

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2016GY011
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<b>Name of Service:</b>	The Growing Tree Montessori School
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<b>Address of Service:</b>	Cahergowan, Claregalway, Co. Galway.
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<b>Eircode:</b>	H91 X7KE
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<b>Name of Registered Provider:</b>	Mary Fleming
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<b>Service type:</b>	Sessional
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<b>Date of Inspection:</b>	23/10/2023
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<b>No of pre-school children:</b>	AM	21	PM	0
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<b>Address of the Early Years Inspectorate:</b>	Tusla – Child and Family Agency, Early Years Inspectorate, Quality and Regulations Directorate, Clinical & Administration Building, Block A - (1st Floor- Green Corridor), Merlin Park, Galway.
<b>Inspection undertaken by:</b>	S. Meehan.
<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

The service is in Claregalway village in a purpose-built Montessori sessional service. The service offers an Early Childhood Care and Education sessional care programme and the service caters for pre-school children aged between 3 years – 6 years of age. The service opening hours are from 9 am to 12.30 pm, Monday to Friday. There are 3 playrooms, a kitchen unit, multi-purpose room and sanitary facilities. The service has an outdoor area at the front and side of the service and children have access to outdoor play in a secured outdoor play area.

### Staffing

There are 4 adults working in the service which includes the register provider. The adults working directly with the children in the service have completed a major award in Early Childhood Care and Education at a minimum of a level 5 in Early Childhood Education.

### 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 and safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11,19,25, 26 and 28. These findings are outlined within the relevant regulations within this report.

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

23/10/2023

An Immediate action notice was issued under Regulation 25(1), First Aid, a registered provider did not ensure that a person trained in first aid for children is, at all times, immediately available to the children attending the preschool service.

23/10/2023

An adequate response was received from the registered provider, who stated that the adult trained on first aid will on the premises at all times. A further adult will receive training in first aid at the start of November and invoice was shown to the Early Years Inspector.

## 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.

#### Compliance Information

(1)(a) The registered provider ensured that there was a named designated person in charge. There was a named person who could deputise as required.

(b) The designated person in charge was present in the service for the duration of the inspection.

(2)(a)(b) There were 8 written, validated references from past employers or a reputable source available in respect of the 4 adults working in the service.

(c) Vetting disclosures from the Garda Síochána were available in respect of 4 adults working in the service.

(d) Police vetting from the police authorities in another jurisdiction where a person had lived for a period of longer than 6 consecutive months was available and required for 1 adult.

- (4) The registered provider ensured that all adults working directly with children had a major award in Early Childhood Care and Education; the 3 adults had at least a minimum of a level 5.

### 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)-*
- (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) The attendance records for the past week were reviewed by the inspector indicating that an adequate number of staff were working directly with the pre-school children.
- (2) The adult / child ratio was correct and maintained on the day of inspection. Three adults were working with and caring directly for 21 pre-school children.
- (8)(c) The registered provider does not operate the service single handed. There is an additional 2 adults working in the pre-school service.

### 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

(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

19(1)(a) and (b)

##### BASIC NEEDS:

- The healthy eating policy was available for parents and guardians to view the snacks and meals were appropriate and the foods observed on the day of inspection.
- The snacks supplied by the parents were healthy and nutritious and consisted of sandwiches, crackers, cheese, fresh fruit pieces, yogurts with milk or water available to children when needed. Perishable items were stored in the service fridge.
- Children had access to water on a table in each of the playrooms to help themselves throughout the session.
- Crockery and plates were offered and used during children's snack times and were appropriate for the age and stage of development of the children. Adults sat and interacted with children during snack time.
- Children attending the service who were toilet trained, toileted independently or with some assistance or support by adults as required.
- The children self-care was assisted and encouraged by adults for e.g., to wash their hands prior to eating, after toileting, after using a tissue and after messy play.
- In the playroom the children had the opportunity to rest or relax with soft seating in the form of child size couch in designated cosy area.
- Children's behaviour was consistently managed in a positive manner by adults, with an emphasis on positive reinforcement and encouragement. Children are shown positive strategies to manage their behaviour during the session.
- Children were observed to be engaged in large and small group activities throughout the session, which included tabletop activities, reading books, artwork for Halloween, circle time, singing and dancing. Children had the opportunity to opt out of an activity as they wished to do so.
- The children happily engaged with the adults for any support they required with activities.
- Play equipment and materials provided in the outdoor area supported a range of physically energetic activities and play experiences. There was a selection of ride on toys, sports equipment, slides, swings, a fully equipped outdoor playhouse and shop.

## 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

(2) (a) The first aid boxes were easily accessible and in a conspicuous position in the playrooms

(b) The service demonstrated that the first aid box was fully equipped and available to the children attending the pre-school service.

### Non-Compliance Information

(1) On the day of inspection, a person trained in first aid was not rostered or on the premises at all times. On review of the staff files, it was evident that only one staff member was trained in first aid.

An Immediate action notice was issued on the 23/10/2023 under Regulation 25(1), first aid, where 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 preschool service.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

(1) A response was received from the registered provider on the 23/10/2023, who stated that the staff member trained in first aid will be on the premises at all times during the operation of the sessional service and that a further adult will receive training in first aid responder at the start of November 2023.

#### Supporting documentation submitted

(1) A copy of the first aid responder training for the second adult was submitted to the office of the Early Years Inspectorate.

### Years Inspectorate.

The evidence submitted has been reviewed and has deemed that it has met the regulatory requirement of this part of the regulations.

### 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) A written record was available of the monthly fire drills completed in the service. The last recorded fire drill was dated the 18<sup>th</sup> of October 2023.
- (b) Records were available in relation to the number, type, and maintenance of fire- fighting equipment with the annual service dated 12<sup>th</sup> of July 2023.
- The smoke and fire detection alarm system for the premises had the last annual service dated 12<sup>th</sup> of July 2023.
- (4) Notices were displayed within the service of the procedures to be followed in the event of fire in the premises.

### Part VI - Safety

#### Regulation 28 - Insurance

*A registered provider shall ensure that the pre-school service is adequately insured.*

#### Compliance Information

The insurance certificate for the service was available for 33 pre-school children in a sessional service with an expiry date of 27/11/2023.

The documentation presented detailed the categories of insurance cover for the service, for example: -

- public liability insurance.
- insurance against fire and theft.
- Buildings.