

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015MO048		
<b>Name of Service:</b>	Guardian Angel Montessori		
<b>Address of Service:</b>	22A Moyvale Lawn, Sligo Road, Ballina, Co. Mayo		
<b>Eircode:</b>	F26 P659		
<b>Name of Registered Provider:</b>	Louise Furlong		
<b>Service type:</b>	Sessional		
<b>Date of Inspection:</b>	15/12/2023		
<b>No of pre-school children:</b>	AM	16	PM 7
<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 and L Costello		
<b>Title:</b>	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).

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

Guardian Angel Montessori is a sessional service in a residential area of Ballina, in County Mayo. The service is registered to provide two sessions - a morning session from 9am to 12 midday and an afternoon session from 12:30 to 3:30pm for children aged from 2 to 6 years. The premises is purpose-built for childcare services and is adjacent to the registered provider's home. There is a playroom, kitchenette area and sanitary accommodation provided in the service. There is an enclosed outdoor play area for the children to the rear and side of the building with direct access from the playroom.

### Staffing

There are two adults working directly with children in the service including the registered provider. An adult student was on educational placement in the service at the time of the inspection.

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

The inspection focused on an examination of compliance under regulations 9, 10, 11, 23, 27 and 31; however, on inspection additional non-compliance which posed a risk was identified under Regulation 29. 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

The inspection was triggered by notification to the the Tusla Inspectorate. The inspection process included a review of the regulations relevant to the information submitted.

## 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, 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.

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

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

- (a) the policies, procedures and statements of the service specified in Schedule 5.

#### Compliance Information

- (1)
- (a) The registered provider was the designated person in charge in the service and there was a named person to deputise as required in her absence.
  - (b) The designated person in charge and the deputy were available on the premises throughout the period of the unannounced inspection.

(c) There was a clear management structure in the service identifying the lines of authority and accountability in the service. The staff showed a clear understanding of their specific roles and responsibilities during discussion with the inspectors.

(2)

It was confirmed by the registered provider that there were three adults working in the service. The vetting documentation for two adults had been previously reviewed. The following documents were available on file or not required for the adult new to the service:

(a) There were two written validated references from past employers, in particular the most recent employers in respect of the adult.

(c) Vetting disclosures from the National Vetting Bureau of the Garda Síochána for the adult.  
Regulation.

(d) International police vetting was not required for the adult whose vetting documentation showed that she had not lived outside of the State for more than six months as an adult.

(4)

The qualifications for the two staff who worked directly with the children had been reviewed on previous inspection and deemed to have met the requirements of this regulation.

(7) The registered provider advised the inspectors that induction training, including service policies and procedures, was provided for all employees and students when they started working or on educational placement in the service. Induction training checklists were completed with the staff including accident prevention, and accident and incident procedures that were signed by the staff and person who provided the induction training. Copies of the completed induction training checklist forms were kept on file in the service. It was confirmed through discussion with the adults that training on the service's policies was provided on commencement in the service.

### 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

Written copies of policies were in place in the service and made available by the registered provider for review by the inspectors on request. The following policies were reviewed by the inspectors in the service and found to contain the necessary information to meet the regulatory requirements;

- (m) policy on outdoor play where such play is provided to children attending the service;
- (t) staff training policy.

#### Non-Compliance Information

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

- (j) The service's policy on accidents and incidents did not outline that a risk assessment is undertaken following an incident/accident in the service.
- (r) The service's risk management policy required additional detail on how risk assessments are completed to identify any potential hazard. The policy did not state that risk assessments completed by the service are documented or that the risk assessment must show who is involved in the risk assessment process. The risk assessment policy did not set out how long risk management records will be kept.

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

The registered provider advised in a written response that:

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

The policies will be reviewed and amended to reflect the changes needed in the accidents and incident policy and the risk assessment policy. There will be regular review of policies to ensure the service remain compliant. It is planned to review a policy every week.

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

Copies of revised policies were submitted by the service.

### Summary Comment

The actions taken have been reviewed by the Early Years Inspectorate with the evidence submitted by the registered provider and the non-compliance found under the regulation 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) On the inspectors' unannounced arrival to the service there were 2 staff members working directly with the 15 children present. A further child arrived later at the service bringing the maximum number of children present in the service during the inspection to 16 children. Two staff members cared for the seven children present during the afternoon session on the day. A review of a sample of the children's attendance and staff working hours recorded in the attendance book showed that there was always an adequate number of adults working in the service. An adult student on educational placement was present during both sessions on the day of the inspection.
- (3) The minimum ratio of 1 adult to each 11 children for the age range of the children present attending sessional services was adhered to with 2 adults working with 16 children in the morning session and 2 staff working with 7 children in the afternoon session on the day.

## 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:*

- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*
- (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)
- (h) The children’s attendance was recorded daily in an attendance book with the details of the children present on the day recorded accurately and detailed their time of arrival and of leaving the service documented.
  - (i) Written details of the staff working hours were kept by the staff with times of starting and finishing work recorded and made available to the inspectors.

### Non-Compliance Information

- (k) Three recent accident/incident reports had not been signed by parents which was not in accordance with the service’s accident and injuries policy that outlines that all incident forms are to be signed by parents when the child is collected.

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

The registered provider advised in a written response that:

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

The staff will ensure that all incident/accident reports will be signed when the child is collected by the parent, and they will be given a copy. In future the accident/incident report book will be completed by the time the child is collected so the parent can sign it.

#### **Supporting documentation submitted**

Copies of forms submitted by the service to the Early Years Inspectorate.

### Summary Comment

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

### 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 gate to the outdoor area at the side of the premises was found to be secured on the inspectors' unannounced arrival to the service. There were securing mechanisms on the gate which the registered provider advised the inspectors had been recently replaced allowing the staff to control access and to prevent unsupervised exit of children from the area. The main entrance door had a bell entry system and was secured when people were not entering or leaving the building. Children were restricted from entering some areas unsupervised by an internal door that led to the entrance hallway and the wooden half door/gate at the entrance to the kitchenette where items such as the kettle were stored. Cleaning products were kept in a high cupboard in the kitchenette out of reach of the children. Blind cords were secured to prevent an injury to a child. The toys and play equipment available to the children on the day of the inspection were in satisfactory condition and suitable for the age and developmental stage of the children using them supervised by the staff. The registered provider carried out safety checks each morning including that access and egress routes were safe and that all doors were secured and in working order.

##### Infection Control:

The service was clean with the staff observed to clean down equipment such as tables after use. Logs were kept of cleaning that was carried out by the staff in the service. The staff prompted the children to wash their hands and supervised them as needed. Warm water, liquid soap was used by the children to wash their hands with paper towels available to dry them.

##### Administration of Medication:

The staff advised the inspectors that none of the children attending the service at present needed medication to be administered to them whilst in attendance in the service. Storage was available for medication in the kitchenette should medication be required by a child when in the service.

### Fire Safety:

The emergency exit routes were free from obstruction during the inspection.

### Non-Compliance Information

#### Infection Control:

A bin used by children to dispose cups and paper towel during the inspection was open top and not foot pedal operated as required.

### Action submitted by the Registered Provider

The registered provider advised in a written response that:

#### Corrective & Preventive Action

#### Infection Control:

The outside bin has been replaced with a foot pedal bin. The service will ensure that the foot pedal bin is operational and to the correct standard of the regulations.

#### Supporting documentation submitted

#### Infection Control:

Photographic evidence was submitted by the registered provider.

### Summary Comment

The actions taken and evidence submitted by the registered provider has been reviewed by the Early Years Inspectorate and been found to have met the regulatory requirements.

## 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 required adult: child ratios were in place on the day of the inspection with 2 staff provided to care for and supervise the 16 children present. During the inspection the staff were observed to supervise the children mainly by sight. Children were supported to use the toilet by themselves but were within earshot of staff if they needed assistance. When some children wanted to go outdoors to play in the morning, the staff worked together to arrange that one staff member was responsible for supervising the group of children indoors and one staff member was responsible for supervising the group of children outdoors. The staff linked with each other if a child wished to go back indoors for example to use the toilet. Whilst playing outdoors, the staff positioned themselves strategically in the outdoor area to be able to keep the children in view, in line with the service's outdoor play policy that detailed that children can be observed by staff at all times. The staff sat with the children when supervising them whilst they were eating at lunchtime.

### Part VIII - Notifications and Complaints

#### Regulation 31 - Notification of incidents

*A registered provider shall notify the Agency in writing within 3 working days of becoming aware of any of the following incidents occurring in the preschool service:*

*(e) an incident in respect of which a pre-school child attending the service goes missing while attending the service.*

#### Compliance Information

(e) The registered provider submitted a notification in writing to the Early Years Inspectorate within the required timeframe in relation to a recent incident in the service.

### Part VII - Premises and Space Requirements

## Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-*  
*(d) cleaned, maintained and repaired, as required, and*

### Non-Compliance Information

- (d) The wooden gate and frame controlling access to and egress from the outdoor area was loose and unstable and required maintenance to stabilise it. It is acknowledged that the registered provider submitted photographic evidence to the Early Years Inspectorate of maintenance repairs to the gate and wooden frame to stabilise it on the 18 December 2023.

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

The registered provider advised in a written response that:

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

The wooden gate has been reinforced to stabilise it further with a wooden frame and an additional securing mechanism on the outside. Risk assessment of the equipment will be undertaken regularly to ensure it is maintained.

#### **Supporting documentation submitted**

Photographic evidence was submitted by the registered provider.

### Summary Comment

The inspectorate has reviewed the actions and evidence submitted by the registered provider. The non-compliance identified on inspection under Regulation 29 (d) has been addressed.