

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DL014
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Name of Service:	Bomany Nursery & Montessori School
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Address of Service:	Bomany, Letterkenny, Co. Donegal
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Eircode:	F92 P983
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Name of Registered Provider:	Pallavi Srivastava, Ritesh Srivastava
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	21/04/2026
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No of pre-school children:	AM	24	PM	18
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Address of the Early Years Inspectorate:	Early Years Inspectorate, TUSLA Child & Family Agency, Markievicz House, Barrack St, Sligo, F91 XC84
Inspection undertaken by:	L Costello and Yvonne Coyne
Title:	Early Years Inspector and Inspection and Registration Manager

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).

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Description of service

Bomany Nursery & Montessori School is a privately owned and operated pre-school service located in a rural setting on the outskirts of Letterkenny. The service is registered to provide a full day, part-time and sessional care to children aged 0 - 6 years. The service is also registered to provide school age care. The hours of operation are from 8.00am to 5.30pm with the sessional service operating from 9.00am to 12.00md. The service operates from two adjacent buildings located on an elevated site in a residential setting. There are four care rooms, namely Montessori 1, Montessori 2, Montessori 3 and the toddler/wobbler room. There is a kitchen on site and other facilities include storage areas, a staff room and sanitary accommodation for both staff and children. There are four outdoor areas available which feature a variety of surface types including paving, natural grass, artificial grass and soft pour surfaces. The outdoor spaces have been sub-divided into distinct areas for use by different groups of children at any one time

Staffing

There are two registered providers in the service, who were present on the day of the inspection. On the day of inspection there were six adults working directly with the preschool children. The two registered providers provided relief and break cover. One adult worked in the kitchen and one adult was employed as a cleaner and provided school aged care in the afternoon.

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

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

The inspection focused on an examination of compliance under regulations 9, 11, 16, 20 23, 26 and 29. These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under regulation 16 Records in relation to a preschool service. As a result, the scope of the inspection included the Toddler/wobbler room and Montessori two.

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

- This inspection occurred to review representations submitted by the registered provider to the National Registration Enforcement Panel.
- The service remains under consideration by National Registration Enforcement panel at the time of publication of this report.
- The Registered provider received two opportunities on 25 May 2026 and 03 June 2026 to submit corrective and preventive actions to address the non-compliance found on inspection.

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 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
 - (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.
- (3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.
- (4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.
- (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;
 - (b) Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act, and
 - (c) these Regulations.

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Compliance Information

(1)(a)

There was a person in charge and a person available to deputise as required.

(b)

Throughout the duration of the inspection the person in charge or deputy person in charge were available.

(1)(c)

The adults present were aware of their roles and responsibilities. Lines of governance included room leaders, senior staff members, deputy and person in charge.

(2)

Following a review of previous inspection information, information available on inspection and discussion with the person in charge it was determined that one new staff member had been employed since the previous inspection. One file was reviewed. In addition, Garda vetting for all staff members were reviewed.

(2)(c)

Garda vetting disclosures had been obtained for all twelve staff members. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(2)(d)

International police vetting was not required for the recently appointed staff member as they had not resided outside the state as an adult.

(4)

Evidence of completion of a major award in Early Childhood Care and Education at level 5 or above on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent was on file for the recently appointed staff member.

(7)

The registered provider demonstrated that all staff members had received one formal supervision meeting annually to support them in their practice.

Non-Compliance Information

(2)(a)(b)

The verified references on file were not obtained from a relevant employer where the adult was previously employed in an early year's services.

(3)

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A review of documentation evidenced that the requirements of Regulation 9(2) had not been completed prior to a staff member being appointed, assigned, or allowed access to or contact with a child attending the preschool service as outlined above under point 2(a)(b).

This was identified on a previous inspection on 27 February 2025, 21 May 2025, 24 September 2025 and 11 December 2025 and the actions submitted by the registered provider failed to address this non-compliance reoccurring. A submission to the National Regulation and Enforcement Panel by the Registered provider outlined measures they would take to ensure compliance under regulation 9. These measures were not observed to be in place on the day of inspection.

(4)

One adult who did not hold a qualification in Early Childhood care and education at level 5 or above on the national qualification's framework was observed to be working directly with the preschool children on the day of inspection. This was identified on a previous inspection on the 21 May 2025 and the actions submitted by the registered provider failed to address this non-compliance reoccurring.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

In a written response the registered provider stated:

(2)(a)(b)

Attempts were made to source a reference from the most recent employer in early years. Record submitted to the inspectorate. The registered provider will make sure we to take references from previous creche employers. All employee files will be reviewed by our external agency to ensure that all files meet the required standard.

(3)

The recruitment policy has been reviewed and updated to clearly state that no staff member may commence work or have access to children until all requirements under Regulation 9(2) are fully completed.

(4)

No staff member will be permitted to work directly with children unless they hold the required qualifications. All staff members have been informed of this.

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Supporting documentation submitted

- Written references submitted.
- Recruitment policy submitted.
- Team meeting minutes submitted.

Summary Comment

The corrective and preventive actions submitted by the registered provider on the 25 May 2026 and 03 June 2026 have been reviewed and accepted by the inspectorate. This regulation is now compliant and will be reviewed on 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.

Compliance Information

(1)
There were an adequate number of adults working directly with children attending the preschool service. There were five adults working directly with 24 children in the morning of the unannounced inspection and four adults working with 18 children in the afternoon. The person in charge was available to cover breaks throughout the day.

(2)
The minimum ratio of adults to children ratio were provided on the day of the inspection in accordance with the required ratio considering the ages of the children and the length of time each child spent in the service.

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Part IV – Information and Records

Regulation 16 – Record in relation to pre-school service

(1) A registered provider shall ensure that a record in writing is kept of the following information in relation to the service:

- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

(2) A registered provider shall ensure that-

- (b) a record referred to in subparagraph (h), (j) or (k) of paragraph (1) is retained for a period of 2 years from the date on which the child to whom it relates ceases to attend the service, or in the case of a preschool service in a drop-in centre or of a temporary pre-school service, for a period of 2 years from the date on which the child attends the service.*

(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.

(4) A record referred to in paragraph (1) shall be open to inspection on the premises by a parent or guardian of a child but only in respect of information concerning that child.

(5) For the purposes of operating the pre-school service, a record referred to in paragraph (1) shall be open to inspection on the premises by an employee who is authorised in that behalf by the registered provider.

Compliance Information

(1)(h)

Detailed up to date attendance records were available in all care rooms.

(1)(i)

Staff rosters were in place which identified staff break times and first aid responders.

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Non-Compliance Information

(1)(j)

A sample of twelve records of medication administration in one care room that had occurred since January 2026 were reviewed:

- Contrary to service policy on medication administration a record was not maintained of the outcome of temperature reducing medication in a review of five administration records between 11 December 2025 to 21 April 2026.
- One record of the administration of a temperature reducing medication did not evidence that a parent or guardian was informed of administration which poses a risk of overdose.

This was identified on a previous inspection on the 11 December 2025 and actions put in place by the registered provider failed to prevent a reoccurrence.

(1)(k)

A sample review of 25 accidents and incidents which had occurred in the service since the last date of inspection on the 11 December 2026 were reviewed.

- One of the records did not contain evidence that parents/guardians had been informed of the accident/incident that had occurred which is at variance with the accident and incident policy in place in the service. This was identified on a previous inspection on the 24 September 2025 and actions submitted by the registered provider failed to prevent a reoccurrence.
- Incidents of biting occurred within the service with no documented plan of how to manage this behaviour and support the needs of the child.

A submission to the National Regulation and Enforcement Panel by the Registered provider in February 2026, outlined measures which the service would undertake to ensure compliance with regulation 16 which included 'documented oversight procedures.'. There was no evidence of such oversight procedures on the day of inspection, and the registered provider failed to provide evidence of these procedures. It is acknowledged an external audit was undertaken which identified non compliances with Regulation 16 however evidence of actions to address the identified non compliances was not available.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

In a written response the Registered provider stated:

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(1)(j)

Training has been provided to staff to include a step-by-step guide for completing medication administration records. The registered provider is reviewing all forms themselves during their monthly checks and reviewed as part of external compliance audit.

A senior staff member has been assigned to review these documents daily, and the service owners are reviewing daily before signing. We will evidence this more clearly by calling the parent recording the time and date of the call on the form, and if needed following up with an email and printing and attaching to the form.

(1)(k)

Accidents and incidents are treated similarly, and parents are informed but we have received the signature of parents now on the form mentioned. We have reminded staff to ensure parent signatures are sought asap on all forms. Registered provider/ staff supervisor is reviewing all forms themselves during their monthly checks, and externally, monthly with monthly compliance audit.

A new biting policy has been developed and will be followed. A biting care plan has been implemented by the service; the service will monitor the situation and inform parents of these issues.

Supporting documentation submitted

- Accident and incidents form
- Medication form
- Biting policy
- Management audit

Summary Comment

The corrective and preventive actions submitted by the registered provider have been reviewed and accepted by the inspectorate. This regulation is now compliant.

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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)

The Registered provider ensured that the preschool children had adequate facilities to rest throughout the day. The staff in each room ensured suitable facilities of rest and play for children both in the indoor and outdoor areas. The staff ensured rest occurred when required for children.

Baby/Toddler Room:

- A designated sleep room was in place adjacent to the baby/toddler room with five standard cots.
- Stackable floor beds were available for children over two years of age
- A couch was available in the corner of the room for children to rest or opt out of activities.

Montessori Room One:

- The room was visually appealing with evidence of artwork and the children's interest displayed on the walls. There was a variety of resources and interest areas that were age appropriate and for the children's stage of development. There was a rest area which was situated in a designated space with reading materials cushions and a rug. There was a construction and dress up area that ensured that all play interests were available.

Montessori Room two:

- This room is connected to the Montessori one room so there is engagement between both rooms. Children had access to variety of resources and play equipment including arts and crafts and sand pits for creative and messy play. This room also mirrored the rest area in Montessori room one with a quiet designated area for rest and reading.

Montessori Room three:

- A cosy rest area located in an alcove in the room provided a safe restful area for children to rest or opt out of an activity. This area was equipped with soft matting, cushions and blankets to provide comfort to the preschool child.

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Part VI - Safety

Regulation 23 - Safeguarding health, safety and welfare of child

A registered provider shall ensure that all reasonable measures are taken to safeguard the health, safety and welfare of a pre-school child attending the service and that the environment of the service is safe.

Compliance Information

General Safety:

- The service was secure on the inspectors unannounced arrival to the service.
- A newly installed buzz entry door release system had been installed to ensure all visitors are approved access prior to entry.
- Cleaning products were stored in locked cupboards in the care rooms.
- The kitchen was inaccessible to the preschool children on the day of inspection. A locked stair gate restricted entry into the Kitchen. Doors leading to the hallway of the kitchen had magnetic locks in place.
- Cleaning products in the kitchen were stored in locked cupboards

Infection Control:

- Children were observed to wash hands prior to mealtimes, after using the toilet and after messy play.
- The service was visibly clean with surfaces and materials in a well-kept condition.
- Tables were observed to be cleaned prior and post meals and floors were observed to be swept regularly.
- Staff members were observed to wear the correct personal protective clothing serving meals.

Administration of Medication:

- Medication was not observed to be administered on the day of inspection. On discussion with staff members, they were knowledgeable about the service policy.

Fire Safety:

- Fire doors remained free from obstruction.

Non-Compliance Information

General Safety:

- (1) A garda vetting disclosure reviewed did not have the required risk assessment in place to ensure safety of the preschool child.

The submission to the National Regulation and Enforcement Panel by the Registered provider outlined measures the registered provider would take to ensure compliance in relation to vetting procedures for adults. This was not observed on the day of inspection and the registered provider failed to provide evidence of same.

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- (2) The water temperature on a staff handwash basin accessible to preschool children in Montessori 2 measured at 51.2°C which is above the safe limits and posed a risk of scalding should a child access it.
- (3) Staff members in the baby toddler room were observed to use the hot water from the staff sink measuring at 51.9°C to clean children's hands and face after dinner time, which could pose a risk to the child.
- (4) A storage shed located in the outdoor play area used to store toys and the service washing machine and dryer was unsecure, if accessed unsupervised this could pose a risk to a child.

Infection Control:

- (5) The five standard cots in the baby/toddler sleep room did not have the required waterproof mattress protectors.

Administration of Medication:

- (6) Medication was not stored in line with the service policy in a locked box in the kitchen.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

In a written response the registered provider stated:

1. Garda vetting disclosure risk assessment has been completed. We will review and will have risk assessment done for all garda vetting disclosure if there is any. The staff file checklist has been updated
2. We have turned off the hot water on the adult sink in the concerned room. This adult sink will be used to clean art paint pots and not for handwashing.
3. The adult sink hot water feature is turned off, the other sink in the classroom is controlled and we will use this for handwashing.
4. Shed has been secured with another latch high enough to reach of kids. All safety measurements are being reviewed in monthly audit checklist.

Infection Control:

5. Waterproof mattress compliant with manufacturer guidance have now been ordered for all standard cots in the baby/toddler sleep room.

Administration of Medication:

6. The medication cabinet now has a lock.

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Supporting documentation submitted

General Safety:

1. Risk assessment submitted.
2. Photographic evidence submitted.
3. Photographic evidence submitted.
4. Photographic evidence submitted.

Infection Control:

5. Copy of purchase submitted

Administration of Medication:

6. Photographic evidence submitted.

Summary Comment

The corrective and preventive actions submitted by the registered provider have been reviewed and accepted by eh inspectorate. This regulation is now compliant.

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.
- (2) The record referred to in paragraph (1) shall be open to inspection by-
- (c) an authorised person.
- (4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.

Compliance Information

(1)(a)

The service demonstrated that regular monthly fire drills are in operation int eh service with the most recent on the 24 March 2026.

(1)(b)

A fire maintenance review took place on the 02 April 2026

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(2(c))

These records were made available to the authorised person on the day.

(4)

Fire evacuation procedures were clearly displayed on the day with an assembly point in the main car park.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

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

(b) safe and secure,

Compliance Information

(b)

On the day of inspection, the service was observed to be safe and secure. In line with submissions made to the inspectorate a newly installed buzz entry system ensured that all visitors were approved access. Internal doors had magnetic locks and high-level latches ensuring adults were responsible for allowing preschool children access to areas. The kitchen area was observed to be secure on the day with a gate restricting access.