

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CC418
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Name of Service:	The Shalom Montessori Pre-School
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Address of Service:	Ballinlough Community Centre, Ballinlough Road, Cork, Co Cork
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Name of Registered Provider:	Barbara Gaffney
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Service type:	Part-time, sessional
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Date of Inspection:	21/10/2025
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No of pre-school children:	AM	34	PM	19
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Address of the Early Years Inspectorate:	N O'Donoghue & D Cotter
Inspection undertaken by:	Tusla Early Years Inspectorate, 13 Market Square, Mallow, Co Cork, P51 DD5Y
Title:	Early Years Inspectors

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	N/A
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Description of service

The Shalom Montessori Pre-School is a privately operated service that caters for early years children aged between two and six years of age. It also provides care to school going children. It provides part-time care and sessional care including the Early Childhood Care and Education (ECCE) Scheme. The daily opening hours are between 8.30am to 1.30pm. The Shalom Montessori Pre-School operates out of two care rooms the Halla room and the Playroom, there are children's sanitary facilities, adults sanitary facilities on site. The service has a designated outdoor play area located to the rear of the premises.

Staffing

There were 10 adults attached to the service. Out of these 10 adults, 4 work directly with the children, the registered provider and manager from a sister service were available on the day, 2 students were present, and a caretaker was also present on day of inspection. One school aged staff member was identified on day of inspection.

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. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under Regulations 9, 11, 15, 19, 23, 25 and 28; however, on inspection additional non-compliance which posed a risk was identified under Regulation 8. These findings are outlined within the relevant regulation within this report.

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.

Additional Information

An Immediate Action Notice was issued on 21 October 2025 for non-compliance with Regulation 9 as an adult was observed to be in the care room who did not have Garda vetting available and had potential unsupervised access to children. The person in charge promptly addressed and corrected the issue on the day of inspection which was deemed to mitigate the immediate risk identified.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, person in charge, staff 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.

Non-Compliance Information

On the day of inspection, it was identified that the service was operating at different hours to what they are registered to operate. The service was registered to operate from 9.00am to 12.00pm and 12.15pm to 3.15pm, however, the service was found to be operating from 8.30am to 1.30pm. The inspector explained that a change in circumstance must be applied for, to the Early Years Inspectorate to address the change in service hours.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The manager of the service applied for a change in circumstances following the inspection. The service will ensure to keep the Tusla Early Years Inspectorate up to date with all changes.

Supporting documentation submitted

Evidence of change of circumstances submitted to the Early Years Inspectorate

Summary Comment

All correspondence was examined. The non-compliance under Regulation 8 (1) has been rectified, and the requirement has been met.

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
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.

(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) The service had a designated person in charge and a deputy person in charge on the premises on the day of inspection.
 - (b) A person in charge or named deputy person in charge were on the premises at all times during the operation of the service.
 - (c) There was a clearly identified management structure in the service. This included person in charge, deputy person in charge and early years educators.

(2) There were 8 adults and 2 students attached to the service; 8 out of the 10 adult files were available to inspection.

(a) Of the 16 references available, 12 validated references were from past employers.

(b) Of the 16 references available, 3 validated references were from a source other than a past employer.

(c) Garda vetting disclosures had been obtained for 7 staff. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under Regulation 23 of this report.

(d) Eight adults working in the service were deemed to not require police vetting as they had not resided outside the State for a period of longer than 6 consecutive months.

(4) The 7 staff working directly with the children held relevant qualifications in Early Childhood Care and Education at least at Level 5 on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent.

Non-Compliance Information

(2) One staff file and one student file were not available on day of inspection.

(a)&(b) There were five validated references missing from staff files.

(c) Garda vetting disclosures were not on file for one adult who had potential unsupervised access to children. Not completing and assessing garda vetting disclosures prior to adults working directly with children posed an immediate risk to children in the service. An immediate action notice was issued to the registered provider on 21 October 2025 following the immediate risk being identified. This adult was observed to be in the care room while children and staff were present. This posed a risk of potential unsupervised access to children.

(d) There were two Curriculum Vitae missing from two staff members file. Therefore, the inspectors were unable to determine if police vetting was required for two of the adults working in the service who may have resided outside of the country for a period of six consecutive months or more.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)
(a)&(b) The service provided evidence of the references and will ensure that all requirements for a staff file are maintained on file. The manager will ensure to check staff files every three months to ensure compliance.

(c) The adult attached to the service who did not have Garda vetting onsite no longer works while children are present on the premises. The service applied for Garda vetting for this adult.

(d) Police vetting is not required for the two adults who did not have a curriculum vitae on file. The service will ensure to request police vetting for future staff members prior to commencement in the service.

Supporting documentation submitted

(2)

(a)&(b) The service provided evidence to the Early Years Inspectorate.

(c) A statement from the service and evidence of Garda vetting application was submitted to the Early Years Inspectorate.

(d) The Early Years Inspectorate were given assurance by the service that adults attached to the service do not require international police vetting. This will be reviewed at the next inspection.

Summary Comment

All correspondence was examined. The non-compliance under Regulation 9 (2) have been rectified, and the requirement has been met. This will be reviewed at the next 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) The registered provider ensured that there were an adequate number of adults working directly with the children.

- (2) On the day of inspection, the adult to child ratios were in adherence to the requirements of the regulation.
- In the Halla, there was 4 staff working with 34 children aged between 2.5 years and 4 years and 8 months, of these 34 children, 19 were attending part-time care and 15 children were attending sessional care. In addition to this, there were two students present.
 - In the afternoon, there was 4 staff working with 19 children. In addition to this, one student was present.

(8) The registered provider ensured that there were at least two adults on the premises at all times during the service operation hours. This was evident through the staff rota.

Part IV – Information and Records

Regulation 15 – Record of pre-school child

(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:

- (a) the name and date of birth of the child;
- (b) the date on which the child first attended the service;
- (c) the date on which the child ceased to attend the service;
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;
- (e) authorisation for the collection of the child;
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;
- (g) the name and telephone number of the child's registered medical practitioner;
- (h) record of immunisations, if any, received by the child;
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.

Compliance Information

(1) Children's enrolment forms were assessed for 10 of the children registered as attending the service. The records inspected had the detail required as listed from (a) to (i).

Part V - Care of Child in Pre-school Service

Regulation 19 - Health, welfare and development of child

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

(a) each child's learning, development and well-being is facilitated within the daily life of the pre-school service through the provision of the appropriate activities, interaction, materials and equipment, having regard to the age and stage of development of the child, and

Compliance Information

1(a) On the day of inspection, the following information was obtained through:

- Direct observation and discussion with staff
- Examination of relevant documentation.

Basic needs:

- Children had access to their own individual labelled water bottles at all times.
- During mealtimes, a relaxed social environment was evident. Staff allowed children to eat at their own pace and engaged in conversations with the children at snack time. Children were supported by staff with the opening of their snacks.
- There was a supply of tissues available to the children and staff supported children with cleaning their noses when required.
- Children's toileting and hygiene needs were attended to regularly and staff assisted children when they needed it.
- Good handwashing routines were evident on the day of inspection. Staff supervised children to wash their hands before snack and after playing outside.

Supporting relationships:

- Staff were observant of the children's toileting needs and would frequently remind children of toileting and support children when required.
- Staff spoke at the child's level in a calm, soothing tone. Children were at ease with staff and were comfortable in expressing their feelings and emotions to the staff members.
- The registered provider showed the inspectors the group messaging system used with parents and guardians of the children attending the service. Daily updates were sent via this messaging group including the children's activities, artwork, play and general enquiries to parents regularly.

Physical environment:

- The outdoor area was observed to be secured with walls and iron fencing.
- The children were observed to have access to a wide variety of toys and equipment in the outdoor area. Examples of equipment observed on the day of inspection included tractors, climbing frames, cars, balls, mud kitchens, outdoor picnic area and a sheltered area for children to sit down.

Non-Compliance Information

Physical Environment:

Children were observed sitting down in the main Halla room from 9.31am to 9.53am with insufficient materials available to engage them. Staff described this period as table top activity time. The children were sat at tables; some had materials available such as toy catalogues, vehicles, and magnet toys. Some tables had no materials available to the children sitting. Some children were observed running around the room as they were not engaged to stay sitting. Staff stated to the inspectors that children needed to ask them to bring toys and materials from the second care room if they want them. The manager of the service explained that usually, trolleys with toys were brought out to the children during the day from the second care room where a wide range of play equipment and materials were available. However, this was not observed in practice on inspection during this period. It is acknowledged that this hall is used by many community groups, however it is a requirement that children have free access to play equipment throughout the day, and not on request.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The service will ensure that prior to children attending the service, trolleys with toys will be placed around the room. Children will have access to these trolleys which will contain toys and equipment. Each morning the manager will ensure these are accessible by children and will remain in the room until the session is finished.

Supporting documentation submitted

The service provided a statement and photographic evidence of the trolleys with equipment present in the room to the Early Years Inspectorate.

Summary Comment

All correspondence was examined. The non-compliance under Regulation 19 (1) (a) Physical Environment has been rectified, and the requirement has been met.

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 internal and external doors of the service were secured and prevented children from exiting the premises and unauthorised persons to access the service.
- Blind cords were securely out of reach of children.
- The openable windows were out of reach of children.
- Emergency exits were unobstructed.
- Cleaning materials were stored in cupboards and inaccessible to children.

Infection Control:

- Water temperatures were recorded in the sanitary facility between 40.9°C to 42.1°C.
- Staff were observed cleaning tables and chairs between activities.
- Foot operated bins were available in each room and sanitary facility.
- Windows were open which allowed for fresh air circulation.

Administration of Medication:

- No administration of medication was observed on the day of inspection. Discussion with staff ensured staff were aware of the correct process for administering medication in the event it was required.
- All medication was stored in the room, out of reach of children and clearly identified to each staff member in the room, if required.
- All medications were in date and staff explained they were confident in administering the medication.

Fire Safety:

- Fire procedures were displayed in the room.
- Fire equipment was available which included fire extinguishers.
- Fire exits were clear of any obstruction and clearly identified.

Non-Compliance Information

General Safety:

1. It was observed that one radiator cover in the main Halla room was not anchored adequately. Children were observed playing near the radiator cover throughout the inspection. The radiator cover not being anchored securely posed a risk of injury to a child.
2. The fencing in the outdoor area was observed to be covered with cracked and broken shock absorbent material. On discussion with the registered provider, this was put in place by the service as a safety measure to stop children injuring themselves against the iron fencing. The registered provider explained the shock absorbent material was to be replaced and fixed that afternoon. The fencing was exposed in areas and the material breaking off was a safety risk to children.
3. Garda vetting was available for 9 of the 10 adults attached to the service. However, one of these vetting disclosures was not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

Infection Control:

4. The children's perishable food was not stored in a fridge. Children's perishable foods were observed to remain in the children's bags. This was identified as a non-compliance on the previous inspection on 29 March 2023 and 08 January 2020. The registered provider identified through the Corrective Actions and Preventative Actions (CAPA) process following the inspection on 29 March 2023 that a designated staff member would be given the role to ensure lunches were stored correctly in the fridge. However, on inspection this was not observed. Through discussion with the registered provider and manager, a fridge was observed on site, although it was not in use. Not ensuring perishable foods were stored safely and correctly posed a risk of food spoilage.
5. The nappy changing unit observed by the inspectors was unkept and unclean. The paint on the unit was chipped and difficult to clean appropriately. The nappy changing unit had dried residue present on the wood. The wall the children had access to when their nappy was being changed was not provided with a smooth durable easily cleanable surface. This posed a risk of cross infection to the child.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The radiator cover has been securely fastened to the wall. This will be regularly checked by the service to ensure it is secured.

2. The torn material has been removed from the iron fencing. The service will cover the iron fencing with new shock absorbent material. The fencing has been added to the service risk assessment, which will be regularly completed by staff.

3. Garda vetting renewal for one adult attached to the service has been applied for. The service will complete regular checks of staff Garda vetting to ensure renewal within the three-year time frame is adhered to.

Infection Control:

4. The service have asked parents/guardians to put children's lunches in a labelled, sealable lunch bag. Staff will ensure to place these in the onsite refrigerator first thing in the morning. A note has been placed on the refrigerator to remind staff to complete this every day.

5. A new nappy changing unit was purchased and fully stocked by the service following inspection. The nappy changing was also added to the service cleaning schedule to ensure it is regularly maintained and cleaned.

Supporting documentation submitted

General Safety:

1. Photographic evidence was submitted to the Early Years Inspectorate.
2. Garda vetting disclosure was received by the Early Years Inspectorate.
3. A risk assessment and photographic evidence was submitted to the Early Years Inspectorate.

Infection Control:

4. Photographic evidence was received by the Early Years Inspectorate.
5. Photographic evidence was submitted to the Early Years Inspectorate.

Summary Comment

All correspondence was examined. The non-compliance under Regulation 23 have been rectified, and the requirement has been met.

Part VI - Safety

Regulation 25 - First aid

(1) A registered provider shall ensure that a person trained in first aid for children is, at all times, immediately available to the children attending the pre-school service.

(2) A registered provider shall ensure that a suitably equipped first aid box for children-

(a) is safely stored in an easily accessible and conspicuous position on the premises, and

(b) is available to the children attending the pre-school service at all times.

Compliance Information

(1) The registered provider ensured that staff trained in First Aid Responder (FAR) for children were at all times immediately available to the children.

(2) The first aid box was assessed on day of inspection and was fully stocked.

(a) The first aid box was stored up high, out of reach of children and easily accessible to staff.

(b) The first aid box is accessible to staff in the event that a child may require it.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

A copy of the insurance certificate for the service was furnished to the inspector. The information provided on the insurance certificate included:

- The contact details for the insurance provider.
- The name and address of the service insured.
- The number of children covered by the insurance was 55 children.
- The categories of insurance cover for the service.

The expiry date of the current insurance cover was 07th April 2026.