

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015WW137
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<b>Name of Service:</b>	Budding Tots Montessori Preschool
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<b>Address of Service:</b>	14 Holt Crescent, Lugduff, Tinahely, Arklow, Co. Wicklow
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<b>Eircode:</b>	Y14 A336
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<b>Name of Registered Provider:</b>	Jennifer Doyle
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<b>Service type:</b>	Sessional
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<b>Date of Inspection:</b>	07/11/2023
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<b>No of pre-school children:</b>	AM	9	PM	N/A
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<b>Address of the Early Years Inspectorate:</b>	Tusla Child and Family Agency First Floor Trinity Building IDA Business Park Southern Cross Road Bray Co. Wicklow
<b>Inspection undertaken by:</b>	H. Bourke
<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

Budding Tots Montessori Pre-school was first established in 2008. The service is registered to provide care and education for children aged between 2 years and 6 years of age on a sessional basis. The service is in a housing estate in the rural setting of Tinahely Co. Wicklow. The pre-school operates from a single room, purpose-built extension to the side of the registered provider's home. The registered provider operates two sessional services daily, from 09.00am-12.00pm and 12.30pm- 3.30pm Monday to Friday and part takes in Early Childhood Care and Education (ECCE) for 38 weeks of the year.

### Staffing

There were two staff members present on the day of inspection this included the registered provider.

### 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/ premises and facilities. 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 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*

*(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.*

*(6A) Paragraph (4) shall not apply to an employee of a registered provider where - (a) the registered provider receives funding for the employment of the employee pursuant to a scheme funded by the Minister and known as the Access and Inclusion Model, and (b) the employment of the employee is for the purpose of providing support, pursuant to the scheme referred to in subparagraph (a), for a child attending the service to enable the child to participate in the programme known as the Early Childhood Care and Education (ECCE) funding Programme."*

### Compliance Information

(1)(a)

The registered provider was in charge of the service and there was a named staff member who 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)

Written references were available from past employers with respect of two staff members.

(b)

Not applicable as all references were from past employers.

(c)

The required Garda vetting disclosure was available in respect of two staff members.

(d)

Police vetting was not required as no adult had lived outside the State for a period of longer than six consecutive months since turning 18 years of age.

(4)

Two members of staff held a major award in Early Childhood Care and Education at Level 5 or higher on the National Framework of Qualifications.

(6)(A)

One staff member was employed pursuant to a scheme funded by the Minister and known as the Access and Inclusion Model.

## 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)

Throughout the inspection there were an adequate number of adults working directly with the children attending the pre-school service.

(3)

The correct adult/child ratio was maintained at all times. There were two adults employed and present with nine children on the day of inspection.

(8)(c)

There were two adults on the premises at all times. The registered provider does not operate the service single-handedly.

### 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)-(i)

The registered provider was able to demonstrate that a record in writing was kept in respect of each child attending the service, containing the required particulars listed in (a)-(i).

(3)(c)

The records referred to in paragraph (1)(a)-(i) were available for inspection by an authorised person.

## 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;*
- (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)(a)(h)(i)(j)(k)

The registered provider ensured that a record in writing was kept of the above listed information in relation to the service.

(3)

The above listed records in paragraph (1) were on the premises and open to inspection by an authorised person.

### Part IV – Information and Records

#### Regulation 18 – Copy of Act etc.

*A registered provider shall ensure that a copy of Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act and of these Regulations is kept on the premises and the said copies shall be open to inspection on the premises by-*

*(c) an authorised person.*

#### Compliance Information

(c)

The registered provider had a copy of the Child and Family Agency Act 2013 and Regulations on the premises and this copy was available for inspection by an authorised person.

### 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.*

#### Compliance Information

(1)(b)

The registered provider ensured that appropriate and suitable care practices were in place. Children were asked what activity they wished to pursue, and children’s participation was encouraged in all activities throughout the morning. The transition between one activity and the next was smooth and unhurried, aided by the language used by the adults to the children. One to one attention was given to a child if it was required.

The classroom layout reflected specific areas of interests for the children. The cosy area in the pre-school room was well laid out and inviting should the children require a rest during their day.

Snack time was a well organised and happy event. With the help of one staff member, one child was assigned the task of handing out the lunch boxes to the rest of the children. Hand washing by the children was observed before the children started eating their snack.

There was fresh drinking water available to the children throughout the morning. The snack time was relaxed and observed to be a positive social experience for children as adults engaged with them helping when required.

Children were addressed by their name and were given plenty of time to eat their food. The staff sat with the children during snack time. All food was provided by the parents of the children attending the service.

Childrens parents are spoken to on an individual basis at collection time.

Children were supported to be independent with looking after their belonging, in the tidy up process and with using the toilet. All with adequate supervision.

The outdoor area to the rear of the service can be accessed on a daily basis by the children attending the service. This consisted of an enclosed, sheltered area that was well equipped with age-appropriate toys, water toys and push toys that could be used in all weathers. A large well equipped grassed area was also available for the children to play in when the weather suits.

### 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 to the service was appropriately secured to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the pre-school.
- All cleaning products were stored out of the reach of children.
- The emergency exit route in the pre-school room was clearly marked and free from obstruction.

##### Infection Control:

- The pre-school had a sanitary area that was divided into two. The first toilet and sink was available for the children attend the service and the second was for staff members.
- There was running water, liquid soap and paper towels available. A foot pedal bin was available in both sanitary areas for the safe disposal of used paper towels.
- Table cleaning was observed before and after snack time.
- Hand washing by adults and children was observed before snacks and after using the toilet.

## Non-Compliance Information

### Infection Control:

On the day of inspection, the staff sanitary area was filled with office supplies, children's spare clothes that were not in protective storage and a variety of non-related sanitary items. This posed an infection control risk of cross infection or contamination.

## Action submitted by the Registered Provider

### Corrective & Preventive Action

### Infection Control:

All office supplies and non-related sanitary items have been removed from staff sanitary area.  
All children's spare clothing is now stored in individual lockable bags and placed in a labelled storage unit. Office supplies and non-sanitary items will only ever be stored in the preschool room and we will ensure that all children's spare clothing are returned to lockable bags in storage unit.

### Supporting documentation submitted

### Infection Control:

Photographic evidence of the sanitary area with unnecessary items removed and the correct storage of spare clothes was submitted with the CAPA form.

## Summary Comment

The non-compliance found in relation to Regulation 23 Safeguarding health, safety and welfare of child, Infection control has now been addressed and will be reviewed on next inspection.

## 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.*

*(4) A registered provider shall ensure that a record in writing referred to in paragraph (3)(b) is retained for a period of one year from the date to which it relates.*

### Compliance Information

(1)  
The registered provider ensured that each child attending the service was checked in and out by a staff member.

(3)(a) (i)-(iv)

The registered provided ensured that no other person other than the approved list (i)-(iv) could enter the premises.

(b)

A daily record in writing of any such person was available in the premises.

(4)

The registered provider demonstrated that all records referred to in paragraph (3)(b) were kept for a period of one year.

### 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 firefighting equipment and smoke alarms in the premises.
- (2) The record referred to in paragraph (1) shall be open to inspection by-
- (c) an authorised person.
- (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)

There was a record available detailing the fire drills that had taken place in the service. The last recorded fire drill was on the 16<sup>th</sup> of October 2023.

(b)

There was a maintenance records of the firefighting equipment and smoke alarms in the premises dated August 2023.

(2)(c)

The above records referred to in paragraph (1) were available for inspection by an authorised person.

(4)

A notice of the procedures to be followed in the event of a fire was clearly displayed in the premises.