

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DY397
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Name of Service:	Fitzwilliam Nursery and Montessori School
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Address of Service:	2 Herbert Street, Dublin 2.
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Eircode:	D02 CP59
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Name of Registered Provider:	Emmett Rice, Joyce Grant
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	23/04/2026
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No of pre-school children:	AM	33	PM	33
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Address of the Early Years Inspectorate:	Early Years Inspectorate, 7th Floor Brunel Building, Heuston South Quarter, Dublin 8 D08 X01F
Inspection undertaken by:	L.A Webster
Title:	Early Years Inspector

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

Fitzwilliam Nursery and Montessori School is located in a converted Georgian building in Dublin city. The service provides full day care to a maximum of 38 children, aged 0 - 6 years old, from 8am-6pm, Monday to Friday. The service is comprised of three care rooms, namely the Montessori room, which is located on the ground floor along with the cot room, the kitchen and sanitary accommodation, while the Wobbler room and Toddler room are located on the first floor. There is also an office in the premises, sanitary facilities and an enclosed outdoor area to the rear of the building.

Staffing

The registered providers do not work in the service. The registered providers employ eight adults to work in the service, including the person in charge, who does not work directly with the children and seven early years practitioners. On the day of inspection, eight staff members were present in the service, including the person in charge, deputy person in charge and six early years practitioners.

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

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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 was triggered as a result of information received by the inspectorate on the 20 April 2026.

A referral was made to the environmental health officer on the 12 May 2026.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the 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-

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- (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 named person to deputise as required.
- (b) Discussion with management and staff, and review of the roster evidenced that either the person in charge or the deputy person in charge were rostered to be present during the operational hours of the service. The designated person in charge arrived at the service at approximately 10:10am and remained on-site for the remainder of the inspection.
- (c) There was a clear management structure in place, and this was further evidenced through discussion with staff.
- (2) A review of paperwork and discussion with the person in charged showed that there are currently eight staff employed by the registered provider to work within the service. The files and qualifications of three new staff who had commenced employment following the previous inspection on the 28 July 2025 were reviewed.
 - (a) There were six written and validated references available from past employers.
 - (c) Garda vetting disclosures had been obtained for three staff members. However, the service did not demonstrate compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
 - (d) Police vetting was available for three adults who had lived in a country other than Ireland for a period of six months or more as an adult.

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- (4) Evidence was available to show that all three adults who worked directly with the children held a major award in Early Childhood Care and Education at a minimum of level 5 on the National Framework of Qualifications, or a qualification that is deemed of equivalence by the minister.

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) The registered provider did not ensure that there was an adequate number of staff working directly with the children. For example, six staff were present in the service when the inspector arrived at 9:45am all of whom were required to work directly with the children to meet their needs. However, staff were required to attend to other tasks such as opening the service door to visitors and preparing snacks for the children which left insufficient staff in the care rooms to work directly with the children. It is acknowledged that an additional staff member who is not normally present in the service arrived at 10:03am to provide cover in the care rooms during the inspection.
- (2) While it is acknowledged that ratios were maintained within the service on the day of inspection, through discussion with staff, the person in charge, and observation of paperwork, the inspector retrospectively established the following:
- Between the times of 12pm-1pm on the weekdays rostered of 21 and 22 of April, two staff members within the Montessori room were required to cover their own lunch breaks while 14 children aged 3-5 years of age were present.
 - Throughout discussion with staff and the person in charge, it was reiterated that staff members within the service individually leave the classrooms on a daily basis between 10-15 minutes to prepare the children's morning snack, leaving the remaining staff member out of the required adult to child ratio inadequate.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

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1. An advertisement has been placed, with onboarding ongoing at the service to ensure that there is additional staff to cover ratios within the service.
2. An extra staff member is being employed to ensure there is consistent cover at all times and to prepare the snacks and dinners within the kitchen. A daily risk assessment now includes visible cover to ensure ratios are always maintained.

Supporting documentation submitted

Photographic and documentary evidence submitted.

Summary Comment

The corrective and preventative actions provided by the registered provider are sufficient to address the non-compliances under Regulation 11 and will be reviewed upon 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:

- The entrance to the service was appropriately secured upon the inspector's arrival. The service entrance operated through a buzzer system that allowed entry into a main hallway and remained securely locked to prevent children from leaving the service unsupervised and restrict any unauthorised access to the service. Additionally, the outdoor area was securely fenced and gated.
- Blind cords were securely attached to the wall and out of reach of children.
- Cleaning agents were stored safely and locked away out of reach of children.
- Shelving units were firmly anchored to the wall to ensure stability and safety.
- Activities and staff practices observed on the day were documented as safe and staff ensured children engaged in appropriate play scenarios.
- A sample of eight accident and incidents reports reviewed showed accurate recording of accidents within the service.

Infection Control:

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- Thermostatically controlled warm water, liquid hand soap and wall mounted paper towels were available for appropriate hand-washing practices.
- Foot operated pedal bins were in use for the appropriate disposal of waste in the care rooms and sanitary facilities. These were observed to be in good working order.

Safe Sleep:

- Staff were noted to be aware of safe sleep practices and children were observed to be monitored while sleeping every 10 minutes. Staff ensured to document this through paper format highlighting the children's breathing, position, and colour of each child.
- Cots were positioned at 50cms apart, cots and mattresses were observed to be in good condition.
- Appropriate sleep equipment in line with Tusla's guidance on safe sleep was provided to children who were under two years of age.
- An ambient temperature of 16-20°C was maintained for sleeping children under one years of age.
- An ambient temperature of 18-22°C was maintained for sleeping children over two years of age.

Fire Safety:

- All fire emergency exit doors were clear from obstruction. This helped ensure the safe effective evacuation of children and staff in the event of an emergency.

Non-Compliance Information

General Safety:

1. Garda vetting was available for one adult; however, this disclosure was not dated within the previous three years in adherence to the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years for all staff employed.

Infection Control:

2. A record of cleaning was not available within the service. It is acknowledged that cleaning sheets were available within the service however, they were not completed to date to indicate that regular cleaning was being completed. This is at variance with the services policy which states that daily and weekly cleaning sheets will be filled in as cleaning tasks are completed within the service.
3. Black residue was observed on the underneath of a nappy changing mat used in the service. This posed an infection control risk to children.
4. Within the sanitary area, there was a build-up of debris surrounding the faucet and part of the sink. It is acknowledged that both areas were immediately cleaned once the inspector brought it to staffs' attention.

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- Storage of nappy creams were not appropriate to prevent cross infection for example creams were observed to be stored together in a basket and the process for labelling was inconsistent. One cream was stored in a bag and appeared to have leaked significantly coating the inside of the bag.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

- Garda vetting has been applied for, and staff forms now include the date Garda vetting was obtained and the date in which it needs to be reviewed, six months before it expires.

Infection Control:

- Management will use the daily risk assessments to ensure the cleaning schedules are being signed off daily and management are aware of the importance of checking cleaning sheets on a daily basis.
- A new nappy changing mat has been bought
- Staff have been informed to continuously check after each nappy change that the area is free from debris and clean. This has also been added to the daily risk assessments.
- The creams have been removed and stored in the children's individual storage boxes.

Supporting documentation submitted

General Safety:

Documentary Evidence submitted.

Infection Control:

Photographic and Documentary Evidence submitted.

Summary Comment

The corrective and preventative actions provided by the registered provider are sufficient to address the non-compliances under Regulation 23.

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Part VI - Safety

Regulation 27 – Supervision

A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Compliance Information

Children were adequately supervised on the day of inspection, and this was observed by the following:

- Staff sat with children and engaged in play.
- Staff positioned themselves appropriately in the indoor and outdoor environments to supervise the children throughout the day.