

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 Limerick
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Eircode:	V94 P9F9
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Name of Registered Provider:	Mary Barrett
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Service type:	Sessional
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Date(s) of Inspection:	19 October 2022
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No of pre-school children:	AM	15	PM	No.
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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 Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

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Conditions if applicable	Not applicable
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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 26 children. The service is located in a two-storey house in an urban area. There are 3 play rooms 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

The registered provider works in the service each day along with three additional staff members. The three staff who work directly with the children have childcare qualifications and the fourth 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 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 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-

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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

A referral to Fire Safety was made on 01/11/2022. The registered provider was informed of the referral on the day of the inspection.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, staff 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.*

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(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 who was able to deputise as required.
(b) The designated person in charge or the deputy person in charge were available on the premises.

(2)(a) References from the person's past employers and in particular the most recent employer were available for one staff present on the day.

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

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

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

(6) (b) Letters from the Minister confirming that paragraph (4) did not apply to them before that date were not required.

(6) Not applicable as the qualification exemption for an adult employed under the Access and Inclusion Model had not been sought.

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(6a) There was no adult employed under the Access and Inclusion Model working in the service.

Non-Compliance Information

(2)(a)(b) The registered provider had not ensured that each employee working in the service was suitable and competent as the following documents were not available on file.

References from the person's past employers and in particular the most recent employer were not available for three staff present on the day.

One staff member had supplied references however these references had not been validated by the registered provider prior to commencing work in the service.

(d) Police vetting was not available for one staff member who had lived in another state for a period of longer than 6 consecutive months.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a)(b) References have been supplied to the registered provider and are on their personnel files for all three staff.

All references have been validated.

(d) The staff member who required police vetting has contacted the required Embassy in Dublin to commence the process of obtaining the vetting.

In future all references will be validated before any new staff member commences working in the service and police vetting will be sought if it is required.

Supporting documentation submitted

Not Applicable

Summary Comment

The regulatory requirements of Regulation 9(2)(a)(b) have been addressed.

The regulatory requirements of Regulation 9(2)(d) remain outstanding.

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.

Compliance Information

The required written policies, procedures and statements specified in Schedule 5 were in place for the service.

The following were a sample of the policies available:

- Complaints policy
- Administration of medication policy
- Infection control policy
- Behaviour management policy
- Fire safety policy
- Accidents and Incidents policy

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- Healthy eating policy

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 3 staff working with and supervising 15 children.

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.*

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(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-

- (a) a parent or guardian of a pre-school child but only in respect of the record relating to that child,*
- (b) an employee who is authorised in that behalf by the registered provider, and*
- (c) an authorised person.*

(4) A registered provider shall ensure that a record in writing referred to in paragraph (1) is retained for a period of 2 years from the date on which the child to whom it relates ceases to attend the service.

Compliance Information

(1) A record in writing was kept in respect of each pre-school child attending the service which contained the following particulars (a)-(i) as listed above.

(3) These records were available for inspection by the following persons

- (a) a parent or guardian of a pre-school child but only in respect of the record relating to that child.
- (b) an employee.
- (c) an authorised person.

(4) Records for the children were retained for a period of 2 years.

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;*
- (i) details of staff rosters on a daily basis;*

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(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 were documented and available,

(1) (b) details of the class of service and the age profile of children for which the service is registered.

(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.

(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.

Non-Compliance Information

The following records were not documented and available

(1)(a) References were not available for each employee.

(h) Details of attendance by each pre-school child on a daily basis whereby the surnames of each child in attendance on the day was not documented on the roll book.

(i) A staff roster recorded on a daily basis was not available.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1)(a) Each employee has references available and are on file.

(h) The surname of each preschool child attending daily is documented.

(i) The staff roster is recorded daily.

(1)(a) The registered provider will ensure each employee has two validated references before commencing work.

(h) The registered provider will ensure each child attending will have their surname documented on the daily roll book.

(i) A record will be kept of all staff who attend the service daily.

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Supporting documentation submitted

Not Applicable

Summary Comment

The regulatory requirements of Regulation 16(1)(a)(h)(i) have been met.

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 brought their own packed lunches in line with the healthy eating policy of the service. Food observed on the day of the inspection 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. Hygienic nappy changing facilities were also available if required. They 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.

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 and 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 the children 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.

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Non-Compliance Information

(1)(a) Children did not play outdoors in the fresh air to support their gross motor development with other children in the group on the morning of the inspection.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Children now play outside daily and are adequately dressed for the weather conditions with coats, hats, gloves and wellingtons.

The service will ensure that children will get outside daily to play in the fresh air.

Supporting documentation submitted

Not Applicable

Summary Comment

The regulatory requirements of Regulation 16(1)(a)(h)(i) have been met.

Part VI - Safety

Regulation 24 - Checking in and out and record of attendance

(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.

(3) A registered provider shall ensure that-

(a) no person other than-

(i) pre-school child attending the service,

(ii) a person dropping or collecting such a child,

(iii) an employee, or

(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and

(b) a daily record in writing is kept of the entry on the premises of any such person.

Compliance Information

(1) Each child attending the service was checked in and out of the service by an employee.

(3) (a) The registered provider ensured that no person could enter the premises without her approval other than-

(i) pre-school child attending the service.

(ii) a person dropping or collecting a child.

(iii) an employee.

(iv) an unpaid worker.

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Non-Compliance Information

(3)(b) A daily record in writing was not kept of persons who entered the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

A written record of every person who enters the service is available.

The service will ensure that any persons entering the service will sign in and out and include the date, time and signature.

Supporting documentation submitted

Not Applicable

Summary Comment

The regulatory requirements of Regulation 24(3)(b) have 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) There was a person trained in first aid for children available all times.

(2) (a) The first aid box was safely stored in an easily accessible and conspicuous position in the playroom.

(b) The first aid box was available to the children attending the pre-school service at all times.

Non-Compliance Information

(2) The first aid box for children was insufficiently stocked for the numbers of children in attendance.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The First Aid box has been re-stocked.

The First Aid box will be checked on a regular basis and any depleted stock will be replaced.

Supporting documentation submitted

Not Applicable

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Summary Comment

The regulatory requirements of Regulation 25(2) have been met.

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

Not Applicable

Non-Compliance Information

- (1)(a) Documentation was not available to demonstrate that fire drills were practiced monthly. Fire drills had not been practiced since the service had reopened in September 2022.
- (b) The number, type and maintenance record of firefighting equipment and smoke alarms in the premises was not up to date. Fire extinguishers were last maintained in September 2019 and the smoke alarms were last maintained in December 2019.
- (4) A notice of the procedures to be followed in the event of fire was not displayed in a conspicuous position in the playroom.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Corrective Action

The service practised a fire drill in November 2022.

The service are planning a fire drill for December 2022.

Fire Extinguishers and Smoke alarms were maintained and checked on the 21 October 2022.

A notice of the procedures to be followed in the event of a fire is displayed near the door in the playroom.

Preventive Action

In future the service will practice fire drills monthly.

The service will ensure the maintenance records of firefighting equipment and smoke alarms are up to date.

Supporting documentation submitted

Not Applicable

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Summary Comment

The regulatory requirements of Regulation 26(1)(a)(4) have been met.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The Insurance certificate for the service was available and adequate and had an expiry date of March 2023.

Regulation 29 – Premises

*A registered provider shall ensure that the premises of the service are,
(d)cleaned, maintained and repaired as required*

Compliance Information

(d) Routine cleaning of the service took place as evidenced by cleaning checklists that were signed by staff.

Non-Compliance Information

(d) Childrens timber chairs were in a poor state of repair as the paint was worn off them in parts.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Children's timber chairs have been painted. We will ensure in future to maintain and paint the chairs as needed.

Supporting documentation submitted

Not Applicable

Summary Comment

The regulatory requirements of Regulation 29(d)(a)(4)