

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015WW194
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Name of Service:	Oak Glen Montessori T/a Naíonra Ghleann na Darach
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Address of Service:	20 Oak Glen View, Southern Cross Road, Bray, Co. Wicklow
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Name of Registered Provider:	Rita Moore
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Service type:	Sessional
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Date of Inspection:	17 January 2023
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No of pre-school children:	AM	16	PM	N/A
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Address of the Early Years Inspectorate:	Tusla Child and Family Agency, First Floor Trinity Building, IDA Business Park, Southern Cross Road, Bray, Co. Wicklow
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Inspection undertaken by:	H. Bourke
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Title:	Early Years Inspector
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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

This sessional service was first established in 2000. The service operates from the registered providers home that is located within a housing estate in the urban setting of Bray Co. Wicklow. It is registered to provide care and education for children aged between 2 years and 6 years of age. The service is open from 9.30am to 12.30pm, Monday to Friday for 38 weeks of the year and participates in the Early Childhood Care and Education (ECCE) scheme. There is a suitable outdoor area, to the back of the Naionra, which the children have access to on a daily basis.

Staffing

There were two adults present on the day of inspection and the two staff members were working directly with the children. The registered provider does not work directly with the children attending the service. Both staff members hold an Early Childhood Care and Education Qualification 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 person in charge, second staff member 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.

(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 registered provider, it was confirmed that there was one new staff member since the last inspection. This file was reviewed.

(1)(a)

The service has a designated person in charge 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 in respect of one staff member.

(b)

Not applicable as the references were from past employers.

(c)

The required Garda vetting disclosure was available in respect of one staff member.

(4)

The staff member held a major award in Early Childhood Care and Education at Level 7 on the National Framework of Qualifications.

(6)(a)(b)

Not applicable.

(6)(A)

Not applicable.

Non-Compliance Information

(2)(d)

Police vetting was not available for one adult who had lived outside the State for a period of longer than 6 consecutive months since turning 18 years of age.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Police Vetting has now been applied for, for the staff member who had previously spent more than 6 months in the UK. We will double check the history and dates of all addresses during the recruitment process. This has been added to our recruitment policy.

Supporting documentation submitted

A copy of the police vetting application response was submitted as evidence.

Summary Comment

The actions of the registered provider will address the non-compliance found on inspection, until the process has been completed, Regulation 9 Management and recruitment (2)(b) police vetting remains outstanding.

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 Naionra.

(3)
The correct adult/child ratio was maintained during the inspection. There were two adults employed and present with 16 pre-school children.

(8)(c)
Not applicable as the service is not operated 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 person in charge ensured that a record in writing was kept in respect of each pre-school child attending the service containing the required list of particulars (a-i).

(3)(c)

The inspector was able to access and review these records on the day of inspection.

(4)

The person in charge could demonstrate that they kept the records of a child for 2 years from when the child left 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:

(h) details of attendance by each pre-school child 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.

(2) A registered provider shall ensure that-

(b) a record referred to in subparagraph (h), (j) or (k) of 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, or in the case of a preschool service in a drop-in centre or of a temporary pre-school service, for a period of 2 years from the date on which the child attends 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 a record in writing was kept for the following information,

(h)

The attendance of each child was recorded on a daily basis.

(j)

All medication recorded as being administered by the Naionra staff to a child attending the service had signed parental consent.

(k)

There was a record in writing of all accidents, injuries or incidents that occurred to a child while attending the Naionra.

(2)(b)

The person in charge could demonstrate that children's records are retained for a period of 2 years from the date on which the child to whom it relates ceases to attend the service.

(3)

The person in charge was able to facilitate inspection of specific documentation 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)

SUPPORTING RELATIONSHIPS AROUND CHILDREN

- The adults sat at the children's level, addressed them by name when communicating with them.
- The adults demonstrated warmth towards the children, using calm voices, positive language and children's choices were respected at all times during the inspection.
- Staff speak with parents directly at the end of the day to discuss how their child was during the day and any issues that might have arisen. In addition, the service uses emails and a secure online app to keep in contact with parents.
- There were "child friendly" visual aids in the sanitary area to encourage children to wash their hands correctly.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

(1) Subject to this regulation, a registered provider shall ensure that-

(a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child to play indoors and, where required by these Regulations, outdoors, during the day, and

Compliance Information

(1)(a)

The children attending the Naionra service had access to a suitable rest area in the pre-school room. The rest area consisted of a long bench with cushions and mats.

Children had freedom of movement within the inside and outside areas.

The Naionra was uncluttered and was organised in such a way to allow for maximum freedom of movement of the children when they were in their room. Children had daily access to an outdoor area to the rear of the premises.

Part V - Care of Child in Pre-school Service

Regulation 21 – Equipment and materials

A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.

Compliance Information

On the day of inspection there was tables and chairs suitable for the age range of the children attending the service both inside and outside. There was also a good range of age-appropriate toys and materials for the children to use.

Examples of suitable equipment included paints, crayons, blackboard and chalk, books, bricks, jigsaws and dress up clothes. Toys were clean and in good condition. All toys were easily accessible and were available to the children continually during the inspection.

The outdoor area consisted of a small, enclosed area, with artificial grass. There was a slide, climbing frame, trikes and push cars. The children are allowed take any additional toys they wish to play with into the outdoor area to challenge and extend the play and imagination of the children. The outdoor area was suitable, safe and secure.

Part V - Care of Child in Pre-school Service

Regulation 22 – Food and drink

A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.

Compliance Information

All food and drinks for the children were provided by the parents on the day of inspection, all the children's food was found to be suitable and in keeping with the childminders Healthy Eating Policy. All small fruits like grapes and strawberries had been cut by parents before attending the service.

There was food available to a child if they were still hungry after their snack.

Water was available to the children throughout the morning. There was a fridge in the Naionra to store children's lunches.

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 service.
- All cleaning products were stored out of the reach of children.
- The emergency exit route in the Naionra was clearly marked and free from obstruction.
- The outdoor area was completely enclosed and could only be accessed through the Naionra.

Infection Control:

- The Naionra had a sanitary area. This consisted of two toilets and two sinks. The service does not take children who are not toilet trained.

- There was warm running water, liquid soap and paper towels available in the sanitary area. A foot pedal bin was available in the sanitary area for the safe disposal of used paper towels.
- Table cleaning was observed before and after snack time.
- Hand washing by the staff and children was observed before snack time.
- Personal protective equipment such as disposable aprons, gloves and face masks was available if required.
- An isolation space was available if needed.
- The Cleaning sheets in the service had been up-dated in light of the Covid-19 pandemic and were signed up to date.

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 person in charge ensured every child attending the Naionra was checked in and out on a daily basis.

(3)(a)(i) to (iv)

The person in charge ensured that no person other than the approved list of persons could enter the Naionra without being approved of in advance.

(b)

A record was available in writing of all such persons.

(4)

The designated person in charge demonstrated that a record in writing referred to in paragraph (3)(b) was retained for a period of one year from the date to which it relates.

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)

An adult trained in FAR first aid for children was present and immediately available to the children.

(2)(a)

The first aid box for children was stored in an accessible and conspicuous position in the Naionra.

(b)

At all times the first aid box was available to the children attending the Naionra.

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 last fire drill took place on the 14th of December 2022.

(b)

There was a maintenance record of the firefighting equipment within the Naionra dated March 2022.

(4)

There was a notice of the procedures to be followed in the event of a fire clearly displayed in the Naionra.

Non-Compliance Information

(1)(b)

There was not up to date maintenance record for the smoke detection system in the Naionra.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The maintenance cert for the smoke detection system was not on file on the day of inspection but has now been printed and put on file for inspection. Regular review of records will be carried out each quarter.

Supporting documentation submitted

Photographic evidence was submitted to support the CAPA response.

Summary Comment

The evidence submitted by the registered provider had rectified the non-compliance found on inspection in relation to Regulation 26 - Fire safety measures (1)(b). This will be reviewed on next 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 adequate insurance for the Naionra covering 22 children and expires on 27th of November 2023.