

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015FL156
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<b>Name of Service:</b>	Marbles Creche & Montessori
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<b>Address of Service:</b>	Unit 10 Boroimhe Shopping Centre, Boroimhe, Swords, Co. Dublin
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<b>Eircode:</b>	K67 R252
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<b>Name of Registered Provider:</b>	Anne Hartford
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<b>Service type:</b>	Full Day
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<b>Date of Inspection:</b>	02/12/2025
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<b>No of pre-school children:</b>	AM	70	PM	58
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<b>Address of the Early Years Inspectorate:</b>	2 <sup>nd</sup> Floor, Unit 4/5, The Nexus Building, Blanchardstown Corporate Park, Ballycoolin, Dublin 15
<b>Inspection undertaken by:</b>	Y Kelly & AM Coyle
<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>	Not applicable.
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### Description of service

Marbles Creche & Montessori is a privately owned and operated Early Years Service which is located in a purpose-built building alongside a shopping centre in Swords, Co Dublin. The service provides full time, part time and sessional pre-school care and education to children from 1 year until they commence attendance at primary school. The service participates in the Early Childhood Care and Education scheme (ECCE) and currently operates from 07:45 am to 6:15 pm Monday to Friday including a morning and afternoon sessional service. The service also provides care to school aged children. There are 6 care rooms in the service namely the Wobbler room, Toddler room, Diamond Room, Small Montessori room, Full day Montessori room and the Sessional Montessori room. An enclosed outdoor area is located to the rear of the service in addition to the courtyard garden which is located in the centre of the service.

### Staffing

The service employs a total of 21 staff members, fifteen staff members including the registered provider work directly with the early years children attending the service. One staff member was employed in the service to reduce the adult to child ratio and if necessary to work with a child with additional needs, in a post which is funded by the minister as part of the Access and Inclusion Model scheme. There were three staff members employed to work with school aged children. A chef carries out cooking and catering duties. A cover staff member works in all rooms to cover staff breaks. There is an administrator employed in the service who carries out school runs of the school aged children along with the co-owner. There were 2 students present on work experience placement on the day of the inspection. The registered provider is not allocated to a care room but is available to provider support across all care rooms as required.

### Methodology

Tusla 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 and premises and facilities. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under the regulations 9, 11, 16, 19, 23, 25 and 26 however, on inspection additional non-compliance which posed a risk was identified under regulation 29. These findings are outlined within the relevant regulations within this report.

As a result, the scope of the inspection included the Wobbler Room, Toddler Room, Diamond Room, Small Montessori Room, Full Day Montessori Room, Sessional Montessori Room.

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 4 December 2025 in relation to Garda vetting requirements under Regulation 9 Management and Recruitment. A response which adequately addressed the concern was received on 4 December 2025. Further details are available under Regulation 9.

### 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.

### Compliance Information

(1)(a) There was a designated person in charge of the service and there was a named person to deputise as required.

(b)The registered provider was present and in charge of the service when the inspectors arrived unannounced to the service at 09:10am.

- (2) The files for 23 adults including the registered provider were reviewed, and the following was recorded:
- (a) Thirty-seven validated and written references were available from past employers.
  - (b) Nine validated and written references were available from a reputable source other than a past employer.
  - (c) Garda vetting disclosures were available for 22 adults whose files were reviewed. Garda vetting disclosures that were available demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring the service to renew Garda vetting every three years.
  - (d) International Police vetting was available for 8 adults who had lived outside of the state for a period of more than six months.
- (4) Documentary evidence was available to confirm that 16 staff members whose files were reviewed and who may work directly with the children in the service held at least a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications or a qualification deemed eligible by the Department of Children, Disability and Equality.

### Non-Compliance Information

- 2(c) The registered provider had not ensured the following:
- There was no Garda vetting disclosure available for an adult who was present on the day of inspection and had access to children. An immediate action notice was issued to the registered provider.
- (3) The procedures as outlined in paragraph (2)(c) were not carried out prior to an adult working with or having access to children in the service.

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

#### Corrective Action

- 2(c) Garda vetting disclosure for 1 adult applied for and submitted. All of the staff Garda vetting has been rechecked and dates documented for renewal.
- (3) Onboarding documents to be checked by two managers before new employee starts.

#### Preventive Action

- 2 (c) New staff checklist created and to be signed by two managers and to be checked every 3 months.
- (3) Staff files audit to be carried out every 3 months.

### Supporting documentation submitted

- Garda vetting disclosure for 1 adult.
- Staff record checklist.

### Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliances under Regulation 9 have been addressed.

### Part III – Management and Staff

#### Regulation 11 - Staffing levels

*(1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.*

*(2) Subject to paragraphs (4) and (5), a registered provider of a full day care service or a part-time day care service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 1 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) thereof at that reference number is satisfied.*

*(8) Without prejudice to paragraphs (2) to (7)-*

*(a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times.*

### Compliance Information

(1) On the day of the inspection there was an adequate number of staff members working directly with the children attending the service.

(2) The adult to child ratios were correct in the service when the inspectors arrived unannounced at the service and remained so throughout the inspection.

The following adult to child ratios were observed during the inspection:

- In the Wobbler Room, there were 9 children aged 1 year 3 months to 2 years being cared for by 3 staff members. In addition, there was 1 student on work placement experience present in a supernumerary capacity.
- In the Toddler room there were 8 children aged 2 years to 2 years 10 months being cared for by 2 staff members.
- In the Diamond Room, there were 5 children aged 2 years 11 months to 3 years 10 months being cared for by 1 staff member.

- In the Small Montessori Room, there were 9 children aged 3 years to 3 years 9 months being cared for by 1 staff member during the ECCE hours of 9:15am to 12:15pm and 8 children were present with 1 staff member outside of these times.
- In the Sessional Montessori Room, there were 18 children aged 2 years 8 months to 4 years 7 months being cared for by 3 staff members. In addition, there was 1 student on work placement experience present in a supernumerary capacity.
- In the Full Day Montessori Room, there were 21 children aged 3 years 3 months to 4 years 9 months being cared for by 3 staff members.

The registered provider and a staff member were available to support staff across all care rooms as required.

(8)(a) The registered provider ensured that 2 adults were present in the service at all times. This was confirmed by the staff roster.

## 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:*

*(i) details of staff rosters on a daily basis;*

### Compliance Information

(1) The registered provider ensured that there was a record kept in writing of the following information in relation to the service:

(i) Details of staff rosters were kept on a daily basis and available for 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

1(a) The following observations were made on how each child's learning, development and well-being was facilitated within the daily life in the service:

##### Basic needs:

- Children's meals are cooked onsite using fresh ingredients in the kitchen by the chef working in the kitchen following a two-week menu plan. Staff discussed that children are offered cereal and toast for breakfast, fruit and breadsticks for morning snack and cheese, ham and crackers for tea. On the day of the inspection the children had fish fingers, potatoes and vegetables for dinner. There were alternative food options available for children with additional dietary requirements or preferences.
- The children's personal care needs were attended to promptly. Nappies were changed at scheduled times and more frequently as needed. The staff members used the opportunity to engage with and chat to the children. The children who were toilet trained used the toilet independently.
- Eight children in the Wobbler room slept in cots in the care room and one child slept on a floor mat at sleep time. The children aged over two years in the service who required sleep slept on sleep mats set up on the floor of the care room after the children had their first hot meal in the service.
- All the children attending the service were given the opportunity to spend time in the outdoor area during the inspection.

##### Supporting relationships around children:

- A welcoming atmosphere in the service was evidenced by the staff members greeting children, parents, and guardians in a friendly manner on their arrival to the service. It was evident through discussion with the staff members that they were working with parents when they identified when a child may need additional resources to meaningfully engage in the service, taking account of each child's individual needs and preferences.
- Staff demonstrated warm and caring interactions with the children. Children were comforted when upset and children received praise and encouragement from staff.

- Staff soothed children whilst going to sleep with relaxing music playing to provide a calm atmosphere.
- The staff members used distraction and re-direction to good effect on the occasional time that the children were observed experiencing challenges in play or interactions during the inspection. The adults were observed appropriately supporting children to find positive solutions including suggesting alternative toys or taking turns, thereby preventing the minor issues observed from escalating and avoiding the children getting upset.

### Physical and material environment:

- There was age-appropriate furniture with small child sized chairs and tables for children to sit whilst they played or for mealtimes.
- With the exception of the non-compliances listed below the care rooms were resourced with the following interest areas: home corner and kitchen areas including cooking utensils, dressing table, dolls house, dolls and small world items including dinosaurs, animals and people which supported the children's imaginary play experiences. There were transportation materials including trains, train tracks, cars and construction resources including plastic building bricks and wooden blocks. There were Montessori materials such as wooden cylinders, pink tower and broad stairs for early numeracy development and practical life resources such as dressing frames and spooning activities. Tabletop materials such as pegs, pegboards, threading and jigsaws provided opportunities for early numeracy learning. In addition, there were arts and craft materials including paint, pencils, and art easel to support mark making opportunities and creativity for children.
- Two fully enclosed outdoor areas surfaced with an impact absorbing surface were located to the rear of the premises. One outdoor play area was used by the children in the wobbler and toddler rooms. In this area there were ride on bikes and ride in cars and a slide which promoted gross motor and fundamental movement skills. The outdoor play area for use by the children in the Montessori rooms consisted of a large structure with slide, climbing frame, bridge, ropes and a tunnel. In addition to this there were tyres, a seesaw and bouncers, all of which provided opportunities for safe risky play for children.

### Programme of Activities and its Implementation:

- Staff read stories and sang songs with the children throughout the day.
- Children were observed at sensory play with sensory materials to include playdough and painting.
- There were learning stories of children's learning and development documented and displayed on the noticeboard in the hallway.

### Non-Compliance Information

### Basic needs:

1. The children in the Toddler room and Small Montessori room did not have their water bottles available to them to take a drink as desired throughout the day. In the Toddler room the children's water bottles were stored in the fridge out of sight of the children and in the Small Montessori room the children's water bottles were stored in their bags. The children should have water available to them to take as needed throughout the day.

### Physical and material environment:

2. There were no family photographs displayed or available to the children in any of the care rooms. The lack of family photographs prevented the children from using photographs as a means of maintaining links with and bridging the gap between the service and home.
3. There were no interest areas developed in the Wobbler room or the Toddler room for the children. Furthermore, there was a lack of sensory or natural materials available for the children in the Wobbler room or the Toddler room to use. There was no book/cosy area for rest and relaxation in the Diamond room or for the children to freely access or to choose a book as they wished.
4. The rest area in the Toddler room was not appropriately resourced. A blanket was placed directly on the floor with some cushions provided, this area was not encouraging to the children or comfortable to use if the children chose to take a break from activities during the day.
5. There were no supporting play materials available for the 2 wooden play kitchens in the outdoor play area to enable the children to extend their play.

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

#### Corrective Action

##### Basic needs:

1. Water bottles station created in Toddler & Small Montessori room for easy access for the children.

##### Physical and material environment:

2. All rooms have redone the family photo book and are easily accessible for the children.
3. New materials have been bought, set up and rooms rearranged in the Wobbler room and Toddler room.
4. The cosy area in the Toddler room has been redone and new materials bought and set up.
5. Kitchens have been restocked with play sand and new outdoor equipment bought and distributed.

## Preventive Action

### Basic needs:

1. Staff reminded that water stations are to be used always, daily checks to be done to ensure compliance.

### Physical and material environment:

2. Weekly checks to be done on rooms to ensure compliance. Management reviews to measure progress.
- 3&4. Management reviews to measure progress.
5. Management reminded staff about the importance of setting up the garden before use and keeping materials topped up. Management to monitor progress.

### Supporting documentation submitted

- Photographs of water station, family photo books, new materials and interest areas in Wobbler room and Toddler room, cosy area in Wobbler room, outdoor play kitchens and new outdoor play equipment and sand.

## Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliances under Regulation 19 have been addressed.

## 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:

- On arrival to the service, the inspectors observed that the entrance doors leading into the premises was secure and monitored by staff to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the premises.
- The 2 outdoor play areas were fully enclosed and secured and was mainly surfaced with an impact absorbing surface.
- Cleaning agents were stored safely out of the reach of the children.

### Administration of Medication:

- Medication was stored in a fridge in the utility room in the service.

### Infection Control:

- Thermostatically controlled warm water, liquid hand soap and dispensed handtowels were available in the children's sanitary facilities.
- Pedal operated bins were available for waste and disposal of contaminated items.
- Windows were open for air circulation in care rooms and air conditioning was used in the Wobbler Room at sleep time.

### Safe Sleep:

- The temperature of the Wobbler room was recorded as 20.8°C. at 12.10pm at sleep time. This is within the recommended temperature of 18-22°C. for children over the age of 1 year while they sleep.
- Shoes and excess clothing were removed from children while they slept.

### Fire Safety:

- Emergency exits were unobstructed in the event of an emergency evacuation.

### Non-Compliance Information

#### Administration of Medication:

1. The services administration of medication policy was observed not to be followed as evidenced by medication administration forms that were reviewed in the Full day care Montessori room:
  - A form that was used to record medication administration to a child on 6 occasions was incomplete. The form was predominantly signed by one staff member only when the requirement was for 2 staff members to sign the form. Furthermore, parental signatures were obtained to confirm the parent was aware a child had medication administered for 3 of the 6 occasions medication was administered. This one form was used to record medication administered on the 31/10/25, 3/11/25, 4/11/25, 5/11/25, 6/11/25, and the 7/11/25.
  - Staff reported that parents of children who require medication administered in the service inform staff member's verbally that the child require medication and staff members completed the administration of medication form. A medicine consent form was not completed by the parents in advance of their children receiving medication. The services Medications policy states "*parents/guardians must fill in the medicine consent form of the service authorising the administration of medication (prescription or nonprescription) to their child. Staff cannot give medicine unless written permission is given*". The current practice is at variance to the service policy.

- A child for whom medication was available to be administered in the service in the event of an emergency did not have the medication included on a care plan or an administration of medication form completed in advance of potential administration.
- There was no inhaler kept in the service for a child who required one in the event of an emergency in the Sessional Montessori room. There was no completed health care plan with parents' signature to accompany this.

### **Infection Control:**

2. Infection control measures were not always followed. The possible risk of the spread of infection was increased due to the following:
  - The children attending the Wobbler room did not have their hands washed before snack time.
  - The children in the Toddler room did not have their hands washed after they had their nappies changed between 11:45am and 12 midday or before they ate their dinner.
3. The required space of 50cm was not maintained between 6 sleep mats which were located on the floor of the Toddler room for children to sleep.
4. Bags of materials were stored on the ledges behind the toilets and on the windowsills and floor in the sanitary facilities located directly off the Full day care Montessori room. This is an infection control risk.

### **Action submitted by the Registered Provider**

#### **Corrective Action**

##### **Administration of Medication:**

1. Staff meeting to retrain all staff on policy and procedure regarding administration of medicine.

##### **Infection Control:**

2. Staff meeting to retrain all staff on policy and procedure of handwashing and infection control.
3. Staff meeting with toddler staff to ensure the correct distance between beds. Set area for beds designated.
4. Ledges cleared and designated space created for overflow of materials.

#### **Preventive Action**

##### **Administration of Medication:**

1. Daily checks of forms for all children who are on medication.

##### **Infection Control:**

2. Sporadic checks to ensure non-compliance is corrected.
3. Daily checks to ensure policies are being followed.

4. New space created for overflow of materials.

**Supporting documentation submitted**

- Photograph of window ledges in sanitary facilities.

**Summary Comment**

The inspector has reviewed the actions and evidence submitted. The non-compliances under Regulation 23 have been addressed and will be reviewed at the next inspection of the service.

**Part VI - Safety**

**Regulation 25 - First aid**

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

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

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

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

**Compliance Information**

(1) The registered provider ensured that an adequate number of staff were trained in First Aid Response (FAR) and a staff member trained in FAR was available on the premises throughout the opening hours of the service. There were 4 staff trained in First Aid Response (FAR), all of whom were present on the day of the inspection. In addition, there was 1 staff trained in paediatric first aid, who was present on the day of the inspection.

(2)(a) Adequately stocked first aid kits were observed in the care rooms in the service.

(b) First aid boxes were stored out of the reach of the children but available to staff as needed.

### 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 record of fire drills was available on the premises with the last fire drill dated as having been carried out on the 12 November 2025.
- (b) The number, type and maintenance record for firefighting equipment and smoke alarms were available. Firefighting equipment was last serviced on the 28 November 2024, and the smoke alarms were serviced on the 21 November 2025.
- (4) Fire evacuation procedures were displayed throughout the service.

### Part VII - Premises and Space Requirements

#### Regulation 29 - Premises

- A registered provider shall ensure that the premises of the service are-
- (d) cleaned, maintained and repaired, as required, and

#### Non-Compliance Information

- (d) The registered provider did not ensure that the premises was being maintained in an appropriate condition as evidenced by the following:
1. The paint on the wall in the Wobbler Room was peeling with plaster exposed underneath.
  2. The floor in the Wobbler Room was torn with the floor exposed underneath and therefore this was unable to be cleaned.
  3. There was 1 toilet that was out of order across the corridor and used by the sessional Montessori room.

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

#### Corrective Action

- (d)

1. Wobbler room repainted.
2. New flooring ordered and awaiting to be fitted.
3. Toilet repaired.

### **Preventive Action**

(d)

1. Monthly check to inspect walls throughout.
2. Monthly check to inspect floors throughout.
3. Daily check to ensure toilets are in order.

### **Supporting documentation submitted**

- Photographic evidence of painted wall in Wobbler room.
- Invoice for flooring.
- Photograph of repaired toilet.

### **Summary Comment**

The inspector has reviewed the actions and evidence submitted. The non-compliances under Regulation 29 have been addressed.