

TUSLA REGULATORY INSPECTION REPORT



TUSLA Identifier:	TU2015KE205
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Name of Service:	Celbridge Montessori School
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Address of Service:	The Slip Hall, Castletown Gates, Celbridge, Co. Kildare W23 TD37
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Email Address:	768management@gmail.com
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Name of Registered Service Provider:	Christina O'Riordan
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Type of Service Registered:	Sessional	✓
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Date of Inspection:	2	2	0	3	2	0	2	2
Date of Regulatory Enforcement meeting:	2	5	0	4	2	0	2	2

No of Pre-School Children present during Inspection:	AM	25	PM	n/a
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Address of the Early Years Inspectorate:	Early Years Inspectorate Child & Family Agency, Suite 7, Vista Primary Care Centre, Ballymore Eustace road, Naas, Co. Kildare, W91 X38W.
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Inspection undertaken by:	T. Duignan
Title:	Early Years Inspector

Areas which were the subject of this Inspection			
Governance	Health Welfare and Development of Child	Safety	Registration and Register

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	9th December 2021 Part III, Article (8) & Part VI Article (23) Child Care Act 1991 Early Years Regulations 2016 . The Registered Provider: 1. must operate within the terms of your registration at all times as a sessional service for 22 children aged 2-6 years. No amendment to the type of service offered and age range of children catered for should occur without prior sanction of the Early Years Inspectorate. The continuation of the service for the increased number of children must cease. The position of the inspectorate has not altered on this matter. A regulatory breach of this condition was found on inspection. 2. must implement a risk assessment system outlining the process of risk identification and the controls/mitigation of identified risks in a timely manner. In addition, staff roles and responsibilities should be clearly outlined in this system. The risk assessments must be reviewed regularly and updated as necessary 3. complete the outstanding works in the outdoor area to ensure no unauthorised entry to the service. These conditions are in place for 6 months.
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Description of Service	Celbridge Montessori School opened in 2015. The childcare service provides sessional education and care to pre-school children aged 2-6 years of age. The service operates from 08.50am – 11.50 am Monday to Friday.
Premises	The service is in the community church hall at the gates of Castletown House in Celbridge Co. Kildare. The premises consist of a large hall that is set up daily to accommodate the pre-school service. An outdoor play area adjacent to the preschool service is available to the children. Set down and parking facilities are available outside the premises.
Staffing	Five adults including four core staff were present on the day of the inspection and they were all working directly with the preschool children. One other adult was supernumerary as she was a student on placement. All adults employed and working directly with the pre-school children in the service had completed a major award in Early Childhood Care Education. The registered provider arrived after the inspection commenced and remained for the duration of the inspection.
Methodology	Tusla's Early Years Inspectorate (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.

TUSLA REGULATORY INSPECTION REPORT

	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 areas of Governance, Health, Welfare and Development of Child and Safety. Inspections may also focus on other areas as required. The inspection process has been amended to minimise the amount of time that inspectors spend in the service. 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 following conditions were applied to the registration of the service on 9th December 2021 under Part III, Article (8) & Part VI Article (23) Child Care Act 1991 Early Years Regulations 2016: The Registered Provider: 1. must operate within the terms of your registration at all times as a sessional service for 22 children aged 2-6 years. No amendment to the type of service offered and age range of children catered for should occur without prior sanction of the Early Years Inspectorate. The continuation of the service for the increased number of children must cease. The position of the inspectorate has not altered on this matter. A regulatory breach of this condition was found on inspection. 2. must implement a risk assessment system outlining the process of risk identification and the controls/mitigation of identified risks in a timely manner. In addition, staff roles and responsibilities should be clearly outlined in this system. The risk assessments must be reviewed regularly and updated as necessary 3. complete the outstanding works in the outdoor area to ensure no unauthorised entry to the service. These conditions are in place for 6 months. The service was escalated to the National Registration Enforcement panel for the continued operation outside of its registration status. There was a regulatory enforcement meeting held with the service on 25th April 2022 for regulatory breach of the conditions on the registration of the service.
Acknowledgements	The Inspector wishes to acknowledge the cooperation of the registered provider, manager, staff and children who were present on the day of the inspection.

GOVERNANCE

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.
- (3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.
- (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.
- (6) Paragraph (4) shall not apply before 1 September 2021 to a person who—
- (a) has signed a declaration on or before 30 June 2016 to the effect that he or she intends to retire from employment in a pre-school service before 1 September 2021, and
 - (b) is in possession of a letter from the Minister confirming that paragraph (4) shall not apply to him or her before that date
- (6A is inserted by S.I. No.632 of 2016 CHILD CARE ACT 1991 (EARLY YEARS SERVICES) (AMENDMENT) REGULATIONS 2016 which states; Regulation 9 of the Child Care Act 1991 (Early Years Services) Regulations (S.I. No. 221 of 2016) is amended - in paragraph (4), by the substitution of "paragraphs (5), (6) and (6A)" for "paragraphs (5) and (6)", and (b) by the insertion of the following paragraph after paragraph (6): "
- (6A) Paragraph (4) shall not apply to an employee of a registered provider where - (a) the registered provider receives funding for the employment of the employee pursuant to a scheme funded by the Minister and known as the Access and Inclusion Model, and (b) the employment of the employee is for the purpose of providing support, pursuant to the scheme referred to in subparagraph (a), for a child attending the service to enable the child to participate in the programme known as the Early Childhood Care and Education (ECCE) funding Programme."

Compliance Information:

- (1)
- (a) There was a designated person in charge and a named person to deputise as required.
 - (b) The named person in charge remained on the premises for the duration of the inspection.

Part III - Management and Staff

Regulation 9 - Management and Recruitment

A sampling process was used to review the records. The records of two adults recruited since the last inspection were reviewed.

(2)

(a) Two written and verified past employer references were available in respect of two adults employed in the service whose records were reviewed.

(b) Not applicable, as references were from past employers.

(c) Garda Vetting disclosures were available for two adults recently employed by the service.

(d) Not applicable, as no adult had lived outside the state for a period of more than 6 months as an adult.

(4) One adult recently employed and working directly with children attending the service held at least a major award in Early Childhood Care and Education at Level 5 or higher on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent.

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) thereof at that reference number is satisfied.*

Compliance Information:	(1) There were twenty-five children attending the service being supervised directly by five adults. (3) The minimum ratio of adults to children was adhered to during the day.
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HEALTH WELFARE & DEVELOPMENT OF CHILD

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*

Compliance Information:	Basic needs of Infants & Children. The service had a healthy eating policy; children's snacks were observed to be nutritious and healthy. Drinking water was freely available to the children although they could access their own drinks as they needed Snack time was flexible in both areas; it was child led to encourage each child's independence and gave the children choice when they wanted to eat. The children were familiar with the flexible snack time routine. Staff members were present with the children during snack time period to maintain oversight and ensured that each child had eaten their snack. They were attentive to their needs; conversations and interactions between the children and the adults were observed to be relaxed and fun. The children were encouraged to be independent, and they were supported by the staff members to be self-caring, suitable to their age and stage of development including hand washing, toileting and caring for their belongings; assistance was given when needed. The staff members ensured that all children were dressed appropriately for outdoor play. Pre-school children were observed enjoying freedom of movement within the preschool room and all children were provided with outdoor play on the day of the inspection. The staff members were experienced and confident looking after preschool children. There was an emphasis on praise and encouragement to promote positive behaviour and children were spoken to in a kind and respectful manner.
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Part V - Care of Child in Pre-school Service

Regulation 19 - Health, Welfare and Development of Child

Supporting relationships around child.

Children were observed to be happy, content and relaxed within the pre-school environments. The adults were very respectful towards the children in their care; positive body language, appropriate eye contact and gentle voice tones were used during interactions with the children.

The service has very good engagement with parents/guardians and has implemented procedures and supports to meet specific Covid-19 pandemic requirements. The registered provider uses a closed group social media application to communicate with parents primarily. Email and telephone are also used as alternative communication methods with the parents; face to face meetings can be arranged by appointment when necessary.

Physical and material environment

The pre-school room environments were divided in to two distinct area by three resource units pushed together. They physical and material environments were designed to create interesting spaces to prompt children to engage in self-directed and imaginative play consistent with the Montessori approach. The areas of learning were practical life, sensorial, language, mathematics and culture.

Tables were prepared with activities and the low-level shelving units in the pre-school rooms ensured that the materials and equipment were freely available and accessible to children. Child sized furniture and equipment was in use in all the rooms.

The children were provided with outdoor play daily in an outdoor space adjacent to the building. There was adequate space for the children to run freely and engage in playground games. There were two large sand trays which were covered when not in use. There was plenty of sand and lots of props for the children to use in their sensorial play. Other equipment included slides, a mud kitchen and a black board.

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:

Infection Control

Thermostatically controlled hot water, liquid hand soap and paper towels were readily available for hygienic hand washing and drying. Children were observed to wash their hands regularly including before snacks and meals, after cleaning their nose, after using the toilet, and after outdoor play. The children's handwashing was supervised by the staff members. Single use disposable aprons and gloves were in available in the sanitary area.

Foot pedal operated bins were in place in the two pre-school areas and sanitary areas to facilitate the hygienic disposal of used paper hand towel and tissues.

The premises were observed to be maintained in a clean and hygienic condition.

Written cleaning schedules were displayed and maintained for the room environments including the outside play equipment.

The pre-school room and sanitary accommodation were ventilated with windows open.

General Safety.

The entrance door to the service were controlled by staff to prevent children from exiting the service unsupervised and to restrict unauthorised persons from gaining access to the pre-school rooms. The manager documented the inspectors visit to the service in the visitor's book on arrival.

The service met the necessary safety requirements in respect of the indoor environment, toys and equipment and safe storage of cleaning agents.

A discussion with the registered provider, manager and staff members indicated the staff members were aware of their roles and responsibilities in relation to the safety and care provided to the children in their care.

A risk assessment policy was in place for the service with oversight provided by the manager on behalf of the registered provider to ensure a prompt response to any risks identified.

This system includes:

- Daily written risk assessment of the indoor and outdoor environments.
- The manager maintains oversight of all risk assessments completed on a daily basis. This includes assessment and prompt management of any identified risks.

Administration of Medication

Medication was not given at the time of the inspection, written parental consent was available should medication be required to be administered to a child. Medication was stored safely out of the reach of children. The staff members were aware of the administration of medication policy and the safe practices to follow when administering medication.

Fire Safety.

Part VI - Safety

Regulation 23 - Safeguarding Health, Safety and Welfare of child

	Monthly fire drills had been carried out and staff members were familiar with fire safety evacuation procedures from the service. Fire exits were not obstructed. Outings The service does not conduct outings.
Non-Compliance Information:	General Safety. 1. It is acknowledged that part of the fence height has been raised however the fence height on both sides of the gate in the outdoor area has not been raised. A potential risk of unauthorised entry remains. <i>This was a non-compliance at inspections on 15th December 2016, 14th June 2018, and 21st October 2020.</i> <i>A condition was attached to the registration status of the service on 9th December 2021 in respect of Part VI, Article (23) Child Care Act 1991 Early Years Regulations 2016.</i> Fire Safety. 2. There was no written record available that the smoke alarms had been maintained for 2021. Safe Sleep: 3. The rest area in the large care room was not suitably furnished for a child to take a break from activities and sit quietly if they wished as there were two cushions and a rug on the floor. The rest area needs to reflect a cosy comfortable space with soft seating to enable a child rest comfortably.
Corrective & Preventive Action submitted by the Registered Provider:	The registered provider stated that: <u>Corrective actions:</u> General Safety. 1. The fence has been raised in the outdoor area. Fire Safety. 2. The maintenance record for the smoke alarm is attached. Safe Sleep. 3. Suitable chairs have been placed in the area. <u>Preventive actions:</u> There were no preventive actions. <u>Evidence submitted:</u> 1. Photograph 2. Document 3. Photograph
Summary Comment:	The written response, documentary and photographic evidence submitted by the registered provider has been reviewed by the Early Years Inspectorate. Regulatory compliance has been met for 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) There were sufficient numbers of persons trained in first aid for children to be immediately available at all times.

(2)

(a) The first aid boxes were stored out of the reach of pre-school children.

(b) A first aid box was readily available in the service.

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 fire drills completed in the service. The last recorded fire drill was on 28th February 2022.

(b) A record was kept of the number, type and maintenance of the firefighting equipment and smoke alarms in the premises. Firefighting equipment were last serviced in November 2021 and the smoke alarm was serviced on 11th September 2020.

(4) A notice of the procedures to be followed in the event of a fire was conspicuously displayed in the service.

Part 11 - Registration and Register Additional Significant Risk Identified

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) The registered provider was operating outside the registration status for the service as the service is registered as a sessional service for a maximum number of 22 children aged 2-6 years. On the day of the inspection, it was observed that there were 25 children attending the service. <i>This was a non-compliance on the last inspection on 21st October 2020.</i> <i>A condition was attached to the registration status of the service on 9th December 2021 in respect of Part VI, Article (23) Child Care Act 1991 Early Years Regulations 2016; a regulatory breach of this condition was found on inspection.</i>
Corrective & Preventive Action and evidence submitted by the Registered Provider:	The registered provider stated that: <u>Corrective action:</u> (1) A change in circumstance form was submitted in November 21 to separate the large room with a full, proprietary partition approved for school use in the UK. We await change in circumstance approval to install this. The partition has been sourced and we are ready for installation on inspection and approval. <u>Preventive action:</u> There was no preventive action submitted.
Summary Comment:	The written response has been reviewed by the Early Years Inspectorate. Regulatory compliance for regulation 8 is not met. The service confirmed that they have continued to operate outside of registration status on 25th April 2022 and went through the service's plan to address this issue.