

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015MO041				
<b>Name of Service:</b>	Footprints Montessori and Preschool				
<b>Address of Service:</b>	55 Childers Heights, Ballina, Co. Mayo				
<b>Eircode:</b>	F26 D342				
<b>Name of Registered Provider:</b>	Una Hunt Gorman				
<b>Service type:</b>	Sessional				
<b>Date(s) of Inspection:</b>	08/10/2024				
<b>No of pre-school children:</b>	<table border="1"> <tr> <td>AM</td> <td>16</td> <td>PM</td> <td>7</td> </tr> </table>	AM	16	PM	7
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<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>	M Farrell
<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).

<b>Conditions if applicable</b>	Not applicable
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### Description of service

Footprints Montessori and Preschool is a privately owned sessional service located in a residential housing estate in Ballina, County Mayo. The service is registered to provide two sessions - a morning session from 08:50 to 11:50 hours and an afternoon session from 12:15 hours to 15:15 hours for children aged from 2 to 6 years. The premises consists of a converted, semi-detached house and outdoor play area. There are two playrooms, one located upstairs and one located downstairs in the building, an office/store area and sanitary accommodation. The enclosed outdoor play area is to the side and rear of the building including a shelter located to the side of the building.

### Staffing

There are four adults working directly with children in the service including the registered provider. A staff member is employed through the Access and Inclusion Model scheme.

### 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/ safety/ premises and facilities. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under sections of regulations 9, 11, 15, 16, 23, 24 and 28; however, on inspection additional non-compliance which posed a risk was identified under Regulation 8. 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 wishes to acknowledge the cooperation of the registered provider, staff and children who were present on the day of the inspection.

## Part II - Registration and Register

### Regulation 8 - Notification of change in circumstances

*(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.*

*(3) Where a registered provider has been unable for good and proper reason to notify the Agency within the time specified in paragraph (1) or (2), as the case may be, of a change in the details in relation to the pre-school service*

*contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2), the registered provider shall notify the Agency in writing of the change as soon as possible thereafter.*

### Non-Compliance Information

(1) & (3)

A review of records found that on numerous dates there were eighteen or nineteen children present attending sessional services at any one time. This was confirmed through discussion with the staff. The service was registered for a maximum of seventeen children. The service had also been found non-compliant in relation to this on the most recent inspection of the 25 January 2022.

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

The registered provider advised in writing that:

#### Corrective and Preventive Action

(1) & (3)

Two children have been moved from the morning group to the afternoon group bringing the number of children attending the morning session back to 17. The service has been in contact with registration office and have provided copies of the attendance role book.

The service continues to look into changing circumstances so that the service can cater for more children. The service is to pursue a change of circumstances but in the meantime will ensure that the maximum number of 17 children is adhered to.

#### Supporting documentation submitted

Copies of attendance role book submitted to the Inspectorate.

### Summary Comment

The regulatory non-compliance found under this regulation has been adequately addressed by the actions taken.

## 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.

### Compliance Information

(1)

(a) The registered provider was the designated person in charge in the service and there was a named adult to deputise in her absence.

(b) The designated person in charge was available on the premises throughout the period of inspection. A review of records found that either the designated person in charge or deputy were always available on the premises during service hours.

(2)

There were four staff members working in the service. The following vetting documentation and qualifications were available on file for the staff members:

(a) Two written validated references from past employers including their most recent employer for three staff members.

(b) Two written validated references from sources other than past employers for one staff member.

(c) Vetting disclosures from the National Vetting Bureau of the Garda Síochána for four staff members.

The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) Records showed that international police vetting was not required for any of the four staff members.

(4)

Evidence of the required qualification in Early Childhood Care and Education or equivalent was available on file for all four staff members who worked directly with the children.

### Part III – Management and Staff

#### Regulation 10 - Policies, procedures etc. of pre-school service

*A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.*

#### Compliance Information

The following policies were selected for review and found to contain the required information:

- (a) statement of purpose and function;
- (c) policy on administration of medication;
- (k) policy on authorisation to collect children.

#### Non-Compliance Information

The following policies reviewed by the inspector during the inspection did not contain adequate detail to meet the requirements of the regulation as follows:

- (b) The complaints policy did not clearly outline the process for storage of complaint records and timeframe for retention of records.
- (e) The policy on managing behaviour did not clearly state the supports provided to staff to support children's emotional and behavioural needs or that the procedures for the protection and welfare of children are managed in line with the service's safeguarding statement. The policy did not clearly set out how children's behavioural wellbeing is supported and promoted reflecting up to date best practice.

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

The registered provider advised in writing that:

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

- (b) The service has reviewed their complaints policy and added where and how long records are stored for. In future the service will review their policies and follow guidance from Tusla.
- (e) The service has completely reviewed their behaviour management policy and forwarded a copy to the Inspectorate. In future the service will review their policies and follow guidance from Tusla.

##### **Supporting documentation submitted**

Copies of updated and revised policies submitted.

## Summary Comment

The Inspectorate has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 10 has been adequately addressed.

## 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.*
- (3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 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) therefore at that reference number is satisfied.*

### Compliance Information

- (1) During the inspection there was always an adequate number of adults working directly with the children in the service. A review of a sample of attendance records found that there had always been an adequate number of adults working with the children in the service.
- (3) The registered provider ensured that the minimum ratio for a sessional service of 1 adult to each 11 children for the age range of children attending the service was adhered to. 4 staff worked directly with 16 children during the morning session and 3 staff working with 7 children in the afternoon session.

## 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-*
- (c) an authorised person.*

### Compliance Information

- (1) (a) to (i)

The inspector randomly selected a sample of 10 children's records across the morning and afternoon sessions for review from the children enrolled in the service. The children's records contained the required information.

- (3) (c)

The required records were made readily available to the inspector by the registered provider on request.

## 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;*

*(g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*

*(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) The following information was available in the service:

(a) The name, position, qualifications and experience of the staff members recorded in staff files.

The service's statement of purpose and function contained:

(b) Information on the type of service type and ages of children that the service is registered to provide services to,

(c) The adult: child ratios provided in the service,

(d) The service's type of care or programme,

(e) The facilities available in the service.

(f) The service's hours of opening and fees were displayed in hallway in the service.

(h) Details of the daily attendance of each pre-school child recorded on a daily attendance sheets.

(j) There was a record book to record any medication administered to children while attending the service to include signed parental consent.

(k) An accident/incident book was available to record details of any accident, injury or incident involving children attending the service.

### Non-Compliance Information

(1) (g) and (3)

The following policies were not available for inspection:

- fire safety policy;
- policy on outdoor play;

- recruitment policy;
- risk management policy;
- policy on staff absences.

(1) (i) The staff record of attendance/roster was incorrect for one staff member who was recorded as present in the service at 9:00 hours but did not arrive to the service until 9.30 hours during the inspection.

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

The registered provider advised in a written response that:

#### Corrective and Preventive Action

(1) (g) and (3)

The service has added the following policies:

- fire safety,
- outdoor play,
- recruitment,
- risk management,
- staff management policy.

The service will regularly review and update their policies as required.

(i) Each staff member must sign the attendance book themselves on arrival to the service going forward.

#### Supporting documentation submitted

Copies of policies outlined above submitted.

### Summary Comment

The actions taken and evidence submitted by the service has been reviewed by the Inspectorate and been found to have addressed the non-compliance found on inspection under Regulation 16.

## 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 inspector's unannounced arrival to the service and remained secured during the inspection with staff controlling access to and from the building. The inspector was admitted to the service by staff following production of identification documentation. The gates to the outdoor areas were secured during the inspection when children were playing outdoors preventing children from leaving the area unnoticed. The staircase was well-lit and handrails were in place to assist children using the stairs. Two staff were observed to supervise the children when using the staircase. The internal door from the playroom to the kitchen was secured to prevent children from entering the kitchen unnoticed. Cleaning products were stored out of reach of the children. The oil tank outdoors was fenced off from the outdoor play area to prevent access by children. The toys and play equipment in use on the day were suitable for the age and developmental stages of the children using them.

### **Infection Control:**

Hand washing facilities were available in the service with warm running water, liquid soap and paper towels provided. The staff were observed to prompt children to wash their hands for example before eating. Foot pedal bins were supplied for the disposal of waste. The service had cleaning schedules in place and records of cleaning were observed to be kept by the staff. The children's snacks were stored in a refrigerator.

### **Administration of Medication:**

The staff told the inspector that none of the children attending required medication to be administered to them while in the service. The service had a medication administration policy in place and the staff were aware of the information contained in the policy. There was a medication administration record book available to record details if medication was needed to be given to a child while in the service.

### **Fire Safety:**

Emergency exit routes were found to be free from obstruction during the inspection.

## **Non-Compliance Information**

### **General Safety:**

1. One of the windows in the upstairs playroom was not secured and presented a potential risk to children in the playroom. It is acknowledged that when this was brought to the attention of the designated person in charge that the window was immediately secured.
2. There was a rodent bait box with a sign stating that it contained rodenticide and it was accessible to children in the upstairs sanitary unit.
3. A number of play items in the outdoor area including a plastic tree house and a playhouse were damaged and had pinch points that posed potential risks of injury to the children. One of the playhouses was

positioned over a drain cover that was not securely anchored in the ground posing a hazard to children playing in it.

4. There were gaps between some of the impact resistant ground cover tiles in the outdoor area and posed a potential tripping hazard to the children and adults using the area. This was also non-compliant on the most recent inspection of the 25 January 2022.
5. There were several old broken toys discarded in the grass section of the outdoor area. It is acknowledged that this area was not used by the children during the inspection.

### Action submitted by the Registered Provider

The registered provider advised in writing that:

#### Corrective & Preventive Action

##### General Safety:

1. The window is usually secured when not in use and is secured at the end of each day. The windows are opened for a period each day to provide ventilation and are out of children's reach. The window will be secured when not in use.
2. The service has contacted the pest control company and asked them to put bait boxes in safer places. The bait box has been moved from the area accessible by children.
3. The tree house has been repaired and a playhouse has been disposed of. The other playhouse has been pushed forward and a mat has been put in place to prevent it from sliding back towards the drain.
4. The staff have pushed the outdoor tiles together as is done every Friday as the tiles separate slightly during the week when the children are playing on trikes etc. The staff have repositioned other tiles to try to prevent them separating. In future the staff will reposition the tiles every evening.
5. The broken toys have been removed. In future broken toys will be disposed of.

#### Supporting documentation submitted

##### General Safety:

Photographic evidence.

#### 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 regulatory non-compliance found under this regulation.

## 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-

(a) no person other than-

(i) pre-school child attending the service,

(ii) a person dropping or collecting such a child,

(iii) an employee, or

(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and

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

### Compliance Information

(1) A designated member of staff checked each child in and out of the service during the inspection and recorded the details on attendance sheets.

(3) (a) The registered provider ensured that a member of staff authorised the entry of visitors to the service and there was a sign in record sheet for people entering the service to complete.

### Non-Compliance Information

(3) (b) The daily visitor record did not detail the reason for entry, person who approved access to the service or the check in and out times of the visitor.

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

The registered provider advised in a written response that:

(3) (b)

#### Corrective and Preventive Action

The service has a new visitor book with additional information to be included. Visitors will now have to state the reason for their visit.

#### Supporting documentation submitted

Photographic evidence of the new visitor book.

### Summary Comment

The regulatory non-compliance found on inspection under regulation 24 has been addressed satisfactorily.

## Part VI - Safety

### Regulation 28 - Insurance

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

## Compliance Information

The service had insurance in place for to cover the maximum registered number of children attending sessional services with an expiry date of the 27 March 2025.