

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DL126
--------------------------	-------------

<b>Name of Service:</b>	Shining Stars Montessori & Creche
-------------------------	-----------------------------------

<b>Address of Service:</b>	Unit 33 and 34 Pinehill Industrial Estate, Mountain Top, Letterkenny, Co. Donegal
----------------------------	---

<b>Eircode:</b>	F92 R973
-----------------	----------

<b>Name of Registered Provider:</b>	Aoife Dorrian
-------------------------------------	---------------

<b>Service type:</b>	Full Day
----------------------	----------

<b>Date(s) of Inspection:</b>	14/05/2025
-------------------------------	------------

<b>No of pre-school children:</b>	AM	83	PM	49
-----------------------------------	----	----	----	----

<b>Address of the Early Years Inspectorate:</b>	Donegal Early Years Inspectorate, St. Conal's Campus, Letterkenny, Co. Donegal. F95 XK94
<b>Inspection undertaken by:</b>	N McEndoo and L McGlynn
<b>Title:</b>	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).

<b>Conditions if applicable</b>	Non-Applicable
---------------------------------	----------------

### Description of service

Shining Stars Montessori and Creche is a privately owned and operated preschool service located in the urban area of Letterkenny. The service is registered to provide full day care to children aged 0-6 years and operates between the hours of 7.45am and 5.45pm. A sessional service operates from 9.00am-12.00md.

The service is located within an industrial estate and occupies a number of adjoining ground floor level units. There are seven care rooms and three outdoor play areas. There is sanitary accommodation for staff and children in various locations and one sleep room is available off the Little Stars (baby) room.

### Staffing

There are 29 staff members working in the service including the registered provider who is present in the service two days per week.

### 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 11, 26 and 28; however, on inspection additional non-compliance which posed a risk was identified under Regulation 9, 19, 23 and 25. These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under regulation 19. As a result, the scope of the inspection included the Bright Stars, Superstars, Shooting Stars and Twinkle Stars.

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

A written immediate action notice under Regulation 23 – Safeguarding health, safety and welfare of child was issued to the registered provider during the inspection. A written response was submitted by the registered provider on 15 May 2025 outlining the measures taken to address the immediate concern.

## 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

- (1) The service failed to notify the Agency of the change to the person in charge. It was noted on inspection that the person in charge as notified to the Agency was the registered provider who was also the person in charge in another service. The registered provider was rostered to be present in this service two days per week.

#### Corrective & Preventive Action submitted by the Registered Provider

##### **Corrective and Preventive Action**

- (1) The change in circumstances was submitted the next day. The service is waiting for this to be updated and the new Person in Charge, (PIC), to be put in place. To ensure that the PIC is updated when required.

##### **Supporting documentation submitted**

Copy of new registration cert submitted.

#### Summary Comment

The non-compliances identified under Regulation 8 have been adequately addressed.

### Part III – Management and Staff

#### Regulation 9 – Management and recruitment

*(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

- (2) (a) (b) Two references from previous employers or in the case where there were no past employers, a source other than a past employer was on file for 17 staff and one reference was on file for seven staff members.
- (c) Garda vetting disclosures had been obtained for all 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) International police vetting from the relevant state was on file for two staff members.
- (4) Records were available to demonstrate that 27 staff members working directly with pre-school children attending the service held a major award in Early Childhood Care and Education at Level 5 on the National Framework of Qualifications or a qualification deemed equivalent by the Minister.

### Non-Compliance Information

- (2) (a) (b) One of the references on file for seven staff members was from a source other than one of their listed past employments.
- Two references on file for one staff member and the second reference for an additional staff member were records of telephone conversations and not written references as required.
- There was no second reference on file for three staff members.
- One of the references was not validated.
- (d) It could not be determined from the information provided if three staff member required international police vetting.
- (4) It could not be determined from the information provided that two staff members had obtained a major award in Early Childhood Care and Education at Level 5 on the National Framework of Qualifications or a qualification deemed equivalent by the Minister.

### Corrective & Preventive Action submitted by the Registered Provider

### **Corrective and Preventive Action**

(2) (a) (b) All references are being worked through and updated. Letters from original employers are reflective of staff CVs.

(d) The staff member has requested the required international police clearance.

(4) Staff whom it could not be determined if they held a major award file were in another person file.

To ensure that this does not occur and all staff files are reflective of current CV, and they are updated. We are processing a new system to try and keep these updated.

### **Supporting documentation submitted**

(2)

(a) (b) Copy of references submitted.

(d) Photo of application for police clearance submitted.

(4) Photo of qualifications submitted.

### **Summary Comment**

The actions and evidence submitted for point regulation 9(4) have been reviewed and accepted.

The response submitted for regulation 9 (2)(a)(b)(d) has not been fully addressed, the non-compliances therefore remain outstanding and will be reviewed on 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.*

### **Compliance Information**

(1)

On the day of inspection, there was an adequate number of adults working directly with the children attending the service.

(2)

The minimum ratio of adults to children was maintained at all times throughout the inspection.

### 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

On arrival to the service a group of children were partaking in an outdoor activity. All children attending the service were observed to take part with their own group in the activity throughout the morning. The service had use of several well-equipped outdoor areas around the perimeter of the building. There was a range of equipment in the outdoor areas to support play for each age group. Children spent a lot of time outdoors on the day of inspection due to good weather, sun cream and hats were worn by children to protect them from the sun. Parts of the outdoor areas were covered to protect them from elements of all weathers.

A rolling four-week menu plan was in operation in the service and contained a range of nutritious meals and snacks for children. Alternatives were provided for those with specific dietary requirements. Meals were timed appropriately throughout the day and children were provided with cutlery and crockery appropriate to their age and stage of development. On the day of inspection children were observed enjoying a morning snack of ham and cheese bread rolls with a selection of fruit and the main meal of the day consisted of minced stew with potatoes. Homemade wheaten bread and fruit was served as an evening snack. Staff were observed to sit down at the tables and have child led discussions during mealtime, offering support and encouragement when needed.

Older children who were toilet-trained were observed to be independent in their toileting needs with staff providing assistance when required. Children's sanitary accommodation was available adjacent to each of the pre-school rooms facilitating easy access. Younger children were routinely brought to the nappy change area in a respectful, and sensitive manner. Children were changed outside of this routine should it be required. During nappy changing staff spoke to and interacted positively with the children.

Comfortable seating, mats and cushions were available and accessible to children in all care rooms to allow children the opportunity to rest and relax if they wished throughout the day. Children were observed moving freely around each care room and there was space in each room for children to play together in small groups.

Staff members demonstrated a sound awareness of how to appropriately manage children's behaviour and minor disagreements were dealt with promptly.

All care rooms were laid out with various materials and resources to create interesting areas of play for the children according to their age and stage of development. Low level shelving was provided to allow children choice over the equipment and materials they played with. The interest areas were well resourced with supportive equipment providing ample opportunities for children to engage in meaningful play. Interest areas included home corners, construction, book, transport, farm, and art areas. Equipment and resources to support fine motor and cognitive development were easily accessible to children on low level shelving. Consideration was given within the playrooms to ensuring children had access to both open ended learning materials and materials to engage the senses, particularly sight, touch and sound. Wall displays and images within the playrooms were carefully considered, relevant to the interest areas and reflective of children's natural world, home life and community. Access to a good range of age appropriate and stimulating books was promoted in library areas. Adult sized chairs were available to staff in the baby room to ensure comfort when cradling and caring for children throughout the day.

Evidence of curriculum planning was available in each of the care rooms, with children's artwork and family pictures displayed on the walls. Children were given clear instructions when tasks and activities were changing. Throughout the day of the inspection children were given information as to what was happening, given time to transition and staff interacted with them in a playful way, for example when tidying up after dinner. Children were supported and encouraged to be independent where possible, tidying up before and after meals, with washing their hands and faces, and with toileting when trained.

Staff members were observed interacting warmly with the children, responding appropriately to their verbal and non-verbal cues, and providing meaningful responses. Children were observed to seek out staff members for assistance and comfort when upset. This was responded to in a caring and positive manner by staff members. Children were actively praised by staff members for their involvement in activities and on completion of tasks, particularly when they provided help to staff or other children. Staff were observed praising children for their helpful behaviour towards others promoting a culture of working cooperatively and helping others.

### Non-Compliance Information

Sleep in the Shooting Stars room was scheduled and not child led. When children required sleep, other children who did not require any, or woke early from their nap had to wait in their beds for an extended period of time. Between 12.12pm and 12.57pm children were observed to stay on the beds until it was time for the scheduled sleep time to be over. It is acknowledged a book was given to the children on the day, however the children during this time were not afforded the opportunity of choice to choose their own activities or have meaningful play or interactions during this period.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

We are working towards non-scheduled sleep for children under 3yrs. Some children were transitioning out of sleep and reducing sleep. We have planned for children who are transitioning out of sleep and don't want to sleep at that time, that they are taken outside in our all-weather area or to our sensory areas.

To ensure that all staff are understanding the importance of meeting the children's needs and working around their sleep patterns and what they need for their age and stage.

#### Supporting documentation submitted

None submitted.

### Summary Comment

The non-compliance identified under Regulation 19 has been adequately addressed. This area of practice will be reviewed on the next inspection.

## 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:

- Internal doors were secured to prevent children accessing unsafe areas and store cupboards containing hazardous objects and materials were secured and out of children's reach. Cleaning products used in the service were securely stored so as to be inaccessible to the pre-school children.
- Risk assessments on indoor and outdoor play areas were completed daily and noted to be maintained up to date. There was no evidence of hazards in the indoor or outdoor areas, toys and play equipment

appeared in good repair and all electrical flexes and cables were in good condition and out of children's reach. Materials were observed to be in a good state of repair.

- Warm running water was available for hand washing at a temperature below 43°C.
- The outdoor area was secured with tall wooden fencing and a bolted gate to prevent children from exiting unsupervised.
- The kitchen was inaccessible to the children attending the service.

### Infection Control:

- The pre-school rooms and adjoining sanitary facilities were in a clean and hygienic condition. Up to date cleaning schedules outlining appropriate cleaning methods and the various areas to be cleaned within the playrooms and sanitary accommodation were available. Staff members were observed cleaning play areas and frequently touched surfaces after children's use and prior to snack time.
- Soap was readily available to children to wash their hands prior to eating, after both toileting and nappy changes. Child friendly handwashing posters were placed beside the sinks. Handwashing was supervised by the adults to ensure all hands were cleaned effectively.
- Soothers were stored individually with children's names on them.
- The care rooms and sanitary accommodation was adequately ventilated by way of openable windows or mechanical ventilation in cases where no window was available.

### Administration of Medication:

- When interviewed, staff were aware of their responsibilities for the safe administration of medication. No medication was administered on the day of inspection.

### Safe Sleep:

- The service had a designated sleep room for children under 2 years with appropriate cots available to children. Sleep for children aged over 2 years was accommodated on appropriate floor beds in the care rooms.
- Sleep checks were observed to occur every ten minutes.

### Fire Safety:

- Fire doors were observed to be unobstructed throughout the service.
- Fire evacuation procedures were clearly displayed in the care rooms.
- Fire extinguishers were on the premises and easily accessible.

### Non-Compliance Information

#### General Safety:

1. Garda vetting was available for eight staff members. However, these vetting disclosures were not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.
2. The main entrance door to the service was found unsecured on the inspector's arrival to the service and three rear doors were unsecured at various times throughout the day. This posed a risk that unauthorised persons may gain entry to the service, or a child may exit the service unsupervised. An immediate action notice was issued to the registered provider on the day of inspection.
3. There was a trampoline in the sensory room off the Bright Stars room. Staff were not aware of the use of a trampoline being prescribed for an individual child. Trampolines are prohibited from being used on site by pre-school children unless prescribed as a therapeutic intervention, in which case they should only be used for that purpose.
4. There was a kettle on a worktop in the Bright Stars room posing a safety risk to children.
5. A sharp edge was visible on a radiator cover in the Twinkle Stars room.
6. The fridge in the Twinkle Star room was not secure. The lock needed to be replaced.

#### Infection Control:

7. The nappy change mat in the Bright Stars room was in need of cleaning to prevent cross infection.
8. Children from the Twinkle Star room hands were not immediately washed after their nappy was changed. Children were observed to play on the floor of the sanitary area with toys until all children were changed. A staff member was observed not to wash their hands in between each change. A staff member was observed to open a foot pedalled bin with their hand during the nappy changing procedure. These instances could result in the risk of cross contamination. It is acknowledged that hands of staff and children were washed prior to returning to their group.
9. The door seal on the fridge in the Bright Stars room was visibly dirty and required a deep clean.
10. The foot pedal bin in the Twinkle Stars room was broken and needed to be replaced to prevent cross infection.
11. A small sofa in the Twinkle Star room required attention, the material was torn leaving the internal foam exposed. The area could not be effectively cleaned.

### Safe Sleep:

- The sleep rooms in the Twinkle Stars and the Shooting Stars room did not have ambient lighting, making it difficult to carry out adequate sleep checks. The lack of ambient light did not align with supporting the child's circadian rhythm.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

The registered provider has stated staff are to be extra cautious when it comes to doors into the building. Staff are to be mindful of all areas in room and to risk assess the room through these eyes every day, to help reduce any new risks that may come up with the introduction of new equipment.

### General Safety:

- Garda vetting has been re-sent and these new vetting's are now coming in and being filled.
- Our doors into main building are secured and are to always remain locked within the building during all times of the day. Also, staff have been instructed that this is to remain the case even during hot weather.
- Trampoline was in place for one of our AIM children. A risk assessment was in place however we did not have an OT letter. Trampoline was removed.
- Kettle was removed from room.
- The radiator cover was repaired, and the corner was safe.
- Fridge lock was replaced.

### Infection Control:

- Nappy changing mat was replaced.
- Staff in the younger rooms revisited the nappy changing policy and were given a physical demonstration on the correct procedure.
- The fridge door was cleaned.
- The pedal bin was replaced.
- The small sofa was taken out of the room.

### Safe Sleep:

- Both rooms were informed of allowing natural light into the rooms while children sleep, and not to have the rooms darkened during sleep.

#### Supporting documentation submitted

### General Safety:

- None submitted

2. A photo of a coded lock on the gate.
3. None submitted.
4. A photo of the countertop.
5. A photo of the radiator cover.
6. A photo of the locked fridge.

### Infection Control:

7. A photo of a new changing mat.
8. A copy of the Nappy Changing policy.
9. A photo of the fridge door.
10. A photo of a new pedal bin.
11. None submitted.

### Safe Sleep:

12. Photos of sleep areas.

### Summary Comment

The actions and evidence submitted for points 2-10 have been reviewed and accepted, the non-compliances have been adequately addressed. The actions submitted for points 11 and 12 have been accepted, practice in relation to these points will be reviewed on the next inspection.

The non-compliance documented at point 1 remains outstanding until it can be submitted to the inspectorate on receipt.

## Part VI - Safety

### Regulation 25 - First aid

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

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

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

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

### Compliance Information

- (1) There were three staff members employed in the service with up-to-date training in first aid for children.
- (2) (a) (b) There was a small supply of first aid equipment in each of the care rooms and a large box stored in an interconnecting hallway containing an adequate quantity of in date required contents for the number of children attending.

### Non-Compliance Information

- (1) A review of the staff roster demonstrated that between the hours of 5.00pm and 5.45pm on a Friday afternoon there were no staff members with training in first aid for children rostered to be on the premises.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

- (1) Our rota has been updated to ensure the staff with FAR training is all on early shift or on their days off. To be more mindful of ensuring the FAR staff so not cross over shifts/days off.

#### Supporting documentation submitted

Copy of rota submitted.

### Summary Comment

It is not clear from the rota submitted that staff with FAR training are available to children at all times. The evidence submitted does not adequately address the non-compliance under Regulation 25 and therefore remains outstanding and will be reviewed on the next inspection.

## Part VI - Safety

### Regulation 26 - Fire safety measures

- (1) A registered provider shall ensure that a record in writing is kept of-
  - (a) any fire drill that takes place in the premises, and
  - (b) the number, type and maintenance record of fire fighting equipment and smoke alarms in the premises.
- (4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.

## Compliance Information

- (1) (a) A written record of fire drills was documented as having taken place in the service. A sample of these records were reviewed which showed that the last recorded fire drill carried out for the service was dated 15 April 2025.
- (b) A record was maintained of the number, type and maintenance of the firefighting equipment and smoke alarms located in the pre-school. Firefighting equipment was last serviced in October 2024, and the service had a written record confirming that the fire alarm system was serviced and tested in January 2025.
- (4) A notice of the procedures to be followed in the event of a fire was prominently displayed in the care rooms.

## Part VI - Safety

### Regulation 28 - Insurance

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

## Compliance Information

The registered provider ensured adequate insurance was in place for the full day care service for 105 children up until 27 March 2025.