

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DR035
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Name of Service:	Ballinteer Montessori School
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Address of Service:	Unit 7, Block C,, Nutgrove Office Park, Rathfarnham, Dublin 16, Co. Dublin
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Name of Registered Provider:	Teresa Duggan
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	29/05/2025
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No of pre-school children:	AM	48	PM	34
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Address of the Early Years Inspectorate:	The Brunel Building, Heuston South Quarter, St. John's Road West, Dublin 8.
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Inspection undertaken by:	R. Duff S. Quigley
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Title:	Early Years Inspectors
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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
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Description of service

Ballinteer Montessori School is a private service operated from a purpose-built crèche facility located in an office park in Rathfarnham, Dublin 16. The service operates from 08:00 to 18:00 Monday to Friday.

There are four care rooms in the service. The service provides full day and part time care in addition to the ECCE sessional service in the Montessori 1 and 2 rooms and the Pre-Montessori room. The programme of care is facilitated through a blend of a Montessori and play based curriculum. A large enclosed outdoor area is located to the front of the building.

Staffing

The service currently employs 11 staff including the registered provider. There were 8 staff working directly with the children on the day of inspection including the registered provider. The service also employs a cook.

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 areas of governance, health, welfare and development of child, information and records and safety. The inspection may also focus on other areas as required. The following regulations were reviewed:

Regulation 9 (1)(2)(3)(4) and (7)-Management and recruitment.

Regulation 11(1)(2) Staffing levels.

Regulation 16 (h)(i)(j)(k) Record in relation to preschool service

Regulation 19 (1)(b) Health, welfare and development of child.

Regulation 23 Safeguarding the health, safety, and welfare of child.

However, on inspection additional non-compliance which posed a risk was identified under Regulation 10 Policies procedures ect. of a pre-school service.

These findings are outlined within the relevant regulations 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 to the registered provider on the 29 May 2025 during the inspection in respect of Regulation 23, general safety. A response was received from the service on the 30 May 2025 which sufficiently mitigated the risk identified.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, 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

(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;

Compliance Information

- (1)
- (a)(b) The service had a designated person in charge and a named person to deputise as required who were both on the premises throughout the inspection.
- (2)
- (a)(b)

The inspection including a review of the required documentation for four adults employed in the service since the last inspection dated the 18th April 2024. Garda vetting disclosures were assessed for each of the eleven adults employed in the service. The following documentation was available;

Of the 8 written and validated references that were required, 4 were available from a past employer and 3 were available from a reputable source.

(c)
Garda vetting disclosures from the National Vetting Bureau of An Garda Síochána were available for 11 staff members employed to work in the service. Garda vetting disclosures from all staff were assessed to determine compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years. Garda vetting which was dated within the last three years was available for 2 staff, however, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice. Please refer to the information outlined under regulation 23 of this report.

(d)
Police vetting was available for 2 adults who had lived outside the State for a period exceeding 6 months as an adult.

(4)
Records were available evidencing that 2 new staff members who were employed to work directly with the children held the required qualification or equivalent. Two adults did not require a qualification as they were employed under a work placement programme.

Non-Compliance Information

(2)(a)(b)

A second reference was not available for a one adult.

d)
Police vetting was not available for one adult who had lived outside the State for a period exceeding 6 months as an adult.

(3)
The procedures specified in paragraph (2) were not carried out in prior to one adult commencing placement in the service as follows:

One references for one adult had not been sought or verified prior to them commencing placement in the service.

(7)(a)

The registered provider did not demonstrate that they had taken all reasonable measures to ensure that all employees were appropriately supervised and provided with appropriate information, training and policies to safeguard the health, safety and welfare of children attending the service and to comply with the regulations as follows:

The registered provider was unable to provide completed training and induction records for two staff members who had recently commenced employment in the service. Staff stated during discussions with inspectors that they had not received appropriate training as set out in the policies and procedures of the service prior to commencement of employment. The corrective and preventive actions submitted by the registered provider following the last inspection of the service on 18 April 24 did not prevent the re-occurrence of the non-compliance under Regulation 9(7)(a).

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2) (a) (b) A second written and verified reference has been provided for one staff member, the registered provider stated that a checklist has been developed to ensure documents are not missed in the future.

(d) International Police vetting has been provided for one staff member; the registered provider stated that a checklist has been developed to ensure documents are not missed in the future.

(3) The registered provider has stated that the deputy person in charge will be also take responsibility for completing administration work and ensuring files are up to date, an additional staff member will be appointed to support the registered provider and deputy person in charge. Additional administration training will be given to deputy person in charge during the quieter summer months.

(7) The registered provider has stated that the induction files were stored in a separate office on the day of inspection, they also stated that staff members complete induction training and the registered provider works in the room with the staff member to support induction training. A new staff induction and training folder is now

available and will be kept up to date to by the register provider and the deputy person in charge. They have also stated that staff meetings and one to one meetings will help identify training needs.

Supporting documentation submitted

Supporting documentation has been submitted and reviewed by the early years inspector.

Summary Comment

The actions taken by the registered provider have addressed the non-compliance. This regulation will be assessed on the next inspection.

Part III – Management and Staff

Regulation 10 - Policies, procedures etc. of pre-school service

Non-Compliance Information

An assessment of the following policies and procedures was included as part of this inspection:

- Policy on administration of medication
- policy on infection control
- Policy on safe sleep

The following non-compliances were identified:

- 1.The policy on administration of medication in place did not include information on the procedures for administration of medication to a child.
- 2.The policy on infection control was not adequate; it did not include information on hand hygiene or nappy changing.
- 3.The service did not have a site-specific policy on safe sleep; a template was available however the information was not specific for the service. The registered provider stated during discussions with the inspectors that the amendment of templates of updated policies and procedures had commenced in the service. However, these templates had not yet been amended in line with the service’s individual practices and had not yet been provided to staff members.

This presents a significant risk as it limits a staff members ability to respond appropriately to routine and unexpected situations. It also compromises the safeguarding of children and increases the risk of inconsistent practice and overall governance of the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider has stated:

1. The administration of medication policy has been updated to include all necessary information. Administration of medication has been discussed with all staff and additional training will be provided during the summer when the service is quieter.
2. The nappy changing policy has been updated to include all necessary information. Administration of medication has been discussed with all staff and additional training will be provided during the summer when the service is quieter.
3. A policy on safe sleep has been developed and shared with all staff and additional training will be provided during the summer when the service is quieter.

Supporting documentation submitted

Supporting documentation has been submitted and reviewed by the early years inspector.

Summary Comment

The actions submitted by the registered provider will address the non-compliance. The regulatory requirement has been met.

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.

Non-Compliance Information

(1) An adequate number of adults were not working directly with the preschool children at all times in the Montessori 2 room on the day of inspection as detailed below in point (2).

(2) In the Montessori 2 room from 13:34pm to 12:54pm one adult was observed caring for 12 children aged 3-5 years. The minimum adult to child ratio for 3-5 years is 1 adult to 8 children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1) (2) The registered provider stated that on the day of inspection 3 staff members were absent; this was not a planned absence therefore the service was short staffed. The registered provider added that the service always prioritises children's care and, on the day of inspection, the registered provider and deputy person in charge helped to cover rooms to attempt to stay in ratio, they will continue to cover staff absences as necessary. The registered provider is in the process of recruiting additional staff to meet the needs of the service especially at break times or unexpected absences.

Supporting documentation submitted

No supporting documentation submitted.

Summary Comment

The actions taken by the registered provider have addressed the non-compliance. This regulation will be assessed on the next inspection.

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.

Compliance Information

(h) Documentation reviewed evidenced that children's attendance was being accurately recorded in each care room.

(j) Records of medication which had been administered to children in the service were available. A sample of the documentation was reviewed and contained all of the necessary details.

Non-Compliance Information

- (i) There was no staff roster available to demonstrate the adult: child ratio on a daily basis and to demonstrate there was sufficient cover for breaks, holidays and sick leave. This non-compliance was observed on the last inspection on 18 April 2024. The corrective and preventive actions as stated by the registered provider did not prevent recurrence of this non-compliance.
- (k) A sample of 12 accident and incident forms were reviewed from the Montessori and the Montessori 2 rooms. 8 forms did not have a parent's signature, and 6 forms did not have a manager's signature. It is important that parents/guardians are informed of any accident/incident relating to their child so they can monitor their child appropriately. This non-compliance was observed on the last inspection on 18 April 2024. The corrective and preventive actions as stated by the registered provider did not prevent recurrence of this non-compliance.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider has stated:

- (i)The rosters are now available on the app used by the service, each room also has a separate roster to show part time and full-time care. The deputy person in charge will take responsibility for updating the roster as necessary.
- (k)The registered provider has contacted parents for signatures and all reports are now signed by parents and staff members. The registered provider has appointed Team Leaders in each care room to take responsibility for ensuring all accident incidents are signed by parents and staff. Staff have been notified that they must contact parents for signatures, and report to management if they cannot get signatures.

Supporting documentation submitted

Supporting documentation has been submitted and reviewed by the early years inspector.

Summary Comment

The actions taken by the registered provider have addressed the non-compliance. This regulation will be assessed on the next 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-

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

Compliance Information

The inspectors observed appropriate care practices in place. The children moved freely in all rooms – exploring their environment, playing and engaging with each other and the staff. All rooms appeared calm and relaxed. Staff demonstrated warmth and affection in their interactions with the children. They addressed children by name, used gentle tones and interacted with them in a positive manner. Language used by the staff members was observed to be encouraging, supportive and informative. Child sized tables and chairs allowed the children to eat and engage in tabletop activities. There was evidence that equipment and materials provided were based on the children’s individual needs and emergent interests. The room had a mix of Montessori materials, toys and equipment which were laid out on low level shelving units and accessible to children. Children were given advance warnings to support transitions to a new activity and for mealtimes. The service provides a hot meal and snacks for children; children brought lunch from home. Drinks were readily available within the care rooms. Mealtimes were social occasions with children and adults sitting eating together, staff provided children with help when needed. Children were encouraged to clean up after themselves and assisted to clean their faces and hands at appropriate times. Older children used the toilet independently and children wearing nappies had these changed regularly. The children in Montessori room 1 and 2 had the opportunity to take part in a yoga class on the day of inspection. Children spent time outdoors throughout the day and were dressed appropriate to the weather. Areas were provided within all rooms where children could rest or take a break from activities.

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:

- When the inspectors arrived at the service, access to the main door was monitored and controlled by staff to restrict unauthorized persons from gaining access to the premises and to prevent children from exiting the service unsupervised. In addition, the outdoor play area was securely gated restricting unauthorized persons from gaining access to this area and to prevent children from exiting the service unsupervised.
- Cleaning agents to include disinfectant sprays and liquids were stored on high shelves and in high cupboards.

Non-Compliance Information

Administration of Medication:

1. Procedures to safeguard children when administering medicine were not available for review. This included getting written consent from parents or guardians to administer emergency medications such as Auto adrenaline injector or asthma inhaler. Care plans were not available for children who required regular or emergency medication. An immediate action notice was issued to the registered provider on the 29 May 2025 during the inspection in respect of Regulation 23. A response was received from the service on the 30 May 2025 which mitigated the risk identified.

General Safety:

2. 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 for two staff members working in the service.

Infection Control:

3. Appropriate infection control measures were not taken during nappy changing. A staff member was observed to use the same gloves and apron for 3 nappy changes. The changing mat was not cleaned after each use and the staff member or the child did not wash their hands. This poses a significant risk of cross contamination to children.
4. The bins in use for disposal of waste in the outdoor play area, including soiled nasal tissues, had a swing lid and was overflowing with used nasal tissues. This was accessible to the children in garden posing a risk of cross contamination.
5. Children's beds which were dressed with bed linen and used on the day of inspection were stored in the staff bathroom up against the wall beside the toilet. This poses a potential risk of cross contamination.
6. In the upstairs children's sanitary area, the sink pedestal and the sink surround were water damaged, and the laminate surface above and below the sink had broken away in places exposing an unfinished, porous wooden surface. This could not be cleaned effectively posing a potential risk of infection to children.
7. The lacquered MDF edging on the partitioning wall between the 2 children's toilets on the 1st floor was missing and worn which could not be cleaned effectively. A sticky residue was also visible on the front of the partition. This poses a potential risk of infection to children.

Safe Sleep:

8. It is acknowledged that staff were familiar with safe sleep guidance however through discussion with the inspector staff stated that they were not shown a safe sleep policy and were unaware of one in place in the service. Staff stated that children were checked every 10 minutes and watched on a camera system from an adjacent room. However, children were left unattended on floor beds which poses a potential risk if they got up from bed without adult supervision.

Action submitted by the Registered Provider

Corrective & Preventive Action

Administration of Medication:

The registered provider has stated:

1. Procedures for administering medicine are now available. This includes getting written consent from parents or guardians to administer emergency medications such as Auto adrenaline injector or asthma inhalers. Care plans are now available on the walls of the care rooms for children who require them. Care plans will be used for any new children.

General Safety:

- Garda vetting is now in place for two staff members. The registered provider hopes to employ additional administration staff to ensure all documentation is kept up to date.

Infection Control:

- The nappy changing policy has been updated and staff have been reminded of the importance of following the policy. Additional training will be provided during the summer closure to ensure all staff are familiar with all policies.
- A new bin has been purchased to replace the broken bin.
- Children's beds will now be stored in the sensory room.
- The sink pedestal and sink surround in the upstairs sanitary area have been repaired and repainted.
- The lacquered MDF edging on the partitioning wall between the 2 children's toilets on the 1st floor has been cleaned and painted.

Safe Sleep:

- A safe sleep policy has been developed and shared with staff; one member of staff has been appointed to remain in the sleep room at all times when children are sleeping. The registered provider held a meeting with all staff to discuss safe sleep practices.

Supporting documentation submitted

Administration of medication:

Supporting documentation has been submitted and reviewed by the early years inspector.

General Safety:

Supporting documentation has been submitted and reviewed by the early years inspector.

Infection Control:

Supporting documentation has been submitted and reviewed by the early years inspector.

Safe Sleep:

Supporting documentation has been submitted and reviewed by the early years inspector.

Summary Comment

The actions taken by the registered provider have addressed the non-compliance. This regulation will be assessed on the next inspection.