

# TUSLA REGULATORY INSPECTION REPORT



**TUSLA Identifier:** TU2016FL028

**Name of Service:** Kelly's Bay Montessori Limited

**Address of Service:**  
Unit 1  
Skerries Point  
Skerries  
Co. Dublin  
K34 P993

**Email Address:** cheryl@kellysbaymontessori.ie

**Name of Registered Service Provider:** Cheryl Boardman

**Type of Service Registered:** Part-Time

**Date of Inspection:** 1 4 0 2 2 0 2 2

**No of Pre-School Children present during Inspection:** AM 39 PM

**Address of the Early Years Inspectorate:**  
Early Years Inspectorate  
180-189 Lakeshore Drive  
Airside Business Park  
Swords  
Co. Dublin

**Inspection undertaken by:** S. Taaffe  
**Title:** Early Years Inspector

## Areas which were the subject of this Inspection

Governance	Health Welfare and Development of Child	Safety
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## 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



# TUSLA REGULATORY INSPECTION REPORT

<b>Description of Service</b>	<p>Kelly's Bay Montessori Limited is a privately-owned part-time Early Years service which has been in operation in this setting since 2012 and which was taken over by the registered provider in August 2017. The service caters for pre-school children aged 2 to 6 years with eligible children facilitated to participate in the Early Childhood Care and Education (ECCE) scheme from 9.15am to 12.15pm, 9.30am to 12.30pm and from 1.00pm to 4.00pm. Pre-school children are facilitated to be attend the service for a maximum 5 hours each weekday and school aged children are not accommodated in the service.</p>
<b>Premises</b>	<p>The service is conducted from a ground floor corner unit of a mixed retail and business development, located in Skerries in north County Dublin. There are two interconnecting pre-school rooms in operation. A fully enclosed outdoor play area is provided at the entrance to the service and a spacious car park adjoins the premises.</p>
<b>Staffing</b>	<p>The registered provider and 7 staff members work directly with the children in the service, some in a part-time capacity. Another staff member is also employed to clean the service each evening when there are no children present.</p>
<b>Methodology</b>	<p>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.</p> <p>The findings on inspection are based on;</p> <ul style="list-style-type: none"> <li>• Information obtained through examination of documentation</li> <li>• Direct observation</li> <li>• Discussion with relevant staff</li> </ul> <p>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.</p> <p>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.</p> <p>The Inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.</p> <p>The contents of the report are compiled by the inspectorate body.</p>
<b>Acknowledgements</b>	<p>The inspector wishes to acknowledge the cooperation of the registered provider, staff and children who were present on the day of the inspection.</p>

## 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.
- (7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:
- (a) the policies, procedures and statements of the service specified in Schedule 5;

#### Compliance Information:

- (1)(a) The registered provider was the designated person in charge and a named staff member was nominated to deputise in her absence.
- (b) The registered provider was present on the premises when the inspector arrived unannounced to the service on the morning of the inspection and remained on the premises for the duration of the inspection.
- Following a review of previous inspection records and in discussion with the registered provider it was confirmed that there were three new staff members working in the service since the last inspection and the files maintained for these staff members were viewed by the inspector. The files for the registered provider and four staff members were found to meet the regulatory requirement on previous inspections and therefore are not included in this inspection report.
- (2(a) and (b) Two written, validated references were available for the three staff members.
- (a) Three written references were available from past employers.
  - (b) Three written references were available from sources other than previous employers.

## Part III - Management and Staff

### Regulation 9 - Management and Recruitment

- (c) Garda vetting disclosures from the National Vetting Bureau were available for the three staff members.
- (d) Not applicable as supportive documentary evidence demonstrated that the three staff members had not lived outside the State as adults.
- (4) The three staff members held a major award in Early Childhood Care and Education at Level 6 to 7 on the National Framework of Qualifications.
- (7) There was evidence available in the service that the registered provider ensured that all staff members were appropriately supervised and provided with relevant information and training, with a range of certified training programmes undertaken by each staff member. Relevant policies and procedures were available for inspection.

## 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)—
- (a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times

#### Compliance Information:

- (1) During the inspection there were an adequate number of adults working directly with the children attending the service.
- (2) The registered provider ensured that the minimum adult to child ratio was maintained at all times.
- The following adult to child ratios were observed:
- In Class 1 there were 22 children aged 3 to 5 years being cared for by 3 staff members, one of whom was funded through the Access and Inclusion Model to support a child with additional needs.
  - In Class 2 there were 17 children, one of whom was aged 2 years 10 months and the remaining children aged 3 years being cared for by 3 members of staff.
- (8)(a) The registered provider ensured that there were two adults on the premises at all times as evidenced in the staff roster and staff sign-in records.

## HEALTH WELFARE & DEVELOPMENT OF CHILD

### 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) The following examples demonstrate how the children's learning, development and well-being was facilitated taking cognisance that the time spent by the inspector was reduced in order to minimise risk on account of COVID-19 pandemic:

#### BASIC NEEDS:

- The atmosphere in the service was warm and child centred. The staff members were observed to be caring and attentive in their interactions with the children, responding meaningfully to the children's verbal and non-verbal cues and providing praise and encouragement using gentle tones of voice.
- The children in the service were encouraged to value and respect each other and this was particularly evidenced by the positive regard shown by the children and staff members towards children with additional communication needs in the service. The staff members fostered each child's inclusion and involvement in activities, at times using Lámh vocabulary, the Irish-based sign language system. Jars labelled 'Random Acts of Kindness' were in place in both pre-school rooms and these contained written records of situations when the children helped each other unprompted.
- The service was marking St. Valentine's Day which fell on the day of inspection, with both pre-school rooms set up in the style of a restaurant at snack time. Vases of red roses were provided on the tables and gentle music was played when the children were eating their healthy snacks and drinks which were provided from home. The staff members sat and chatted with the children when they were eating, encouraging conversation and extending interactions. The children were then facilitated to engage in an activity which involved cutting bread slices into heart shapes and adding jam if desired. Each child was provided with an artificial rose and their St. Valentine's day-themed art projects to take home at the end of the session.
- The staff members were observed to be responsive to the children's cues should they need to use the toilet, with discreet supervision provided and assistance if required.
- All children engaged in outdoor play on the day of inspection and were observed happily selecting their preferred play materials and activities.

## Part V - Care of Child in Pre-school Service

### Regulation 19 - Health, Welfare and Development of Child

#### PHYSICAL AND MATERIAL ENVIRONMENT:

- The play materials and equipment in the pre-school rooms were stored on low level shelves which facilitated the children to select toys and activities of their choice.
- Interest areas were established in the two pre-school rooms which included home corners with a well equipped kitchen and baby care items; construction areas with blocks, vehicles and manipulative toys; arts and crafts areas and library areas with a broad range of books. Specialist Montessori equipment was provided in both rooms.
- Additional play materials and equipment were stored in the storage room off Room 2 and the registered provider informed the inspector that these were rotated for use into the pre-school rooms to support learning and activities, depending on the children's interests.
- Outdoor play was facilitated in the service in the fully enclosed garden to the side of the premises which was accessed directly from both care rooms. The garden was surfaced with artificial grass which had purposely formed small mounds in place to add interest and challenge for the children when playing outdoors. A wooden climbing frame with standing platform and slide attached, a wooden playhouse, a large outdoor wooden kitchen with running cold water, a wall-mounted blackboard, a pebble pit, a sturdy activity tray table, rocking toys and a music wall with pots, lids, ladles and sieves attached were included in the equipment provided in the outdoor play area. Seating was provided for adults and children if required.

## 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 following are examples of infection control measures undertaken in the service to safeguard the health, safety and welfare of the children. The time spent by the inspector in the premises was reduced in order to minimise risk, taking cognisance of the COVID-19 pandemic:

#### INFECTION CONTROL:

- The service operated a pod system in each of the two individual care rooms. The records and staff roster demonstrated that staff members were assigned to one pod on an on-going basis with sufficient staff provided in each pod to cover breaks and staff absences.
- Each pod was equipped with its own range of play materials and equipment and there was no sharing of toys or equipment observed. A separate range

## Part VI - Safety

### Regulation 23 - Safeguarding Health, Safety and Welfare of child

of play materials was provided for use during the afternoon ECCE session which is conducted from Room 1.

- The outdoor play equipment was observed being cleaned by staff following use, in advance of the other group of children using the space.
- Child-friendly hand hygiene pictorial posters were positioned in the pre-school rooms and sanitary accommodation to remind staff and children on the appropriate hand washing technique.
- The children were observed carrying out appropriate hand hygiene procedures after using the toilet, before eating and after outdoor play and messy play, with staff members heard providing gentle reminders when necessary. Liquid soap and paper towel were provided at all sinks. Hand sanitiser gel containing 70% alcohol was provided in the service, stored out of the reach of children, to facilitate additional hand hygiene procedures to be undertaken.
- Suitable personal protective equipment including disposable aprons, disposable gloves and masks were provided in the service.
- The service was visually clean. The cleaning schedules had been revised to include enhanced cleaning and infection control measures in light of COVID-19; these were on display and up to date.
- A refrigerator was available in each of the two pre-school rooms and these were used to store lunch boxes provided by the parents for the children's snacks. This reduced the risk of bacteria growth in perishable food items.
- When asked, staff members accurately described the symptoms of COVID-19 and the isolation procedures to be followed in the event of an adult or child becoming unwell whilst attending 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 core staff member held in-date first aid response (FAR) training whilst all other staff members and the registered provider held in-date paediatric first aid training, thereby ensuring that a person trained in first aid for children was, at all times, immediately available to the children attending the pre-school service.

(2)(a) and (b) The suitably equipped first aid box was easily accessible to the staff and available at all times for the children attending the 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 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:	<p>(1)(a) A written record was kept of fire drills that took place on the premises. The last fire drill was recorded as having taken place on 31 January 2022.</p> <p>(b) A record was maintained of the number, type and maintenance of the fire fighting equipment and the smoke detection system of the service, both of which were certified as having been most recently serviced on 17 December 2021.</p> <p>(4) Notices of the procedures to be followed in the event of a fire were conspicuously displayed in the premises.</p>
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