

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2016KK001
--------------------------	-------------

Name of Service:	Ballyhale Montessori School
-------------------------	-----------------------------

Address of Service:	Main Street, Ballyhale, Co. Kilkenny
----------------------------	--------------------------------------

Eircode:	R95 X2X8
-----------------	----------

Name of Registered Provider:	Aimee Whittle
-------------------------------------	---------------

Service type:	Full Day
----------------------	----------

Date of Inspection:	28/02/2024
----------------------------	------------

No of pre-school children:	AM	25	PM	20
-----------------------------------	----	----	----	----

Address of the Early Years Inspectorate:	Tusla Child and Family Agency Early Years Inspectorate, Ely hospital Ferrybank, Wexford.
Inspection undertaken by:	E Mc Garry
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
---------------------------------	----------------

Early Years Inspectorate Regulatory Report

Pre School

Description of service

This full day care service is operated from a terraced house in the centre of Ballyhale village in county Kilkenny. The premises is a detached two storey building which has been renovated to include two preschool rooms, a sleep room, toilets, and a kitchenette. The service has direct access to an outdoor play area situated to the rear of the property. The service is registered to care for children aged from 1 to 6 years of age. The service is open from 8.00am to 6.00pm. The service also provides two Early years Care and Education schemes (ECCE) to children from 9.00am to 12.00pm in the morning and from 1.00pm to 4.00pm in the afternoon.

Staffing

The service employed a total of seven staff. The registered provider does not work directly with the children. There were six staff who held an award in Early childhood Care and Education at Level 5 or above on the National Qualifications Framework.

Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Child Care Act 1991 (Early Years Services) Regulations 2016 define the duty of a registered provider to ensure the safety and well-being of children and to comply with these regulations. This Act also gives Tusla the authority to assess compliance with the regulations. The purpose of regulation in relation to early years services is to ensure that the care, safety, and well-being of children attending such services is upheld. Inspections of early years services are planned based on the following:

- Previous inspection history
- Any information received in relation to the service

The findings on inspection are based on:

- Information obtained through examination of documentation
- Direct observation
- Discussion with relevant staff

This inspection was unannounced and focused on the area of governance/ health, welfare and development of child/ safety/ premises and facilities. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under Regulations:

Regulation 9 Management and recruitment

Early Years Inspectorate Regulatory Report

Pre School

Regulation 10 Policies and procedures

Regulation 11 Staffing levels

Regulation 19 Health, welfare, and development of child

Regulation 20 Facilities for rest and play

Regulation 22 Food and Drink

Regulation 23 Safeguarding health, safety, and welfare of child

Regulation 25 First aid

Regulation 26 Fire Safety

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the person in charge, staff and children who were present on the day of the inspection.

Early Years Inspectorate Regulatory Report

Pre School

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.

Non-Compliance Information

The registered provider failed to inform the registration office that a new person in charge was appointed to the service in November 2023. A registered provider is required to inform the Child and Family Agency of any proposed changes in relation to the preschool service .

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider has completed a change in circumstances form to inform the registration office that a new person in charge has been appointed to the service.

Supporting documentation submitted

The change in circumstance application has been accepted and the new person in charge is now included in the directory of services.

Summary Comment

The response and evidence submitted by the registered provider is adequate to meet the requirements of The Childcare Act 1991 (Early Years Services) Regulations 2016.

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.

Compliance Information

(1)(a) (b)

On arrival to the service a staff member identified themselves as the person in charge when the manager was out of the service. The manager arrived shortly after the inspector arrived and was the designated person in charge for the duration of the inspection.

(2)

Following a discussion with the manager and on review of documentation, it was established that there were 7 staff employed in the service. All staff files were reviewed on the day of inspection.

Early Years Inspectorate Regulatory Report

Pre School

(a)(b)

There were 12 written and validated references available on file from past employers and 2 written and validated references available from reputable sources.

(c)

There was evidence of Garda vetting available on file in the service for all 7 staff members.

(d)

Police vetting was available on file for 2 staff members who had lived in a state other than Ireland for a period of longer than six consecutive months.

(4)

There were 6 staff working directly with the preschool children who held a major award in Early Childhood Care and Education at Level 5 or above on the National Qualifications Framework.

Non-Compliance Information

An audit of the qualifications on file for the staff working in the service was carried out by the manager. The audit revealed one of the staff had not completed all modules required to achieve a level 5 in Early Years Care and Education on the national qualifications framework. The manager brought this to the attention of the Inspectorate having reviewed the causal factors at recruitment stage. The manager provided a detailed plan to address the matter.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

A detailed plan has been submitted to the inspector on plans to support the staff member in concluding all modules required to achieve a level 5 in Early Years Care and Education on the national qualifications framework.

Supporting documentation submitted

A time frame for completion of the qualification was received by the inspector.

Summary Comment

The response and evidence submitted by the registered provider once completed will be adequate to meet the requirements of The Childcare Act 1991 (Early Years Services) Regulations 2016.

Early Years Inspectorate Regulatory Report

Pre School

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 policies, procedures and statements specified in Schedule 5 were in place in the service. The policies reviewed on this inspection were the policy on infection control in the service and the policy on healthy eating. Both policies were found to be complete and specific to the service.

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.

Compliance Information

(1)(2)

There was an adequate number of staff working directly with the children at all times for the duration of the inspection.

At 10.30am

Mini Shamrocks

There were 3 children aged between 1 and 2 years and 5 children aged between 2 and 3 years in the care of 2 staff.

At 3.10pm

There were 3 children aged between 1 and 2 years and 5 children aged between 2 and 3 years in the care of 2 staff.

Mighty Shamrocks

At 10.35am

Early Years Inspectorate Regulatory Report

Pre School

There were 17 children aged between 3 and 6 years in the care of 2 staff.

At 3.10pm

There were 12 children aged between 3 and 6 years in the care of 2 staff.

The manager was available to assist in both rooms if required.

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

(1) A registered provider shall, in providing a pre-school service, ensure that-

(b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.

Compliance Information

(1)(a)

The following observations and discussions with staff reflected the children's experience within the service.

Children in the mighty shamrocks room were observed playing in the outdoor area on arrival. Staff were engaged with the children playing with them and encouraged them to share with their friends. Children were wrapped up warmly with coats and hats as it was a particularly cold day. The children were later observed enjoying free play in their preschool room. The daily routine was calm and relaxed, with the children transitioning between activities seamlessly. For example, there was a calm atmosphere in the room as children were given choice in which ever activity they wanted to pursue. Children were observed in the rest area reading books, other children were colouring in, some children were playing with plastic bricks. The room was well resourced with open shelves, homes corners, toys, books and a comfortable seating area. Artwork, birthday walls and family photos were on display.

Early Years Inspectorate Regulatory Report

Pre School

Children in the Mini Shamrocks room were observed playing in the outdoor area on the day of inspection. Staff used the opportunity to help the children to enjoy their time outside. Children were helped to come down the slide safely. Staff were observed helping children to climb up the ladder on the jungle gym. The outdoor area overlooked the river. There was a safe and secure fence where children could watch the river flowing. There was a slide and some ride on toys for the children to play with.

(1)(b)

Children in the Mini Shamrocks room ate their dinners in an unrushed and relaxed atmosphere. The children were observed sitting together and chatting. After dinner children enjoyed playing with the toys in the room, story time and free play.

In the Mighty Shamrocks room children were observed at snack time and dinner time. Staff sat with the children making it a sociable and relaxing time for the children. Children enjoyed free play after lunch. The children were engaged in a variety of tabletop activities such as peg boards, small world imaginative toys, animal and tractors. In the afternoon the children took pride in showing the inspector samples of their work in their learning journals which staff had helped them to assemble.

The transitions between activities were calm, the staff gave the children prompts. For example, when transitioning from the outdoor area children lined up calmly outside before coming inside. Children who wore nappies had them changed regularly throughout the day and at other times when required. Nappy changing was observed by the inspector. Staff were observed talking to the children while changing their nappies. Older children were supported to use the toilet independently and were encouraged to wash their hands afterwards.

Non-Compliance Information

1.

The emphasis on outdoor play in the service needed to be developed to ensure children could access the area for longer periods. For example, children in the Mighty Shamrocks got wet while playing in the outdoor area and many had to change their wet clothes when they came inside. The provision of wet gear would ensure the children stayed warm and dry and could stay in the outdoor area for longer periods.

2.

The mud kitchen in the outdoor area needed to be further developed. There were very few utensils present in the kitchen for children to play with.

Early Years Inspectorate Regulatory Report

Pre School

Action submitted by the Registered Provider

Corrective & Preventive Action

1.
The service has rearranged garden times to consider equitable access for all groups attending the service. Staff have discussed the importance for all children to use the garden in the mornings and afternoons when attending the service. Wetsuits are available to the children when the weather is very wet.
2.
Materials for the mud kitchen have been ordered online.

Supporting documentation submitted

1.
A copy of the new schedule for all groups attending the service was received by the inspector. A photograph of the wetsuits and wellies in use in the service was received by the inspector.
2.
No evidence received.

Summary Comment

The response and evidence submitted by the registered provider is adequate to meet the requirements of The Childcare Act 1991 (Early Years Services) Regulations 2016.

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-*
- (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.*

Compliance Information

- (1)(b)
1.
There were adequate and suitable facilities for children aged 1 to 2 to sleep in the service. There was a sleep room attached to the mini shamrocks room which contained three full sized cots for the children to sleep in. The room was an internal sleep room which was ventilated by an air conditioning unit. There was individual linen provided for each child.

Early Years Inspectorate Regulatory Report

Pre School

2.

There were rest areas available in both preschool rooms consisting of soft cushions and small upholstered chairs for the children to sit in.

Non-Compliance Information

(1)(b)

While staff practices were supportive of children's sleep needs, the location where beds were set up for older children within the Mini Shamrocks room did not provide a suitable environment with softer lighting for sleep. The room was used for sleep and play; children from the Mighty Shamrocks room also cross through to access the outdoor area which can add to the activity level in the room. The following was observed:

- At 1.30pm the inspector observed one staff member helping two children over two to settle to sleep. The staff member was kind and gentle stroking the children's backs and speaking to them in low tones to soothe and settle them. However, there were three children awake in the room playing with a staff member who was engaging them and trying to keep them quiet. One child was pouring dried pasta into a metal bowl while children were trying to settle.
- At 3.10pm two other children were observed asleep on cot beds in the room. The fluorescent lights were on full and while they slept, children returned to the room from outdoors. The sleeping children were observed to be disturbed at this point with the increased activity level around them.

It is acknowledged that the manager discussed with the inspector how they have identified a possible alternative area to use for sleep to minimise the risk of disturbance to children sleeping within the Mini Shamrocks room on the ground floor.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Children who do not wish to sleep will continue to be facilitated to play freely in the mini shamrocks room. the service will refrain from taking out loud toys such as musical instruments or the parachute which makes the children get excited. The service has started to set up all eight sleep beds so that all children can come and have a rest or have a look at some books while resting on the beds. Children who do not wish to lie down will be supported in quiet play in the room.

Early Years Inspectorate Regulatory Report

Pre School

Supporting documentation submitted

1.

A photograph of all sleep beds set up was received by the inspector.

Summary Comment

The response and evidence submitted by the registered provider is adequate to meet the requirements of The Childcare Act 1991 (Early Years Services) Regulations 2016. This regulation will be reviewed on the next inspection.

Part V - Care of Child in Pre-school Service

Regulation 22 – Food and drink

A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.

Compliance Information

The parents provide all snacks and meals for the children attending the service. The children in the mini shamrocks room were observed having their hot meal at 12.00pm. The children enjoyed a variety of balanced meals provided by their parents. For example, chicken curry with spinach, beef casserole and potatoes and chicken, potatoes and green beans. They were also given water to drink with their meal. The children later had a variety of snacks such as fruit, sandwiches and mini rice cakes for their afternoon snack.

Non-Compliance Information

1. The children attending the Mighty Shamrocks room were observed having their snack at 10.45am. The inspector observed many of the children had snacks which were high in sugar. Snacks such as breakfast bars, sugar coated biscuits, yogurt drinks and chocolate coated biscuits were observed in many of the children's lunch boxes. Many of the children were drinking juice from boxes which had been provided by their parents. The practice on the day of inspection was contrary to the services policy on healthy eating which discourages the provision of excessively processed food to children attending the service.
2. Freely accessible drinking water was not always available to the children on the day of inspection. It is acknowledged the children in the mighty shamrocks had drinks provided by their parents stored in the large fridge however children need access to drinks at all times while attending a preschool service.

Corrective & Preventive Action submitted by the Registered Provider

Early Years Inspectorate Regulatory Report

Pre School

Corrective and Preventive Action

1.
The service has sent a message to all parents reminding them of the services healthy eating policy. Parents have been informed of the non-compliances found following the inspection in relation to the provision of nutritious food for children attending the service.
2.
A designated “drink station” has been established for the children so that they can all always reach their own drinks. The drink stations are located in each room on a level that is accessible to the children at all times.

Supporting documentation submitted

1.
A copy of the text sent to parents was received by the inspector. A list of the foods which are encouraged, and the foods which are discouraged in the service which was sent to the parents and a copy was received by the inspector.
2.
Pictures of the drink stations now in place in the service was received by the inspector.

Summary Comment

The response and evidence submitted by the registered provider is adequate to meet the requirements of The Childcare Act 1991 (Early Years Services) Regulations 2016.

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

Access to the service was gained through the front door which was locked on arrival. The fire doors were not obstructed.

Early Years Inspectorate Regulatory Report

Pre School

Infection Control

Nappy changing procedures observed on the day were in line with the services nappy changing policy. There was warm running water, liquid soap and paper hand towels available for hand drying throughout the service. Staff were seen to attend to children's personal hygiene during the day. The service was clean. The nappy changing policy was on display in the nappy changing unit.

Safe Sleep

The service had one designated sleep room. Individual bed linen was available, which was laundered as needed. Staff who spoke with the inspector were aware of safe sleep practices for example, how often a sleeping child is physically checked, recording of the observations such as colour, position and breathing rate and the optimum sleep room temperature. The staff were observed remaining in the room with the children until they settled to sleep. Sleep checks were carried out every 10 minutes as per the service policy on safe sleep.

Non-Compliance Information

1.
The children's hands were not washed after outdoor play and before snack time. This poses a risk of cross infection in the service.
2.
The staff toilet did not have a lid on top of the toilet. The buckets and mops for cleaning the floors in the service were stored in the toilet. Other cleaning products, tissues and baby wipes were also stored in this staff toilet. This practice posed a risk of cross infection in the service.
3.
There were three cot beds stored in the sleep room. These were stored lying up against a door to the nappy changing area. They posed an obstacle to staff getting in and out of the room and also impeded their access to the cots the babies were sleeping in.

Action submitted by the Registered Provider

Early Years Inspectorate Regulatory Report

Pre School

Corrective & Preventive Action

1.
The practice of regular handwashing has been discussed. Staff have been reminded of the importance of handwashing in the service to prevent the spread of infection. Posters have been put up in the service to remind children when it is important to wash their hands.
2.
There is now a toilet seat on the staff toilet. The cleaning supplies have been moved from the staff bathroom. They are currently being stored out of reach from the children on shelves in our hallway.
3.
We have moved the cots around in our sleep room so that the beds can be stored against another wall that does not obstruct our view of the children.

Supporting documentation submitted

1.
No evidence received.
2.
A photograph of the cleaning products stored on a shelf was received by the inspector.
3.
A photograph of the beds stored against a wall was received by the inspector.

Summary Comment

The response and evidence submitted by the registered provider is adequate to meet the requirements of The Childcare Act 1991 (Early Years Services) Regulations 2016.

Part VI - Safety

Early Years Inspectorate Regulatory Report

Pre School

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 qualified in a first aid responder course in the service on the day of inspection.

(2)

There was a first aid box for children safely stored in an easily accessible and conspicuous position available to the children attending the service.

Non-Compliance Information

On review of records in the service the inspector noted there was only one person trained in a first aid responder course in the service. When this person was on annual leave or sick leave there would be no person trained in a first aid responder course available to the children at all times as is required.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

A further two staff have been enrolled in a first aid responder course for children. Both courses will be concluded by 17 April 2024.

Supporting documentation submitted

No evidence received.

Summary Comment

The response and evidence submitted by the registered provider is adequate to meet the requirements of The Childcare Act 1991 (Early Years Services) Regulations 2016.

Early Years Inspectorate Regulatory Report

Pre School

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.*
- (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 recorded fire drill had taken place in the service on 11 January 2023.
- (b) There was a record available on file stating the firefighting equipment was last serviced on 25 August 2023, and the smoke alarm on 23 August 2023.
- (4)
- There was a notice of the procedures to be followed in the event of fire displayed in a conspicuous position in the main entrance of the service.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The service was adequately insured for the children who were registered to attend the service.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

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

- (a) of sound and stable structure,*
- (b) safe and secure,*
- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

Compliance Information

- (a) The manager reported the service was of sound and stable structure.
- (b) The service was safe and secure. The front door and the side door were locked on arrival and remained secure for the duration of the inspection.
- (c) The service was adequately lit, heated and ventilated with openable windows in both preschool rooms.
- (e) The service was equipped with adequate and suitable sanitary facilities. There were three toilets and three wash hand basins for the children, one nappy changing unit and one staff toilet.

Non-Compliance Information

- (d)
 - The two cold water taps were not closed off and were running for the duration of the inspection.
 - The upholstered chairs for the children in Mini Shamrocks were worn and needed to be replaced.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (d)
The two cold water taps have been repaired. The upholstered chairs have been cleaned.

Supporting documentation submitted

No evidence received.

Summary Comment

The response and evidence submitted by the registered provider is adequate to meet the requirements of The Childcare Act 1991 (Early Years Services) Regulations 2016.