

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2016KY007
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<b>Name of Service:</b>	Montessori House of Children
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<b>Address of Service:</b>	The Old School House, Rock Road, Killarney, Co. Kerry
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<b>Eircode:</b>	V93 F210
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<b>Name of Registered Provider:</b>	Carol Dempsey
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<b>Service type:</b>	Full Day, Sessional
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<b>Date of Inspection:</b>	05/04/2024
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<b>No of pre-school children:</b>	AM	13	PM	N/A
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<b>Address of the Early Years Inspectorate:</b>	13 Market Square, Mallow, Cork. P51 5DDY
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<b>Inspection undertaken by:</b>	E. Friel
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<b>Title:</b>	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).

<b>Conditions if applicable</b>	N/A
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### Description of service

Montessori House of Children is a private early years care and education setting providing a choice of full day care, part-time and sessional services through a Montessori based curriculum. The service is registered to accommodate children aged from two years old to six years of age, children currently attending are aged from two years and six months to six years of age. While registered operating hours are from 8.00 am until 6.30 pm, the service currently opens from 8.30 am until 5.15 pm, Monday to Friday, forty-three weeks of the year. The Early Childhood Care and Education (ECCE) Scheme is facilitated in the morning from 9.30 am until 12.30 pm and in the afternoon from 2.00 pm until 5.00 pm. An Easter camp was in operation on the day of inspection operating between the hours of 8.30 am until 1.15 pm.

The service operates from a converted single storey school house which is located within the grounds of the Jean Paul II Pastoral Centre on Rock Road in the urban town of Killarney in County Kerry. There are two entrances located at the front of the building, on opposite corners, which provide entry onto a long corridor off which there are two adjoining care rooms namely; Rainbow and Sunshine changing in the afternoon to Cloud and Sky. There is a staff toilet incorporating a children's changing unit and five children's toilets are located between the Rainbow care room, where there are three children's toilets and three wash hand basins, and the Sunshine care room where there are two additional children's toilets and two wash hand basins. A kitchen area is available and rest areas are located in each care room. Parking is available at the front of the service via a one-way system operated with electronic barriers. The Sunshine care room was the only room in operation on the day of inspection.

### Staffing

There are ten staff employed in the service including three AIM Support Workers and the registered provider. In addition, there is a student on placement and a volunteer who helps with administration.

### 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.

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

An Immediate Action Notice was issued on 8 April 2024 in respect of Safety. There were no staff trained in first aid available to the children, on the day of inspection. A written reply was received in the office of the inspectorate on 8 April 2024 in response to the Immediate Action Notice which was adequate in addressing the issue.

## 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
- (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.

#### Compliance Information

(1)

- (a) The registered provider was the designated person in charge and the manager was available to deputise.
- (b) The manager was available in the service for the duration of the inspection.
- (c) There was a clear management structure in the service with staff and students aware of their roles and responsibilities.

- (2) Recruitment files for all twelve adults were reviewed.
- (a) There were nineteen references and eight validations from past employers.
  - (b) There were four references and three validations from sources other than past employers.
  - (c) Garda vetting disclosures had been obtained for all adults in the service. However, the Service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.
  - (d) International police vetting disclosures were available in regard to four adults who had lived outside of the State for a period of six consecutive months or more as adults.
- (4) Eight staff members working directly with the children held at least a major award in Early Childhood Care and Education at level 5 or above on the National Framework of Qualifications. One additional staff member had a Letter of Eligibility to Practice from the Department of Children, Equality, Disability, Integration and Youth.

## Non-Compliance Information

- (2)
- (a) (b) One reference was missing in respect of one adult and thirteen validations were missing in respect of seven adults present in the service.
  - (4) One adult, working directly with the children, did not hold a major award in Early Childhood Care and Education at level 5 or above on the National Framework of Qualifications.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

The following statements were received from the registered provider;

- (2)
- (a) (b) All references and validations are now on file for each adult in the service. Management will ensure that all references and validations are in place before any employee has contact with the children.
  - (4) The adult that does not yet hold a major award in Early Childhood Care and Education at Level 5 on the National Framework of Qualifications is a student on placement.

## Supporting documentation submitted

(2)

(a) (b) A copy of the outstanding reference and validations were received in the office of the inspectorate.

(4) The statement from the registered provider has been accepted.

## Summary Comment

The non-compliances identified under Regulation 9 (2) (a) (b) and (4) have been addressed.

## 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) The registered provider ensured that there were an adequate number of adults working with the children at all times.

(2) The adult child ratios were met. There were thirteen early years children in attendance with two adults in the Sunshine care room. In addition, there were five school age children in attendance with one adult. The registered provider was on the premises when the inspector arrived, and a student was on placement.

(8) The staff roster evidenced that there were two staff members on the premises at all times.

### 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 review of eight children's pre-school records was carried out; All eight records contained the necessary requirements a, c, d, e and f.

#### Non-Compliance Information

- (1)
- (b) Five records were missing start dates.
- (g) One contact number was missing in respect of a child's General Practitioner.
- (h) Five records were missing with regard to immunisations.
- (i) Five parent/guardian signatures were missing with regard to written consent in the event of an emergency.

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

##### Corrective and Preventive Action

The following statements were received from the registered provider;

- (1)
- (b) All five records were updated with start dates.

- (g) The General Practitioner's contact number was added to the file.
- (h) All five immunisation records have been added to the children's files.
- (i) Missing consent has been completed for each of the five records.

Staff will check each file on enrolment to ensure that all information is completed on each child's pre-school record.

### **Supporting documentation submitted**

- (1) (b), (g), (h) and (i)

Copies of all missing information and documentation were received in the office of the inspectorate.

### **Summary Comment**

The corrective actions implemented by the registered provider has addressed the non-compliances identified under Regulation 15 (b), (g), (h) and (i).

## 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;*
- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*

### **Compliance Information**

- (1)
  - (a) The name, position, qualifications and experience of the registered provider, designated person in charge, staff and students were observed to be kept in the staff recruitment files.
  - (h) The daily attendance by each child was recorded in the service's record of attendance book, presented to the inspector.
  - (i) Staff rosters and sign in details for each adult were presented to the inspector, which detailed the staff sign in and out times and breaks.

### 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

##### **BASIC NEEDS:**

- Water was available from a dispenser on an easily accessible work top throughout the morning, glasses were available nearby.
- Children were seated during snack and given time to finish their food without being rushed.
- Independence was promoted with children observed putting on their outdoor clothing, changing their slippers and accessing the sanitary area by themselves. Staff were nearby to assist children who required help with their personal care, zips and boots for outdoor play.
- Staff were observed assisting and supporting children to find solutions to minor issues. An example included a staff member demonstrating and modelling, in a quiet voice, the words the child could use to ask for a turn of a microphone that another child was using.

##### **SUPPORTING CHILDREN'S RELATIONSHIPS:**

- Staff were observed assisting and supporting children to find solutions to minor issues. An example included a staff member demonstrating and modelling, in a quiet voice, the words the child could use to ask for a turn of a microphone that another child was using.
- A bell was in use to alert children to transitioning between activities helping to create a more predictable environment.
- Staff stated that communication with parents/guardians happens mainly at drop off and collection, and is also conducted through texts, email and a group messaging application with information being received and exchanged.

### PHYSICAL AND MATERIAL ENVIRONMENT:

- The care room was laid out in clearly defined areas which included Montessori materials which offered exploration, stimulation and choice. Children were engaged in face painting, building construction on a mat on the floor, listening to music through earphones and enacting a puppet show.
- Equipment and resources were easily and readily accessible from shelving positioned at the children's eye level.
- Wooden tables and chairs, suitable for the age and stage of children attending the service, facilitated children to sit with their feet on the floor. Individual floor mats provided the opportunity for children to define their individual space on the floor.
- There were four outdoor areas available which provided alternative environments for the children to play and explore. A covered area at the gable end of the building with three large blackboards and chalk provides opportunities for the children to mark make and be creative. Planting boxes are available at the back of the building for the children to grow their own plants throughout the year. A variety of equipment including tricycles and scooters were available for the children to practice their gross motor skills at the opposite end of the building. A large, fenced grass area is available for the children to run, jump explore and play.

### Non-Compliance Information

#### BASIC NEEDS:

- (1) Contrary to the service's healthy eating policy there was no breakfast or lunch available in the service. The inspector observed that children had access to their snack at 11.15 am. The service was operating on a part-time basis on the day of inspection for which the requirement is two meals and one snack. In conversation, staff stated that the service does not currently offer a breakfast posing a risk of the children running out of energy as they require to eat small amounts of food regularly throughout the day.

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

#### Corrective and Preventive Action

The following statement was received from the registered provider;

- (1) The service recognises the importance of mealtimes. Parents/guardians provide meals and snacks and breakfast is available, on request, from the service. Emphasis is placed on the nutritional aspects of food with mealtimes forming an intrinsic part of the children's social day. All staff are aware of the food requirements for children who are availing of part-time and full day care in the service.

## Supporting documentation submitted

(1) The statement from the registered provider has been accepted.

## Summary Comment

The non-compliance under Regulation 19 has been addressed.

## 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:

- All doors were secured; the internal care rooms were fitted with sliding bolts and the external door was fitted with a numeric key pad for staff entering the service. A refurbished school bell ringer was in use for parents/guardians to gain entry. The security measures ensured that no unauthorised adults could enter the building without staff opening the door and that no child could leave the building unsupervised.
- The glass panels on the entrance doors were fitted with room signs to prevent children from accidentally banging into them.
- Automatic blinds were fitted to two windows in the care room, the additional six windows were free of cords.
- Furniture and heavy equipment were anchored to ensure it did not fall on any child.
- Flexes and cables were inaccessible to the children.
- Outdoor waste was out of reach of the children.
- The outdoor play areas were secured with wire fencing, wooden fencing, concrete walls and gates with latches and catches and sliding bolts.

### Administration of Medication:

- In the case of an emergency anti-febrile medication was available. It was stored in its original container in the First Aid cabinet on the wall in the hall, inaccessible by the children.

### Safe Sleep:

- Rest areas furnished with soft furnishings including chairs, cushions and bean bags were available in each care room, should the children require a rest. In addition, sleeping mats and bed linen were available in the service, if required. Staff stated that no children currently go for a rest during the day.

### Fire Safety:

- Firefighting equipment was safely anchored with brackets to the walls.
- Emergency fire doors were unobstructed.
- The fire assembly point was located opposite the building, in the outdoor car park.

### Non-Compliance Information

#### General Safety:

- (1) Garda vetting was available for all twelve adults. However, one adult vetting disclosure was not dated within the previous three years in adherence with the Early Years Inspectorate Regulatory Notice 'EYI- RN12.3 Renewal of Garda Vetting'.
- (2) The hinge on the toy box lid in the outdoor play area was broken, posing a safety risk should a child's fingers become trapped on the hinge.
- (3) There were no safety catches on the fridge freezer outside the Sunshine care room, posing a risk should a child access unsafe items in the fridge.

#### Infection Control:

- (4) In contrast to the service's healthy eating policy the inspector observed that perishable food was not stored in the available fridge, posing a risk of spoiling from being left in the hallway in rubber tubs.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

The following statements were received from the registered provider;

#### General Safety:

- (1) An application for Garda Vetting was submitted and a new disclosure is now on file.
- (2) The hinges on the outdoor toy box have been replaced with new ones.
- (3) Safety catches have been attached onto the fridge.

#### Infection Control:

- (4) Perishable food is stored in the fridge on arrival.

#### Supporting documentation submitted

The following photographs and documentation were received in the office of the inspectorate;

#### General Safety:

- (1) A copy of a new Garda Vetting Disclosure for one adult for whom it was required.
- (2) A photograph of the new hinges fitted to the toy box.
- (3) A photograph of the new safety catch attached to the fridge.

### Infection Control:

- (4) A photograph of the perishable food stored in the fridge.

### Summary Comment

The corrective actions implemented by the registered provider have addressed the non-compliances identified under Regulation 23.

## 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) (b) There were two first aid boxes available in a cupboard in the hall which were easily accessible to the adults and were available at all times.

### Non-Compliance Information

(1) There were no staff trained in first aid for children available on the day of inspection. A certificate was available to evidence that one staff member had valid First Aid Responder training completed, however this staff member was off on holidays. An Immediate Action Notice was issued on site to the registered provider with a request to submit a written response within 24 hours.

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

#### Corrective and Preventive Action

(1) In response to the Immediate Action Notice, issued 5 April 2024, the registered provider stated that the staff member trained as a First Aid Responder would be returning from holidays on the 9 April 2024.

The staff member would be available to the children while the service is in operation. The registered provider submitted training dates provided by a facilitator that confirmed seven staff were booked for paediatric first aid training in April 2024 and three were booked for training as First Aid Responders in June 2024. A reminder has been added at the beginning of the academic year to check expiry dates of all first aid certificates.

### **Supporting documentation submitted**

(1) The statement from the registered provider that the staff member trained as a First Aid Responder (FAR), returning from holidays on the 9 April 2024, would be available to the children while the service is in operation, has been accepted. In addition, copies of the certificates for seven staff members who completed the training course on paediatric first aid was received in the office of the inspectorate.

### **Summary Comment**

The corrective actions implemented by the registered provider has addressed the non-compliance identified under Regulation 25 (1). FAR certificates will be reviewed on the next inspection.

## 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) Records were available of the monthly fire drills which had taken place in the service. The last fire drill was recorded on 13 March 2024.
  - (b) A certificate was available to evidence that the smoke alarm had been serviced on 29 February 2024.
- (4) Details of the fire evacuation procedures were located in each care room.

### Non-Compliance Information

- (1)
- (b) There was no maintenance record available for the firefighting equipment on the day of inspection.

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

#### Corrective and Preventive Action

The following statement was received from the registered provider;

- (1)
- (b) The maintenance check was carried out on the firefighting equipment on the 17 April 2024. A note has been added to the diary in March of next year to remind staff to alert staff that the check has to be completed prior to the expiry date. In addition, the service has been added to the yearly service list of the maintenance company.

#### Supporting documentation submitted

- (1)
- (b) A copy of a firefighting certificate dated 17 April 2024 was received in the office of the inspectorate.

### Summary Comment

The corrective actions implemented by the registered provider have addressed the non-compliance identified under Regulation 26 (1) (b).

## Part VI - Safety

### Regulation 28 - Insurance

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

### Non-Compliance Information

It is acknowledged that the service had a certificate of insurance on file for 60 children on a part-time basis, with an expiry date recorded as 27 March 2025. However, the service is registered for full day care, posing a risk that the service is not insured for children who are availing of the full day care service.

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

#### Corrective and Preventive Action

The following statement was received from the registered provider;

As of the 17 April 2024 the service is now insured for 60 children on a full day care basis.

**Supporting documentation submitted**

A copy of a cover note dated the 17 April 2024 confirming the service is insured on a full day care basis for 60 children, with an expiry date of 27 March 2025, was received in the office of the inspectorate.

**Summary Comment**

The corrective action implemented by the registered provider has addressed the non-compliance identified under Regulation 28.