

TUSLA REGULATORY INSPECTION REPORT



TUSLA Identifier:	TU2015WX006							
Name of Service:	ABU Montessori,							
Address of Service:	Dowsleys Barn, New Ross. Co. Wexford							
Email Address:	Abu.montessori@gmail.com							
Name of Registered Service Provider:	Niamh Fitzgibbon.							
Type of Service Registered:	Sessional		☒					
Date of Inspection:	0	9	0	9	2	0	2	1
No of Pre-School Children present during Inspection:	AM		19		PM		N/A	
Address of the Early Years Inspectorate:	Tusla Child and Family Agency, Early Years Inspectorate, Ely Hospital, Wexford.							
Inspection undertaken by:	E Mc Garry							
Title:	Early Years Inspector							

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

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	ABU Montessori is a privately operated early years service. It is situated on the outskirts of New Ross Co. Wexford. The service is registered to provide a sessional service to 33 children aged two to six years of age.
Premises	The service is in a purpose-built facility in the grounds of the registered provider's parents' home. It consists of a large playroom, toilets, kitchen /dining room and an outdoor play area.
Staffing	There were five staff on the premises on the day of inspection. All five were working directly with the children. The registered provider was on the premises on the day of inspection and works directly with the children. All staff held the minimum of level 5 and above on the National Framework of Qualifications (NFQ).
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. The findings on inspection are based on; • Information obtained through examination of documentation • Direct observation • Discussion with relevant staff This inspection was unannounced and focused on areas of Governance, Health, Welfare and Development of Child and Safety. Inspections may also focus on other areas as required. The inspection process has been amended to minimise the amount of time that inspectors spend in the service. A sampling process was used to assess compliance under regulation 19 health welfare and development of child and regulation 23 Safeguarding health, safety and welfare of child. As a result, the scope of the inspection included the early years room and outdoor play area. The Inspectorate reserves the right to edit responses received for reasons including clarity, completeness, and compliance with administrative and legal processes. The contents of the report are compiled by the inspectorate body.
Additional Information	The registered provider completed a form of proposed change in circumstances on 8 October 2021. The registered provider has requested to provide a part-time service to 33 children aged between 2 and 6 years of age in her service.
Acknowledgements	The Inspector wishes to acknowledge the cooperation of the Registered Provider, staff and children who were present on the day of the inspection.

GOVERNANCE

Part III - Management and Staff

Regulation 9 - Management and Recruitment

- (1) A registered provider shall ensure that—
- (a) the service has a designated person in charge and a named person who is able to deputise as required,
 - (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and
- (2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by—
- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,
 - (b) consideration of references from reputable sources in the case of a person who has no past employers,
 - (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and
 - (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.
- (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 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:	Following a discussion with the registered provider and a review of documentation in the service the inspector established there was one new staff member employed to work in the service since the last inspection on 10 January 2019. This file was reviewed on the day of inspection.
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Part III - Management and Staff

Regulation 9 - Management and Recruitment

- (2)(a)(b)
Two written and validated references from two past employers were available on file for the new employee.
- (c)
A Garda vetting certificate was available on file for the new staff member working in the service.
- (d)
Not applicable as the staff member had not lived in a state other than Ireland for a period of longer than six months.
- (4)
Qualifications were available on file for the new staff working directly with children at the minimum level 5 on the National Qualification Framework.
- (6)(a)
Not applicable as no staff have availed of this declaration.
- (6)(b)
The service was currently not availing of the scheme known as 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.*
- (3) *Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) thereof at that reference number is satisfied.*
- (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)
There an adequate number of staff working directly with the children attending the early years service during the period of inspection.
- (3)
At 10.15hrs there were nine children aged three to six years of age in the care of five staff.
At 11.30hrs there were 19 children aged three to six years of age in the care of five staff.

Part III - Management and Staff

Regulation 11 -Staffing Levels

(8)(c)

Not applicable as there were always two staff on the premises.

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 findings of the inspection were evidenced through direct observation, review of documentation and discussion with staff.

SUPPORTING RELATIONSHIPS AROUND CHILDREN:

- On arrival to the service the inspector observed one staff member trying to comfort a child who was upset. The staff member was observed to comfort the child by using low and reassuring tones of voice. The child was held and comforted on the staff member's lap. The staff member who spoke to the inspector said the staff adhered to the services settling policy. The child settled for short periods only. The mother of the child was contacted to collect her child in line with the service's policy. The inspector observed the child was collected promptly by their parent and settled immediately when the parent arrived.
- Staff in the outdoor were observed to respond sensitively and promptly to the children's ques and needs. For example, children were supported to play and take turns while playing on the slide.
- Minor disagreements were handled in a calm manner. Two children who had a disagreement were told by a staff member "we don't put our hands on each other ". The children were observed to listen to the staff member and continued with their game respecting each other's space to play in.
- Staff were observed to be kind and attentive to the children giving assistance when required when the children needed to use the bathroom.
- There was a music table set up in the early years classroom with a variety of musical instruments. The staff were observed to encourage the children to explore all the different sounds they could make with the instruments.
- Children's choices were supported by the staff. Staff who spoke to the inspector said the children choose to play in the outdoor or indoor area themselves. They enjoyed free movement between the two areas.
- Children were observed to have free choice in relation to when they wished to eat. Staff who spoke to the inspector said that the system in place allowed children to choose to go to the dining room themselves when they wanted to eat their lunch.

Part V - Care of Child in Pre-school Service

Regulation 19 - Health, Welfare and Development of Child

- The inspector observed throughout the morning of inspection different groups of children using the dining room. Staff were observed to give assistance when needed while the children were enjoying this sociable time with their friends.
- Children who were indoors were observed engaged in tabletop activities such as drawing and coloring in pictures. Staff were observed to be enthusiastic facilitating free choice for the children in whatever activity they choose to do
- One staff member was observed kindly taking the time to transcribe a note from one child to another. The note was given by the child to the other child to take home.

PHYSICAL AND MATERIAL ENVIRONMENT

- The service had a large safe and secure outdoor area situated to the rear of the premises. The area consisted of a large, grassed area. It was well laid out with thought and consideration given to the ages and stages of the children attending the service.
- There was a covered sand pit, a well-stocked mud kitchen, a jungle gym, a hammock, a large tractor made of wood which had a slide and storage underneath for bikes and ride on toys. There was a large wooden car that children could sit in and pretend to drive.
- The early years room was bright with large windows to the front of the service. The equipment and materials which were easily accessible to the children on open child height shelves.
- The areas of interest were varied and offered the children lots of choice during their free play sessions. There was a cosy area with a large canopy and cushions for the children to rest under. There was a library area with a comfortable armchair for children to sit in while reading their books. The music table consisted of a large wooden spool with a guitar, chimes, small drums and various other musical instruments. There was a child sizes kitchen, a construction area with trains, tracks, cars, and dinosaurs.
- The children had lots of room to move about the large early years room.
- There was a large bean bag in a small room off the main early years room for children to rest in.

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:

The registered provider took the following measures to safeguard the health, safety and welfare of the early year's children attending the service:

GENERAL SAFETY

- The entrance was a large, glazed door so the staff could see who was seeking to gain access to the premises.
- All cleaning agents were observed to be stored in a safe and secure area out of access to children.
- The outdoor area was safe and secure.

INFECTION CONTROL

- The early years room had direct access to the outdoor area. Staff who spoke to the inspector said the children were equipped with wellies and wet gear in order to facilitate as much outdoor play as possible. The staff said this was to reduce the incidence of cross infection in the service and for the enjoyment of the children.
- There was liquid soap, disposable hand towels and foot controlled lidded bins available throughout the service.
- The service was well ventilated. The windows on both sides of the early years room remained open during the inspection. Staff who spoke to the inspector were aware of the importance of good ventilation to reduce the risk of cross infection in their early years' service.
- Staff who spoke to the inspector were clear that they understood the importance of adhering to the procedures in place in the service regarding if a staff member or child was to become symptomatic with symptoms of COVID-19.
- An isolation area had been identified in the small room to the side of the early years room and was equipped with personal protective equipment (PPE) should it be required.
- There was a plentiful supply of gloves and disposable aprons in the service.
- At 12.30hrs when the children had left all staff were observed by the inspector thoroughly cleaning and sanitising the early years room, toilets, and play equipment in the outdoor area. This practice was in line with the services updated infection control policy. There were daily cleaning schedules signed by the staff to confirm they were adhering to the services cleaning policy.
- Good hand washing practice was observed on the day of inspection. Children were observed being reminded by staff to wash their hands before eating their lunch, after playing in the outdoor area and after using the toilet. Staff were observed using the hand gel provided by the service regularly.

Part VI - Safety

Regulation 23 - Safeguarding Health, Safety and Welfare of child

	- Staff who spoke to the inspector were clear in their understanding of the importance of not presenting to work if they displayed any of the signs and symptoms of COVID-19. - There signs made by the staff in the service on how to properly use hand sanitiser. - Staff were observed to practice social distancing with each other. - There was an adequate display of signs outside the services stating precautions which were needed to reduce risk of COVID-19 in the service. ADMINISTRATION OF MEDICATION: - The service had a policy for the administration of medication to children attending the service. The policy was reviewed by the inspector and was observed to be in line with best practice. There was no medication administered on the day of inspection.
Non-Compliance Information:	There was no warm thermostatically controlled water in the hand washing basins beside the children's toilets. Best practice for the management of infection control in an Early Years' service requires the provision of warm water for effective hand washing to prevent cross infection in a service.
Corrective & Preventive Action submitted by the Registered Provider	<u>CORRECTIVE ACTION</u> A thermostatically controlled under sink water heater has been installed under the sink in the toilet area. <u>PREVENTIVE ACTION</u> As above. <u>EVIDENCE SUBMITTED</u> The inspector has received a photograph and a receipt for the work carried out to install the water heater.
Summary Comment:	The registered provider has submitted a response that was satisfactory to meet the requirements of regulation.

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 immediately available to the children attending the early years' service. (2)(a)(b) There was a suitably equipped first aid box stored in an easily accessible and conspicuous position on the premises and was available to the children attending the early years' service.
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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)(a) There was a record of fire drills that had taken place in the service. The last fire drill that had taken place in the service was recorded on 14 July 2021. (4) There was a notice of the procedures to be followed in the event of fire displayed in a conspicuous position on the notice board in the service.
Non-Compliance Information:	There was no annual record of the number, type and maintenance of the firefighting equipment and smoke alarms carried out in the service.
Corrective & Preventive Action submitted by the Registered Provider	<u>CORRECTIVE ACTION</u> The annual maintenance of the fire fighting equipment was carried out on 13 September 2021. The annual maintenance of the smoke alarm was carried out on 19 November 2021. <u>PREVENTIVE ACTION</u> The registered provider will ensure all fire fighting equipment is serviced annually.

Part VI - Safety

Regulation 26 - Fire Safety Measures

	<u>EVIDENCE SUBMITTED</u> A certificate for the annual maintenance of the fire fighting equipment in the service was received by the inspector. The inspection was completed on 13 September 2021. An annual certificate for the maintenance of the smoke alarm was received by the inspector dated 19 November 2021.
Summary Comment:	The registered provider has submitted a response that was satisfactory to meet the requirements of regulation.

Part 1V -Information and Records

Regulation 16- record in relation to pre-school service.

(h) details of attendance by each pre-school child on a daily basis.

Non-Compliance Information:	The daily attendance record in the service was unclear. It did not detail the time of arrival and departure of each child attending the early years service.
Corrective & Preventive Action submitted by the Registered Provider	<u>CORRECTIVE ACTION</u> An updated attendance record is now in use in the service. The following details are recorded daily. The name of the child, the time of arrival, the time of departure and the person who collected the child. <u>PREVENTIVE ACTION</u> This template will be used in the service on a daily basis. <u>EVIDENCE SUBMITTED</u> A copy of the updated daily attendance record was received by the inspector. The template has columns to record the name of the child, the time of arrival the time of departure and the person who collected the child.
Summary Comment	The registered provider has submitted a response that was satisfactory to meet the requirements of regulation.