

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2020KY002
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Name of Service:	Bright Sparks Montessori
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Address of Service:	Doon Road, Ballybunion, Co. Kerry
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Eircode:	V31 RT61
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Name of Registered Provider:	Marie Enright Daly
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Service type:	Sessional
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Date(s) of Inspection:	19/10/2023
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No of pre-school children:	AM	14	PM	0
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Address of the Early Years Inspectorate:	Áras an Phobail, Deans Lane, Tralee, Co. Kerry.
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Inspection undertaken by:	N. Reidy
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Title:	Early Years Inspector
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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
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Description of service

Bright Sparks Montessori Pre-school is a private early years service that is registered to cater for children aged between 2 years 8 months and 5 years on a sessional basis. The service is open between the hours of 9am and 12.15pm Monday to Friday.

Staffing

There are 6 adults currently employed in the service that includes the registered provider who works daily in the service and an adult employed to provide relief as is required. There are 2 adults employed under the Access and Inclusion Model (AIM) Support Scheme.

The adults working directly with the children had attained Quality Qualifications Ireland (QQI) in childcare training at Level 5 to level 8.

The registered provider completed Level 8 Quality Qualifications Ireland (QQI) in childcare training and 1 adult s currently studying towards achieving a Level 7 (QQI) in childcare.

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.

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*

(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 registered provider is the designated person in charge and there is a named person who can deputize as required.

(b) At all times during the period when the pre-school service is being carried on, the registered provider and the named deputy are on the premises.

(2) The registered provider confirmed that 6 adults work in the service. The recruitment records in relation to these adults were reviewed.

(a) 10 references and records of validation were on file from a past employer.

(b) 1 reference and record of validation was on file from a source other than a past employer.

(c) A Garda Vetting Disclosure was on file in respect of the 6 adults.

(4) The adults working directly with the children had attained Quality Qualifications Ireland (QQI) in childcare training at Level 5 to level 8.

Non-Compliance Information

(2)(a) & (b)

There was 1 adult that did not have a second validated reference on file.

A record of validation was not on file for 1 reference.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated: -

Corrective and Preventive Action

(2)

(a) & (b) The validation for the 1 reference was completed and a second reference with validation was obtained.

Supporting documentation submitted

(2) A written reference and 2 records of validation received.

Summary Comment

The 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.*
- (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 period of inspection, the registered provider did ensure that there was an adequate number of adults caring for the children present.
- (3) There were 4 adults working with 14 children aged between 2 years 10 months and 4 years attending on a sessional basis. The adult child ratio was correct.
- (8)(c) Not applicable as the service does not operate single-handedly.

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;

(h) details of attendance by each pre-school child on a daily basis;

(i) details of staff rosters on a daily basis;

Compliance Information

(1) A record in writing was maintained in relation to:-

(a) The name, position, qualification and experience for the person in charge and 4 employees was on file and the name, position and qualifications in respect of the 5th adult employed was on file.

(h) Details of attendance by each child on a daily basis.

(i) Details of staff rosters on a daily basis.

Non-Compliance Information

(1)

(a) There was no Curriculum Vitae /record of experience on file for 1 adult employed in the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(a) Completed Curriculum Vitae with no lapse in timeframe.

Supporting documentation submitted

(a) The Curriculum Vitae in respect of the 1 adult.

Summary Comment

The requirement for the regulation has been met.

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

BASIC NEEDS

- The children were playing outdoors when the inspector arrived at the premise to carry out the inspection. They were dressed appropriately for playing outside with coats and some had hats and wellingtons. They availed of playing outdoors after eating and remained there until departing the service.
- The children enjoyed free movement in the playroom, venturing between the various play equipment and materials available to them.
- The entrance area and the playroom were decorated with various artwork and Halloween decorations.
- The staff were observed to interact with the children in a kind, caring, supportive manner. The children sought support of the staff when needed and the staff were prompt in responding to individual children's needs.
- Children were encouraged and supported to manage their own personal care appropriate to their own level of independence and understanding.
- The inspector observed the staff reminding children to use the bathroom if they needed to before eating
- The adults were observed to guide and support children who required assistance with their personal care.
- Healthy eating is promoted within the service. The parents/guardians provide the food consumed at the mid-morning meal. The food on inspection consisted of scones, sandwiches, and a selection of fruit and vegetables.
- The rectangular tables were placed together, the children sat on seating that consisted of low-level chairs and benches.
- The staff sat between the children for the duration of the mealtime. Children were allowed plenty of time to eat their food, the inspector observed children that took longer to eat were facilitated to do so.
- The children had unlimited access to the toilets that were located outside the playroom.

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 internal doors were appropriately secured to prevent children gaining access to the registered provider's private residence.
- The external door was secure to restrict unauthorised access in and to prevent children going out unsupervised.
- The outdoor play area was secured with a combination of gates, concrete walls and fencing.
- The cleaning agents observed were stored out of the reach of the children.

Infection Control:

- A fridge was provided and used for storage of the children's perishable food items to prevent food spoilage.
- Protective aprons were provided for the children for messy play activities.

Non-Compliance Information

Infection Control:

1. An instantaneous supply of warm water was not available at the wash hand basins in the children's sanitary accommodation and at the adult sanitary accommodation to enable effective handwashing to reduce the risk of the spread of infection.

Action submitted by the Registered Provider

Corrective & Preventive Action

Infection Control:

1. The switch for the hot water had been turned off in error. The thermostat was reset and there is a reminder sign in place over the warm water switch indicating to leave the switch on for the hot water at the wash hand basins.

Supporting documentation submitted

Infection Control:

1. A photograph of the reminder sign in place.

Summary Comment

The requirement has 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) 2 adults working with the children had current First Aid Responder (FAR) training and the certifications were provided for the inspection.

(2)

(a) A first aid cabinet was provided; it was wall mounted in the playroom.

(b) The first aid box was accessible to the adults and was out of the reach of the children

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) The service had maintained in writing a record of the following: -

(a) A template to record each fire drill that had taken place in the service. The last recorded fire drill took place on 28.9.'23.

- (b) A record of the number, type and maintenance checks of the firefighting equipment and the smoke alarm.
- The records on file demonstrated the last check for the firefighting equipment was 6.6.2023 and for the smoke alarm was 4.04.2023 and a further record was submitted to the office of the early years inspectorate in respect of the smoke alarm dated 2.11.2023.
- (4) A notice of the procedures to be followed in the event of fire was displayed in the playroom.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

A copy of the insurance certification for the service was open to inspection.

The information provided on the insurance certificate included:

- the contact details for the insurance provider
- the name and address of the service insured.
- the category of insurance cover for the service
- the number of children covered by the insurance was for 22 children.

The expiry date of the current insurance cover was 27/03/'24

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-

- (c) kept adequately lit, heated and ventilated*
- (e) equipped with adequate and suitable sanitary facilities.*

Compliance Information

(c) The lighting provided was suitable and adequate, 4 light fittings with protective covers were provided in the playroom. The air temperature of the playroom was recorded at 19.4 degrees Celsius and the sanitary accommodation for the children was 19 degrees Celsius.

(e)The warm water provided at the sinks in the playroom was recorded at 42 degrees Celsius. Step ups were in place for children who required to use them.