

# Early Years Inspectorate Regulatory Report

## Pre School

**TUSLA Identifier:** TU2015LS016

**Name of Service:** Magic Moments Montessori

**Address of Service:** 78 Hawthorn Drive, Portlaoise, Co. Laois

**Eircode:** R32 DX26

**Name of Registered Provider:** Nuala McEvoy , Olivia Kelly

**Service type:** Full Day

**Date(s) of Inspection:** 29/05/2024

<b>No of pre-school children:</b>	AM	39	PM	20

<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Tusla, Child and Family Agency, Primary Care Centre, Church Avenue, Tullamore Co. Offaly R35K1W4
<b>Inspection undertaken by:</b>	D. Molloy
<b>Title:</b>	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

### Description of service

Magic Moments Montessori is a private, sessional, part time and full day care service. It is located in a housing estate in the town of Portlaoise, Co. Laois. It was established in 2005.

The age range of children attending is from 2 to 6 years. This full day care service operates from 8.00am to 6.00pm and offers Monday to Friday.

This service operates from a converted detached bungalow on its own site in Hawthorne housing estate in Portlaoise. This converted domestic dwelling is used for the sole purpose of operating an early years' service. Access to the service is restricted by means of perimeter fencing and a secure gate at the front of the service.

The service provides three playrooms, a designated sleeping room, four toilets and wash hand basins and a designated nappy changing area, a kitchen and cloakroom/reception area are also provided. A large secure outdoor play area which has recently been resurfaced is provided to the rear of the building. The outdoor facility is subdivided and is partially roofed .

Parking and set down is available on the public road outside the premises

### Staffing

The registered providers were on site during the inspection and facilitated the inspection. Four staff were working in the service in addition to the registered providers. All staff members hold a major award in Early Childhood Care and Education at Levels 6 to 8 on the National Framework of Qualifications.

### 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.

A sampling process was used to assess compliance under Regulation 19 Health, welfare, and development of child .

As a result, the scope of the inspection included the preschool room, sanitary accommodations, and the outdoor play area.

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 providers who were the 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
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.

(2) A registered provider shall ensure that each employee, unpaid worker, and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,
- (b) consideration of references from reputable sources in the case of a person who has no past employers,
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and
- (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned, or allowed access to or contact with a child attending the pre-school service.

(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.

(6) Paragraph (4) shall not apply before 1 September 2021 to a person who-

- (a) has signed a declaration on or before 30 June 2016 to the effect that he or she intends to retire from employment in a pre-school service before 1 September 2021, and
- (b) is in possession of a letter from the Minister confirming that paragraph (4) shall not apply to him or her before that date.

*(6A) is inserted by S.I. No.632 of 2016 CHILD CARE ACT 1991 (EARLY YEARS SERVICES) (AMENDMENT) REGULATIONS 2016 which states; Regulation 9 of the Child Care Act 1991 (Early Years Services) Regulations (S.I. No. 221 of 2016) is amended - in paragraph (4), by the substitution of “paragraphs (5), (6) and (6A)” for “paragraphs (5) and (6)”, and (b) by the insertion of the following paragraph after paragraph (6): “*

*(6A) Paragraph (4) shall not apply to an employee of a registered provider where - (a) the registered provider receives funding for the employment of the employee pursuant to a scheme funded by the Minister and known as the Access and Inclusion Model, and (b) the employment of the employee is for the purpose of providing support, pursuant to the scheme referred to in subparagraph (a), for a child attending the service to enable the child to participate in the programme known as the Early Childhood Care and Education (ECCE) funding Programme.”*

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

- (a) the policies, procedures and statements of the service specified in Schedule 5;*
- (b) Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act, and*
- (c) these Regulations.*

### Compliance Information

- (1)
- (a) The service has a designated person in charge and a named person who is able to deputise as required.
  - (b) The registered provider was present during the inspection and facilitated the inspection. The roster showed that at all times the person in charge or registered provider were present during the opening hours of the service.
- (2)
- Six staff files were reviewed on site on the day of inspection.
- (a) (b)Validated references from staff members’ past employers, in particular the most recent employer was available for review. Validated references from reputable sources were available for review.
  - (c)Garda vetting disclosures had been obtained for all staff. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
  - (d) Police vetting from other police authorities was available as was required .
- (3)

Required vetting had been carried out prior to adults being appointed, assigned, or allowed access to or contact with a child attending the pre-school service.

(4)

Staff held a major award in Early Childhood Care and Education at Level 5 to 8 on the National Framework of Qualifications.

(6)(a)(b)

Not applicable as no employee had signed a declaration on or before June 30, 2016, to the effect that they intended to retire from employment in a pre-school service.

(6A)

No employee was working with children under the Access and Inclusion Model (AIM) Scheme.

### Part III – Management and Staff

#### Regulation 11 - Staffing levels

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

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

*(8) Without prejudice to paragraphs (2) to (7)-*

*(a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times,*

#### Compliance Information

(1)

The registered provider ensured that there were sufficient adults working directly with the children throughout the opening hours of the service. Six staff including the registered provider were on site.

(2)

From the review of the records, it was noted that the minimum ratio of adults to children was maintained, and records showed that the adult child ratio was maintained in the service.

(8)

(a) The registered provider ensured that there were at least two adults on the premises at all times, this was reflected in the staff rosters

### Part IV – Information and Records

#### Regulation 18 – Copy of Act etc.

*A registered provider shall ensure that a copy of Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act and of these Regulations is kept on the premises and the said copies shall be open to inspection on the premises by-*

- (a) a parent or guardian of a child attending or proposing to attend the service,*
- (b) an employee, unpaid worker, or contractor, and*
- (c) an authorised person.*

#### Compliance Information

The registered providers had ensured that a copy of Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act and of these Regulations was available on the premises and could be viewed by

- (a) a parent or guardian of a child attending or proposing to attend the service,
- (b) an employee, unpaid worker, or contractor, and
- (c) an authorised person .

### 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

##### Basic Needs

It was noted that no child was recorded as having allergic conditions or medical conditions.

The children were engaged in outdoor and indoor activities. During the inspection all the children got to play outdoors in the recently developed outdoor all weather surfaced play areas .

A varied nutritious diet was provided with fresh meals cooked on site each day by the designated cook, and the menu was on display . The main meal of the day was pasta Bolognese and vegetables, and tea was a selection of sandwiches , water and milk and fresh fruit were also served at mealtimes.

### **Supporting Relationships.**

Children were relaxed in the setting and there was a warm and friendly atmosphere. The staff were familiar with the children's family and many children were related to each other. Siblings were facilitated to meet up and be together during the day. Parents received regular updates on their children's progress at hand over times and at individual meetings with the registered provider. Birthdays and events were celebrated. The family wall displayed photos of children and their families and community. A graduation celebration was held on site each year at term end and preparations were afoot for this upcoming event.

## 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:**

A system of controlled entry was in place at the front door which was operated by means of a bell and controlled from within so as to prevent unauthorised entry.

Access to the kitchen was restricted and children could not gain entry to this room.

A system of pest control was in place and no activity had been recorded.

Cleaning, sanitising products and equipment were stored in a designated locked cupboard out of reach of children.

#### **Infection Control:**

Staff were familiar with the infection control policy and parents had been issued with an up-to-date copy. Hand washing was observed, and good practices were noted. The premises was well ventilated with openable windows. For nappy changing aprons, gloves nappy bags, wipes, paper towels, and dispensing liquid soap were in good supply in the nappy changing facility.

#### **Administration of Medication:**

A site-specific medication management policy had been devised and was available in the service.

Staff were familiar with policy and practice in relation to safe administration of medication and correct storage of medicines.

No medication was administered on the day of inspection .

### Safe Sleep:

Staff were aware of best sleep practices, physically monitored sleeping children, carried out and recorded sleeping checks. A staff member was observed sitting in the room and monitoring sleeping children .

### Fire Safety:

The fire exits were unobstructed.

The fire exits were fitted with exit display signage.

A notice of the fire assembly point was on display to show fire assembly point outside the building.

### Outing:

The registered provider stated that no outings are conducted from the service.

## 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)  
Staff had up to date First Aid Responder (FAR) certification and were available to the children attending the pre-school service.

(2)  
(a) The first aid box was safely stored in an easily accessible location on the premises.  
(b) The first aid box was readily available in the service at all times.

## 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 firefighting equipment and smoke alarms in the premises.
- (2) The record referred to in paragraph (1) shall be open to inspection by-
- (a) a parent or guardian of a pre-school child attending or proposing to attend the pre-school service,
  - (b) an employee, and
  - (c) an authorised person.
- (3) A registered provider shall ensure that a record referred to in paragraph (2) is retained for a period of 5 years after its creation
- (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 written record was available of the fire drills carried out in the service. The last fire drill was recorded as being carried out on May 13, 2024.

(b) The number, type and maintenance record of firefighting equipment and smoke alarms on the premises was available. The fire alarms were serviced on August 15, 2023, and fire equipment was checked in October 2023.

(2)

The record was available open to parents, guardians, employees, and the authorised person.

(3) The person in charge stated that records were retained for a period of 5 years after creation.

(4)

A notice of the procedure to be followed in the event of a fire was displayed on the premises

## Part VI - Safety

### Regulation 28 - Insurance

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

#### Compliance Information

A copy of up-to-date insurance cover for the number of children attending the service was available .The insurance cover was valid until March 2025.

## Part IX - Inspection and Enforcement

### Regulation 33 – Furnishing of information to agency

*A registered provider shall furnish the Agency with such information as the Agency may reasonably require for the purpose of enforcing and executing these Regulations and the information shall be in such form, if any, as may be specified by the Agency.*

#### Compliance Information

The registered provider facilitated the inspection and provided access to information as was required for completion of the inspection.