

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015MO021
--------------------------	-------------

<b>Name of Service:</b>	Belmont Montessori School (IMEB Registered)
-------------------------	---

<b>Address of Service:</b>	Botharnasop, Ballina, Co. Mayo
----------------------------	--------------------------------

<b>Eircode:</b>	F26 EH57
-----------------	----------

<b>Name of Registered Provider:</b>	Eileen McNamara
-------------------------------------	-----------------

<b>Service type:</b>	Sessional
----------------------	-----------

<b>Date(s) of Inspection:</b>	07/06/2023
-------------------------------	------------

<b>No of pre-school children:</b>	AM	15	PM	
-----------------------------------	----	----	----	--

<b>Address of the Early Years Inspectorate:</b>	Early Year's Inspectorate, TUSLA, Child and Family Agency, 2nd Floor, St. Mary's HQ., Castlebar, Co. Mayo.
<b>Inspection undertaken by:</b>	S. Gallagher
<b>Title:</b>	Early Years Inspector(s)

### 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
---------------------------------	----------------

### Description of service

This service is located in a residential estate on the outskirts of Ballina, Co. Mayo. The service is registered to cater for children aged from two to six years of age. with a morning and an afternoon session provided. The service operates a sessional service from 8:50-12:00 and 12:20-15:00 Monday to Friday during the academic year. The premises comprises of a single-storey building that was purpose built for the provision of a childcare service. The service comprises of a playroom, an office, a kitchen and sanitary accommodation. The service is registered to cater for a maximum of 22 children at any one time in a sessional service.

### Staffing

There are nine adults employed in the service including the registered provider who is actively involved in the day to day running of the service. One adult attends the service weekly on a volunteer capacity.

### 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, 23, 25, 26, 27, and 28. These findings are outlined within the relevant regulations within this report.

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(s) wish to acknowledge the cooperation of the *registered provider, 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

*(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

(2)

The designated person in charge confirmed with the inspector that six staff had commenced in the service since the most recent inspection on the 14 October 2020.

The following documents were available on file or not required for six adults:

(a) Four written validated references from a past employment was on file for four adults.

(b) One written validated reference from another source was on file for one adult.

(c) Vetting disclosures from the National Vetting Bureau of the Garda Síochána were available for all adults.

(d) International police vetting from one jurisdiction was on file for one adult. International police vetting was not required for one adult.

(4)

Evidence of the completion of a major award in Early Childhood Care and Education at Level 5 on the National Qualifications Framework or an equivalent qualification was available for ---three adults who worked directly with the children.

### Non-Compliance Information

(2) The following documents were not available on file or inadequate for six adults:

(a) One written reference on file for one adult had no address, no signature, no date and had no evidence of verification.

One written reference on file for one adult was from a source other than an employer when the employment history outlined relevant reference previous employment.

One written reference on file for three adults was not from their most recent employment as demonstrated in the employment history.

Two written references on file for one adult were from a source other than an employer when the employment history outlined relevant reference previous employment.

(d) International police vetting was not on file for one adult who had lived outside the jurisdiction of Ireland.

It is unknown if international police vetting is required for four adults due to gaps in the employment histories on file.

There was no proof of identity on file for one adult.

(4)

Evidence of the completion of a major award in Early Childhood Care and Education at Level 5 on the National Qualifications Framework or an equivalent qualification was not available for two adults who worked directly with the children. There was no English translation on file to ascertain that the qualification certificate on file for one adult was a major award in Early Childhood Care and Education at Level 5 on the National Qualifications Framework or an equivalent qualification.

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

#### Corrective and Preventive Action

(2)

(a)

Staff references have been updated. The references are dated, signed, addressed, from the most recent employer where applicable. All references have been verified. Two references which are dated, signed, addressed and from most recent employments if applicable will be obtained for new staff.

(d)

International police vetting is in progress for one staff member. International police vetting is now obtained from employees prior to starting at the service. Proof of identity is on file for all staff members. Proof of identity will be obtained for new staff in future.

(4)

Evidence of the completion of a major award in Early Childhood Care and Education at Level 5 on the National Qualifications Framework or an equivalent qualification is now on file for two adults. One adult who required a translation of the qualification certificate on file is no longer on the service files. A copy of a translation in English of qualifications will be obtained in future.

### **Supporting documentation submitted**

References

International police vetting

Employment History

Proof of Identity

Qualification certificate

### **Summary Comment**

The actions taken together with the evidence submitted has been reviewed by the Office of the Early Years Inspectorate. Non compliances identified on the day of inspection under 2(d) and 4 have been addressed. Under 2(a) a written validated reference from the most recent employment for one adult has not been submitted for review, hence the non-compliance remains outstanding and will be reviewed on next inspection.

### 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)

The following child to adult ratios were observed on the day of the inspection, there were 15 children aged 2 years to 6 years attending the service being cared for by 4 adults for the duration of the session.

### 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

The following measures were in place in the service to safeguard the health, safety and welfare of children attending:

#### General Safety:

The floor coverings throughout the service were observed to be maintained in a good condition. There were no trailing cables or leads observed. Cleaning products were securely stored on the premises and was inaccessible to children attending the service. The toys and play equipment were non-toxic and in satisfactory condition.

#### Infection Control:

Foot operated pedal bins were observed in the playroom and sanitary areas.

Warm running water and liquid soap was available at all wash hand basins throughout the service.

#### Fire Safety:

All exit routes were observed to be unobstructed for the duration of the inspection.

#### Non-Compliance Information

#### General Safety:

1. The large entrance gate to the service was not secured on the arrival of the inspector at 9:40am thus

allowing unauthorised access into the service is acknowledged that a staff member secured the gate and it remained secured for the duration of the inspection.

2. A foothold comprising of a plant pot positioned beside the railing at the located at the top of the steps leading from the outdoor play area to the playroom posed a risk of a child accessing a Perspex roof.
3. The following risks were identified in an area at the front of the service utilised by children when playing on ride on toys on the day of inspection;
  - A refuse bin, a gas cylinder, a barbecue and 2 fuel bunkers were accessible to the children.
  - A ceramic ornament and the lid of the plastic foot operated pedal bin had jagged edging exposed thus posing a risk of injury.
  - The position of the seating and the base of the fence provided a foothold thus may pose the risk of a fall.
  - The gate leading to the area where the oil tank, additional bins and a rake were located was not secured.
4. The following risks were identified in the outdoor play area at the rear of the service;
  - Jagged edged wood was exposed at the base of the sheltered area, on the wooden gate at the swing area and on several areas of fencing in the outdoor area.
  - There were jagged edges on the Perspex section of the door leading to small room located within the sheltered building in the outside area.
  - A small clothesline with rain gear and an apron hanging beside the sink in the outdoor play area posed risk of a child choking.
  - Several sections of underlay edging in the bark area beside the swing was exposed thus posing a trip hazard for the children.
  - A row of hooks positioned on the side of a low-level table located near the outdoor sink posed a risk of injury.
  - The sharp edge of a screw was exposed at the gate at the entrance to the sheltered area.
  - A beam on the internal section of the gate at the entrance to the swing area was not secured.
  - There were vertical cracks in the supporting beams of the swing frame.
  - The brackets and upper sections of the chains attaching the swing to the frame were rusty.

### Infection Control:

5. It is acknowledged that paper towel was provided in the service. However, cloth towels observed to be used for hand drying by several children posing a potential risk of cross infection.
6. Childrens snacks comprising of perishable food products including dairy products and cold cuts of meat were stored at room temperature in lunch boxes on a storage shelf in the kitchen and not below 5 °C thus posing a risk of infection.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

##### General Safety:

1. The entrance gate has been serviced and is now secured.
2. The plant pot has been removed
3. The risks at the front of the service have been removed;
  - The bin has been moved to an enclosed area.
  - The barbecue and gas cylinder have been moved.
  - The fuel bunkers have been secured.
  - The ceramic ornament and the pedal bin have been removed.
  - The seating near the fence has been removed.
  - The gate near the oil tank and refuse bins has been secured.
4. All jagged edging on timber in the outdoor play area at the rear of the service have been repaired and all risks have been rectified and repaired.
  - The gate at the swing area and the fence have been repaired.
  - The Perspex on the door of the pod will be repaired.
  - The small clothesline and hooks at the water table area have been removed.
  - The area under the swings will be checked regularly. The bark will be replaced when needed to ensure that the underlay is completely covered to avoid trips in this area.
  - The exposed sharp end of a screw has been removed.
  - The cracks on the beams of the swing have been repaired and the brackets have been sanded and painted.
  - All outdoor areas will be inspected regularly and repairs undertaken as necessary.

### Infection Control:

5. In the event that a child supplies their own cloth towel, it will not be accessible to other children. Paper hand towels are provided.
6. Perishable food is stored in the refrigerator in the kitchen. All perishable foods will be labelled and stored in the refrigerator until lunch time.

### Supporting documentation submitted

#### General Safety:

Photographic evidence pertaining to the outdoor areas.

#### Infection Control:

Click or tap here to enter text.

### Summary Comment

The actions taken together with the evidence submitted has been reviewed by the Office of the Early Years inspectorate. Evidence of repairs to the broken Perspex on the door in the sheltered area was not submitted to the Office of the Early Years Inspectorate. Photographs submitted to the Office of the Early Years Inspectorate pertaining to the gate and fencing shows evidence of jagged edges of timber exposed on the top horizontal beam of the gate and on the side of the red vertical beam of fencing. This evidence submitted did not demonstrate that all non-compliances found on the day were addressed. This will be reviewed on the next inspection.

### Part VI - Safety

#### Regulation 25 - First aid

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

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

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

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

#### Compliance Information

(1) There was documentary evidence of training in First Aid for children available for 7 adults working in the service.

(2) (a) The first aid box was stored on the lobby wall out of reach of children.

(b) The first aid box was supplied with sufficient resources and available at all times in the pre-school service.

### 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.*

*(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 detailing fire drills that had taken place in the service.

(b) There was a record to show that the firefighting equipment had been serviced on the 28 September 2022.

### Non-Compliance Information

(1)

(b) The record available pertaining to the servicing of the smoke detection and alarm system was dated November 2021.

(4) The procedures to be followed during a fire drill and in the event of a fire were not displayed in the service on the day of inspection.

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

#### **Corrective and Preventive Action**

Corrective and preventive actions were not outlined in the CAPAs submitted by the registered provider.

#### **Supporting documentation submitted**

Copy of certificate for the servicing of the smoke alarm and detector system dated 14 July 2023.

Copy of the notice of procedures to be followed in the event of a fire.

### Summary Comment

The evidence submitted has been reviewed by the Office of the Early Years Inspectorate. The evidence submitted demonstrated that corrective actions were taken to address the non-compliances found on the day of inspection however, there was no evidence of how a recurrence of the non-compliances would be prevented. This will be reviewed on the next inspection.

### Part VI - Safety

#### Regulation 27 – Supervision

*A registered provider shall ensure that pre-school children attending the service are supervised at all times.*

#### Compliance Information

The children were observed to be supervised predominantly by sight, by the staff members at all times during the inspection. Children when out of view of the staff whilst using the toilet were within close proximity if assistance was needed to be provided.

### Part VI - Safety

#### Regulation 28 - Insurance

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

#### Compliance Information

There was insurance cover for twenty-two children attending the service on a sessional basis including an additional session with an expiry date of the 27 November 2023.