

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2018FL508		
<b>Name of Service:</b>	Really Cool Afterschool & Montessori School		
<b>Address of Service:</b>	1 Linen Court, Georges Hill, Balbriggan, Co. Dublin		
<b>Eircode:</b>	K32 A254		
<b>Name of Registered Provider:</b>	Malgorzata Orłowska Smith, Marzena Stronska		
<b>Service type:</b>	Full Day		
<b>Date(s) of Inspection:</b>	02/09/2024		
<b>No of pre-school children:</b>	AM	34	PM 16
<b>Address of the Early Years Inspectorate:</b>	180-189 Lakeshore Drive, Airside Business Park, Swords, Co. Dublin K67 Y5C6.		
<b>Inspection undertaken by:</b>	S. Cully & AM. Coyle		
<b>Title:</b>	Early Years Inspectors		
<b>Authority to Inspect</b>			
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		

### Description of service

Really Cool Afterschool & Montessori School has been operating as a privately-owned childcare service since September 2018, accommodating pre-school children aged 1-6 years on a sessional, part-time and full day care basis. In addition, school aged childcare services are provided to children up to 12 years of age. This service is one of three early years services owned by the registered providers, all of which are located in Balbriggan in north Co. Dublin. The service is registered to cater for a maximum of 50 preschool children and operates from 7.30am to 6.30pm each weekday, participating in the Early Childhood Care and Education (ECCE) scheme from 9.00am to 12.00midday for 38 weeks each year. There are 4 care rooms in the service namely the Bunnies room, Squirrels room, Owls room and Foxes room. There is an outdoor play area to the rear of the premises.

### Staffing

There are 16 staff members employed in the service including the service supervisor. Thirteen staff members work directly with the pre-school children attending the service including a relief staff member who also carries out duties in the kitchen. Two staff members are employed to work in the afterschool room with school aged children only. Two staff members posts are part funded through the Access and Inclusion Model (AIM) scheme to reduce the adult to child ratio and if necessary to work with a child with additional needs during the ECCE sessions. One of the two registered providers is the service manager but was not present on the day of inspection due to leave. The second registered provider is not present in the service on a daily basis but was present on the day of inspection following the inspectors arrival for a period of time.

### 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 and premises and facilities. 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

The inspection was carried out following receipt of a notification of incident by the service to the early years inspectorate.

## Acknowledgments

The inspectors wish 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
- (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.

#### Compliance Information

- (1)(a) The service had a designated person in charge and a named person to deputise as required.
- (b) The service supervisor was the designated person in charge when the inspectors arrived unannounced at 9.20am on the day of inspection and remained present on the premises for the duration of the inspection.

A total of 16 staff files were reviewed in relation to the staff members of the early years’ service. These files included the supervisor, 13 core staff who work directly with the preschool children on a daily basis and 2 staff members who work directly with the school aged children on a daily basis.

The files for the 2 registered providers were found to meet the regulatory requirement on previous inspections and therefore are not included in this inspection report.

(2)(a)&(b) There were 31 written and validated references available for the 16 adults whose files were reviewed.

(c) Garda vetting disclosures had been obtained for all 16 staff members. The registered providers demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) International police vetting was available as required for 10 adults who had lived outside the State as adults for more than 6 consecutive months.

(4) The service supervisor and 12 core staff members who worked directly with the pre-school children in the service held a major award in Early Childhood Care and Education at Level 5 - 8 on the National Framework of Qualifications (NFQ) or a qualification deemed by the Minister to be equivalent. Two staff members employed to work with school aged children only did not require a childcare qualification.

### Non-Compliance Information

(2)(a)&(b) The second reference available in relation to 1 staff member did not provide information to demonstrate to the registered provider that the person was suitable and competent. The document available was a statement of employment with no further information provided or gained by the registered provider as attempts to validate the reference were unsuccessful.

(d) International police vetting disclosure in relation to 1 staff member was not available in English/Irish for review. Vetting documents provided in a language other than English or Irish must be translated through a reputable source of translation by the service.

(3) Following a review of the staff files it was apparent that procedures required under Regulation 9 (2)(a)&(b) and (c) had not been carried out prior to some staff members commencing employment and working with the children. This included the following:

- Nine references in relation to 6 staff members were obtained after employees start dates.
- Garda vetting in relation to 1 staff member was obtained after the employees start date.

(4) Documentation available in relation to 1 staff member who works directly with the preschool children was not translated to English/Irish and therefore it could not be determined on inspection if the qualification met the regulatory requirements.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective Action

(2)(a)&(b) The staff member was requested to provide another reference for the file.

(2)(d) A translation of this vetting document has been requested.

(4) A copy of the translated qualification was available and submitted.

### Preventive Action

(2)(a)&(b) Management will not accept statements of employment as a reference when unable to validate this by phone.

(d) Management will ensure that all documents are translated where required before the staff members start date.

(3)(c) Management will follow the Recruitment policy and ensure that references and Garda vetting disclosures are obtained before the employee starts work in the service.

### Supporting documentation submitted

Evidence of reference request

Evidence of translation request for police vetting

Copy of translated qualification

Recruitment policy.

## Summary Comment

The inspector has reviewed the actions and evidence submitted. The registered provider has assured that all required documents will be on file as part of the corrective and preventive actions stated. This will be reviewed at the next inspection. The non-compliances identified under Regulation 9 has been adequately addressed.

### 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 following policy deemed relevant to this inspection were requested and reviewed:

- Accident and incidents policy

The accident and incident policy set out procedures to be followed when an accident or incident involving a child occurs in the service. This includes when to contact a parent/guardian or emergency person. The policy also described how these incidents are recorded. The services measures taken to prevent accidents and incidents were outlined in the accompanying 'Health and Safety' policy.

#### Non-Compliance Information

1. The 'Accident and incident' policy did not include risk assessment procedures to be taken following an incident or accident in the service. This was evident in practice also as the incident form in relation to an incident where a child was injured and required medical attention, which was notified to Tusla, provided opportunity for recording of risk and preventative measures to reduce the likelihood of a similar incident reoccurring was left blank. On discussion with staff, it was evident that no discussion or change of practice occurred following the recent incident. This was discussed with the supervisor at the closing meeting where it was confirmed a risk assessment procedure did not take place.
2. The service did not have a 'Risk management' policy available for review.

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

##### Corrective Action

1. The accident and incident policy was reviewed and communicated to staff. A sample risk assessment/incident report template was created for use going forward.
2. A risk management policy has been added to the policy booklet.

##### Preventive Action

1. Follow updated policy and risk assessment procedures.
2. Implement risk management policy.

### Supporting documentation submitted

Copy of new risk assessment paperwork  
Updated accident and incident policy  
New risk management policy

### Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 10 has been adequately 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) On the day of inspection there were an adequate number of staff members working directly with the children attending the service.

(2) The adult to child ratios were correct in the service when the inspectors arrived unannounced and remained so throughout the inspection. The following adult to child ratios were observed when the service was operating at capacity during the inspection:

- In the Bunnies room there were 5 children aged between 1 year 3 months and 1 years 9 months being cared for by 2 staff members.
- In the Squirrels room there were 5 children aged between 2 years 2 months and 3 years being cared for by 2 staff members.

- In the Owls room there were 14 children aged between 2 years 10 month and 4 years 8 months being cared for by 3 staff members. A staff member in this room was employed to reduce the adult to child ratio to support children with additional needs, when necessary, as part of the Access and Inclusion Model scheme.
- In the Foxes room there were 10 children aged between 2 years 6 months and 3 years 6 months being cared for by 3 staff members. A staff member in this room was employed to reduce the adult to child ratio to support children with additional needs, when necessary, as part of the Access and Inclusion Model scheme.

The relief staff member and supervisor were available to cover staff breaks and support with the care of the children in the care rooms when required.

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

### Part IV – Information and Records

#### Regulation 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:

(k) details of any accident, injury or incident involving a pre-school child attending the service.

#### Compliance Information

(1)(k) There was evidence that service was recording incidents that occurred in the service. The recent incident that required notification to the Early Years Inspectorate was recorded.

#### Non-Compliance Information

(1)(k) Following a review of a sample of accident and incident forms maintained in the service, 5 were found to be incomplete.

- One report had no parent signature or manager signature.
- Three reports were not signed by parents.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and

(1)(k) Staff were reminded that reports must be complete and signed by supervisor and parents. Reports that were entered into the book but not needed have been crossed out. Parents were requested to sign reports without signatures.

### Preventive Action

Incident and accident procedures reviewed and updated. Accident report books to be reviewed by supervisor on a weekly basis.

### Supporting documentation submitted

Copy of report signed by parents

Updated policy

## Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 16 (1)(k) has been adequately addressed.

## Part V - Care of Child in Pre-school Service

### Regulation 19 - Health, welfare and development of child

(1) A registered provider shall, in providing a pre-school service, ensure that-

(a) each child's learning, development and well-being is facilitated within the daily life of the pre-school service through the provision of the appropriate activities, interaction, materials and equipment, having regard to the age and stage of development of the child, and

### Compliance Information

(1)(a) The following observations were made on how each child's learning, development and well-being was facilitated within the daily life of the service:

### Basic needs:

- The staff members were observed engaging with the children positively and respectfully during the inspection. When speaking with the children, the staff used appropriate tones of voices and body language.
- During the inspection the children were observed to be comfortable and content within their environments and with the staff. Many children had recently joined the service and were settling in. Children who were upset were observed being comforted and supported by staff.
- The service provides breakfast, hot dinner and afternoon lunch to the children. The children also bring a snack from home. Mealtimes were observed to be sociable and relaxed with staff supporting children when needed.
- The children's nappies were changed as required throughout the day and staff were noted to positively interact with the children throughout the process, chatting or singing together. The children who were toilet trained were encouraged to use the toilet independently with support provided as needed.
- The children in the Bunnies room were facilitated to sleep after their dinner. Foldable cots were made available in the care room and the children responded positively when staff said it was bedtime. Children over 24 months were facilitated to sleep in the Squirrels room on floor mats. Rest areas were available in the care rooms for children to take a break from play when needed.
- The staff demonstrated awareness about understanding and meeting children's individual needs, for example, child specific care plans were available in the Preschool rooms.

### Supporting relationships around children:

- The staff in each of the care rooms were able to describe the services approaches to settling in new children. Parents are provided with information in advance of joining the service, and children are placed on staggered settling in times slowly increasing the amount of time spent in the service. Although parents do not have access to the care rooms and drop off and collection on a daily basis, the supervisor explained that if children are finding it difficult to settle parents are asked to come in to stay with them for some time.

- The service uses a mobile application to record children’s daily routine including meals and sleep times along with activities and recent learning experiences. Parents have access to this app and receive regular updates about their child’s experiences in the service.
- Throughout the care rooms staff demonstrated familiarity and good relationships with the children by talking about the children’s personality, likes and dislikes.
- The staff team communicated together and with management positively throughout the day to support smooth and consistent care provision to the children.

### Physical and material environment:

- Throughout the care rooms play resources and materials were available on low level shelving for the children to take and return materials as they chose.
- The care rooms were organised by interest areas some of which were being developed as new children had joined the service.
- The children in all care rooms had access to materials that supported sensory-based play experiences.
- An outdoor area was available to the rear of the preschool. Due to poor weather conditions the children did not access outdoor play. During the closing meeting the inspectors suggested to the supervisor that the service plans for outdoor play provision as Autumn/Winter approaches.

## 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 external doors and gates were appropriately secured to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the service. A code is required to enter the external gated entrance which is only available to staff and parents of the service. The main door is secured by an electromagnetic lock.
- Cleaning agents were stored safely on high shelving out of reach of children.
- The kitchen was inaccessible to children on the day of inspection.

### Infection Control:

- Suitable disposable gloves and aprons were available and observed being used and disposed of by staff members after each individual nappy change.
- Thermostatically controlled running warm water, liquid soap and paper towels were provided in the sanitary accommodation of the service. Staff and children were observed to wash hands after individual nappy changing or toileting.
- The premises and play materials were in a clean and hygienic condition with up-to-date cleaning schedules on display in the service.
- In the Bunnies and Squirrels rooms the cots and beds were positioned 50cm apart from one another as required by infection control procedures.
- Children soothers were stored in individual lidded tubs. The staff in the Bunnies room described cleaning and sterilising practices, stating soothers are rinsed and placed in the steam steriliser after sleep. The steam steriliser was available in the room.

### Administration of Medication:

- Medications were stored out of the reach of children. No children were observed having medication administered on the day of inspection.

### Safe Sleep:

- All children under the age of 24 months slept in a cot on the day of inspection. Foldable cots are used in the Bunnies room.
- Staff were observed to carry out 10-minute physical safe sleep checks on the children, recording their position, colour and breathing pattern on the childcare software application.

### Fire Safety:

- The designated emergency exit doors were clear and unobstructed.

### Non-Compliance Information

#### General Safety:

1. A comprehensive risk assessment was not undertaken in the care rooms in the service on a daily basis. On discussion with staff the risk assessment conducted was limited to checking the room temperature, water temperature and fridge temperature only.

### Infection Control:

2. One of the two nappy disposal bins available was not adequate as it was not a foot operated bin and increased the risk of cross contamination. This nappy bin required the staff member to open the lid, place the nappy inside and lower the lid to dispose of the nappy.
3. The perishable items in the children's lunches were not stored under refrigerated conditions in the Foxes room.

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

#### Corrective & Preventive Action

##### General Safety:

1. Comprehensive risk assessment is done daily by staff and weekly by supervisor.

##### Preventative Action:

1. The purpose of risk assessments will be discussed at upcoming staff meeting and new policy will be discussed.

### Infection Control:

2. A lidded and pedal operated bin is now available.
3. Staff were reminded to store perishable food items in the fridge provided.

##### Preventative Action:

3. Food safety and preparation has been updated to reflect above.

#### Supporting documentation submitted

##### General Safety:

1. Copy of risk assessment templates

##### Infection Control:

2. Photographic evidence of pedal operated nappy bin
3. Updated food safety policy submitted

### Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 23 has been adequately addressed.

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### Part VI - Safety

#### Regulation 24 - Checking in and out and record of attendance

*(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.*

*(3) A registered provider shall ensure that-*

*(a) no person other than-*

*(i) pre-school child attending the service,*

*(ii) a person dropping or collecting such a child,*

*(iii) an employee, or*

*(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and*

*(b) a daily record in writing is kept of the entry on the premises of any such person.*

#### Compliance Information

(1) Accurate records of children's daily attendance were maintained. Children were signed in and out of the service with the use of a childcare software programme accessible on a tablet in each care room.

(3)(a)(b) A system was in place to ensure that no person other than the children and their parents or guardians, employees, approved students or authorised visitors could enter the service. A visitor's book was maintained and on arrival to the service the inspectors were requested to record their attendance on the premises and the purpose of their visit.

### 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) Following review of staff files and the staff roster, it was evident that the registered provider ensured that there was a member of staff trained in First Aid Response (FAR) on the premises at all times. Six members of staff held in date FAR training certificates.

(2)(a)&(b) Suitably equipped first aid boxes were available on the premises and these were stored in accessible and conspicuous locations out of the reach of children.

## Part VI - Safety

### Regulation 27 – Supervision

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

## Compliance Information

During the inspection the children attending the 4 care rooms in the service were adequately supervised at all times.

## Part VIII - Notifications and Complaints

### Regulation 31 - Notification of incidents

*A registered provider shall notify the Agency in writing within 3 working days of becoming aware of any of the following incidents occurring in the preschool service:*

*(d) a serious injury to a pre-school child while attending the service that requires immediate medical treatment by a registered medical practitioner whether in a hospital or otherwise;*

## Compliance Information

(d) There was evidence of compliance with Regulation 31 (d) as the manager of the service sent a notification of an incident as required to the Early Years Inspectorate within 3 working days of such an incident occurring in the service on 16/08/2024.