

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2019DS003

Name of Service: Bright Sparks Montessori

Address of Service: Scoil Aine Primary School, New Road, Clondalkin, Dublin 22, Co. Dublin

Eircode: D22X577

Name of Registered Provider: Laura Cullen

Service type: Sessional

Date(s) of Inspection: 28/11/2024

No of pre-school children:	AM	16	PM	0
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Address of the Early Years Inspectorate:	Brunel Building, Heuston South Quarter, Saint John's Road West, Dublin 8. D08 X01F
Inspection undertaken by:	R. Duff and A. Byrne
Title:	Early Years Inspector and Inspection and Regulation Manager.

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
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Description of service

Bright Sparks Montessori is one of two services operated by the provider. The service is registered to provide early childhood care and education to a maximum of 22 children aged 2-6 years. The service participates in the Early Childhood Care and Education (ECCE) scheme and runs a morning session daily from 9am-12pm. The service operates 38 weeks per year in line with the programme rules.

The service is located in a pre-fabricated building on the grounds of a primary school. The building consists of one room with sanitary facilities. The service has been allocated use of a section of the school yard between 11:05 and 11:35am.

Staffing

The registered provider employs three staff to work directly with the children in the service, relief staff are available to cover from the provider's other service which is located on the adjoining property. The registered provider oversees the day-to-day operation of the service.

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 areas of governance, health, welfare and development of child and safety. The inspection may also focus on other areas as required. The following regulations were reviewed:

Regulation 9 (1)(2)(3) and (4) Management and Recruitment.

Regulation 11(1)(3) Staffing Levels.

Regulation 19 Health, Welfare and Development of Child.

Regulation 20 Facilities for Rest and Play.

Regulation 23 Safeguarding the Health, Safety, and Welfare of Child.

Regulation 26 Fire Safety Measures

Regulation 28-Insurance.

A sampling process was used to assess compliance under regulation 19 and 23. As a result, the scope of the inspection focused on the preschool room.

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

Four immediate action notices were issued under Regulation 23 to the registered provider on the day of inspection in relation to safety concerns identified.

It is acknowledged that the registered provider immediately implemented actions to mitigate the risks identified. A response was received on 29 November 2024 from the registered provider which will further mitigate the risk from future occurrence.

Please see details in the body of the report.

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*
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.*

(2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,*
- (b) consideration of references from reputable sources in the case of a person who has no past employers,*
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and*
- (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.*

(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 needed.
- (b) The deputy designated person in charge was present when the inspectors arrived unannounced to the service.
- (c) The service had a clear management structure and staff were aware of their own role and responsibilities.
- (2) The files of the registered provider and four staff who work in the service were reviewed.
- (a) Three written and verified references were available from past employers.
- (b) Seven written and verified references were available from a reputable source other than a past employer.
- (c) Garda vetting disclosures were available for the registered provider and four staff members. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (4) Evidence was available to show that four adults who worked directly with the children in the service and the registered provider held 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.

Non-Compliance Information

- (2) (d) Police vetting was not available for one staff who had lived in a country other than Ireland for a period of more than 6 months as an adult.
- (3) The registered provider did not ensure an international police vetting disclosure was received prior to one adult working in the service. Evidence showed that International Police Vetting was required.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider has submitted international police vetting disclosure to the inspectorate.

Supporting documentation submitted

Supporting documentation was submitted and reviewed by the early years inspector.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 9 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.*
- (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 registered provider ensured there were an adequate number of adults working directly with the children.
- (3) During the Inspection, there were three adults caring for sixteen children aged 2 ½-5 years old.

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.

Compliance Information

A busy but welcoming atmosphere was evident on arrival at the service. The staff and children were engaged in a range of activities. Identity and belonging were promoted in the classroom with a children's family wall, community involvement, artwork and activity displays on the walls of the care room and visible to children. There were cosy areas with a soft mat, cushions and books for rest and relaxation present in the care room. Engagement with families and parents is facilitated by the daily sharing of information. On the day of inspection transitions from preschool to home were observed to be friendly and informative to parents or guardians collecting children. Children brought lunch from home. Lunch time was a social occasion. The staff were observed moving from table to table offering help and chatting with the children while they ate. The service has a healthy eating policy which is shared with parents/guardians in advance of enrolment. Child sized tables and chairs allowed the children to eat and engage in tabletop activities. There was evidence that equipment and materials provided were based on the children's individual needs and emergent interests. Suitable toys and equipment were laid out on low level shelving, and in low level storage boxes visible to the children. Staff were observed to bring a range of outdoor equipment into the room as the outdoor area was unavailable on the day of inspection, this supports their social, cognitive, gross and fine motor development. Staff were respectful in their interactions with the children. Language used by the staff was observed to be kind and supportive during the session. For example, staff were observed notifying children of a day off school.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

(1) Subject to this regulation, a registered provider shall ensure that-

(b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

(2) A registered provider-

(a) of a full day care service, a part-time day care service, a sessional preschool service or a childminding service that is registered for the first time on or after 30 June 2016, shall is provided ensure that a suitable, safe and secure outdoor space to which the preschool children attending the service have access on a daily basis on the premises.

Compliance Information

(1) (b) The registered provider ensured a rest area was available to the children throughout the day for example, soft mats, cushions and blankets were available for children to rest and take a break from activities if needed.

Non-Compliance Information

(2) (a) The registered provider did not ensure that a suitable, safe and secure outdoor space to which the preschool children attending the service have access to on a daily basis. On the day of inspection, the outdoor space was off limits to the children as it was in use by the school.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider has stated that an earlier slot for outdoor play has been secured with the primary school. Staff have been instructed by the registered provider to ensure children have outdoor play each day.

Supporting documentation submitted

No supporting documentation submitted.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 20 has been adequately addressed.

Part VI - Safety

Regulation 23 - Safeguarding health, safety and welfare of child

A registered provider shall ensure that all reasonable measures are taken to safeguard the health, safety and welfare of a pre-school child attending the service and that the environment of the service is safe.

Compliance Information

General Safety:

- When the inspectors arrived unannounced at the service, access to the main door was monitored and controlled by staff to restrict unauthorized persons from gaining access to the premises and to prevent children from exiting the service unsupervised. In addition, the outdoor play area was securely gated restricting unauthorized persons from gaining access to this area and to prevented children from exiting the service unsupervised.
- Grapes and tomatoes in children's lunch boxes were observed to be cut into appropriate bite sized pieces.
- Toys and equipment were maintained in good condition free from hazards.
- There were no flexes or cables observed that were accessible to the children.

Fire Safety:

- On the day of inspection, it was observed that all emergency exit doors were clear from obstruction. This helped ensure the safe effective evacuation of children and staff in the event of an emergency evacuation

Non-Compliance Information

General Safety:

1. Cleaning agents were observed to be accessible to children in the care room. The cleaning agent was observed to be stored in an unlocked press of which was easily accessible to the children. An Immediate Action Notice was issued to the registered providers on the day of the inspection. It is acknowledged that the registered provider removed the cleaning agent during the inspection. A response was received on 29 November 2024 from the registered provider which will further mitigate the risk from future occurrence.
2. Hand washing basins were not thermostatically controlled to ensure that hot water is no hotter than the recommended 43°C. The hot water temperature in the hand washing basin used by the children was recorded at 59.2 degrees which posed a risk of scalding. It is acknowledged that the registered provider temporarily rectified the situation during the inspection. An Immediate Action notice was issued to the registered provider on the day of inspection in relation to the safety concern identified.
A response was received on 29 November 2024 from the registered provider which will further mitigate the risk from future occurrence.

3. A knife was within reach of children in the children's care room posing a risk of injury to a child. It is acknowledged that the registered provider removed the knife during the inspection. An Immediate Action notice was issued to the registered provider on the day of inspection in relation to the safety concern identified. A response was received on 29 November 2024 from the registered provider which will further mitigate the risk from future occurrence.
4. The radiator in the children's care room was not thermostatically controlled to ensure that the surface is no hotter than the recommended 50°C. The radiator temperature accessible to the children was recorded at 60.2 degrees which posed a risk of scalding for the children. An Immediate Action notice was issued to the registered provider on the day of inspection in relation to the safety concern identified. A response was received on 29 November 2024 from the registered provider which will further mitigate the risk from future occurrence.

Infection Control:

1. Children's lunch boxes were not stored in a refrigerator on the day of inspection. 10 out of 16 lunch boxes were stored in children's bags in the care room, this increases the risk of which could cause illness to young children.
2. The sink in the care room was slow draining and contained dirty water, this posed an infection control risk.
3. The surrounds of the sinks and toilet bowls in the sanitary accommodation contained a build-up of residue, this posed an infection control risk.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The register provider has stated that all cleaning products will be stored in the locked press that is inaccessible to children. This is included on the daily checklist completed by staff. Completed checklist have been submitted to inspectorate.
2. The register provider has stated that water in the handbasin used by children is now thermostatically controlled. Photographic evidence was submitted to the inspectorate support this. This is included on the daily checklist completed by staff. Completed checklist have been submitted to inspectorate
3. The registered provider has stated that a risk assessment is carried out daily before children arrive to ensure the space is clear of any dangerous items. Completed checklist have been submitted to inspectorate.

- The registered provider has stated that radiator in the care room is thermostatically controlled, staff are now aware of how to adjust the temperature. Photographic evidence was submitted to the inspectorate to support this. This is included on the daily checklist completed by staff. Completed checklist have been submitted to inspectorate

Infection Control:

- The registered provider has stated that children's lunch boxes will be stored in the fridge with the exception of hot lunches stored in a thermos provided by parents.
- The registered provider has stated that the school caretaker has unblocked the sink in the care room. Staff will inform the caretaker immediately if the problem arises again.
- The register provider has stated that sanitary accommodation has been cleaned and will be included on the daily cleaning checklist. Completed checklist have been submitted to inspectorate.

Supporting documentation submitted

General Safety:

Supporting documentation was submitted and reviewed by the early years inspector.

Infection Control:

Supporting documentation was submitted and reviewed by the early years inspector.

Summary Comment

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

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.
- (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.
- (3) A registered provider shall ensure that a record referred to in paragraph (2) is retained for a period of 5 years after its creation
- (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) Documentation was available to demonstrate that fire drills were practiced monthly. The last fire drill took place on 11 November 2024.
- (b)The number, type and maintenance record of the firefighting equipment was up to date. Fire extinguishers were last serviced in February 2024. Smoke alarms were serviced in February 2024.
- (2)(c) Records were open to inspection by an authorised person. All records requested by the inspector were available for review.
- (4) Procedures detailing the steps to take in the event of a fire were displayed on the wall in the care room.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The registered provider ensured the sessional service was insured. The insurance certificate provided for review showed cover for the 22 children the service is registered for and an expiry date of 27 March 2025.