

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KY016
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Name of Service:	Bright Sparks Montessori
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Address of Service:	Asdee National School, Asdee Village, Asdee, Co. Kerry
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Eircode:	V31 C997
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Name of Registered Provider:	Marie Enright
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Service type:	Sessional
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Date(s) of Inspection:	30 January 2023
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No of pre-school children:	AM	04	PM	None
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Address of the Early Years Inspectorate:	Arás an Phobail Deans Lane Tralee Co. Kerry
Inspection undertaken by:	N. Reidy
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).

Conditions if applicable	Not Applicable
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Description of service

Bright Sparks Montessori is a private early years service that is registered to provide care for children aged between the age of 2 years and 6 years. Currently the service provide care for children aged between 3 years and 5 years. The service is registered as operating between the hours of 09:00 am and 12:30 pm Monday to Friday inclusive. The premise is located within the single story Asdee National school.

Staffing

There is 1 adult employed in the service. The registered provider does not work in the service, she works in her second early years service located in Ballybunion, Co. Kerry.

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.

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.

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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 person in charge and children who were present on the day of the inspection.

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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,

(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.

Compliance Information

- (1) (a) There is a designated person in charge who works each day in the service. The registered provider deputizes as required in the service. The person in charge works single-handedly each day in the service.
- (b) At all times during the period when the pre-school service is being carried on, the person in charge or the registered provider is on the premises.
- (2) The inspector was informed that 1 adult who works in the National school had been identified as the emergency contact person since the last inspection was conducted.
- (4) The adult working directly with the children had attained Quality Qualifications Ireland (QQI) in childcare training at Level 6 and a copy of the said qualifications were on file.

Non-Compliance Information

- (2)
- (a)&(b) 2 written references were not on file for the emergency contact person.
- (c) A Garda Vetting Disclosure was not on file for the adult in question. An Immediate Action Notice was issued by the Inspection and Registration Manager in respect of the adult who did not have a Garda Vetting Disclosure on file.

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(d) The inspector could not determine if Police Vetting was required for the adult in question as there was no Curriculum Vitae on file to assess where the adult had resided since the age of 18 years.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

2(a&b) The registered provider stated that she has a new emergency contact person in place since the inspection was conducted, she has obtained 2 written validated references.

(c) The registered provider stated a Garda Vetting Disclosure has been submitted to the National Vetting Bureau in respect of the new emergency contact person.

(d) Not applicable, the registered provider stated the adult referred to is no longer the emergency contact person.

Supporting documentation submitted

Processed Garda Vetting and 2 written validated references in respect of the new emergency contact person were received.

Summary Comment

The requirement for this regulation has been met.

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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 ensured that there was an adequate number of adults responsible for caring for the children present.

(3) There were 2 adults working with 9 children aged between 3 years and 5 years attending on a sessional basis. The minimum number of adults was maintained.

(8)(c) A named person working in the National school is available to attend the service to assist the person in charge in the event of an emergency.

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;

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- (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) Some of the records sampled for the children attending the service each contained all the required details as per(a), (b), (c), (d),(e), (g), (i) to (i) inclusive.

Non-Compliance Information

- (1) The following record was not maintained in writing: -
 - (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 for each of the children attending the service.
 - (h) record of immunisations, if any, received by the child for some of the children attending the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider stated that:

- (f) all of the above have been resolved
- (h) Immunization records have been sent in and parents have been sent reminders on some outstanding.

Supporting documentation submitted

Photographic evidence of the updated records and the statement provided by the registered provider is accepted as evidence.

Summary Comment

The requirement for this regulation has been met.

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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

The following records in writing were kept 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) A record for detailing any medication administered to a pre-school child attending the service with signed parental consent was available. No entries were recorded.
- (k) Records for detailing any accident, incident or injury or incident involving a pre-school child attending the service were on file.

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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

- The parents of the children attending the service provide the food served at mealtimes.
- The food consumed on the day included sandwiches, crackers, yogurts with water to drink.
- Water was available and accessible to the children in their drinks bottles stored on the low level window ledge. Drinking water was available at the sink in the playroom.
- The adult remained with the children for the duration of the mealtime, she assisted them as required with opening food packaging.
- The children had to eat their food, the atmosphere was relaxed with pleasant social interaction among the children and the adult.
- The children present had unrestricted access to the toilet that was located outside the playroom.
- The children were encouraged and supported to practice personal hygiene skills for example supervising children's hand washing prior to mealtime, after using the toilet and after playing outside.
- The adult praised the children's efforts throughout the session, for example for bring their lunches to the table, taking individual perishable items from the fridge and for washing their hands.
- Children had the opportunity to move about freely and explore their environment in the spacious playroom.

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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 premise was secure.
- The cleaning products seen on inspection were stored in a high-level secure press and on a high hook over the sink in the playroom.

Infection Control:

- Children's perishable food items were stored in the fridge provided within the playroom.

Non-Compliance Information

General Safety:

1. The temperature of the warm water was recorded at 48 degrees Celsius at the sink in the playroom posing a risk of scalding to children.
2. The cables of the air purifier positioned on the floor were accessible to the children posing a risk of strangulation.

Infection Control:

3. The children's lunch bags were stored in the lobby of the sanitary accommodation posing a risk of cross infection.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety & Infection Control:

The registered provider stated that all this section has been completed and photographic evidence of same was submitted on 3/02/'23.

1. The temperature of the hot water was brought down in line with guidelines by turning down the thermostat. The temperature of the hot water is checked weekly.
2. The lead behind the air purifier was gathered up and made secure.
3. A new lunch bag storage unit is in place in the playroom.

Supporting documentation submitted

1. A photograph of the water temperature reading at 37.3 degrees Celsius.
2. A photograph of the secured cable.

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3. A photograph of the storage unit for the lunch bags in the playroom.

Summary Comment

The requirement for this regulation 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 adult working with the children had completed First Aid Responder training and First Aid for children, the certification was forwarded to the office of the early years inspectorate after the inspection.
- (2)
- (a) A first aid box was available, it was stored within a low-level secure cupboard in the playroom.
- (b) The first aid box was accessible to the adult and was out of the reach of the children

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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) Each fire drill had taken place in the service. The last recorded fire drill took place on 23/11/2022.
 - (b) A record of the number, type and maintenance checks of the fire fighting equipment and the smoke alarm.
The records on file demonstrated the last check on the fire extinguishers was 22/03/2022 and the smoke alarm was 19/05/2022.
- (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 for the service was on file.

The information provided on the insurance certificate included:

- the contact details for the insurance provider
- the name and address of the service insured.
- the categories of insurance cover for the service
- the number of children covered by the insurance was for 11 children.

The expiry date of the current insurance cover was 27/03/'23.