

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2019WW004
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<b>Name of Service:</b>	Ballyflanigan Montessori Avoca
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<b>Address of Service:</b>	Avoca Community Hall, Avoca, Co. Wicklow
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<b>Eircode:</b>	Y14 P890
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<b>Name of Registered Provider:</b>	Jenny Kane
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<b>Service type:</b>	Sessional
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<b>Date(s) of Inspection:</b>	20/09/2024
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<b>No of pre-school children:</b>	AM	10	PM	N/A
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<b>Address of the Early Years Inspectorate:</b>	Tusla Child and Family Agency First Floor Trinity Building IDA Business Park Southern Cross Road Bray Co. Wicklow
<b>Inspection undertaken by:</b>	H. Bourke
<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).

<b>Conditions if applicable</b>	Not applicable
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### Description of service

Ballyflanigan Montessori Avoca was first established in 2019. It is a privately owned service that is registered to provide care and education for children aged between two years and six years of age. The Montessori consists of one large care room, with a separate sanitary area. There is a large enclosed outdoor area to the side of the premises which the children use on a daily basis. The Montessori operates an Early Childhood Care and Education (ECCE) service between the hours of 09.30am and 12.30pm Monday to Friday for 38 weeks of the year.

### Staffing

There are three staff members employed in the Montessori service, and this includes the registered provider. The registered provider attends the Montessori service every second day and arrived a short time after the inspection had started.

### 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 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.*
- (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

Following a discussion with the registered provider it was confirmed that there were three adults employed in the Montessori service and this included the registered provider, these files were reviewed.

(1)(a)

The Montessori has a designated person in charge and there was a named staff member who was able to deputise as required.

(b)

The person in charge was on the premises at the time of arrival of the inspector and remained on the premises for the duration of the inspection.

(c)

There was a clear management structure in the Montessori that identified the lines of authority and accountability.

(2)(a)(b)

Written references were available in respect of three adults.

(c)

The required three-year Garda vetting disclosures were available in respect of three adults.

(d)

Police vetting was available for one adult had lived outside the State for a period of longer than 6 consecutive months since turning 18 years of age.

(4)

Three adults held a major award in Early Childhood Care and Education at Level 5 or higher on the National Framework of Qualifications.

### 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.*

*(8) Without prejudice to paragraphs (2) to (7)-*

*(c) a registered provider of a sessional pre-school service shall ensure that, where the person in charge operates the service single-handedly, a second person familiar with the operation of the service and in a position to provide assistance to the person in charge in operating the service is, at all times, within close distance of the service and available to attend the service to assist the person in charge in the event of an emergency.*

#### Compliance Information

(1)

Throughout the inspection there were an adequate number of adults working directly with the children attending the Montessori.

(3)

The correct adult/child ratio was maintained during the inspection. There were two adults employed and present with ten children.

(8)(c)

Not applicable as the Montessori is not operated single-handedly.

### 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.*

*(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-*  
*(c) an authorised person.*

*(4) A registered provider shall ensure that a record in writing referred to in paragraph (1) is retained for a period of 2 years from the date on which the child to whom it relates ceases to attend the service.*

#### Compliance Information

(1)(a)-(i)

The person in charge ensured that a record in writing of the above particulars, were kept in respect of each child attending the Montessori service.

(3)(c)

The person in charge ensured that these records were available for inspection to an authorised person.

(4)

The person in charge had evidence that all children's records were kept for a period of two years from the time a child left the Montessori 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:*

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;*
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*
- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

*(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.*

#### Compliance Information

(1)(a)(g)(h)(i)(j) & (k)

The person in charge made sure that a record in writing was kept of the above information in relation to the service.

(3)

The person in charge ensured that the above list of information in paragraph (1) was open to inspection, within the service, to an authorised person.

### 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-*

*(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

(1)(b)

The person in charge ensured that there were appropriate and suitable care practices in place to meet the needs of the children attending the Montessori. Children were given opportunities to make choices as to which activities they wished to pursue and were supported in their choice by the staff members. Children were given plenty of time to eat their food in a relaxed and unhurried environment. Fresh water was available to the children throughout their morning.

Children were supported and encouraged to be independent with using the toilet and were supervised appropriately.

The Montessori room was maintained at a comfortable temperature of 22°C throughout the inspection. There was a suitable cosy area within the care room should a child require a rest during their morning. The Montessori room had a low-level tables and chairs suitable for the age range of the children attending the service. There were specific areas of interest within the room and these areas were clearly labelled and equipment were visible and spaciouly laid out. All areas of interest were accessible to the children.

The outdoor area was well laid out and consisted of two distinct areas. There was a wide range of age-appropriate toys such as push cars, trikes, balance bikes, that could be used in the hard surfaced area along with fixed structures located in the grassed area of the outdoor section. Children have daily access to the outdoor area.

The adults demonstrated warmth towards the children through the use of positive language and interactions and children's choices were respected. Adults spoke to the children directly, addressing them using their names. Adults knelt to the level of the children when speaking to them individually. A strong teamwork ethos was evident by the interactions between the staff members and how they interacted with the children. Children's behaviour was managed in a competent and positive way with minor problems handled promptly.

### 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.*

*(4) A registered provider shall ensure that a record in writing referred to in paragraph (3)(b) is retained for a period of one year from the date to which it relates.*

### Compliance Information

(1)

The person in charge ensured that all children attending the Montessori were checked in and out on the service register.

(3)(a)(i-iv)

The person in charge ensured that no other person other than the agreed list of people had access to the Montessori.

(b)

The person in charge had a record in writing in the form of a visitors' book of all such persons who accessed the Montessori.

(4)

The person in charge was able to demonstrate that the visitors' book was kept for a period of one year from the dates to which it related.

### 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)

All staff members were trained in FAR first aid and available to the children throughout the inspection.

(2)(a)

A suitably equipped first aid box was located in an accessible place within the Montessori room.

(b)

The first aid box was available to the children attending the service at all times.

## 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-
- (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)

There was evidence of regular fire drills haven taken place within the service.

(b)

There was a maintenance record of the firefighting equipment and smoke alarms in the premises dated January 2024.

(2)(c)

These records were open to inspection by an authorised person.

(4)

There was a notice of the procedures to be followed in the event of a fire, displayed within the Montessori room.