

Early Years Inspectorate Regulatory Report

Pre School

| | | | |
|---|--|----|-------|
| TUSLA Identifier: | TU2015WW187 | | |
| Name of Service: | Sakura Montessori, Naionra and Afterschool | | |
| Address of Service: | Main Street, Blessington, Co. Wicklow | | |
| Eircode: | W91R66F | | |
| Name of Registered Provider: | Antoinette Byrne | | |
| Service type: | Full Day | | |
| Date of Inspection: | 19/10/2023 | | |
| No of pre-school children: | AM | 49 | PM 14 |
| Address of the Early Years Inspectorate: | Tusla Child and Family Agency First Floor Trinity Building IDA Business Park Southern Cross Road Bray Co. Wicklow | | |
| Inspection undertaken by: | H. Bourke and M. Redmond | | |
| Title: | 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).

| | |
|---------------------------------|----------------|
| Conditions if applicable | Not applicable |
|---------------------------------|----------------|

Description of service

This full day care service was first established in 1995 and is located in the urban setting of Blessington Co. Wicklow. It is a privately owned service and is registered to provide care and education for children aged between two years and six years of age. The service is open from Monday to Friday between 07.30hrs and 18.05hrs (including a sessional service from 09.00hrs to 12.00hrs for 38 weeks of the year). A school age service is also provided. The premises is a semi-detached 2 storey house with four adapted pre-school rooms, a nappy changing room, an office and kitchen. There are two outdoor play areas, one to the front of the premises and one to the rear.

Staffing

There were nine people present on the day of inspection and eight staff members were working directly with the children. The registered provider was present and was supernumerary and available to help where needed.

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.

Additional Information

This inspection was carried out receipt of information received by the Inspectorate Feedback and Concerns section in the inspectorate.

Acknowledgments

The inspectors wish 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*
- (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.

(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.”

(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 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 inspectors and remained on the premises for the duration of the inspection.

(c)

There was a clear management structure in the service that identified the lines of authority on the day of inspection.

(2)(a)(b)

Written references were available with respect to nine staff members.

(c)

The required Garda vetting disclosures were available in respect of nine staff members.

(d)

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

(4)

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

(6A)

There was one adult employed pursuant to a scheme funded by the Minister and known as the Access and Inclusion Model.

(7)(a)

There was documented evidence of staff induction of the services policies and procedures at the start of employment and evidence of staff meetings where policies and service practices were reviewed.

Non-Compliance Information

(2)(d)

There was no police vetting available for one staff member who had lived outside the State for more than six months since turning 18 years of age.

(4)

A major award in Early Childhood Care and Education at Level 5 or higher on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent, was not available for one staff member.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(d)

The staff member has applied for an overseas Garda Clearance and is awaiting Certificate, and in future Sakura will not employ overseas workers unless they have overseas police vetting.

(4)

The registered provider is now teaching in the Small Montessori Class. The registered provider is in the process of submitting the staff member's papers to the DCEDIY for Teaching Recognition Qualifications and Accreditation.

Sakura will ensure that even though a person may have come from teaching in a national school and have Montessori Teacher Training that they hold DCEDIY Accreditation.

Supporting documentation submitted

(2)(d)

No documentation was submitted

(4)

No documentation was submitted

Summary Comment

Regulation 9 (2)(d)

The proposed corrective actions will address the non-compliance found on inspection, but to date no documentation has been received. The non-compliance Regulation 9 (2)(d) remains outstanding.

Regulation 9 (4)

The proposed corrective actions will address the non-compliance found on inspection, but to date no documentation has been received. The non-compliance Regulation 9 (4) remains outstanding.

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

The following policies were available and reviewed on the day of inspection.

- Settling in policy,
- Management of behaviour policy,
- Outdoor play policy,
- Accident and Incident policy,
- Supervision policy included in this policy was managing children on the stairs,
- Staff training policy,
- Risk management policy,
- Infection control policy,
- Complaints policy.

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.

(2) Subject to paragraphs (4) and (5), a registered provider of a full day care service or a part-time day care service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 1 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) thereof at that reference number is satisfied.

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

(a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times,

Compliance Information

(2)

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

(8)(a)

There were two adults on the premises at all times throughout the day. This was supported by the staff roster.

Non-Compliance Information

(1)

On the day on inspection, there were two adults present with sixteen children in the upstairs Naíonra room. Despite the adult/child ratios being correct the staff members present found it difficult to manage the challenging behaviour of some of the children in the Naíonra room. This resulted in the transition from free play to snack time and from snack time to outdoor play being poorly managed, resulting in children disengaging with activities and increased noise levels due to the demands of the children in the room.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

We have employed an AIM Educator who has QQI Level 6 and is also fluent in Gaelic for the Naíonra. During times of unexpected changes in their classroom environment the children can be brought outside to play in the back garden. Having had a little play and having discussed the changes that will occur they can then be brought back into their classroom.

Supporting documentation submitted

Documents of the new AIMS support worker were submitted as evidence.

Summary Comment

Regulation 11 (1)

The corrective actions with the evidence submitted will address the non-compliance found on inspection. This will be reviewed on next inspection.

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;*
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*
- (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)(g)(h)(i)(j) and (k)

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

(3)

The above lists of records referred to in paragraph (1) were open to 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

The registered provider ensured that appropriate and suitable care practices were in place. Nutritious and varied food was offered to children at regular intervals throughout the day and extra portions were readily available. Mealtimes were relaxed and observed to be a positive social experience for children as adults engaged with them helping when required.

Children who wore nappies had them changed regularly throughout the day and at other times when required.

Adults were observed to interact attentively with young children during the nappy changing procedure. Older children were supported to use the toilet independently and were encouraged to wash their hands afterwards.

Care practices by adults reflected families' personal preferences while ensuring that the needs of individual children were met.

Sleep routines were reflective of children's needs which promoted good habits around sleep. Safe sleep practices were adhered to, and children had heavy clothing and shoes removed before being put down to sleep and rest. In three of the care rooms, transition between one activity and the next was smooth and unhurried, aided by the language used by the adults to the children.

Positive reinforcement and one to one attention when required by staff, contributed to a pleasant environment for the children in the service. Children had access to outdoor play and wore appropriate clothing when outside.

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 door to the service was securely locked on arrival of the inspectors to the service.
- All toys were in good condition and equipment was suitable, age appropriate and in good working order.
- All cleaning products were stored out of the reach of children.
- The staff demonstrated good safety practices when children were going up and down the stairs in the service.
- The outdoor area had a large, enclosed structure where children could play in all weather conditions. The outdoor area was suitable, safe and secure.

Infection Control:

- Table cleaning following snack time and the cleaning of the pre-school room following home time was observed.
- A cleaning schedule was present and maintained in each care room.
- Hand washing before snack time and after returning from outdoor play.
- There was thermostatically controlled hot water available in all the sanitary areas, with liquid soap and paper hand towels. Foot pedal bins were in place for the safe disposal of used paper towels.

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

There was adequate supervision of children by staff in the service in three care rooms on the day of inspection.

Non-Compliance Information

From 11.30am to 11.45am due to the demands of the children in the Naíonra room, three children were observed using the sanitary facilities were not adequately supervised by staff members.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

A staff roster is now put in place for the sanitary facilities. Staff will be assigned to different days to observe and to support the children's growing needs for independence and self-care.

The sanitary roster will be checked on a weekly basis to ensure children's needs are being met.

Supporting documentation submitted

None submitted.

Summary Comment

The proposed corrective actions will address the non-compliance found on the day of inspection in relation to Regulation 27 and will be reviewed on next inspection.

Part VII - Premises and Space Requirements

Regulation 30 - Minimum space requirements

(1) Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.

(4) Where a registered provider contemporaneously provides-

(b) a full day care service or a part-time day care service, or both, the minimum clear floor space applicable for the duration of the sessional preschool service in respect of the children attending that service shall be the floor space specified in paragraph (3).

Compliance Information

(1)
On the day of inspection there was adequate clear floor space available for ten children present in the Little Mont care room.

Non-Compliance Information

(4)(b)
Following a discussion with the registered provider and examination of the Attendance Record book for that room it was noted that on two to three days each week since September 2023, there have been eleven children present in the Little Monti care room, where the space requirement is for a maximum of ten children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(4)(b)
As there were spaces in the Naíonra we have moved one of the 11 children out of the Small Montessori Room into it. We will not have more than 10 children in the small Montessori room.

Supporting documentation submitted

(4)(b)
None submitted

Summary Comment

(4)(b)
The non-compliance found on the day of inspection has been addressed and will be reviewed on next inspection.