

Early Years Inspectorate Regulatory Report

Pre School

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| TUSLA Identifier: | TU2020DY004 |
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| Name of Service: | Small Wonders Montessori & Afterschool Centre |
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| Address of Service: | Greenhills Community Centre, St. Joseph's Road, Greenhills, Dublin 12, Co. Dublin |
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| Name of Registered Provider: | Aishling Hogan McCormack |
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| Service type: | Full Day |
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| Date of Inspection: | 16/01/2024 |
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| No of pre-school children: | AM | 37 | PM | 13 |
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| Address of the Early Years Inspectorate: | Tusla – Child and Family Agency, Trinity Building, IDA Business Park, Bray, Co Wicklow |
| Inspection undertaken by: | Mary Redmond |
| 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).

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| Conditions if applicable | Not applicable |
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Description of service

This private childcare facility was registered in August 2020 by the current registered provider. Full day care is provided for children aged two to six years of age and a concurrent sessional service operates from 9am until 12pm. Care is also provided for school-aged children on the premises. The hours of operation are from 8am to 6pm.

Staffing

There were eleven adults employed in the service including the registered provider who is present in the service on a daily basis. Nine adults working in the service had attained major awards in Early Childhood Care and Education at Levels 5, 6 and 8 on the National Framework of Qualifications. One adult who did not have the required qualification had a Letter of Qualification Recognition issued by the Department of Children, Equality, Disability, Integration and Youth (DCEDIY). Another adult who was employed to work with the school-aged children did not require a childcare qualification.

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 governance and safety. The inspection may focus on other areas as required.

The inspection plan was to assess compliance under the following regulations:

Regulation 9 Management and recruitment

Regulation 11 Staffing levels

Regulation 15 Record of pre-school child

Regulation 16 Record in relation to pre-school service

Regulation 25 First aid

The following regulations were not part of the inspection plan so therefore the non-compliance was reported:

Regulation 8 Notification of change in circumstances

Regulation 23 Safeguarding health, safety and welfare of child

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 reoccurring. 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 service was found to be operating outside of registration on inspection as there were thirty-seven pre-school children present and the registered provider and staff confirmed that forty-seven children are present when the service is operating at capacity. The service is registered to accommodate a maximum number of thirty-six pre-school children. Correspondence issued to the registered provider from the registration office on the 31 January 2024 regarding this issue. The registered provider has not yet furnished documentation requested to the registration office.

The draft inspection report issued to the registered provider on the 4 March 2024 and a response was received on the 7 March 2024. The registered provider had not completed the CAPA form and had not adequately addressed the non-compliances identified on inspection. A second CAPA was requested on the 12 March 2024. The registered provider did not respond to the second request and further correspondence issued from the inspectorate on the 21 March 2024 to which the registered provider had not responded.

A regulatory compliance meeting (RCM) with inspectorate management was held on the 19 April 2024 to address outstanding non-compliances with the registered provider.

Following this meeting a CAPA document to address outstanding non-compliances was received on the 24 April 2024 and the response is incorporated under the relevant regulations in this report.

Acknowledgments

The inspector wishes to acknowledge the co-operation of the registered provider and staff members who facilitated the inspection and children who were present on the day of the inspection.

Part II - Registration and Register

Regulation 8 - Notification of change in circumstances

(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.

Non-Compliance Information

(1)
There were 37 pre-school children present during the inspection and the registered provider and staff confirmed that 47 children attend the service on days when the service is operating at full capacity. The service is registered to accommodate a maximum number of 36 pre-school children and the registered provider had not notified the Agency of the proposed change to increase the number of children registered to attend.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action submitted on 24 April 2024:

Planning has been applied for to increase numbers and a CIC has been submitted. Arrangements are being made to decrease numbers.

Supporting documentation submitted

None

Summary Comment

The registration office requested a regulatory compliance meeting (RCM) on the 8 April 2024 with the registered provider (RP) regarding non-compliance with this regulation to which the RP did not respond.

An RCM was held with the RP on the 19 April 2024. Compliance with this regulation is being managed by the registration office.

Further correspondence from the RP was received by the registration office on the 21 May 2024 and the registration office is satisfied that this non-compliance has been satisfactorily addressed.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(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

The staff files for eleven adults were reviewed.

- (2)
- (a) There were written validated references available from previous employers for eight adults employed in the service.
 - (b) Appropriate references from other sources were available for adults who did not have a previous employer or had only one previous employer.
 - (c) Garda vetting was available for eleven adults.
- (4) There was evidence to show that nine adults had attained at least a major award in Early Childhood Care and Education at Level 5 on the National Framework of Qualification.

Non-Compliance Information

- (2)
- (a) There was no second reference for one adult and the second reference available for another adult was not validated and was not from the most recent employer.
 - (d) Police vetting was not available for one adult for whom it was required.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action submitted on 24 April 2024

References have been validated.

Contact has been made regarding the required police vetting and an appointment to progress this is awaited.

Manager will ensure compliance with this regulation in the future.

Supporting documentation submitted

None

Summary Comment

On the 7 March 2024 the registered provider submitted the Garda vetting disclosures that had been seen on inspection. No other documentation was submitted.

Following the submission of the CAPA document on the 24 April 2024 with no supporting documentation it cannot be determined if the regulatory requirement has been met.

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.

Compliance Information

(1) There were an adequate number of adults working directly with children attending the service. There were seven adults working directly with thirty-seven children in the morning and three adults caring for thirteen pre-school children in the afternoon; this included the registered provider.

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) Twenty-eight records of children attending the service were selected for review. The records reviewed contained the following particulars:

- (a) The name and date of birth of each child.
- (b) The date on which the child first attended the service was recorded on ten forms.
- (d) The names, addresses and telephone number of parents were recorded and information where parents can be contacted during the hours of operation of the service were also available.
- (e) Names and contact details of other adults who were authorised to collect children were available.
- (f) The documentation available supported the recording of illnesses, allergies, disabilities and dietary preferences for children.
- (h) Parents had indicated which immunisations their children had received.
- (i) There was written parental consent for medical treatment of children in the event of an emergency.

Non-Compliance Information

- (1)
- (b) The date on which eighteen children first attended the service was not recorded.
 - (c) The documentation available did not support the recording of the date on which a child would cease to attend the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

New child record enrolment forms have been devised and issued to parents to include dates as requested.

Supporting documentation submitted

A blank child record was submitted.

Summary Comment

This non-compliance is deemed to have been addressed.

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:

- (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.*

Compliance Information

(1)

- (h) Children’s attendance was recorded electronically and in attendance books.
- (i) A staff roster was available.
- (j) Documentation was available to demonstrate that signed parental consent was required prior to administering medication to a child and that administration of medication should be witnessed.
- (k) Details of accidents and incidents were recorded and there was evidence available that parents were informed following an accident or incident involving their child.

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.

Non-Compliance Information

Administration of Medication:

There was no plan in place to manage emergency medication for a child who had an identified care need regarding allergies.

Action submitted by the Registered Provider

Corrective & Preventive Action submitted on 24 April 2024

Administration of Medication:

Parents have provided a care plan from a doctor which has been included in the service care plan.

Children with emergency medication will not attend until a care plan has been completed.

Supporting documentation submitted

Administration of Medication:

A blank copy of a safety plan and booklet issued by the Irish Food Allergy Network (IFAN) was submitted on the 7 March 2024.

No further documentation has been submitted.

Summary Comment

The safety plan submitted on the 7 March 2024 was a blank template and did not demonstrate that the emergency medication for the child identified on inspection would be managed appropriately.

The care plan currently in place as stated by the registered provider has not been reviewed.

The regulatory requirement is deemed to have been met.

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) Adults working in the service had appropriate qualifications in first aid and were always available to children.

(2) Suitably equipped first aid boxes were available.

(a) They were stored safely in conspicuous positions in the service.

(b) The first aid boxes were available to children at all times.