

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2022KY001
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Name of Service:	Sunny Days Montessori
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Address of Service:	5b Stephens Terrace, Ballymullen, Tralee, Co. Kerry
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Eircode:	V92 F78R
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Name of Registered Provider:	Laura O'Shea
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Service type:	Sessional
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Date(s) of Inspection:	16/04/2024
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No of pre-school children:	<table border="1"> <tr> <td>AM</td> <td>09</td> <td>PM</td> <td>None</td> </tr> </table>	AM	09	PM	None
AM	09	PM	None		

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

Sunny days Montessori is a private early years service that is registered to provide sessional care for children aged between the age of 2 years and 6 years. The service is operating between the hours of 09:30 am and 12:30pm Monday to Friday. The service operates from a purpose-built single-story building located at the rear of the registered provider's dwelling house. The children attending the service have access each day to an outdoor play area that is enclosed and secured. There is a partially covered in section directly outside the premise entrance door that leads into to a spacious grassed area.

Staffing

There are two adults employed in the service, of whom one is the registered provider, both adults are involved in the direct care of the children. There is 1 adult employed under the Access and Inclusion Model (AIM) Support Scheme.

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 inspections 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, staff member 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 a named deputy who can deputize as required on the premise.
- (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 premise. Both adults were on the premise to facilitate the inspection process.
- (2)
- The registered provider confirmed that two adults were employed in the service. The recruitment records in respect of these 2 adults were the subject of the inspection.
- (a)
- One written reference and validation was on file from a past employer.
- (b)
- Three written references and validations were on file from a source other than a past employer.
- (c)
- There was Garda Vetting on file for each of the two adults completed on 30/03/'22 and 02/04/'2023 respectively.
- (d)
- Not applicable as neither of the 2 adults had resided outside the jurisdiction for a period of longer than 6 consecutive months.
- (4) The adults working directly with the children had attained Quality Qualifications Ireland (QQI) in childcare training at Level 6.

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 attending the service.

(3) There were 2 adults caring for 9 children aged between 3 to 5 years attending the service on a sessional basis. The adult child ratio was correct.

(8)(c) Not applicable as the service does not currently operate 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.*

Compliance Information

(1) There was a record for each of the 9 children enrolled in the service, each of the 9 records had the required detail as per(a) to (i) inclusive.

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

- The parents of the children attending provide the food at the mid-morning mealtime.
- The children’s drinks bottles were available to the children as needed from their lunch bags stored on the low-level shelving in the room. During the session, the inspector observed the children taking the drinks.
- The children sat at the low-level tables to eat with ample time given to them to enjoy their food without being rushed.
- The mealtime was relaxed with pleasant social interaction among the children and the adults.
- Children who had finished eating before others picked out a book and sat at the tables and on the soft matting in the rest area.
- Food observed at the mealtime included for example yogurts, crackers, sandwiches, and a selection of fruit. The staff encouraged the children to take “small bites of food and chew it well”.
- The staff encouraged and supported the children to eat independently.
- The children’s individual dietary requirements were facilitated by the staff in partnership with the parents.
- The children had free movement within the playroom, the room was decorated with a selection of the children’s artwork completed in the service and a display of family photographs on the family tree displayed on the wall in the rest area.
- The staff were kind, gentle in their approaches to the children and listened attentively to them. They issued gentle reminders to have “kind hands” with their peers and praised the children for their efforts at play and at managing their personal care, for example putting on and taking off their outdoor protective clothing and footwear.
- The children had unrestricted access to the toilet located within the playroom during the session. The staff encouraged and supported children to become independent in toileting practices, for example flushing the toilet and washing and drying their hands and gently reminding children to use the toilet if they need to during the session.
- The children played in the designated area outside during the session. They were dressed in outdoor protective clothes and wellingtons. They played happily in the grassed area, pushing buggies and dolls, running freely collecting dandelion flowers, on the climbing frame and the slide.

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 main entrance door to the premises was appropriately secured to prevent children from exiting unsupervised and to prevent unauthorised access.
- The outdoor play area was fully enclosed, with the entrance gate secured with a keypad operating system.
- Cleaning agents observed on inspection were stored out of the reach of the children.

Infection Control:

- There was warm water, soap and paper hand towels and a pedal operated lidded bin for the disposal of the paper towels in the children's sanitary accommodation to support effective hygienic hand washing.
- The tables were sanitized down prior to and after the mealtime.
- Children were observed washing their hands before the mealtime and after using the toilet. The staff issued gentle reminders to the children to wash and dry their hands after using the toilet.

Non-Compliance Information

General Safety:

1. The service did not take appropriate actions as was documented within a written care plan to ensure the health safety and welfare of the child in the service who required this.

Infection Control:

2.. The children's perishable items were not refrigerated in the fridge provided in the playroom to prevent food spoilage posing a risk of illness to children.

Fire Safety:

3.. The smoke alarm was not serviced once a year. The record on file demonstrated the last service for the smoke alarm was 06/04/2022.

Action submitted by the Registered Provider

The registered provider stated: -

Corrective & Preventive Action

General Safety:

1. The day after the inspection the necessary equipment was provided each day for the child.

Infection Control:

2. The perishable food items are now stored in the fridge, each item is labelled with the child's name. the fridge will be used each day to store the children's perishable food.

Fire safety:

3. The smoke alarm was serviced. The fire safety company will be contacted annually to carry out the smoke alarm service.

Supporting documentation submitted

General Safety:

1. Photographic evidence of the additional equipment provided as outlined in the care plan.

Infection Control:

2. Photographic evidence of the labelled perishable food items in the fridge.

Fire Safety:

3. The certification in respect of the service for the smoke alarm carried out on 18.04.'24 .

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) The registered provider informed the inspector that she and the second staff member working with the children had current First Aid Responder (FAR) training for which the certifications were open to inspection.
- (2)
- (a) There was a first aid box stored in a secure high-level cupboard in the playroom.
- (b) The first aid box was accessible to the adults and 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 record was maintained for each fire drill that had taken place in the service. The last recorded fire drill took place 13/03/2024.
- (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 smoke alarm was 06/04/2022 and the firefighting equipment was June 2023.
- (4) A notice of the procedures to be followed in the event of fire was displayed in the service.

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 was furnished for 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 was sessional.
- the number of children covered by the insurance was for 11 children.
- The expiry date of the current insurance cover was 27/03/'25.

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

Compliance Information

(c) The windows in place in the playroom were openable to ventilate the playroom. The air temperature of the playroom was recorded at 19.6 degrees Celsius, and the sanitary accommodation air temperature was recorded within the range of 18 and 18.2 degrees Celsius.