

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015WW140
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Name of Service:	Ballyflanigan Montessori Pre-school
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Address of Service:	Barnacleagh, Thomastown, Arklow, Co. Wicklow
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Eircode:	Y14 DE62
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Name of Registered Provider:	Jenny Kane
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Service type:	Sessional
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Date of Inspection:	19/04/2023
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No of pre-school children:	AM	18	PM	N/A
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Address of the Early Years Inspectorate:	Early Years Inspectorate Tusla Child and Family agency 1 st Floor Trinity Building, IDA Business Park, Southern Cross Road, Bray, Co. Wicklow.
Inspection undertaken by:	H. Bourke
Title:	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).

Conditions if applicable	Not applicable
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Description of service

Ballyflanigan Montessori Pre-school is a privately owned service that was first established in 2009. The service is located in an adapted bungalow in the rural setting of Barnacleagh, Arklow Co. Wicklow. There are two pre-school rooms but only one is operational. There is a separate kitchen and sanitary area located in the building and a large outdoor area, to the rear of the premises. The children attending the service have access to the secure outdoor area on a daily basis. The service is registered to provide care and education to children aged between 2 years and 6 years of age. A sessional Early Childhood Care and Educational (ECCE) service operates from 09.15am to 12.15pm Monday to Friday for 38 weeks of the year.

Staffing

There are four staff members employed in the service, this includes the registered provider. The registered provider was not on the premises when the inspection commenced but arrived a short time later. All staff members hold a qualification in Early Childhood Care and Education at Level 5 or higher on the National Framework of Qualifications.

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 inspections 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, person in charge, 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.

(6) Paragraph (4) shall not apply before 1 September 2021 to a person who-

- (a) has signed a declaration on or before 30 June 2016 to the effect that he or she intends to retire from employment in a pre-school service before 1 September 2021, and*
- (b) is in possession of a letter from the Minister confirming that paragraph (4) shall not apply to him or her before that date.*

(6A) is inserted by S.I. No.632 of 2016 CHILD CARE ACT 1991 (EARLY YEARS SERVICES) (AMENDMENT)

REGULATIONS 2016 which states; Regulation 9 of the Child Care Act 1991 (Early Years Services) Regulations (S.I.

No. 221 of 2016) is amended - in paragraph (4), by the substitution of “paragraphs (5), (6) and (6A)” for “paragraphs (5) and (6)”, and (b) by the insertion of the following paragraph after paragraph (6): “

(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

Following a discussion with the person in charge it was confirmed that there were two new staff members working in the service since the previous inspection. These files were reviewed.

(1)(a)

There was a person in charge of the service and there was a named staff member who was able to deputise as required.

(b)

The person in charge 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 disclosures were available in respect of two staff members.

(d)

Police vetting was available for one staff member who had lived outside the state for a period of longer than six consecutive months since turning 18 years of age.

(4)

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

(6)(a)

Not applicable as no staff member had a signed a retirement declaration.

(6)(A)

One staff member was employed pursuant to the scheme 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 three adults employed and present with eighteen 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.*

(4) A registered provider shall ensure that a record in writing referred to in paragraph (1) is retained for a period of 2 years from the date on which the child to whom it relates ceases to attend the service.

Compliance Information

(1)(a)-(i)

The registered provider ensured that a record in writing was kept in respect of each child attending the pre-school service.

(3)(c)

The registered provider ensured that these records were available for inspection to an authorised person.

(4)

The registered provider had evidence that all children's records were kept for a period of 2 years from the time a child left the pre-school service.

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 Act 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-

(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

(1)(a)

BASIC NEED:

- Children were supported and encouraged to be independent with using the toilet and were supervised appropriately.
- Children were given opportunities to make choices as to which activities they wished to pursue and were supported in their choice by the staff members.
- Children had access to an outdoor area for play, located to the rear of the service.

PHYSICAL AND MATERIAL ENVIRONMENT:

- The pre-school room was maintained at a comfortable temperature of 18.2°C throughout the inspection.
- Suitable rest areas were available to the children, these were located in several areas around the pre-school room. The rest areas consisted of cushions and a sofa and soft floor matting, all of which were washable.

SUPPORTING RELATIONSHIPS AROUND CHILDREN:

- The adults demonstrated warmth towards the children through language and interaction and children's choices were respected. Adults spoke to the children directly, addressing them using their names.
- Adults knelt to the level of the children when speaking to them individually.
- Children's behaviour was managed in a competent and positive way with minor problems handled promptly.
- Children's parents were spoken to directly at the end of the day to discuss how their child was during the day and any issues that might have arisen.

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 designated person in charge ensured that all children attending the service were checked in and out on the service register.

(3)(a)(i-iv)

The designated person in charge ensured that no other person other than the agreed list of people had access to the service.

(b)

The designated person in charge had a record in writing, in the form of a visitors' book, of all such persons who accessed the service.

(4)

The designated person in charge was able to demonstrate that the visitors book was kept for a period of one year from the dates to which it related.

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)

A staff member trained in FAR first aid was present and immediately available to the children.

(2)(a)

The first aid box for children was stored in an accessible and conspicuous position just outside the pre-school room.

(b)

At all times the first aid box was available to the children attending the pre-school.

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.

(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 evidence that regular fire drills haven taken place within the service. The most recent fire drill took place on the 20th of March 2023.

(b)

There was a maintenance record of firefighting equipment and smoke alarms in the pre-school dated February 2023.

(4)
There was a notice of the procedures to be followed, in the event of a fire, displayed on the wall in the pre-school room.

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 adequate insurance for the pre-school sessional service covering 22 children and expires in 27th of November 2023.