

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2017KE500		
Name of Service:	All Stars Montessori Preschool		
Address of Service:	Rathcoffey GAA Complex, Mooretown, Donadee, Rathcoffey, Co. Kildare		
Eircode:	W91 W292		
Name of Registered Provider:	Breda Shiel		
Service type:	Sessional		
Date of Inspection:	24/09/2024		
No of pre-school children:	AM	19	PM No.
Address of the Early Years Inspectorate:	Early Years Inspectorate, Child & Family Agency, Suite 7, Vista Primary Care, Ballymore Eustace road, Naas, Co. Kildare, W91 X38W.		
Inspection undertaken by:	T. Duignan		
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	n/a		

Description of service

All Stars Montessori Preschool was established in 2017 as a privately run childcare service for children aged 3 - 6 years.

The service provides sessional childcare and education to children from 08:45-11:45am and 12:30-15:30 hours, Monday to Friday. The service is located in a large open plan room on the first floor of the GAA complex facility in Rathcoffey. The service can access the use of the enclosed and secured AstroTurf pitch, a designated area for messy play outdoors and the large indoor hall/gym when the weather does not allow outdoor play. The service has an enclosed designated space for outdoor play in the grounds of the GAA complex.

Parking is available.

Staffing

All Stars Montessori Preschool employs four childcare staff including the registered provider who works directly with the children. All adults working in the service have completed a major award in Early Childhood Care and 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 and safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under

- Regulation 9 (1)(a)(b), (2)(a)(b)(c)(d), (4) - Management and recruitment.
- Regulation 11(1),(3) – Staffing Levels.
- Regulation 15 (1)(a)-(i) – Record of a Pre-School Child.
- Regulation 23 – Safeguarding health, safety and welfare of child.
- Regulation 25 – First Aid.
- Regulation 26 – Fire Safety Measures.
- Regulation 28 – Insurance.

however, on inspection an additional non-compliance which posed significant risk was identified under:

- Regulation 27 – Supervision
- Regulation 29(c) (d) - Premises.

These findings are outlined within the relevant regulation 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

- 1 A written immediate action notice under Regulation 23 in relation to two issues was issued to the registered provider on 24 September 2024 by the Early Years Inspector.
- 2 The written responses were received from the registered provider on 24 September 2024 and 1 October 2024 in relation to the two issues outlined in the immediate action notice. The written responses were accepted.

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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 service had a person in charge and a named person to deputise.
- (b) Both the person in charge and a named person who could deputise were on the premises during the inspection.

Four staff records were reviewed.

(2)

- (a)(b) Two written and verified past employer references or references from a reputable source other than a past employer, were available in respect of four adults employed.
- (c) Garda Vetting disclosures were available for all adults employed in the service.

Garda Vetting disclosures were available for four adults, three of which were in the dated within the last three years. 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) Not applicable as none of the adults had resided outside the state for a period of longer than 6 consecutive months whose records were reviewed.

(4) Of the four staff records reviewed, the four adults employed and working directly with children attending the service held at least a major award in Early Childhood Care and Education at Level 5 or higher on the National Framework of Qualifications or a qualification deemed equivalent by the Minister.

Part III – Management and Staff

Regulation 11 - Staffing levels

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

(3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) therefore at that reference number is satisfied.

Compliance Information

(1) There were nineteen children attending the service being supervised directly by three staff members during the inspection.

(3) The minimum ratio of adults to children was adhered to on the day of the inspection.

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

Ten child records were assessed.

- (1) (a)-(i) Six of the ten records assessed contained the required information.

Non-Compliance Information

- (1)
- (b) The date on which the child first attended the service was not recorded in one of the records assessed.
- (e) Details of the authorisation for the collection of a child were not recorded in one of the records assessed.
- (f) There were no written care plans for two children attending the service.
- A written immediate action notice under Regulation 23 in respect of Regulation 15(1)(f) was issued to the registered provider on 24 September 2024 by the Early Years Inspector.*
- (g) The name and telephone number of the child’s registered medical practitioner was not recorded in two of the records assessed.
- (h) The record of immunisations received by the child was not available in four of the records assessed.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (1)

6 out of the 10 records assessed now have the required information. Furthermore, all Child Record forms have been reviewed and have the required information in accordance with Reg. 15.

- (b) Date child first attended the service is now entered on the assessed child's record form.
- (e) Details are now recorded on the assessed record (Authorisation for the Collection of the Child)
- (f) Two Care Plans completed, submitted and accepted.
- (g) Name and phone number of G.P is now recorded in two records assessed.
- (h) Immunisations now recorded on the four records assessed

A copy of Reg 15 is attached to the front of the Child Record Folder to ensure that in future all Child Record forms have the required information in accordance with Reg 15. Checklist at the back of each child record form will be ticked and signed off by the registered provider to confirm all required information is included as per Reg 15

Supporting documentation submitted

- (b) Six child records updated with start date.
- (e) A child record updated with the required information.
- (f) Two health care plans.
- (g) Two child records updated with the required information.
- (h) Four child records updated with the immunisation record

Summary Comment

The written response and documentary evidence submitted by the registered provider has been assessed by the Early Years Inspectorate. Regulatory compliance is met for regulation 15.

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 registered provider documented the inspectors visit to the service in the visitor's book on arrival. Written indoor and outdoor environmental risk assessments were completed daily and maintained to ensure a safe play and work environment for the children and staff. The storeroom in the classroom was observed to be secured and medication was stored in the wall mounted first aid press which was inaccessible to the children. The service met the necessary safety requirements in respect of the safe storage of cleaning agents.

Children were safely supervised and escorted on the stairs by two adults.

Infection Control:

Thermostatically controlled hot water, liquid hand soap and paper towels in paper dispensers were readily available for hygienic hand washing and drying. Foot pedal operated bins were in place for the hygienic disposal of used paper towels and other waste materials. Cleaning schedules were available to evidence daily cleaning.

Administration of Medication:

Medication was not given at the time of the inspection, written parental consent was available should medication be required to be administered to a child. Medication was stored safely out of the reach of children. The staff members were aware of the administration of medication policy and the safe practices to follow when administering medication.

Safe Sleep:

A comfortable rest area was available to any child who wished to have a rest or take a break from activities for a while.

Fire Safety:

The staff members were familiar with the fire evacuation procedures from the service. Fire exits were not obstructed. Fire drills were carried out and records maintained.

Outing:

The service conducts outings and operational procedures are in place to support the practice.

Non-Compliance Information

General Safety:

1. The entrance door to the service was not secured to restrict unauthorised persons from gaining access to the pre-school room as the Inspector walked directly in to the service.

A written immediate action notice in respect of Regulation 23 was issued to the registered provider on 24 September 2024 by the Early Years Inspector.

2. The plastic lid of the green sand box in the outdoor area was broken in several places. The sharp edges could potentially cause an injury to a child.
3. Garda vetting was available for four staff members; however, one vetting disclosure was not dated within the previous three years in adherence to the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

Infection Control:

4. Children's clothing was observed to be stored in the sanitary area which was not adequate for infection control purposes.
5. Three toilet trainer seats were observed placed on the window sills in the two sanitary areas which was not adequate for infection control purposes.

Administration of Medication:

6. The bottle of fever reducing medication was passed the expiry date recorded on the bottle.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. It will be ensured in future that the main entrance door to the preschool will be securely closed with latch bolted after the last child has entered the classroom. There will always be a staff member present at the door as children enter. When the last child has entered, the door will be locked securely and latched to prevent unauthorised entry to the preschool. If parents arrive late to preschool, parents will be requested to ring the doorbell in order to gain entrance to the classroom. The registered provider will check every morning this rule is followed by all staff members. Furthermore, the blue door which in the classroom door will be closed and locked securely as a secondary precaution to ensure children are safe and cannot leave the preschool unattended and also to ensure unauthorised entry to the preschool premises. Ensuring the main door is locked is recorded and checked by the registered provider when completing the daily indoor risk assessment record and signed off.
2. This green sand box has been removed from the Outdoor play area to prevent any injuries. This low-lying sandbox will not be replaced as we have no control over outsiders entering and destroying the playground equipment after preschool hours. We have an adequate number of durable sandboxes which are raised at children's level and cannot be walked on. The outdoor daily risk assessment checklist will include checking the playground equipment to ensure it is safe for children. Any damaged equipment will be removed by the registered provider.
3. Garda Vetting was obtained on 3rd October and is on file. The registered provider will ensure Garda Vetting disclosures are in date for all staff members and completed within the 3-year time frame. A reminder to renew vetting disclosures has been entered in the compliance folder with a copy of Reg 23 General Safety

Infection Control:

4. The basket containing clothing has been removed from the sanitary area and is now stored in the classroom. The sanitary areas will be checked daily by the registered provider when carrying out Indoor daily indoor risk assessment to ensure no clothing is present in accordance with Reg. 23 Infection Control.
5. The toilet trainer seats have been removed from the sanitary areas. They are no longer required for the children in the setting. The seats are now stored away in the store room. The sanitary areas will be checked daily by the registered provider when performing the indoor daily risk assessment to ensure no toilet seats are present. If and when toilet seats are required in the future, they will be hung at the back of the toilet doors for easy access. Staff will assist children with toileting and sanitise the seats after use.

Administration of Medication:

6. The expired temperature reducing medication has been removed from the First Aid Box and replaced with in-date medication. The medication and expiry date has been recorded in the first aid box contents record sheet. This record sheet is checked monthly by the registered provider to ensure medication is in-date in keeping with Reg 23 Administration of Medication

Supporting documentation submitted

General Safety:

1. Immediate action notice written response
2. Photograph.
3. Garda Vetting document.

Infection Control:

4. Photograph
5. Photograph

Administration of Medication:

6. Photograph

Summary Comment

The written response, photographic and documentary evidence submitted by the registered provider has been assessed by the Early Years Inspectorate. Regulatory compliance is met for 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

(1) Persons were trained in First Aid Response (FAR) for children and were immediately available to the children attending the service.

(2)

(a) The first aid equipment was safely stored, in a conspicuous position in the care room.

(b) A suitably equipped first aid box for children was available to the children attending the 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.

(2) The record referred to in paragraph (1) shall be open to inspection by-

(a) a parent or guardian of a pre-school child attending or proposing to attend the pre-school service,

(b) an employee, and

(c) an authorised person.

(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 fire drills completed in the service. The last recorded fire drill for the morning session was on 20 September 2024.

(b) A record was kept of the number, type and maintenance of the firefighting equipment and smoke alarms in the premises. Firefighting equipment were last serviced in June 2024 and the smoke alarm was serviced on 5 September 2024.

(4) A notice of the procedures to be followed in the event of a fire was displayed in the service.

Part VI - Safety

Regulation 27 – Supervision

A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Non-Compliance Information

- Children were observed to go to sanitary area unaccompanied by a staff member, however the staff members were aware when they left the room. The sanitary area was located in an area outside the care room along a short corridor which turned right. The sanitary area was not in the staff members immediate line of vision or hearing. Three children were observed in the sanitary area washing their hands after an art activity in the care room. One child requested assistance from the inspector with handwashing and accessing paper towels from the electronic dispenser.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Following a discussion with staff regarding the supervision of children in the classroom, we now have a staff rota in place at all times to ensure one staff member is positioned near the door exit to monitor children leaving the classroom. The staff member will accompany children to the bathroom to assist them if required. Regular toilet breaks are arranged so that a small group of children can exit the classroom and be supervised by a staff member. These children are being assisted in the bathroom to wash and dry their hands using the child step. All staff are aware of their absolute responsibility to monitor children exiting the classroom. We continue the practice of one teacher being present in the hall with children while they put away lunchboxes and return to the classroom with their coats and bags.

All staff are alert for children leaving the classroom and will ensure they accompany them. We have a routine at lunchtime where two staff members are present with children while washing hands and using the toilet before lunch. Also, one staff member will remain in the corridor with children while they put away lunchboxes and return to the classroom.

Supporting documentation submitted

No evidence submitted.

Summary Comment

The written response submitted by the registered provider has been assessed by the Early Years Inspectorate. Regulatory compliance is met for regulation 27. This area of practice will be assessed at the next inspection.

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 valid until 27 March 2024. The insurance provided cover for 22 children attending on a sessional basis.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

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

- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*

Non-Compliance Information

(c)

1. Six of the sixteen ceiling lights in the care room were not working.

(d)

2. Two of the six lights which were not working did not have a protective cover fitted.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(c)

1. An Electrician replaced the 6 ceiling lights in the classroom on Friday 10th October. All ceiling lights are working. Please note the registered provider had requested the management to replace the bulbs on several occasions explaining the necessity. There are spare bulbs in stock if lights need replacing and they will be replaced immediately.

(d)

2. Electrician has replaced the light covers on the two ceiling lights. There are spare light covers in stock should we need them in future.

Supporting documentation submitted

Photographs points 1 and 2.

Summary Comment

The written response and photographic evidence submitted by the registered provider has been assessed by the Early Years Inspectorate. Regulatory compliance is met for regulation 29(c), (d).