

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015MO033		
Name of Service:	Claremount Crèche & Montessori		
Address of Service:	Cluain Aoibhinn, Claremount, Claremorris, Co. Mayo		
Eircode:	F12 VE89		
Name of Registered Provider:	Pauline McCormack		
Service type:	Full Day, Part Time, Sessional		
Dates of Inspection:	07/03/2024		
No of pre-school children:	AM	63	PM 49
Address of the Early Years Inspectorate:	Early Year's Inspectorate, TUSLA, Child and Family Agency, 2nd Floor, St. Mary's HQ., Castlebar, Co. Mayo.		
Inspection undertaken by:	M Farrell and L Costello		
Title:	Early Years Inspectors		

Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

Conditions if applicable	Not applicable
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Description of service

Claremount Crèche & Montessori is in a residential area of Claremorris in County Mayo. The service is registered to provide full day care, part-time and sessional services to children aged from 0 to 6 years from 07:45-18:00hours. The service is registered to provide school aged childcare services. The service has five playrooms, a separate sleep room, a kitchen, office and sanitary facilities. There are enclosed outdoor play areas with play equipment provided for the children on the premises.

Staffing

At the time of the inspection there was 23 adults in the service including the registered provider who works directly with the children and a cook.

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. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under sections of regulations 9, 11, 16, 20, 23 and 25; however, on inspection additional non-compliance which posed a risk was identified under Regulation 19. 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.

Additional Information

An immediate action notice regarding the unavailability of garda vetting for two adults was issued by the Early Years Inspectorate to the registered provider on the 8 March 2023. The registered provider submitted a response on the 9 March 2024 to the Early Years Inspectorate in relation to the immediate action notice.

Acknowledgments

The inspectors wish 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*

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

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,*
- (b) consideration of references from reputable sources in the case of a person who has no past employers,*

(c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and

(d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.

(4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

Compliance Information

(1)

- (a) The registered provider was the named designated person in charge in the service and there were two named staff members to deputise as required in her absence.
- (b) The registered provider was available on the premises throughout the period of the unannounced inspection.

(2)

It was confirmed with the registered provider following review of documents and discussion with staff that there were 14 new adults in the service since the most recent focused inspection of the 17 October 2022. The vetting information for the other nine adults had been reviewed on previous inspections. The following vetting documentation and qualifications were available for the 14 new adults:

- (a) Two written validated references from past employers in particular the most recent employers for eight adults and one written validated reference from a past employers for two adults.
- (b) One written validated reference from a source other than a past employer for one adult.
- (c) Garda vetting disclosures had been obtained for 21 adults. However, the service did not always adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.
- (d) The required international police vetting was available 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 seven adults who worked directly with the children.

Non-Compliance Information

- (2)
- The following vetting documentation and qualifications was unavailable on file for the new adults:
- (a) Two written validated references were unavailable for four adults in the service. The written reference on file for one adult was not from their most recent employer and did not meet the regulatory requirements.
 - (c) Garda vetting disclosures were unavailable for two adults in the service during the inspection.
Non-compliance regarding absence of garda vetting had been found on the previous inspection of the 17 October 2022.
 - (d) There was no full translation available for the international police vetting documents for three adults in the service. The international police vetting for one other adult did not meet the requirements of the regulation.
- (4) There was no evidence available 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 for one adult who worked directly with the children. There was insufficient evidence available to show that qualifications for two adults met the requirements of the regulation.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider advised in a written response that:

Corrective and Preventive Action

- (a) All references for four staff are now available and have been verified by the designated person or deputy designated person. The written reference for one staff member is from the most recent employer and has been verified by the designated person.
All references are to be verified by the designated person before commencement of work.
- (c) Vetting disclosures for one staff was received from National Vetting Bureau on 21 March 2024 and a copy was sent via email to Early Years Inspectorate on the same day. The second adult is no longer in the service.
Vetting disclosures are to be received by the setting before commencement of work.
- (d) English translation is available for two adults and will be completed for the third adult when she returns from leave.
The staff member has applied for an International Child Protection Certificate and the service will forward the documentation once received.

International vetting to be obtained for new employees if they have lived in a different country for more than 6 months.

(4)

One adult has left the service. The qualifications for two adults have been submitted to the Early Years Inspectorate.

New employee qualifications will be checked against the list of recognised qualifications.

Supporting documentation submitted

Copies of vetting documents submitted.

Summary Comment

Non-compliance regarding regulation 9 (2)(d) will be addressed when satisfactory International Child Protection Certificate disclosures are obtained and submitted to the Inspectorate for one staff member.

The actions taken and evidence submitted by the service have addressed the remaining non-compliances relating to regulation 9 (2)(a),(c), (d) and (4).

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.

Compliance Information

(1) On the inspectors' unannounced arrival to the service, there were 13 adults caring directly for 63 children in the service. The registered provider also provided break cover and direct care to children during the inspection.

At 14:30 hours there were 11 adults providing direct care for 49 children.

(5) The minimum ratio of adults to children were adhered to in the service during the inspection outside of the break times detailed below under non-compliance.

Non-Compliance Information

- (2)
1. One adult supervised seven children aged two years sleeping in the Nursery room from 12:30 hours until at least 13:20 hours. The required adult to child ratio for supervision of children of this age is one adult for every six children.
 2. From 12:30 hours until at least 13:20 hours, 3 adults cared directly for 1 child aged under 1 year, 13 children aged from 1-2 years and 2 children aged between 2 and 3 years between the Wobbler/Toddler room and sleep room. Four adults were required to comply with adult to child ratios for the number and ages of these children.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider advised in a written response that:

- (2)
- Corrective and Preventive Action**
1. The service will endeavour to recruit extra relief staff. The service will contact parents to pick up children if over ratios because of staff sickness.
 2. The service will endeavour to recruit extra relief staff. The service will contact parents to pick up children if over ratios because staff sickness.

Supporting documentation submitted

None submitted.

Summary Comment

The actions submitted by the registered provider have addressed the regulatory non-compliance found on inspection.

Part IV – Information and Records

Regulation 16 – Record in relation to pre-school service

(1) A registered provider shall ensure that a record in writing is kept of the following information in relation to the service:

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;*
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;*
- (c) details of the adult:child ratios in the service;*
- (d) the type of care or programme provided in the service;*
- (e) the facilities available;*
- (f) the opening hours and fees;*
- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.

Compliance Information

(1) Written records were kept of the following information in the service:

- (b) Information on the service types and ages of children that the service is registered to provide services to that was displayed on a wall in the service's entrance hallway.
- (c) Details of the adult to child ratios in the service.
- (d) Information on the type of care or programme provided in the service in the service's statement of purpose and function.
- (e) Details of the facilities available in the service.
- (f) Information regarding the service's hours of opening and fees that was displayed in the entrance hallway.

- (j) Forms were available to record medication administration information should it be required to be given to a child for example in the Wobbler/Toddler room.
- (k) Accident and incident record books were available in the office recording details of accidents and incidents that had occurred in the playrooms. A sample of accident/ incident forms reviewed found that these forms had been signed by parents and risk assessments carried out after the accident or incident.

(3)

The written records were made available to the inspectors for inspection on request.

Non-Compliance Information

(1)

- (a) There was no record of experience on file for one adult in the service.
- (h) The attendance of one child present in the Nursery playroom on the arrival of the inspectors at 10:10 hours until 12:15 hours was not recorded in the child attendance record book during the inspection.
- (i) The staff roster provided to the inspectors by the registered provider did not detail that there were two members of staff present between 7:45-8:00 hours when there were two children recorded as present in the Wobbler/Toddler room. The staff advised the inspectors that there had been two staff members present during this time which was not detailed on the roster.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider advised in a written response that:

(1)

Corrective and Preventive Action

- (a) Curriculum vitae submitted to the Inspectorate with experience.
- (h) The child in question had only started the day before so staff were waiting to see if they would settle before adding them to the attendance record book. All children will be recorded in attendance book when they start.
- (i) Two members of staff are always on site from 07.45 – 18.00hrs. Staff roster and staff attendance records will be completed to show that two members of staff are in attendance from 07.45hrs.

Supporting documentation submitted

Copy of employment history completed.

Summary Comment

The actions taken by the registered provider have addressed the non-compliance found on inspection and will be reviewed on next inspection.

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-

(b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.

Non-Compliance Information

On the day of inspection, the following practice that impacted the dignity of the child was observed:

In the Junior preschool room at approximately 12:18 hours a child was being supported by a staff member to get ready for nap time. The staff member was observed sitting on the adult sofa in the room with this child on the staff member's lap. The staff member removed the child's pull up in the presence of children, staff and the inspector and replaced with a fresh pull up. At 12.20 hours a second child was assisted to prepare for nap time and clothing was removed to a vest, pull up removed and changed in the presence of children, staff and the inspector. This practice was not in accordance with the service's nappy changing policy as it states that '*all nappies to be changed in the nappy changing room only*'.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider advised in a written response that:

Corrective and Preventive Action

Staff have been trained on the policies and procedures on nappy changes and personal care of children.

Written policy on nappy changes and personal care of children has been erected in the toilet area of all rooms.

Supporting documentation submitted

Copy of nappy change policy submitted.

Summary Comment

The service has addressed the regulatory non-compliance found under this regulation through the actions taken and evidence submitted.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

(1) Subject to this regulation, a registered provider shall ensure that-

(b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

Compliance Information

(1)

(b) A separate sleep room was provided for children aged under two years of age to sleep and rest in. There were eight standard cots with mattresses containing safety standard information labelling. The air temperature when recorded by the inspectors was found to be 19.1°C which is within the required range of 16-20°C for a sleep room where children under one year of age were sleeping. The sleep room lighting was dimmed to create a restful environment. Cellular blankets or sleep bags were used with sheets that were laundered on a regular basis in the service. The staff told the inspectors that there were individual cot sheets provided that were changed in between children's use of shared cots.

Non-Compliance Information

(1)

(b) 1. The air temperature of the sleep room was not recorded while the children aged under one year were sleeping. It is acknowledged that there was a thermometer to record air temperature in the sleep-room.

2. There was no waterproof protective covering on the cot mattresses.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider advised in a written response that:

Corrective and Preventive Action

(1)

(b) 1. There is a thermometer in the sleep rooms and the temperature will now be recorded on the sleep logs. Sleep logs will be checked by the room leader to ensure temperatures are recorded.

2. All cot mattresses have been fitted with waterproof protective coverings. Mattresses and cots will be checked weekly for stains and any safety concerns.

Supporting documentation submitted

Photographic evidence of waterproof mattress covers was submitted.

Summary Comment

The actions taken and evidence submitted by the service has been reviewed by the Early Years Inspectorate and found to have addressed the non-compliance found on inspection under this regulation.

Part VI - Safety

Regulation 23 - Safeguarding health, safety and welfare of child

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

Compliance Information

General Safety:

The entrance door was secured on the inspectors' arrival to the service and remained secured during the inspection with staff controlling access to the building. The kitchen area was inaccessible to the children. Cleaning products were stored in a store area inaccessible to the children or on high shelves out of reach of the children. The highchairs the children were placed in to eat meals in the Nursery playroom had five-point harnesses. Blind cords on the windows in the service were secured with securing devices. The toys and play equipment in use was in satisfactory condition and suitable for the age and developmental stage of the children using it on the day.

Infection Control:

The soothers used by the young children were stored in sperate, clean lidded containers. Infant formula was brought prepared from home and stored in a refrigerator on arrival to the service. The Nursery and Wobbler/Toddler playrooms were found to be clean with cleaning records kept by staff members. The toy cleaning programme was displayed on the wall of the Nursery playroom. Staff were observed to wear aprons and gloves during nappy changes in the Wobbler/Toddler sanitary changing unit and dispose of nappies in a foot operated lidded bin with the children and staff hands washed after nappy changes. The staff in the Nursery and Wobbler/Toddler playrooms washed children's hands and cleaned their faces following eating meals. Separate storage was provided in the nappy changing areas for the storage of children personal items.

Administration of Medication:

Medication was not observed to be administered to a child in the service during the inspection. The staff showed awareness during discussion with the inspectors of procedures in relation to the safe storage and recording of medication administration.

Safe Sleep:

Information regarding safe sleep practices was displayed on the walls of the sleep room. Staff members showed knowledge of safe sleep practices during discussion with the inspectors including placing infants to sleep on their backs.

Fire Safety:

The emergency exit routes were readily accessible during the inspection.

Non-Compliance Information

General Safety:

1. In the outdoor area, a gate leading to the oil tank and an exit road was not secure. It is acknowledged that photographic evidence of action taken on the day by the registered provider to secure the gate was submitted to the Early Years Inspectorate on the 8 March 2024.
2. A child in the Wobbler/Toddler room was observed to pull down a heavy wooden toy farm structure that had been stored on top of a red messy-play table in the room. The child was uninjured, but the storage of the play equipment posed a risk. It is acknowledged that staff moved the wooden farm structure away from the area following the event.
3. Garda vetting was available for 21 staff members. However, three of these vetting disclosures were not dated within the previous three years in adherence to the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.
4. A trailing cord from a television in the Montessori room posed a risk to the preschool children and required to be secure.

Infection Control:

5. Cleaning schedules in the Montessori room had not been updated since the 18 September 2023.
6. There were some resources in the Senior preschool room that had accumulation of dust and debris and required cleaning. This included a kitchen and a library area.
7. Open or swing bins were provided instead of foot operated pedal bins for the disposal of waste in numerous locations throughout the preschool including care rooms and sanitary areas. This was a previous non-compliance on the last inspection on the 17 October 2022.

8. The children's sofas in the Montessori, Senior preschool room and the Junior preschool were damaged with foam exposed, therefore impeding effective cleaning.
9. The children in the Montessori room and Senior preschool room were using a shared cloth towel for hand drying purposes posing a risk of cross infection rather than the required individual paper towels.

Administration of Medication:

10. Medication to be used in the event of an emergency for a child that was stored in the office had an expiry date of January 2024.

Fire Safety:

11. A record of fire drills displayed in the Senior preschool room recorded the last completed fire drill as the 7th of June 2023 and was not recorded as having been undertaken on a monthly basis.

Action submitted by the Registered Provider

The registered provider advised in a written response that:

Corrective & Preventive Action

General Safety:

1. The fence and gate were secured on evening of inspection with a photograph sent to the Early Years Inspectorate. The perimeter of the facility will be checked every morning.
2. Wooden (heavy) toys will be stored on the ground.
3. Three garda vetting renewal requests have been sent off to National Vetting Bureau *of the Garda Síochána*. All renewals of garda vetting will be carried out every three years.
4. The cord for television has been secured. All cords will be secured.

Infection Control:

5. Cleaning schedules are being completed. All cleaning schedules will be kept up to date.
6. Additional sensory materials including porridge oats, sand, rice are used in the room in response to children's needs. Extra cleaning will be attended to. All cleaning schedules will be kept up to date.
7. Foot operated bins have now been placed in all rooms. Children are having difficulty using foot pedal bins. The service is now trying new ones to see if they can manage them. Foot operated bins will be always in operation.
8. All four sofas have been replaced. The sofas will be checked regularly for wear and tear.

9. The towel in Montessori room is used to dry the outdoor equipment after it rains. It has been removed from the room. Paper towels are only in use in the rooms.

Administration of Medication:

10. The parent has been informed to supply the service with in-date emergency medication. The service will ensure parents supply medicine for their child that is in date. Evidence of in date medication was submitted by the service.

Fire Safety:

11. All fire drills will be recorded as they are undertaken monthly.

Supporting documentation submitted

Photograph and copies of garda vetting documents.

Summary Comment

The regulatory non-compliance found on inspection has been addressed by the actions taken and evidence submitted by the registered provider to the Early Years Inspectorate.

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) A suitably equipped labelled first aid box was stored in the office.

(b) The first aid equipment was readily available at all times if a child required first aid treatment in the service.

Non-Compliance Information

- (1) Certificates of completion of paediatric first aid were available for nine members of staff however they were not for the required First Aid Responder (FAR) training courses and did not meet the requirements of the regulation.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider advised in a written response that:

Corrective and Preventive Action

- (1) Two staff members are booked to complete a FAR course. The service will ensure that two staff members are FAR trained at all times.

The registered provider further advised on the 21 May 2024 that a member of staff has completed a FAR training course on the 18 May 2024 and that the certificate will be forwarded once received. A second member of staff is booked into course in July as the previous course in March was cancelled.

Supporting documentation submitted

Evidence of FAR training booking for one adult was submitted.

Summary Comment

The non-compliance will be addressed on the completion of FAR training for staff to ensure that a trained person is always available to the children. This will be reviewed on next inspection.