

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015MO078
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<b>Name of Service:</b>	Mahony Montessori School
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<b>Address of Service:</b>	14 Slieve na Greine, Swinford Road, Foxford, Co. Mayo
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<b>Eircode:</b>	F26 KW24
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<b>Name of Registered Provider:</b>	Rachel Mahony Toolan
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<b>Service type:</b>	Sessional
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<b>Date of Inspection:</b>	26/10/2023
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<b>No of pre-school children:</b>	AM	11	PM	-
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, 2 <sup>nd</sup> 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

Mahony Montessori School is a sessional service located in a residential estate in Foxford, Co Mayo and is registered to cater for children aged between two and six years of age. The service is registered to operate a morning session from 09:15-12:15 and an afternoon session from 13:00-16:00. The service has one playroom and uses areas of a dining room/kitchen space. Sanitary accommodation for children is provided downstairs with sanitary accommodation for the staff provided on the first floor. The children have access to an outdoor play area to the rear of the building.

### Staffing

The registered provider operates the service single-handedly working directly with the children with a person available to provide support in the event of an emergency.

### 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 sections of regulations 9, 11, 15, 16, 23, 27 and 28; 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.

### Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider 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 designated person in charge in the single handedly operated service with a named person available to deputise in the event of an emergency.
  - (b) The designated person was available in the service during the inspection. A review of a sample of attendance records showed that the designated person was on the premises when the service was in operation.
- (2) (a),(b),(c) and (d)
- The vetting documentation for the two adults had been reviewed on previous inspection and been found to have met the regulatory requirements.
- (4) The adult who worked directly with the children in the service held a relevant qualification in Early Childhood Care and Education.

### 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.*

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

*(c) a registered provider of a sessional pre-school service shall ensure that, where the person in charge operates the service single-handedly, a second person familiar with the operation of the service and in a position to provide assistance to the person in charge in operating the service is, at all times, within close distance of the service and available to attend the service to assist the person in charge in the event of an emergency.*

### Compliance Information

- (1) On the morning of the unannounced inspection, there was 1 staff member caring for 11 children in the service.
- (3) The minimum ratio of adults to children of 1 adult for each 11 sessional children aged from 2 years and 6 months to six years was adhered to with 1 staff caring for the 11 children present.
- (8) (c)  
On the day of the inspection one staff member cared for the children singlehandedly. An emergency person was available nearby to provide support if needed in the event of an emergency.

## 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-
- (a) a parent or guardian of a pre-school child but only in respect of the record relating to that child,
  - (b) an employee who is authorised in that behalf by the registered provider, and
  - (c) an authorised person.

## Compliance Information

- (1)
- A sample of eleven children’s records were randomly selected for review by the inspector from the children in currently enrolled in both sessions in the service.
- (a) to (i)
- The records were found to be compliant with the required details as laid out under the regulation.
- (3)
- (c) The records were made available by the registered provider to the inspector on request in the service.

## 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;
  - (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 registered provider ensured that written records were kept of the following information in the service:
- (a) The name, position, qualifications and experience of staff members.
  - (b) Information on the 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 fees displayed in the hallway.
  - (h) Details of the daily attendance of each pre-school child recorded daily in an attendance book.
  - (i) Details of the staff daily working hours.
  - (k) Written details of accidents, injuries and incidents involving children attending the service in an accident/incident record book with the last accident/incident dated for the 4 May 2011.
- (3)
- The records referred to in paragraph (1) were made available in the service to the inspector by the registered provider on request.

### Non-Compliance Information

- (f) The opening hours stated in the service's Statement of purpose and function and displayed in the hall had not been updated to reflect the service's opening hours.

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

The registered provider advised in a written response that:

- (f)

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

The registered provider submitted an application to the change in circumstances team in relation to opening hours that has been approved.

#### **Supporting documentation submitted**

A copy of the service's updated statement of purpose and function.

### Summary Comment

The actions taken and evidence submitted by the registered provider has been reviewed by the Early Years Inspectorate and deemed to have addressed the 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 main entrance door to the service was secured on the inspector's unannounced arrival and remained secured during the inspection allowing the registered provider to control access to the service. The enclosed outdoor area had gates with securing mechanisms to prevent children from leaving unnoticed and people from entering without authorisation. Cleaning supplies were stored out of reach of children in a secured cupboard in the hall near the children's sanitary area to the rear of the building. The window blinds in the play areas had securing devices in place. A stair gate was in place to restrict access by the children to the stairway in the hall where the children's belongings were stored.

##### Infection Control:

The premises was observed to be clean during the inspection. The registered provider kept written records of cleaning and disinfecting procedures that were carried out in the service. Boxes of tissues were available to the children to clean their noses with, and children were encouraged to cough into their elbows when needed. The playroom window was opened to ventilate the room. The perishable items in the children's lunches were stored in a refrigerator below 5°C.

##### Administration of Medication:

The registered provider advised the inspector that none of the children required medication to be administered to them while in attendance in the service.

##### Fire Safety:

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

#### Non-Compliance Information

### General Safety:

1. A drawer in the kitchen area containing cutlery and a sharp knife did not have a securing device in place and was accessible by the children posing a safety risk.
2. A door beside the children's sanitary unit leading into a garage that contained a large amount of broken equipment and cardboard packaging was unsecured and posed a potential safety risk to children.
3. There was an unsecured door in the hallway leading to the boiler/controls for the heating system that posed a potential safety hazard if accessed by children.
4. The wooden playhouse in the outdoor area was damaged with splinters protruding and there was a crack in a blue toy tractor trailer posing safety risks to children.
5. A toy kitchen in the dining room/kitchen area was broken with a metal screw protruding from it and posed a risk of injury to children playing with it.
6. Several of the radiator cover wooden panels on radiators in the indoor play areas were insecurely attached and posed a safety risk to children.

### Infection Control:

7. The children were observed to use the same cloth hand towel to dry their hands following washing them which posed an infection control risk.
8. A push top bin was provided and used for the disposal of waste in the hall near the children's sanitary area instead of a foot pedal operated bin as required.

### Action submitted by the Registered Provider

The registered provider advised in a written response that:

#### Corrective & Preventive Action

##### General Safety:

1. The drawer now has a safety clip attached to restrict access by children.
2. The door has a securing device to prevent children accessing it. The children no longer have access to the garage.
3. The door leading to the boiler is now secured to stop children accessing it.
4. The trailer has been removed. The playhouse is to be repaired in January 2024.
5. The toy kitchen was repaired.
6. The radiator covers have been reattached. The radiators are now safe, and children cannot touch them.

##### Infection Control:

7. The cloth towel has been replaced with paper hand towels. The paper towels will help prevent the spread of infections.
8. A foot pedal operated bin is now in the hall.

### **Supporting documentation submitted**

The registered provider submitted photographic evidence of actions taken including the removal of the wooden playhouse from the outdoor play area 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 27 – Supervision

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

### **Compliance Information**

The children were supervised appropriately primarily by sight throughout the inspection by the registered provider. The children were out of view when using the toilet but were within earshot if help was needed to be given. The registered provider supervised the children closely when sitting at tables eating their food at mealtime in the dining room/kitchen area.

## Part VI - Safety

### Regulation 28 - Insurance

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

### **Compliance Information**

Adequate insurance was in place for sessional service provision with an expiry date of 27 November 2023 covering the maximum number of 11 children that can be accommodated in the service.

### Part VII - Premises and Space Requirements

#### Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-*  
*(c) kept adequately lit, heated and ventilated*

#### Non-Compliance Information

**(c) Heated:**

At 10:50 hours the playroom air temperature was recorded at 16.8°C and at 16.6°C when rechecked at 11:30 hours which is below the required range of 18-22°C for a playroom.

**Ventilated:**

The children's sanitary unit was an internal room and did not have a functioning mechanical ventilation system in place.

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

The registered provider advised in a written response that:

(c)

#### Corrective and Preventive Action

**Heated:**

The windows in the room will be closed for longer periods of time to keep the playroom at the required temperature.

**Ventilated:**

The fan in the toilet requires replacing.

#### Supporting documentation submitted

The registered provider submitted photographic evidence of the installation of a new fan and of the recording of the playroom temperature at 19°C.

#### Summary Comment

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