

# Early Years Inspectorate Regulatory Report

## Pre School

<b>B 5TUSLA Identifier:</b>	TU2019CC011			
<b>Name of Service:</b>	A Breath of Fresh Air Montessori and Crèche Limited			
<b>Address of Service:</b>	Aghamarta, Carrigaline, Cork, Co. Cork			
<b>Eircode:</b>	P43 AX75			
<b>Name of Registered Provider:</b>	Ailish Thompson			
<b>Service type:</b>	Sessional			
<b>Date of Inspection:</b>	01/05/2024			
<b>No of pre-school children:</b>	AM	14	PM	n/a
<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate Administration Building St Mary's Health Campus Gurrabraher Cork T23X440			
<b>Inspection undertaken by:</b>	V. McCarthy			
<b>Title:</b>	Early Years Inspector			

### Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

**Conditions if applicable**

N/A

### Description of service

A Breath of Fresh Air Montessori and Creche Limited is a privately operated sessional service that also caters for children attending the Early Childhood Care and Education Scheme (ECCE) at the premises. The service caters for children aged between 2 and 6 years of age. Opening hours are 09.15 to 12.15 hours each Monday to Friday. A Breath of Fresh Air operates out of a room named the Big House Classroom that was specifically adapted as a childcare facility and is situated in the registered provider's private residence. There is a designated outdoor play area provided to the rear of this room.

### Staffing

The service is carried out by 2 adults that work directly with the children and each has a major award in Early Childhood Care and Education. The registered provider who is the named person in charge is not service based. There are 7 relief adults available that can be called upon as required.

### 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 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.

### Acknowledgments

The inspector wishes to acknowledge the cooperation of the deputies 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 named person in charge and 2 deputies that could deputise as required.
  - (b) The named deputies were on duty when the inspector arrived at the premises and remained on duty for the duration of the inspection.
- (2)
- (a) There were 14 references and required validations available on file from past employers in respect of the 9 adults attached to the service.
  - (b) There were 6 references and required validations from sources other than past employers.
  - (c) A Garda vetting disclosure was available on file in respect of each of the adults. The service also demonstrated compliance, in respect of 8 of the 9 adults, with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every 3 years.
  - (d) Police vetting was available in respect of 3 adults that had lived outside the jurisdiction for a period of 6 months or more.
- (4)
- A copy of a childcare qualification as listed on the National Qualifications Framework was available on file in respect of each of the adults.

### 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) The deputies ensured that there were an adequate number of adults always working directly with the children.
- (3) On the morning of the inspection there were 2 adults working directly with 14 children. The ratio of staff to children exceeded the requirement of 1:11.

### 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) During the inspection, it was noted that on file there was a record of a preschool child available in respect of each of the 18 early years children currently attached to the service and a record in respect of 1 child that had ceased to attend the service. The inspector assessed 14 of the 19 records and it was noted that all details listed under (a),(d),(e),(f),(g),(i) were recorded on each child's record. The details listed under (b) were completed on 12 of the forms assessed. The details listed under (h) were complete in respect of 11 of the forms assessed.

### Non-Compliance Information

- (1)
1. The details listed under (b) were not completed on 2 of the 14 forms assessed.
  2. The detail listed under (c) was not completed in respect of 1 child that no longer attended the service.
  3. The details listed under (h) were incomplete in respect of 3 of the 14 forms assessed.

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

#### Corrective and Preventive Action

- (1)
- The registered provider stated in her written response to the inspectorate dated 20 May 2024 that all details listed under (b), (c) and (h) have been amended correctly and that in future all details will be monitored and checked more regularly to ensure that they are complete.

#### Supporting documentation submitted

- (1) The incomplete details were reassessed by the inspector on 28 May 2024, and all were completed correctly.

### Summary Comment

The documentation submitted by the registered provider was reviewed and deemed to meet the regulatory requirements.

## 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 main entrance door leading onto the premises was secured by a lock that prevented unauthorised access by an adult or the leaving of an unsupervised child.
- The internal door leading from the care room into the registered provider's residence was kept secured to prevent any unauthorised access by an adult or the leaving of an unsupervised child.
- The internal door between one of the bathrooms, used by the children, that led into an unoccupied bedroom was kept secured to prevent an unsupervised child entering this room.
- The glass patio door leading from the care room to the designated outdoor play area was provided with visibility strips.
- The low press under the was hand basin in the care room was kept secured.
- The 3 strip light bulbs in the care room were each fitted with a protective cover.
- Each of the 3 windows in the care room had highly positioned openings that were not accessible to the children.
- The cleaning agents were stored on a high shelf out of children's reach.
- The first aid box was stored on a high shelf in the care room out of children's reach.
- The fire extinguisher was wall mounted high in the reception area.
- The leads and flexes attached to the stereo and television were kept out of children's reach.
- The wash hand basins in the 2 toilet areas used by the children for hand washing were provided with thermostatically controlled warm water that was maintained less than 43°C. The water temperature was recorded at 28.4°C during the inspection.
- The adults' coats were stored on high hooks out of children's reach.

#### Non-Compliance Information

##### General Safety:

1. The service did not demonstrate compliance, in respect of 1 of the 9 adults, with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every 3 years. This adults' garda vetting was not in date.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

##### General Safety:

1. The deputy informed the inspector during the inspection that the services' co-ordinator had submitted an application form in respect of this adult. The outstanding Garda vetting form was obtained and the date it was processed was 16 May 2024. The registered provider stated in her written response to the inspectorate dated 20 May 2024 that a checklist has been created to ensure that in future all Garda vetting will be updated within the correct timeframe.

#### Supporting documentation submitted

##### General Safety:

1. The co-ordinator submitted correspondence to the inspectorate dated 02 May 2024 demonstrating that a Garda vetting application was submitted to Early Childhood Ireland on 01 May 2024 for processing and was awaited. A photocopy of the obtained processed Garda vetting was submitted to the inspectorate for review on 20 May 2024.

### Summary Comment

The documentation submitted by the registered provider was reviewed and deemed to meet the regulatory requirements.

### 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.*

#### Compliance Information

- (1) Records were available to demonstrate that each child was checked in and out daily at the service by the adults. The inspector assessed the records for the week commencing the 29 April 2024 and the daily records were complete regarding the arrival and leaving times for all the children. On the day of inspection there were 14 early years children on the premises and each child had been checked in on his/her arrival by the adults and was again checked out at home time.

## 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 service provided evidence that 5 adults had up to date training in first aid response (FAR) and that 1 of these adults was always on the premises during the hours of operation.

(2)

(a) There was a first aid box available at the premises which was kept fully equipped. The first aid box was stored on a high shelf out of children's reach.

(b) The equipped first aid box was always available on the premises.

### 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 fire fighting 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 of fire drills carried out fortnightly at the service were available on file. The last fire drill was carried out on 26 April 2024.
  - (b) Records regarding the number, service and type of fire equipment were maintained on file. The fire equipment last had a maintenance service on 11 January 2024 and the wired smoke alarm was serviced on 11 May 2023.
- (4) The fire evacuation procedure for the service which contained details in relation to the procedure to be followed in the event of a fire was displayed on the wall in the reception area.