

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2016FL011
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Name of Service:	Really Cool Afterschool & Montessori School Ltd
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Address of Service:	Unit 102A Milfield Shopping Centre, Naul Road, Balbriggan, Co. Dublin
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Name of Registered Provider:	Malgorzata Orłowska Smith, Marzena Stronska
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Service type:	Part Time
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Date of Inspection:	10/01/2024
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No of pre-school children:	AM	23	PM	3
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Address of the Early Years Inspectorate:	180-189 Lakeshore Drive, Airside Business Park, Swords, Co Dublin K67 Y5C6
Inspection undertaken by:	AM Coyle & S Taaffe
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
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Description of service

Really Cool Afterschool & Montessori School LTD has been operating as a privately-owned childcare service since September 2016, accommodating pre-school children aged 2-6 years on a part-time and sessional basis. In addition, school aged childcare services are provided to children up to 12 years of age. This service is one of three early years services owned by the registered providers, all of which are located in Balbriggan, north Co. Dublin. The service is registered to cater for a maximum of 40 pre-school children and is registered to operate from 7.30am to 6.30pm each weekday with the majority of children attending the service on a sessional basis with no pre-school child attending for longer than 5 hours. The service participates in the Early Childhood Care and Education (ECCE) scheme from 9.00am to 12.00midday for 38 weeks each year. Childcare services are also provided to school aged children. There are two care rooms in operation, namely the Cubs room and the Lions room. A fully enclosed outdoor play area is located to the front of the premises, accessed directly from the Cubs room.

Staffing

Seven staff members including one of the registered providers work directly with the children attending the service. Three staff members are employed in the service to reduce the adult to child ratio, and when necessary, to work with children with additional needs, in posts funded by the Minister as part of the Access and Inclusion Model scheme.

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.

A sampling process was used to assess compliance under regulation 15 – record of pre-school child.

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 inspectors wish to acknowledge the cooperation of one of the 2 registered providers, staff and children who were present on the day of the inspection.

Part II - Registration and Register

Regulation 8 - Notification of change in circumstances

(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.

Non-Compliance Information

(1) The registered provider failed to notify the Early Years Inspectorate of a change in circumstances in relation to the following as per the schedule 4 for notification of Change in Circumstances.

- The name of the designated person in charge of this service did not correlate to the name detailed on the National Register.

Corrective Action

(1) CIC document has been submitted.

Preventive Action

(1) RP confirmed, should a change in management occur again, the CIC document will be submitted immediately.

Summary Comment

The noncompliance detailed in regulation 8(1) was identified at the last inspection of the service on the 09/11/2022 and was not addressed by the registered provider.

The registered provider has submitted a change in circumstances form to the Early Years inspectorate which has been accepted. The regulatory requirement has been addressed.

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.

Compliance Information

(1)(a) One of the 2 registered providers was the designated person in charge of the service.

(b) The registered provider was present and in charge of the service when the inspector arrived unannounced on the morning of the inspection.

The files for 9 staff members including the 2 registered providers, area manager and 6 staff members who work directly with the children were reviewed.

(2) (a)&(b) Two validated written references were available for all staff members whose files were reviewed.

(c) Garda vetting disclosures were available for the 2 registered providers, area manager and 6 staff members whose files were reviewed.

(d) International police vetting was available for 8 staff members who resided outside of the Irish jurisdiction for longer than 6 consecutive months as an adult.

(4) Documentary evidence was available to confirm that 7 staff members whose files were reviewed and who work directly with the children in the service held an appropriate childcare qualification at Level 5 or higher on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent.

Non-Compliance Information

(4) Documentary evidence was not available to confirm that 2 staff members who work directly with the children in the service held an appropriate childcare qualification at Level 5 or higher on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

- (4) a) one staff member left the service since the inspection and went back to her home country.
b) the other had the certificate at home- photo submitted.

Preventive Action

(4) Management has been informed that a full file must be obtained from a student as they would with a staff member. Candidates presenting qualifications that are in multiple parts must provide proof of overall completion of a childcare qualification.

Supporting documentation submitted

Evidence of qualification for one staff member.

Summary Comment

The evidence submitted by the registered provider in relation to regulation 9 – Management and recruitment has been reviewed and accepted

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

(1) On the day of inspection there was an adequate number of staff members working directly with the children attending the service.

(2) The adult to child ratio was correct in the service when the inspectors arrived unannounced at 09:10 am and remained so throughout the inspection.

- In the Lions room there were 4 staff members working directly with 14 children aged 3 years 5 months to 5 years. Two of the 4 staff members was employed to reduce the adult to child ratio, and to work directly with a child with additional needs, when necessary, as part of the Access and Inclusion Model scheme.
- In the Cubs room there were 3 staff members working directly with 9 children aged 3 years 1 month to 4 years 7 months. One of the 3 staff members was employed to reduce the adult to child ratio, and to work directly with a child with additional needs when necessary, as part of the Access and Inclusion Model scheme.

(8)(a) The registered provider ensured that 2 adults were present on the premises at all times, verified by staff rosters and staff attendance records maintained at the service.

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.*

Compliance Information

(1) A sampling process was used in relation to the children's records. All 13 sampled registration forms were appropriately completed with the required information as specified in sub-sections (a) to (i) in this regulation.

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) Each child's learning, development and well-being was facilitated in the service in relation to the following:

Basic needs:

- The staff members in both care rooms were observed warmly engaging with the children throughout the inspection. The staff members were very familiar with the children and their individual needs and were seen using warm vocal tones, positive language and positioning themselves at the children's level when engaging with them. The children were observed to be very comfortable in their environment and sought out the staff members for support and guidance as they required it.
- The children brought their lunch with them from home. A calm social and relaxed atmosphere was created during lunch time with the staff members sitting chatting to the children. The children were encouraged to be independent with appropriate support provided as required. The children's water bottles were available in the care rooms, should they feel thirsty at any stage. The children who attended the service on a part time basis were provided with an opportunity to eat a snack after the children attending on a sessional basis had left.
- The children who were toilet trained were encouraged to be independent in using the toilet with appropriate support provided as required. The children who required nappy changing were changed promptly as required with staff members observed to interact warmly with the children throughout the process.
- Transitions throughout the morning were well signposted by staff through the use of verbal prompts and songs which the children responded well to. The layout of the care rooms and outdoor play area supported the free unrestricted movement of the children. The children were well supported to move around their play environments choosing what they wanted to play with.
- The staff members were observed supporting the children's choice when they chose to change or opt out of activities. For example, in the Lions room during circle time a number of children opted to go outside, and this was facilitated by the staff. In the Cubs room when the children were invited to move to the cosy area for a story one child chose to engage in a table top activity instead. Again, the child's preference was facilitated by the staff.
- Staff members were observed to use a combination of distraction techniques and negotiation to address any minor behaviour issues that arose.

Supporting relationships around children:

- In both care rooms staff were observed engaging with the children in a warm, caring and playful manner. Staff praised children for their behaviours particularly when they were helpful to others, took turns and shared resources. During the inspection children played together in pairs or small groups and this was uninterrupted by staff thus encouraging the children to develop social relationships with each other.
- A key person system was in operation whereby staff record observations on a specific group of children and use this information to plan for the individual learning needs of each child.
- The service communicates with parents and guardians on a daily basis in real time on a software application which updates parents on the children's wellbeing and activities in the service. Additionally, the staff members were observed taking the opportunities to interact with parents at collection time and update them on their children's day in the service.

Physical and material environment:

- In both care room, the materials and play resources provided were available on low-level shelves allowing children easy access to resources and facilitating independent choice of materials.
- Both care rooms were bright and welcoming with a variety of well-resourced interest areas which were spacious enough for the children to play in pairs and small groups with children observed to play together throughout the inspection. Interest areas in both the Lions room and the Cubs room included home areas with a wide variety of play resources including cooking utensils, crockery, dolls house, dolls with baby care materials all of which facilitated the children to extend their play. Additionally, construction resources, transport toys, arts and crafts materials and sensory play opportunities including sand and water were provided for the children to play with.
- A range of books to support the children's language development were provided in both the Cubs and the Lions room. The children were observed enjoying the books independently in addition to enjoying stories being read by the staff members.
- A secure outdoor play area directly accessible from the Cubs room was available for the children. The area was covered with a tarmacadam surface, a climbing frame in the shape of a boat which had a climbing rope and slide available provided the children with the opportunity for gross motor play. Ride on toys were available in the area along with tyres for balancing. A well-resourced mud kitchen provided the opportunity for imaginary play. All of the children present on the day of inspection enjoyed time in the outdoor area on the day of inspection.

Non-Compliance Information

- Care plans were not available in the service to support staff members in the care of children who required additional support.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

- AIM support worker was contacted and a meeting was arranged to set up goals and care plans for the children in question. The meeting is set for the 28th of February. The support worker said that she didn't get a chance to provide manager with goals yet due to work overload. Care plans now in place for all the children receiving AIM.

Preventive Action

- When AIM is approved the manager should make sure that the goals and care plans are clear and in place and communicated to the staff members.

Summary Comment

The evidence submitted by the registered provider in relation to regulation 19 - Health, welfare and development of child has been reviewed and accepted.

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 doors leading into the service were appropriately secured to prevent children from exiting the service unsupervised and preventing unauthorised persons gaining access to the service.
- The outdoor play area was secured with metal fencing to prevent a child gaining unsupervised access to a roadway or other source of danger.

Infection Control:

- Thermostatically controlled running warm water, liquid soap and single use paper towels were available at all wash hand basins to support effective hand hygiene procedures in the service.
- The children were facilitated to wash their hands before eating. Children were gently reminded to wash their hands after using the toilet.
- The premises and play materials were in a clean and hygienic condition.
- Up to date documented cleaning schedules were on display in the service.

Administration of Medication:

- Medications were stored out of the reach of children. Documentation was available to record any medication administered to children.

Non-Compliance Information

Infection Control:

1. The staff bathroom was used to store an extensive range of materials for use in the early years' service, this is an infection control risk.
2. The nappy changing mat provided in the sanitary accommodation off the Cubs room was torn at the corners which did not allow for effective cleaning and posed a risk of cross-infection.

Action submitted by the Registered Provider

Corrective Action

Infection Control:

1. The staff bathroom area was cleared.
2. A new mat was purchased.

Preventive Action

Checking the equipment regularly, revise cleaning schedule.

Supporting documentation submitted

Photographic evidence of the cleared bathroom area and new nappy changing mat have been received

Summary Comment

The evidence submitted by the registered provider in relation to regulation 23 - Safeguarding health, safety and welfare of child has been reviewed and accepted.

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 was maintained of fire drills which had been completed in the service. The most recent fire drill was recorded as having taken place on 14/11/2023.
- (b) A record was kept of the number, type and maintenance of the firefighting equipment in the premises. The fire extinguishers were certified as having been serviced on the 07/03/2023.
- (4) Notices of the procedures to be followed in the event of a fire were conspicuously displayed in the premises.

Non-Compliance Information

- (1)(b) A maintenance record was not available to confirm that the smoke alarms in the service had been appropriately maintained.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (1)(b) The record was on the wall on the day of inspection, just wasn't seen. Photo was provided, no action required, the maintenance is regular and ongoing.

Supporting documentation submitted

Copy of maintenance certificate for smoke alarms received.

Summary Comment

The evidence submitted by the registered provider in relation to regulation 26 - Fire safety measures has been reviewed and accepted.

Part VII - Premises and Space Requirements

Regulation 29 – Premises

A registered provider shall ensure that the premises of the service are-

(b) safe and secure,

(e) equipped with adequate and suitable sanitary facilities.

Compliance Information

(b) The premises appears safe and was found to be appropriately secured to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the service.

Non-Compliance Information

(e) Suitable nappy changing facilities were not provided in the service. Nappy changing mats were placed on the floor in the lobby area at the entrance to the two toilet cubicles in the sanitary accommodation located off each pre-school room when the children's nappies were being changed. This did not afford privacy for the children or maintain their dignity when they were having their nappies changed. This non-compliance was previously identified on inspection of the service on 09/11/2022. As part of the subsequent corrective action and preventive action response submitted to the Inspectorate, the registered providers did not demonstrate that suitable nappy changing facilities were made available in the service. The regulatory requirement remains unmet.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(e) Registered provider spoke to their handy man/maintenance man who informed that it would be not safe to put the unit up on the wall as it's a partition wall and would not hold such weight. Manager is looking into something on wheels that they could bring to the room, but there is no place to store it. Foldable units that they have found are not suitable for such big children who attend their service. They are searching the internet for a solution. Service needs more time.

Supporting documentation submitted

None

Summary Comment

As the noncompliance identified has not been addressed the regulatory requirement has not been met and remains outstanding.