

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2016LS001		
Name of Service:	Early Learning Montessori		
Address of Service:	Church Avenue, Church Avenue, Stradbally, Co. Laois		
Eircode:	R32 X6T7		
Name of Registered Provider:	Sheila Conroy		
Service type:	Part Time, Sessional		
Date(s) of Inspection:	15/06/2023		
No of pre-school children:	AM	42	PM N/A
Address of the Early Years Inspectorate:	Early Years Inspectorate, Tusla, Child and Family Agency, Primary Care Centre, Church Avenue, Tullamore, Co. Offaly		
Inspection undertaken by:	K. Murphy		
Title:	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).			
Conditions if applicable	Not applicable		

Description of service

The service is registered as a part time service to accommodate children from 2 to 6 years of age. The service operates morning and afternoon sessions on a Monday to Friday basis for children participating in the ECCE programme. The service is operated by an independent provider.

The Early Years' Service is located on the ground floor of an adapted community facility. Two pre-school rooms, and an office/ kitchenette are provided. An outdoor play area is attached to the front of the service. Onsite parking and set down facilities are provided. The service is located in the village of Stradbally, County Laois.

Staffing

There were eight adults present on 15 June 2023. The registered provider has an administrative role in the service and provides additional room support as needed.

Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Child Care Act 1991 (Early Years Services) Regulations 2016 define the duty of a registered provider to ensure the safety and well-being of children and to comply with these regulations. This Act also gives Tusla the authority to assess compliance with the regulations. The purpose of regulation in relation to early years services is to ensure that the care, safety, and well-being of children attending such services is upheld. Inspections of early years services are planned based on the following:

- Previous inspection history
- Any information received in relation to the service

The findings on inspection are based on:

- Information obtained through examination of documentation
- Direct observation
- Discussion with relevant staff

This inspection was unannounced and focused on the area of governance/ health, welfare and development of child/ safety/ premises and facilities. The 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.

Additional Information

The inspection was informed by information received by TUSLA on the 12 June 2023.

Acknowledgments

The inspector wishes to acknowledge the co-operation of the registered provider, deputy manager, 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)
On the 15 June 2023, forty-two children were present in the service. The service is registered with Tusla to accommodate thirty-six pre-school children. The service was operating outside of its maximum registered capacity by six children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

As per the maximum registered capacity for the service, we have now ensured that the maximum number of children in the building at any one time is 36. (Letter of undertaking to Tusla included).

Summary Comment

In respect of the corrective actions taken documentary evidence was submitted to the office of the Early Years Inspectorate, reviewed by the Early Years Inspector and deemed to meet the regulatory requirement.

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.*

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(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.”

(7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:

- (a) the policies, procedures and statements of the service specified in Schedule 5;*
- (b) Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act, and*
- (c) these Regulations.*

Compliance Information

(1) (a)

The service had a designated person in charge and a named person to deputise as required.

(b)

The registered provider and the deputy manager were present during the inspection.

Ten staff files were reviewed, and the following was noted:

(2) (a) (b)

Validated written references from past employers or a source other than a previous employer were available in respect of all adults.

(c)

Completed Garda Vetting disclosure was available for all adults.

(d)

Police Vetting was not required. No adult had lived outside the state for a period of longer than 6 consecutive months.

(3)

The procedures in respect of (2)(a)(b)(c) and (d) were carried out by the registered provider prior to any person being appointed, assigned, or allowed access to or contact with a child attending the pre-school service.

(4)

All adults held major awards at levels 5,6 and 8 in Early Childhood Care and Education on the National Framework of Qualifications.

(6) (a)(b)

No staff member had signed a declaration on or before the 30th of June 2016 to the effect that they intended to retire from employment in a pre-school service.

(6A)

Two adults present were working directly with children under the Access and Inclusion Model (AIM).

(7)

- Evidence reviewed demonstrated that the service had provided training to staff in the areas of paediatric first aid, first aid response, manual handling and fire safety.
- Each staff member had completed the Tusla Children First e-learning programme.
- The checklist for staff files referenced the completion of Children First training as part of employment requirements.
- A contract of employment was on file for any staff member in a supervisor role and referenced the role “as a mandated person and the protection of children in line with Children First 2017”.
- A contract of employment was on file for any staff member in a practitioner role and referenced under the care of children section, “to ensure the protection of children in accordance with Children First National Guidance for the Protection and Welfare of Children 2017”.
- An induction checklist relating to COVID 19 and the necessary infection control practices was completed in respect of each adult.
- A supervision agreement was on file for each staff member.

(a)

- The registered provider and the deputy manager had signed off as read and understood the policies and procedures of the service.

(b)(c)

The registered provider and a deputy manager had completed training in Tusla Quality Regulatory Framework (Module 2 - Governance).

Non-Compliance Information

- (7)
1. The induction checklist completed in respect of each adult did not refer to child protection as part of the completed induction process.
 2. An individual staff training record was not available for review in line with the service “staff training policy”.
 3. There was no evidence to indicate that staff employed as practitioners had read and understood;
 - (a) The policies and procedures of the service.
 - (b) Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act.
 - (c) These Regulations.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (7)
1. An updated induction checklist has been implemented with child protection understanding and awareness indicated. An updated induction checklist will be used on each staff induction.
 2. A staff training record has been placed in each staff file and will be updated regarding any training undertaken. Staff training record present in each staff file.
 3.
 - (a)

A list of all policies and procedures currently implemented in the service has been placed in each staff file. On reading and understanding each document, staff are required to sign and date their reading and understanding of same. Our Child Protection Policy has been amended to include a sign off sheet for staff once the relevant policy has been read and understood. It is the aim of management to ensure staff have read and understood this policy, along with other policies relevant to the service, by carrying out reviews on a consistent bases through questioning and putting into practice the aspects of the child protection policy. A list of all policies and procedures currently implemented in the service has been placed in each staff file.
 - (b)

Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act has been added to both our child protection training, recruitment and induction policy. Staff are required to read and sign their understanding of these policies. A record of same in kept in each staff file. No. 40 of Child and Family Agency Act 2013 has been added to both our child protection training and recruitment and induction policy.

(c)

Staff have been notified of relevant regulations regarding training and have been furnished with our staff training policy. Staff are required to read and sign their understanding of the staff training policy. (Policy included)

Staff have been furnished with a copy of the Regulations 2016 regarding the Child Care Act 1991, as is now included in the updated induction checklist. (Induction checklist included) Prior to commencing employment for the coming academic year, staff are required to complete the training regarding the TUSLA QRF module online learning. Certification of same will be placed in their staff files. (Staff training profile included)

Completion of this training will be input onto the staff training record. At a staff meeting on June 16th, (Minutes included) staff were made aware of the importance of the awareness of the Regulations 2016 and their relevance to the efficient running of the service. Regarding the Health and Welfare of the Child, staff were asked to review the nappy changing policy and ensure their procedure was correct. Staff are required to read and sign their understanding of these policies. A record of same is kept in each staff file. Going forward, all training carried out by staff will be recorded, with evidence of same, in the form of certification, will be on file.

Summary Comment

In respect of the corrective actions taken documentary evidence was submitted to the office of the Early Years Inspectorate, reviewed by the Early Years Inspector and deemed to meet the regulatory requirement.

Part III – Management and Staff

Regulation 10 - Policies, procedures etc. of pre-school service

A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.

Compliance Information

The registered provider ensured that the required written policies procedures and statements specified in schedule 5 were in place in the service.

The following policies and procedures were reviewed and found to be in keeping with the regulatory requirements.

- Statement of Purpose and Function.
- Policy on Behaviour Management.
- Policy on Accidents and Incident.
- Recruitment Policy.
- Staff Training Policy.

Part III – Management and Staff

Regulation 11 - Staffing levels

(1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.

(4) Subject to paragraph (5), where a registered provider contemporaneously provides-

(a) a sessional pre-school service, and

(b) a full day care service or a part-time day care service, or both, the minimum ratio of adults to children applicable for the duration of the sessional pre-school service in respect of the children attending that service shall be the ratio specified in paragraph (3).

(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 ratio of adults to children was exceeded during the inspection.

(4)(a)(b)

There were forty-two children attending the service supervised directly by seven adults.

(8)(a)

The roster indicated that two adults are present on the premises during the hours of operation.

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;
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;
- (c) details of the adult: child ratios in the service;
- (d) the type of care or programme provided in the service;
- (e) the facilities available;
- (f) the opening hours and fees;
- (h) details of attendance by each pre-school child on a daily basis;
- (i) details of staff rosters on a daily basis;
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;
- (k) details of any accident, injury or incident involving a pre-school child attending the service.

Compliance Information

(1)

The service kept and maintained written records of information in relation to the service in accordance with Regulation 16 (1)(a)(b)(c)(d)(e)(f)(h)(i)(j) and (k).

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
- (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.

(2) A registered provider shall ensure that no corporal punishment is inflicted on a pre-school child whilst attending the service.

Compliance Information

(1)(a)

Healthy eating was encouraged. A variety of fresh fruit, dairy products, crackers, and sandwiches was provided by parents for their children's snacks and meals. Conversations and interactions between children and adults were observed during the mid-morning snack. Children were encouraged to be independent in caring for their belongings and putting on their coats. All children were observed to enjoy free play, choosing their own activity to participate in and playing in the outdoor play areas supervised by staff. The children were observed preparing songs and action for their forthcoming pre-school graduation at the end of the school term. The staff were familiar with each child and their personality. Adults were observed to be positive towards children evidenced by individual names used, eye contact and praise for children on completion of activities. Good teamwork between the staff members was observed during the inspection. Children were offered choices of what activities they wished to participate in. Staff were familiar with the needs of the children and were observed implementing agreed programmes. The service worked in partnership with parents and used a social media platform to provide weekly updates to parents. A verbal handover at the end of the morning session was observed as each child was collected from the service. Developmentally appropriate experiences were available for all children. Areas of interest were noted in the pre-school rooms and included home and construction areas, small world, office and nature table. Materials included paint, play dough, dolls, dolls houses, buggies, puzzles, blocks, trucks, animals and fine motor skill toys including pegboards, jigsaws and shape sorters. Educational posters relating to colours, shapes and the world were displayed. Low level tables and chairs and low-level shelving with equipment and materials were accessible to the children. Children's themed artwork was noted.

(b)

Children used the toilet independently and regular hand washing was observed and supervised. Access and inclusion profiles were in place for children receiving support under the access and inclusion model (AIM).

(2)

The staff responded promptly to the non-verbal cues of the children. Minor disputes between children were handled in a positive and caring manner by the staff. Positive behaviour management actions were carried out in line with the service policy on behaviour management.

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 entry to the service was secure to ensure the safety of the children within. The service met the necessary safety requirements in respect of the indoor environment, toys and equipment and the safe storage of cleaning agents.

Infection Control:

The premises were visually clean. All toys and materials were easily cleanable and cleaning schedules were available and reviewed. There was an adequate supply of paper hand towel and liquid soap in the sanitary accommodation. Warm water was noted at the wash hand basins. Hand washing was facilitated before snack time and after self-toileting. The pre-school rooms and the sanitary accommodation were ventilated by means of openable windows or mechanical ventilation. Foot operated pedal bins were noted in the pre-school rooms and the sanitary accommodation for the hygienic disposal of waste.

Administration of Medication:

No medicine was administered during the inspection. Temperature reducing medication was available if required by a child with a high temperature.

Fire Safety:

The fire exit routes in the premises were unobstructed. An assembly point was located to the front of the premises.

Outing:

Risk assessments and associated checklists were in place in respect of recent and planned outings from the service.

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)

The registered provider and deputy manager were qualified in First Aid response (FAR) and available on the premises. All other staff held in date paediatric first aid certificates.

(2)(a)

A first aid box was available in an accessible and conspicuous location in the service.

(b)

A first aid box was accessible to children in the pre-school service.

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 for the completed monthly fire drills was available on the premises. The last fire drill was recorded as taking place on 14 May 2023.

(b)

A record was available demonstrating the number, type and maintenance of the firefighting equipment and smoke alarms on the premises. The firefighting equipment was serviced in October 2022. The smoke alarms were serviced in May 2023.

(4)

A notice of the procedures to be followed in the event of a fire was displayed in a conspicuous position in the premises.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

There was evidence of current insurance cover for the number of children attending the service and the expiry date noted as 27 March 2024.

Part VII - Premises and Space Requirements

Regulation 30 - Minimum space requirements

(4) Where a registered provider contemporaneously provides-

(a) a sessional pre-school service, and

(b) a full day care service or a part-time day care service, or both,

the minimum clear floor space applicable for the duration of the sessional preschool service in respect of the children attending that service shall be the floor space specified in paragraph (3).

Non-Compliance Information

(4)(a)(b)

In a contemporaneous situation a minimum of 1.818 square metres was not available in the pre-school service for the 42 children in attendance on 15 June 2023.

- The “Busy Bees” room measured approximately 34.015 square metres providing clear floor space for 18 children.
- The “Hungry Caterpillars” room measured approximately 33.826 square metres providing clear floor space for 18 children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

As per each room measurement, there will only be 18 children registered per room. No more than 18 children will be registered to each room in line with our registration status. (Letter of undertaking to Tusla included).

Summary Comment

In respect of the corrective actions taken documentary evidence was submitted to the office of the Early Years Inspectorate, reviewed by the Early Years Inspector and deemed to meet the regulatory requirement.