

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015LK172
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Name of Service:	Teach Mhuire Montessori
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Address of Service:	12 Colbert Terrace, Abbeyfeale, Co. Limerick.
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Eircode:	V94P9F9
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Name of Registered Provider:	Mary Barrett
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Service type:	Sessional
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Date of Inspection:	08/04/2024
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Day 2 of Inspection:	12/06/2024
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No of pre-school children:	AM	11	PM	No.
No of pre-school children:	AM	17	PM	No.

Address of the Early Years Inspectorate:	Tusla Early Years Inspectorate 2 nd floor Estuary House Henry Street Limerick
Inspection undertaken by:	J Ryan
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 Childcare Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

TUSLA An Ghníomhaireacht um Leanaí agus an Teaghlach Child and Family Agency	Child Care Act 1991 (Early Years Services) Regulations 2016 and Childcare Act 1991 (Early Years Services) (Amendment) Regulations 2016 QMS Ref: EYI-RRT12.1 V2.0 03/03/2023 Service ID: TU2015LK172	1 of 14
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Conditions if applicable

Not applicable

Description of service

This is a private montessori school which first opened in 2002. The service provides sessional care and education to preschool children aged 2 years to 5 years of age. The service operates from 09.00hrs to 12.00hrs and the setting caters for a maximum of 36 children. The service is located in a two-storey house in an urban area. There are 3 playrooms available to the children however 2 rooms upstairs are not currently in use. The service has an outdoor play area located to the rear of the premises where children have access to outdoor play equipment.

Staffing

Two staff who work directly with the children have childcare qualifications and the third staff member completes the administrative work. The staff have engaged in on-going professional development including first aid training.

Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Childcare 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 inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9,10,11,15,19,23,25,26,28 and 29.

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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.

Additional Information

08/04/2024:

An Immediate Action notice was issued to the registered provider as there was a staff member on site in the service who did not have the required garda vetting.

10/04/2024:

Garda vetting documentation has been obtained and verified by the person in charge for the staff member for whom it was required.

12/06/2024:

An inspection of the service took place to review the actions as stated by the manager in her response to the inspection of 08/04/2024 as evidence to support these actions had not been submitted to the inspectorate.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the person in charge, staff 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, 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.

(7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:

- (a) the policies, procedures and statements of the service specified in Schedule 5.

Compliance Information

(1)(a) There was a designated person in charge and a named person who was able to deputise as required.

(b) The designated person in charge or the deputy person in charge were available on the premises at all times.

(2)(a) Two written and validated references from the person's past employers and in particular the most recent employer were available for two staff members present on the day.

(b) References from reputable sources in the case of a person who has no past employers were not required.

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(c) Vetting disclosures were received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of two staff and two students.

(d) International police vetting was not required as no staff member had lived outside the jurisdiction for a period of longer than six months.

(4) Two staff working directly with the children had childcare qualifications.

Non-Compliance Information

(2)(a) Two written and validated references from the person's past employers and in particular the most recent employer were not available for one staff member present on the day.

Two written and validated references from the person's past employers and in particular the most recent employer were not available for two students who attend the service.

(c) Vetting disclosures were not received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of one staff member present on the day of the inspection. An Immediate Action notice was issued to the registered provider on 08/04/2024 for this staff member who was on site in the service and who did not have the required garda vetting.

(3) The procedures specified in paragraph (2) were not completed prior to staff or students being appointed, assigned or allowed access to or contact with children attending the pre-school service.

(4) One staff member did not have a childcare qualification. It is acknowledged that this staff member is currently completing a childcare course.

(7)(a) Documentary evidence was not available to demonstrate that a staff member present on the day of the inspection had received induction training on the policies, procedures and statements specific to the service. The staff member had commenced working in the service on the day of the inspection and when questioned was not familiar with any of the policies and procedures relevant to the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a) Two written validated references for the staff member have been obtained and are on file. Two written validated references for the two students in the service are on file.

(c) Garda vetting documentation was obtained and verified by the person in charge for the staff member for whom it was required on 10/04/2024.

(3) In future all references will be obtained and validated before commencement of employment or placement and before being allowed access to or contact with children in the service and will be available for inspection in employees files.

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(4) No response received

(7)(a) The policies and procedures manual is being updated and the new information required to complete and update the policies has been forwarded to a company to draft.

When the updated policies are available staff will read and familiarise themselves with the policies, procedures and statements specific to the service.

Garda vetting disclosures for staff will be obtained before commencement of employment.

Policies and procedures will be updated regularly and available to all staff and parents. Staff members will be familiar with the policies and procedures relevant to the service.

Supporting documentation submitted

Supporting documentation was not submitted.

Summary Comment

12/06/2024

A visit to the service took place to review the actions taken to address the non-compliances as stated by the manager.

The actions as stated by the manager of the service have not addressed the non-compliances identified.

(2)(a) One written and validated reference was available for 1 student when 2 were required. No written and validated references were available for the second student when 2 were required.

(3) As written and validated references had not been obtained as the manager had stated, this remains non-compliant.

(4) A staff member has not to date provided evidence of a childcare qualification.

(7) Evidence that the policies and procedures manual for the service had been reviewed and updated was not available in the service.

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Part III – Management and Staff

Regulation 10 - Policies, procedures etc. of pre-school service

A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.

Non-Compliance Information

The policy and procedure manual for the service which was drafted in May 2018 had not been updated. This may have resulted in staff not following correct procedures if they were unsure of the steps to follow in each policy e.g., accident and incident policy, notification of incident policy, policy on infection control, policy on managing behaviour.

Staff names documented on the policies and procedures manual were no longer working in the service.

At a regulatory compliance meeting held on 08/12/2023 the person in charge advised the inspection and registration manager that the service was currently working with the local county childcare committee to review and update all the policies and procedures for the service. The person in charge informed the inspection and registration manager that this process would be completed by 1st March 2024.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The person in charge will ensure that all staff members are familiar with the policies and procedures relevant to the service and that all policies are updated regularly and available to staff and parents.

Supporting documentation submitted

No supporting documentation received.

Summary Comment

12/06/2024

A visit to the service took place to review the actions taken to address the non-compliances as stated by the manager.

Evidence that the policies and procedures manual for the service had been reviewed and updated was not available in the service. The actions as stated by the registered provider do not meet the regulatory requirements of regulation 10 as the non-compliance remains outstanding.

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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.

Compliance Information

(1) At all times during the period of the inspection the person in charge ensured that an adequate number of staff were working directly with the children. On the day of the inspection there were 2 staff working with and supervising 11 children. An additional adult was present who was in charge of completing the administrative duties for the service.

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.*

Non-Compliance Information

(1) Registration forms were not available for three children documented on the attendance records for the service.

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The information required from (a) – (i) was not available for these children and posed a safety risk to them in the event of an emergency.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Registrations forms for all children are now available.

Supporting documentation submitted

Documentation not submitted.

Summary Comment

12/06/2024

A visit to the service took place to review the actions taken to address the non-compliances as stated by the manager. A completed registration form is now available for each child attending.

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

(1)(a) BASIC NEEDS:

Children brought their own packed lunches on the day of the inspection which included sandwiches, crackers, yogurts, fruit and drinks of water. Drinking water was also available in the service throughout the session if a child needed a drink. The children and staff sat together around the tables and were given as much time as they needed to eat their food.

Children went to the toilet independently with assistance given to those who needed it. Nappy changing facilities were also available if required. Children were encouraged to wash their hands at appropriate times such as after toileting and before eating. Hand washing was facilitated in the sanitary accommodation with a supply of hot and cold running water and liquid antibacterial soap. Children were encouraged to use a tissue to clean their noses. An adult sized couch was available in the playroom where children could rest and relax as desired throughout the morning.

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Children enjoyed freedom of movement within the pre-school room and there was a plentiful supply of play props available to support play and children played on their own, in small groups and in large groups.

The children were supported and encouraged to behave appropriately for their age and stage of development through having simple rules to follow and a good level of choice of activities.

The adults modelled positive behaviour for the children, and they were praised for their good behaviour.

PHYSICAL AND MATERIAL ENVIRONMENT:

This sessional service was operated from one room with the sanitary accommodation area nearby and an outdoor play area at the rear of the facility. Adequate and varied play equipment suited to the age and stage of development of the child was available in the service and in the outdoor play area.

The playroom was spacious and bright with shelving available to display play equipment. Defined interest areas included a reading area, construction area, home corner, dress up area with a long mirror, puzzles, manipulative play area, tabletop area, and small world area.

The outdoor play area consisted of an all-weather surface and grass and was surrounded by high walls and gated.

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.

Non-Compliance Information

General Safety:

1. A chlorine-based cleaning product was accessible to the children in a cupboard underneath the sink. This posed a potential poisoning hazard to the children.
2. Snacks and perishable foods supplied by children's parents were not refrigerated. This posed a potential risk in relation to food safety.
3. Temperature reducing medication was not available in the service in the event of a child having a raised temperature. This posed a potential safety risk to the children.

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Action submitted by the Registered Provider

Corrective & Preventive Action

1. The chlorine-based cleaning product was removed and placed out of reach of children. In future cleaning products that pose a potential poisoning hazard will be kept out of reach of the children.
2. Childrens lunch boxes will be checked in the mornings after they arrive, and lunches will be refrigerated if necessary to prevent any risk in relation to food safety.
3. A temperature reducing medicine is now available in the service and the expiry date will be checked regularly.

Supporting documentation submitted

Documentation not submitted.

Summary Comment

12/06/2024

A visit to the service took place to review the actions taken to address the non-compliances as stated by the manager.

The actions as stated by the manager have addressed the non-compliances.

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

(2)(a) A first aid box was stored in the playroom.

(b)The first aid box was available at all times if required by a child.

Non-Compliance Information

(1)There was no staff member present who held current certification in First Aid Responder for children (FAR).

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Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Both Staff members are currently doing FAR Training which will be completed by June 2024.

Supporting documentation submitted

Certificates will be forwarded when the training is complete.

Summary Comment

12/06/2024

A visit to the service took place to review the actions taken to address the non-compliances as stated by the manager.

Two staff have completed First Aid Responder training on the 08/06/2024. Certification of this training has not yet been issued.

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)(a) There was a record of fire drills practiced on a monthly basis in the service.

(b)The firefighting equipment was serviced on an annual basis, most recently in October 2023. A record was maintained of the number, type and maintenance of the firefighting equipment and the smoke alarms were serviced on 21/10/2023.

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

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Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

Adequate insurance was available to cover the number of children who attended.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

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

(d) cleaned, maintained and repaired, as required.

Non-Compliance Information

(d)

1. The floor covering adjacent to the kitchen area and in the centre of the room was worn and torn and posed a tripping hazard for both the children and the staff. Flooring in the sanitary accommodation was not flush with the wall and flooring between the lobby and the sanitary accommodation was worn. Routine thorough cleaning of the floors could take place when the floor surface was not smooth and durable.
2. Paintwork on the ceiling near the florescent light and the wall where a fridge was located had not been repainted therefore the areas were not smooth to facilitate cleaning.
3. Sections of the wooden countertop were worn which prevented thorough cleaning of the area.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. Quotes to replace the flooring in the sanitary area and the kitchen area have been sought.
2. A painter to paint the ceiling and walls in kitchen area and to repaint the bathroom has been sought.
3. The counter and kitchen will be replaced within the next 4-6 weeks.

Supporting documentation submitted

No documentation was submitted.

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Summary Comment

12/06/2024

A visit to the service took place to review the actions taken to address the non-compliances as stated by the manager.

The manager stated:

1. The flooring will be replaced following installation of the new kitchen.
2. The kitchen area and bathroom will be repainted following installation of the new kitchen.
3. A new kitchen and countertop has been delivered and will be installed Saturday 15th June.