

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2021KY005
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Name of Service:	Montessori House of Children
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Address of Service:	Old Schoolhouse, Church Street, Milltown, Co. Kerry
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Eircode:	V93 EV97
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Name of Registered Provider:	Carol Dempsey
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Service type:	Full Day
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Date of Inspection:	07/12/2023
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No of pre-school children:	AM	11	PM	7
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Address of the Early Years Inspectorate:	13 Market Square, Mallow, Cork. P51 DD5Y
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Inspection undertaken by:	E. Friel
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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

Montessori House of Children is a private early years care and education facility providing a Montessori curriculum which has been in operation since 2021. It provides a choice of full day, part-time and sessional services. Opening hours are from 8.00 am until 6.00 pm, Monday to Friday, 38 weeks a year, incorporating the Early Childhood Care and Education (ECCE) Scheme in the morning from 9.45 am until 12.45 pm and in the afternoon from 2.00 pm to 5.00 pm.

The service is located in Milltown in County Kerry and was previously in use as the Old School House. It consists of a reception area, three care rooms (two of which were in use on the day), a sanitary area with two children's toilets and one adult toilet incorporating a fold down children's nappy changing table. In addition, there are kitchen and storage rooms in the corridor, which runs the length of the service. There is a large one-way parking area located at the front of the service and a number of outdoor play areas including a playground, grass area and a ball court, which is not currently in use.

Staffing

There were two staff working directly with the children, one of whom was an AIM Support Worker. The manager arrived later in the morning and the registered provider was not present on the day of inspection.

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 and safety. 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 manager, person in charge, deputy 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

- (1)
- (a) The registered provider ensured that there was a designated person in charge and a named person available to deputise.
- (b) Both the designated person and the deputy were working directly with the children when the inspector arrived and remained on site for the duration of the inspection. Staff rosters indicated that either the designated person or the deputy were available, in the service, while the early years children were present.
- (2) Recruitment files for the three staff members and the registered provider were reviewed.
- (a) (b) There were six references and six validations from past employers and two references and two validations from sources other than past employers.
- (c) Garda vetting disclosures for the National Vetting Bureau were available for all four adults.
- (d) Documentation on file evidenced that none of the four adults had lived outside of the state for six months or longer as adults, therefore international police vetting was not required.
- (4) All four adults held at a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications.

Non-Compliance Information

(1)

(c) While staff descriptions were detailed in the parent handbook there was no clear management structure available in the service that identified the lines of authority and accountability and the specific roles and responsibilities of each staff member in the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The following statement was received from the manager;

(c) A clear management structure is now available on the noticeboard in reception detailing staff roles and responsibilities. This will be updated when new staff members join the team.

Supporting documentation submitted

(c) A copy of the new management structure (c) was received in the Office of the Inspectorate on 22 January 2024.

Summary Comment

The non-compliance under Regulation 9 (1) (c) has been 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.

(2) Subject to paragraphs (4) and (5), a registered provider of a full day care service or a part-time day care service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 1 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) thereof at that reference number is satisfied.

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

(a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times.

Compliance Information

- (1) The registered provider ensured that there were at all times an adequate number of adults working with the children.
- (2) The adult/child ratio was met. There were eleven children in attendance with three adults in the morning and seven children in attendance with three adults in the afternoon.

Non-Compliance Information

- (8)
- (a) The staff roster indicated that two adults were not present in the building at all times. One staff member was rostered on from 8.00 am until 4.00 pm and the second staff member was rostered on at 8.45 am until 5.15 pm. The registered provider of a full day care service is responsible for ensuring that there are two adults on the premises at all times.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (8) (a) Two adults are now present in the service at all times.

Supporting documentation submitted

- (8) (a) A copy of the new rosters for the weeks beginning the 8 and 15 January 2024 were submitted to the Inspector on 22 January 2024 which evidenced that two staff members were on the premises at all times.

Summary Comment

The non-compliance under Regulation 11 (8) (a) has been addressed.

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) All twenty pre-school records of the children attending the service were reviewed. The following particulars of (a)-(d) were found complaint for all twenty early years children.

Non-Compliance Information

- (e) Authorisation for collection was missing in respect of three children.
- (f) Details of any illness, disability, allergy or special need was missing in respect of one child.
- (g) The details of the name and telephone numbers of the children’s registered medical providers were missing in respect of four children.
- (h) Records of immunisations were missing in respect of fourteen children.
- (i) Written consent for the appropriate medical treatment of a child in the event of an emergency was missing in respect of nine children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (e) Authorisations for the three children have been added to the children's Pre-school record.
- (f) The detail of any illness, disability, allergy or special need was added to the child's Pre-school record.
- (h) Records of immunisations have been added to twelve children's files, one child has had a waiver added to their record and the fourteenth record has been omitted as the child has left the service.
- (i) Written consent for the appropriate medical treatment of a child has been added to each of the individual children's Pre-school record.

Supporting documentation submitted

- (e) Three individual copies of authorisations were submitted to the Office of the Inspectorate on 24 January 2024.
- (f) A copy of the detail of any illness, disability, allergy or special need for one child was received in the Office of the Inspectorate on 24 January 2024.
- (h) Twelve copies of immunisations and one waiver were received in the office of the inspectorate between the 24 January and 29 January 2024. The statement from the registered provider that one child has since left the service has been accepted.
- (i) Copies of the written consent for the appropriate medical treatment of a child was received for each child between the 24 January 2024 and 29 January 2024.

Summary Comment

The corrective actions implemented by the registered provider has addressed the non-compliances identified under Regulation 15 (1) (e), (f), (h), and (i).

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;*
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;*
- (c) details of the adult: child ratios in the service;*
- (d) the type of care or programme provided in the service;*
- (e) the facilities available;*
- (f) the opening hours and fees;*
- (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;*
- (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) The name, position, qualifications and experience of the registered provider, manager, designated person in charge, and the deputy were available from the staff recruitment files.
 - (b) Details of the class of service and the age profile of children for which the service is registered to provide was available on the Tusla certificate which was displayed in the reception area at the service entrance.
 - (c)-(f) Adults child ratios, type of care programme, facilities available, opening hours and fees were available from the parent handbook.
 - (g) The policies, procedures and statements required under Regulation 10 were available in the service's policies and procedures folder, located in the Rainbows room.

(h) Details of attendance by each pre-school child on a daily basis was available from the attendance book furnished to the inspector.

(3) The above records in relation to the pre-school service were open to inspection in the service.

Non-Compliance Information

(1)
(j) There was no written record of accidents or incidents which had occurred in the service. Staff stated Parents/guardians were informed verbally at collection time. It is the responsibility of the registered provider to ensure that staff are aware of the importance of completing an accident/incident form including the first aid care and response provided and that this is shared with parents to ensure continuity of care.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1)
(j) A new accident/incident template is available. In partnership with parents the child's pre-school record has been revised. In addition, our Admissions Policy has been updated to include that all paperwork must be submitted prior to a child commencing in the service.

Supporting documentation submitted

(1)
(j) A copy of the new accident/incident template was received in the office of the inspectorate.

Summary Comment

The non-compliance identified under Regulation 16 (1) (j) has been addressed.

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:

- Children were observed eating healthy, nutritious, food at regular intervals throughout the day. Staff stated breakfast cereal, bread and milk were available for children who arrived from 8.00 am onwards and these foods were observed in the kitchen area. Mid-morning snack was supplied by the parents/guardians and was served at 11.25 am. Examples of food observed included waffles, crackers with butter and bite sized pieces of fruit. A hot lunch was served at 1.15 pm consisting of toasted ham and cheese wraps and pesto pasta, apples and sandwiches. Staff stated that a snack is offered later on in the afternoon.
- Water was freely available from a water urn which was readily accessible on the work top area. The children had access to age and stage appropriate cutlery and crockery.
- Children were escorted to the toilet by staff who remained nearby to provide assistance, if required. Step-ups were available for those who required additional help to step up to the toilet.
- Self-help skills were encouraged by staff with children observed putting on their shoes/boots, hats, scarves and coats for outdoor play. Staff assisted children who required help with their coats.
- A separate rest/quiet area was available in an adjoining room to the Rainbow care room. Soft furnishings including two children's armchairs, 3 large bean bags, a circular mat and ambient lighting were available in the area. A range of age and stage appropriate books were available and displayed on shelving for children to read. The inspector observed children in this room throughout the morning. The atmosphere in the room was calm and restful.

SUPPORTING CHILDREN'S NEEDS:

- Staff were observed sitting with the children during mealtimes and table top activities. They were heard engaging the children in conversation using strategies including modelling and demonstrating and providing feedback to extend the children's thinking and learning. Examples included a staff member tracing a number made of sandpaper with a child and the child following the staff member's example.

- The staff member's interactions with the children were observed to be warm and caring. Conversations with the children were carried out quietly with staff observed listening and responding to individual children's needs.
- Children in the rest/quiet area were heard being supported by a staff member to engage positively with one another especially around turn taking and sharing. An example included a child who wanted a Christmas sound book that another child was reading, the staff member explained that they would have to wait their turn and sat with the child for the duration.
- Staff stated various methods of communication with parents were in use including an individual messaging group in which photographs are shared with parents of their child and information including their child's daily activities, food intake and general information are exchanged. Emails are in use for Newsletters and sending Policies and Procedures to parents/guardians at the beginning of term and staff will use the phone to call parent's/guardians in the event of an emergency.
- Minutes of structure monthly staff meetings with management were available which included topics such as Halloween, Christmas and staff training.

PHYSICAL AND MATERIAL ENVIRONMENT:

- The two rooms in use were laid out in clearly defined areas with associated materials and resources in areas such as practical life skills, mathematics, language, sensorial and culture.
- Floor mats were available for each child to use enabling the children to define their individual work space on the floor.
- Equipment was stored on low-level shelving which enabled the children to make choices and promoted independence.
- The two care rooms in use were bright, clean and laid out to facilitate children working individually or in groups with wooden tables and chairs which were age and stage appropriate for the children attending the service.
- Children were observed playing in the outdoor play area where they had access to a range of developmentally appropriate equipment including tricycles and scooters which provided opportunities for practicing gross motor skills. A mud kitchen and playhouse offered endless opportunities for imaginative and creative play while the sand trough provided sensory experiences.

PROGRAMME OF ACTIVITIES:

- Weekly work plans were furnished to the inspector which helped create a picture of each child's progress. The Montessori work plan was observed to be flexible in accordance with each child's needs.
- Children were observed being facilitated to make their own choice in selecting play equipment and Montessori materials. One child was engaged in a sensorial activity with a staff member working with the child in identifying similar sounds using sound tubes while other children played cooperatively with a group of horse figures around a table.

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 external door was secured upon arrival and was operated with a buzzer and a keypad. This prevented unauthorised adults from gaining entry.
- Internal doors were secured with sliding bolts preventing children from exiting the service unsupervised.
- The windows in the care room were fitted with restrictors preventing children from exiting from them.
- Visibility stickers, of flowers, were attached to the glass in the fire door to prevent accidents or injuries.
- A handrail was fitted on the ramp at the entrance of the service aiding children to access the service, if required.
- The indoor equipment and outdoor toys appeared to be well maintained and in good condition.
- Storage units were anchored to the walls in the care rooms.
- All electrical cables including a Christmas tree flex were placed out of reach of the children.
- Waste and recycling were stored in pedal operated bins in the service.
- Cleaning agents were stored in the care room, on shelving, out of reach of the children and in the locked storage room, off the main corridor.
- The kettle, microwave and toaster were stored in the locked kitchen.
- The outdoor play areas were secured with stone walls, wooden panelling and four gates.

Infection Control:

- Children washing their hands before and after food and after outdoor play had access in the Rainbow care room to thermostatically controlled hot water (28.6°C), dispensing soap, paper towels and a foot operated pedal bin for the disposal of waste.
- Staff were observed disinfecting the tables before and after food and sweeping the floor keeping the area safe and clean.
- Children changed from their outdoor shoes to indoor footwear, preventing the spread of cross infection from boots and shoes.
- Perishable food was observed to be stored in a fridge, preventing the food from spoiling.
- Tissues were readily available helping to prevent the spread of germs, if required.
- Three windows were open in the room allowing for the circulation of fresh air.
- The nappy changing area was supplied with disposable gloves and aprons and a pedal operated nappy bin. Children's personal belongings, along with spare clothes, were stored in labelled boxes nearby.

Administration of Medication:

- Anti-febrile medication was available in a locked cupboard, out of reach of the children.

Safe Sleep:

- Mats with individual linen were available for children who wished to rest or sleep in the rest/quiet room.

Fire Safety:

- The fire door was fitted with a thumb twist cylinder aiding the quick evacuation of children and adults in the event of an emergency.
- The fire assembly point was located in the shed area of the outdoor play area, a safe distance from the service.
- Firefighting equipment was secured with brackets on the walls of the service.

Non-Compliance Information

General Safety:

(1) When the taps in the children's sanitary area were turned on the inspector observed water spilling out onto the floor instead of travelling down the waste pipe, posing a safety risk in the event that children could slip on the wet floor. In conversation staff stated that a plumber was organised to come the following day.

Infection Control:

(2) While thermostatically controlled hot water was available in the tap in the Rainbow care room the three taps in the sinks of the children’s sanitary area and the tap in the adult sink in the sanitary did not have thermostatically controlled hot water. The water temperature was recorded as 10.3°C, impeding hygienic handwashing.

Fire Safety:

(3) There was no emergency lighting and signage was not visible in the service to clearly indicate escape routes in the event of a fire/emergency, posing a safety risk to the adults and children.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

(1) The drain has been unblocked by the plumber and staff will monitor the area on a daily basis.

Infection Control:

(2) Thermostatically controlled hot water is now available in the taps in the children’s sanitary area.

Fire Safety:

(3) Emergency lighting and signage has been fitted by an electrician.

Supporting documentation submitted

General Safety:

(1) A video of all three taps running without spilling over was received in the office of the inspectorate on 29 January 2024.

Infection Control:

(2) Video evidence of the temperature of the thermostatically hot water (33°C) in the taps was received in the office of the inspectorate on 29 January 2024.

Fire Safety:

(3) A photograph of the lit signage for the emergency exits was received in the office of the inspectorate.

Summary Comment

The corrective actions implemented by the registered provider has addressed the non-compliances identified under Regulation 23.

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) Certificates were on file which evidenced that staff trained in first aid were available at all times, while the early years children were present.

(2)

(a) (b) The well stocked first aid boxes were easily accessible to the adults and stored in a cupboard in the Rainbow care room out of 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 firefighting 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) A written record was available of the fire drills that took place in the service. The last fire drill was recorded as taking place on 4 December 2023.

(b) A written record was available detailing the number, type and maintenance of firefighting equipment. The date was recorded as 22 February 2023.

(4) A notice of the procedures to be followed in the event of a fire were located on the wall of the Rainbows care room.

Non-Compliance Information

- (1)
(b) There was no recent certificate available for the maintenance of the smoke alarm system. The last date recorded was 21 November 2021.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (1)
(b) The smoke alarm service was carried out on 15 December 2023 and has been arranged on an annual basis.

Supporting documentation submitted

- (1)
(b) A copy of the smoke alarm certificate was received in the office of the inspectorate dated 15 December 2023.

Summary Comment

The non-compliance identified under Regulation 26 (1) (b) has been addressed.

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 that the service was insured. The insurance certificate expiry date was recorded as 27 November 2024. The number of children the service is insured for is 20 children and the type of service was stated as Montessori.