

TUSLA REGULATORY INSPECTION REPORT

TUSLA Identifier:	TU2015OY045
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Name of service:	The Montessori Clubhouse
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Address of service:	Community Centre Scurragh Birr Co Offaly
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Name of registered provider:	Arlene Finnerty
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Type of service registered:	Sessional	☒	Part-Time	☐	Drop-In	☐
	Full Day Care	☐	Childminding	☐	Temporary	☐

Date of Inspection:	20/09/2022
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Number of pre-school children present:	AM	13	PM	N/A
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Tusla, Child and Family Agency, Primary Care Centre, Church Avenue, Tullamore, Co Offaly.
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Inspection undertaken by:	K. Murphy
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	The age range of children that the service is registered to accommodate is 2 to 6 years of age. The service operates between the hours of 09:45 and 12:45 on a Monday to Friday basis. The service is operated by an independent provider. The Early Years' Service is located within a community-based facility. One pre-school room and an office are provided. An outdoor play area is attached to the rear of the service. The service is situated in the town of Birr, County Offaly.
Staffing	The registered provider and the designated person in charge were present on 20 September 2022.
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. Inspections of early years services are planned based on the following: • Previous inspection history • Any information received in relation to the service 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. Inspections may also focus on other areas as required. Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced. The Inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes. The contents of the report are compiled by the inspectorate body.

Acknowledgments

The inspector wishes to acknowledge the co-operation of the registered provider, designated person in charge and children who were present on the day of the inspection.

Part II - Registration and Register**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.

Compliance information

In September 2022, a change of circumstance was submitted relating to a proposed change to the hours of operation of the service. This change in circumstance was approved by the TUSLA registration office.

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)

The registered provider and a named person to deputise were available as required.

(b)

The registered provider and the designated person in charge were present for the duration of the inspection.

The registered provider stated that no new staff member was employed since the last inspection on the 3 December 2020.

(2)(a)(b)(c)(d)

No new staff member was employed in the service since the last inspection.

(3)

No new staff member was employed in the service since the last inspection.

(4)

The two staff members working directly with children attending the service held a major award in Early Childhood Care and Education on the National Framework of Qualifications.

(6) (a)(b)

No staff member had signed a declaration on or before the 30th of June 2016 to the effect that they intended to retire from employment in a pre-school service.

(6A)

No staff member present was working directly with children under the Access and Inclusion Model.

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.
- (2) Subject to paragraphs (4) and (5), a registered provider of a full day care service or a part-time day care service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 1 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.
- (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) The minimum ratio of adults to children was exceeded during the inspection. (2) There were thirteen children attending the service supervised directly by two adults. (8)(c) The sessional service does not operate single handedly and the staff records of attendance indicated that two adults are on the premises at all times.
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Part IV – Information and Records

Regulation 18 – Copy of Act etc.

- A registered provider shall ensure that a copy of Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act and of these Regulations is kept on the premises and the said copies shall be open to inspection on the premises by-
- (a) a parent or guardian of a child attending or proposing to attend the service,
 - (b) an employee, unpaid worker or contractor, and
 - (c) an authorised person.

Compliance information	The registered provider ensured a copy of the of Part V11A (inserted by section 92 of the Child and Family Agency Act 2013 (No.40 of 2013)) of the Act and Regulations was available for inspection by (a)(b)(c).
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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

(1)(a)

BASIC NEEDS

The children were supported to be self-caring, suitable to their age and stage of development including feeding themselves, using the toilet independently and caring for their belongings. Regular supervised hand washing of the children's hands was observed.

Conversations and interactions between children and staff members were observed during the mid-morning snack. The food was provided by the parent and consisted of a variety of fresh fruit and dairy products with a selection of wraps, rolls, crackers and sandwiches. All children were observed to enjoy free play, choosing their own activity to participate in and playing in the outdoor play area supervised by staff.

SUPPORTING RELATIONSHIPS

The staff were familiar with each child and their personality. The staff members were observed to be positive towards children evidenced by individual names used, eye contact and praise for children on completion of activities. Good teamwork between the staff members was observed during the inspection. Children were offered choices of what activities they wished to participate in. The service worked in partnership with parents and a verbal handover was observed at the end of the session as each child was collected by their parent.

PHYSICAL & MATERIAL ENVIRONMENT

A selection of developmentally appropriate experiences was available for all children. Areas of interest were noted in the pre-school room and included home, construction and small world areas. Materials included paint, play dough, dolls, dolls houses, buggies, puzzles, blocks, trucks, animals and fine motor skill toys including pegboards, jigsaws and shape sorters.

Low level tables and chairs and low-level shelving with equipment and materials were accessible to the children.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

(1) Subject to this regulation, a registered provider shall ensure that-

- (a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child 19 to play indoors and, where required by these Regulations, outdoors, during the day, and
- (b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

(2) A registered provider-

- (a) of a full day care service, a part-time day care service, a sessional preschool service or a childminding service that is registered for the first time on or after 30 June 2016, or
- (b) of a full day care service, a part-time day care service, a sessional preschool service or a childminding service that moves premises on or after 30 June 2016,

shall ensure that a suitable, safe and secure outdoor space to which the preschool children attending the service have access on a daily basis is provided on the premises.

(3) A registered provider of a full day care service, a part-time day care service or a childminding service, other than such a service to which paragraph (2) applies, shall ensure that-

- (a) a suitable, safe and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises, or
- (b) Where no such space is provided, the pre-school children attending the service have access on a daily basis to a suitable outdoor space.

(4) Where outdoor space to which the pre-school children attending the service have access is provided on the premises of a sessional pre-school service other than such a service to which paragraph (2) applies, a temporary pre-school service or a pre-school service in a drop-in centre, the registered provider shall ensure that such outdoor space is suitable, safe and secure.

(5) Where pre-school children attending a sessional pre-school service other than such a service to which paragraph (2) applies, a temporary pre-school service or a pre-school service in a drop-in centre have access to an outdoor space other than such a space specified in paragraph (4), the registered provider shall ensure that such outdoor space is suitable.

Compliance information

(1)(a)

Suitable and adequate play and work equipment were provided indoors and outdoors which incorporated areas with toys and equipment for arts and crafts, home corners, interest areas and tabletop activities.

(b)

Soft furnishings provided suitable and adequate rest facilities in the pre-school room.

(2)(a)

Not applicable, the pre-school service was registered before 30th June 2016.

	(b) Not applicable, the service has not moved premises on or after June 30th, 2016. (3)(a) Not applicable, the pre-school service is registered as a sessional service. (b) Not applicable, the pre-school service is registered as a sessional service. (4) An outdoor play area with a tarmac surface area was accessed directly from the pre-school room. This area was equipped with a variety of gross motor play equipment, a home corner area and a selection of bikes, trikes, buggies and prams. (5) Not applicable, an outdoor space was provided on the premises.
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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 service met the necessary safety requirements in respect of the indoor environment, toys and equipment and the safe storage of cleaning agents and hand sanitiser. INFECTION CONTROL: Supplies of paper hand towel and liquid soap were available in the sanitary accommodation. The water temperature at the wash hand basins was recorded at 35°C. Children were observed to wash their hands before snacks and after using the toilet. The pre-school room and sanitary accommodation were ventilated by openable windows. Foot operated pedal bins were noted in the premises for the hygienic disposal of waste. All toys and materials were easily cleanable. Cleaning schedules were in place. ADMINISTRATION OF MEDICATION: No medicine was administered during the inspection. A record book was available in the service to record details relating to the administration of medicine should it be required.
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FIRE SAFETY:

Emergency exits were unobstructed. A designated fire assembly point was located to the front of the service.

OUTINGS:

The registered provider confirmed that no outings are conducted from the service.

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)

One staff member present was qualified in First Aid response (FAR) and available on the premises during the hours of operation.

(2)(a)

A first aid box was available in accessible and conspicuous location in the pre-school room.

(b)

A first aid box was accessible to children in the pre-school 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.
- (2) The record referred to in paragraph (1) shall be open to inspection by-
- (a) a parent or guardian of a pre-school child attending or proposing to attend the pre-school service,
 - (b) an employee, and
 - (c) an authorised person.
- (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 for the completed monthly fire drills was available on the premises. The last fire drill was recorded as taking place on the 30 May 2022. The service was closed during the months of June, July, and August. A fire drill had not yet taken place for the month of September. (b) A record was available demonstrating the number, type and maintenance of the firefighting equipment and smoke alarms on the premises. The firefighting equipment was serviced in September 2022. The smoke alarms in the premises were serviced in August 2022. (4) A notice of the procedures to be followed in the event of a fire was displayed in a conspicuous position in the premises.
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Part VI - Safety

Regulation 27 – Supervision

A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Compliance information	Children in attendance were supervised by staff both indoors and outdoors during the inspection.
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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

There was evidence of current insurance cover for the number of children attending the service. The expiry date noted was 27 March 2023.

Part VIII - Notifications and Complaints

Regulation 31 - Notification of incidents

A registered provider shall notify the Agency in writing within 3 working days of becoming aware of any of the following incidents occurring in the preschool service:

(b) The diagnosis of a pre-school child attending the service, an employee, unpaid worker, contractor or other person working in the service as suffering from an infectious disease within the meaning of the infectious Diseases Regulations 1981 (S.I. No. 390 of 1981)

Compliance information

(b)
The registered provider submitted notification of incidents to the Agency within 3 working days in respect of (b) since the last inspection on the 3 December 2020.

Part IX - Inspection and Enforcement

Regulation 33 – Furnishing of information to agency

A registered provider shall furnish the Agency with such information as the Agency may reasonably require for the purpose of enforcing and executing these Regulations and the information shall be in such form, if any, as may be specified by the Agency.

Compliance information

The registered provider furnished information and records required by the Agency for the purpose of enforcing and executing these Regulations.