

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015WW111		
<b>Name of Service:</b>	Blackberry Academy Montessori		
<b>Address of Service:</b>	The Old School House, St Mary's Road, Arklow, Co. Wicklow		
<b>Eircode:</b>	Y14 YX29		
<b>Name of Registered Provider:</b>	Dee Prendergast , Sara Ryan, Esme Mcdowell		
<b>Service type:</b>	Sessional		
<b>Date of Inspection:</b>	10/10/2023		
<b>No of pre-school children:</b>	AM	42	PM N/A

<b>Address of the Early Years Inspectorate:</b>	Loughlinstown Heath Centre, Loughlinstown Drive, Loughlinstown, Co. Dublin.
<b>Inspection undertaken by:</b>	Mona Condon
<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

Blackberry Academy Montessori is located in the centre of Arklow town, County Wicklow. There are two separate rooms in use, one of which is in an old schoolhouse building and the second in a prefabricated building at the rear of the premises. Both rooms have been adapted for use as a pre-school. An outdoor area is located at the side and front of the premises. This service operates from 9.30am to 12.30pm daily.

### Staffing

There are six staff employed which include the Registered Providers.

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

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 providers, 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.*

## Compliance Information

(1)(a)

The registered provider was the designated person in charge of operating the service and another adult was able to deputise as required.

(b)

The registered provider was on the premises at the time of arrival of the inspector and remained on the premises for the duration of the inspection.

(2)

A total of six staff files were reviewed.

(a) & (b)

Twelve written and validated references were available for six adults.

(c)

The required Garda vetting disclosures were available in respect of the six adults employed.

(d)

International Police vetting was available for one adult who had lived outside the jurisdiction for a period of over 6 months as an adult.

(4)

Six adults employed held major awards in Early Childhood Care and Education at National Framework for Qualifications.

## 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) Throughout the inspection there was an adequate number of adults working directly with the pre-school children.
- (3) The adult/child ratios were maintained throughout the inspection. On inspection there were six adults providing direct care to thirty-four pre-school children.

### 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)-(i)

Fourteen files were examined by the Inspector.

In relation to the files examined, the record required in writing in relation to (a)-(i) above was kept for each child.

Each child's file was located in a secure place in their care room.

(3) (c) A record in writing referred to in paragraph (1) (a)-(i) was open to inspection on the premises by the inspectors.

### 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-

(a) each child's learning, development and well-being is facilitated within the daily life of the pre-school service through the provision of the appropriate activities, interaction, materials and equipment, having regard to the age and stage of development of the child, and

#### Compliance Information

##### Basic Needs of Infants & Children

- Healthy snacks consisting of sandwich, fruit and yogurt were supplied by the parents of the children. Staff sat with the children and assisted them as needed and engaged them in conversation. Drinking water was available for the children throughout the session.
- All children were facilitated to move freely from one activity to another while indoors and outdoors while being supervised by staff.
- Children used the toilet independently and assistance was given if required.

##### Physical and Material Environment:

- The playrooms were warm and comfortable and laid out to meet the needs of the children. An ambient temperature of 18.5°C – 20°C was maintained in the care rooms and the sanitary area.
- A variety of toys and equipment were easily accessible to the children in the room from low level shelving. Areas of interest in the rooms included a home corner, art area, construction, transport and a library. There was evidence of the children's artwork on display in the rooms. Children chose which toys and equipment they wished to use and changed and moved from one area to another as they wished.
- A secure outdoor area was available at the front and side of the premises. Play equipment available include bikes, tractors, mud kitchen, low level slide, a playhouse, water and sand play.

## 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 outdoor play area was secured by a high wall and fencing. The main entrance to the premises was secured.
- All cleaning products were stored out of the reach of children.
- All fire exits were unobstructed.

##### Infection Control:

- Five toilets available for use by the children. There was warm running water, liquid soap and paper towels available.
- Pedal operated bins were available for the safe disposal of used paper towels in the sanitary areas and in the care rooms.
- Table cleaning was observed before snack time.
- Hand washing by the adult and children was observed after using the toilet and before lunch.

##### Administration of Medication:

- Medication was not given at the time of the inspection. Written parental consent was available should medication be required to be administered to a child.
- Temperature reducing medication was available, in date and stored safely.

## Part VI - Safety

### Regulation 25 - First aid

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

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

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

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

### Compliance Information

(1) One adult trained in First Aid Response was present and immediately available to the pre-school children. In addition, two adults present had a qualification in Paediatric First Aid.

(2)

(a) The first aid box for children was safely stored in an accessible and conspicuous position in the pre-school room.

(b) At all times the first aid box was available to the children.

## Part VI - Safety

### Regulation 26 - Fire safety measures

- (1) A registered provider shall ensure that a record in writing is kept of-*
- (a) any fire drill that takes place in the premises, and*
  - (b) the number, type and maintenance record of fire fighting equipment and smoke alarms in the premises.*
- (4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.*

### Compliance Information

- (1)
- (a) A record in writing was kept of all fire drills that took place in the premises. The last fire drill was recorded on the 13/09/2023.
- (b)
- A record was available detailing the number, type and maintenance of firefighting equipment and smoke alarm, b dated June 2023 and September 2023 respectively.
- (4)
- Notices were displayed in conspicuous positions, detailing the procedures to be followed in the event of fire.

## 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

All children were supervised by the staff members at all times during the inspection.

## Part VI - Safety

### Regulation 28 - Insurance

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

#### Compliance Information

The registered provider had ensured that the Early Years' service was adequately insured to cover up to 42 children attending on a sessional basis.

The service was insured from 28/11/2022-27/11/2023.