the National Qualifications Framework.

(7) A staff member present on the morning of the inspection and who had commenced working in the service on the day of the inspection was not provided with appropriate information and training in relation to the policies, procedures and statements of the service specified in Schedule 5.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider detailed the following response.

(2)(a) A second reference for one staff member has been submitted.

References that were available have been validated.

(4) Evidence has been submitted that one staff member present on the day of the inspection has childcare qualifications. The second staff member no longer works in the service.

(7) Details in relation to induction training on policies, procedures and statements of the service specified in Schedule 5 are available.

Supporting documentation submitted

Photographic evidence of documentation was submitted.

Summary Comment

The actions as stated by the registered provider meet the regulatory requirements of the regulation 9.

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.

Compliance Information

(1) At all times during the period of the inspection the person in charge ensured that an adequate number of staff were working directly with the children. The minimum ratio of staff to children was maintained as there were 2 staff working with 17 pre-school children on the day.

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.

(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-

- (a) a parent or guardian of a pre-school child but only in respect of the record relating to that child,
- (b) an employee who is authorised in that behalf by the registered provider, and
- (c) an authorised person.

(4) A registered provider shall ensure that a record in writing referred to in paragraph (1) is retained for a period of 2 years from the date on which the child to whom it relates ceases to attend the service.

Compliance Information

A sample of 13 records of a preschool child were reviewed on the day.

(1) The following information was contained on each record of a preschool child- (a) (b) (d) (e) (f) (g) (h) (i)

(4) Records in writing referred to in paragraph (1) were retained for a period of 2 years from the date on which the child to whom it relates ceased to attend the service.

Non-Compliance Information

(1) The registration record form for each did not contain a section to record the following information:

(c) The date on which the child ceased to attend the service.

(3) Records for all the preschool children present on the day referred to in (1) were not open to inspection and readily available on the premises by

(a) A parent or guardian of a pre-school child but only in respect of the record relating to their child.

(b) An employee.

(c) An authorised person.

Records for the preschool children were not readily available as there were some paper records, some records maintained on the registered providers laptop, some maintained on the registered providers phone and additional records were stored in cupboards in the service.

The registered provider was unable to open some of the childrens records on the laptop which meant that emergency contact numbers for parents/guardians and consent to seek medical treatment in the event of an emergency were not available to the staff working in the service.

As the registered provider was not present in the service when the inspector arrived all childrens records were not available to both staff supervising the children. The staff present did not have access to the registered providers laptop as it was not retained in the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider detailed the following response.

(1)(c) The registration forms now contain all the required details in (1)(a)-(i) as listed above.

(3) A hard copy and a digital copy of every child's application form is available on site.

Supporting documentation submitted

Photographic evidence was submitted of childrens registration forms.

Summary Comment

The actions as stated by the registered provider meet the regulatory requirements of the regulation 15.

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:

A healthy eating policy was available in the service and children were observed to eat their snack outdoors seated at tables. Nutritious and healthy snacks such as sandwiches and fruit were available. Children were observed to have water as their drink. On arrival at the service children were in the outdoor play area in the enclosed all weather pitch and routinely spend time outdoors every day. Staff were observed to be caring in their interactions with the children. They were observed to be interested in the children, listened to them and spoke to them using soft tones of voice and used positive language.

PHYSICAL AND MATERIAL ENVIRONMENT:

This sessional service was operated from a room in a community hall. It comprised of 1 room, sanitary accommodation areas and an outdoor play area.

Adequate and varied play equipment suited to the age and stage of development of the child was available in the service and in the outdoor play area. Sand and water play activities were accessible to the children to support sensorial play.

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

There was evidence of the policy on healthy eating being implemented as children were observed to eat healthy snacks such as sandwiches, fruit and had water to drink.

Non-Compliance Information

Safe facilities were not available to store food in the childcare service.

1. A fridge was not available to store perishable lunches for the children. Food such as butter was observed to be stored in a cupboard which also contained toxic substances, cleaning materials and books.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider detailed the following response.

1. Perishable foods will be stored in a fridge in the hall room.

Supporting documentation submitted

Photographic evidence was submitted.

Summary Comment

The actions as stated by the registered provider meet the regulatory requirements of the regulation 22.

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. A toaster, a kettle and a coffee maker were stored on the counter beside the sink and posed an electrical safety hazard as they were adjacent to the water taps. This posed a risk to both staff and children.
2. A microwave oven was stored on a shelf that was unsteady beside the sink and posed a safety hazard should it fall on a child.
3. The plug and lead from the microwave was placed behind the sink and water taps and connected to an extension lead and posed an electrical safety hazard. This posed a risk to both staff and children.
4. A small white table which was for use by the children was unsteady as the legs were broken. The registered provider was requested to remove the table immediately as it posed a risk of injury to a child.
5. Doors were falling off the cupboard underneath the sink area and posed a risk of injury to both staff and children.

Infection Control:

6. An open top waste disposal bin was in use which posed a risk of cross infection.
7. Thermostatically controlled hot water was not available at the wash hand basin in the sanitary accommodation or at the wash hand basin in the playroom to ensure hygienic handwashing. This posed a risk of cross infection.

Fire Safety:

8. Toys and play equipment were being stored in a corridor and partially blocked the exit route which lead to a fire exit. This posed a risk to both staff and children.
9. A plywood door which could be used as a half door, had been erected inside and behind the entrance door to the service and posed a potential fire risk should the building need to be evacuated.
10. There was no self-contained smoke alarm in the room.

Action submitted by the Registered Provider

Corrective & Preventive Action

The registered provider detailed the following response.

General Safety:

- 1-3. The electrical appliances have been removed from the sink area and will stored in the meeting hall kitchen.
4. The broken table has been removed and replaced.
5. Cupboard doors underneath the sink have been repaired.

Infection Control:

6. A foot operated lidded pedal bin had been provided.

7. Thermostatically controlled hot water is available at the wash hand basin in the sanitary accommodation and at the wash hand basin in the playroom.

Fire Safety:

8. The toys will be stored in the empty storage room.

9. The half door has been removed.

Supporting documentation submitted

Photographic evidence of the changes made was submitted.

Summary Comment

The actions as stated by the registered provider meet the regulatory requirements of the regulation 23.

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-

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

Non-Compliance Information

(1) Staff did not ensure that each pre-school child attending the service was checked in to the service on the morning of the inspection.

On arrival at the service the inspector requested to view the roll book/attendance record. The roll book/attendance record was not available. Staff stated that the number of children present was recorded on the registered providers laptop by the registered provider in the morning before she had left the service.

The registered provider returned to the premises at 11.20hrs and when the attendance record on the laptop was checked for the date referred to 19/04/2023 it had not been completed.

(3)(b) The registered provider did not ensure that a daily record was documented of visitors to the childcare service who were allowed entry to the facility.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider detailed the following response.

(1) The attendance records/roll call will be recorded on the laptop and phone where staff members can access it at all times.

(3)(b) A daily record will be documented of visitors to the service on the visitors book.

Supporting documentation submitted

Photographic evidence was submitted.

Summary Comment

The actions as stated by the registered provider meet the regulatory requirements of the regulation 24.

Part VI - Safety

Regulation 25 - First aid

(1) A registered provider shall ensure that a person trained in first aid for children is, at all times, immediately available to the children attending the pre-school service.

(2) A registered provider shall ensure that a suitably equipped first aid box for children-

(a) is safely stored in an easily accessible and conspicuous position on the premises, and

(b) is available to the children attending the pre-school service at all times.

Compliance Information

(2) A suitably equipped first aid box for children-

(a) Was safely stored in an easily accessible and conspicuous position on the premises.

(b) Was available to the children attending the pre-school service at all times.

Non-Compliance Information

(1) Evidence was not available to demonstrate that there was a staff member who had completed up to date training in first aid for children (First Aid Responder) and that a staff member with this training was available to children at all times during the operation of the service.

An Immediate Action Notice was issued to the registered provider on the 20/04/2023 requesting that a person trained in first aid be available on the premises at all times during the operation of the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider detailed the following response.

(1) Evidence was submitted on the 21/04/2023 that a person trained in first aid for children (First Aid Responder) was available on the premises at all times during the operation of the service.

Supporting documentation submitted

Photographic evidence of the required documentation was submitted.

Summary Comment

The actions as stated by the registered provider meet the regulatory requirements of the regulation 25.

Part VI - Safety

Regulation 26 - Fire safety measures

(1) A registered provider shall ensure that a record in writing is kept of-

(a) any fire drill that takes place in the premises, and

(b) the number, type and maintenance record of fire fighting equipment and smoke alarms in the premises.

(4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.

Compliance Information

(1)(a) A record in writing was kept of fire drills that took place in the premises. The fire drills were practiced on a monthly basis.

Non-Compliance Information

(1) A record in writing was not available of:

(b) The number, type and maintenance record of firefighting equipment and smoke alarms in the premises.

(4) While a fire drill procedure was available it did not contain where the fire assembly point was located, did not demonstrate how to exit the building and did not contain the address or Eircode of the premises if calling emergency services.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider detailed the following response.

(1)(b) The number, type and maintenance record of firefighting equipment and smoke alarms in the premises was submitted and is up to date.

(4)A map of the clubhouse grounds which indicates the exits and the fire assembly point is displayed on the noticeboard in the service.

Supporting documentation submitted

Photographic evidence was submitted.

Summary Comment

The actions as stated by the registered provider meet the regulatory requirements of the regulation 26.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

Adequate insurance was available for the number of children who attended and had an expiry date of 27.11.2023.

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,*
- (b) safe and secure,*
- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

Compliance Information

- (a) The premises appeared to be of sound and stable structure.
- (b) The premises appeared to be safe and secure.
- (e) There were adequate number of sanitary facilities available to both children and staff.

Non-Compliance Information

- (c)
 1. The playroom was not adequately heated to an ambient room temperature within a range of 18-22 °C. The room temperature was recorded at 13.2 °C.
- (d)
 2. Insufficient storage space was available in the service.
 - Insufficient space was available coats and personal belongings which belonged to staff, which were noted to be hanging from the back of a door and this prevented the door from opening fully.
 - There were numerous boxes of files and paperwork in each of the cupboards in the playroom.
 3. All floor mats and the linoleum floor covering were dirty and dusty.
 - Cleaning checklists were not available or displayed in the service. The following was not recorded to demonstrate that regular and thorough cleaning of the service took place.
 - Signature of the person who had completed the cleaning tasks.
 - Signature of a member of management who had checked to ensure that cleaning procedures had been completed satisfactorily.
 - Frequency of cleaning.
 - Days of the week where a deep clean took place.
 - Areas / Items to be cleaned.
 - Toys and play equipment were strewn behind and underneath shelving on the floor.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider detailed the following response.

(c)

1. The temperature of the room will be checked, and the heat will be switched on as required to maintain the room temperature between 18 °C - 21°C.

(d)

2. Additional storage space has been provided for coats, personal belongings and files.

(3) Cleaning checklists and schedules are available. The registered provider has documented that regular and thorough cleaning of the service will take place.

Supporting documentation submitted

Photographic evidence was submitted.

Summary Comment

The actions as stated by the registered provider meet the regulatory requirements of the regulation 29.