

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015FL254
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<b>Name of Service:</b>	Really Cool Afterschool & Montessori School
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<b>Address of Service:</b>	Flemington Community Centre, Hamlet Lane, Balbriggan, Co. Dublin
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<b>Eircode:</b>	K32 HD28
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<b>Name of Registered Provider:</b>	Malgorzata Orłowska Smith, Marzena Stronska
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<b>Service type:</b>	Part Time
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<b>Date of Inspection:</b>	10/09/2025
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<b>No of pre-school children:</b>	AM	14	PM	2
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<b>Address of the Early Years Inspectorate:</b>	Tusla Child and Family Agency, Early Years Inspectorate, Nexus Building Block, Blanchardstown Corporate Park, Dublin 15
<b>Inspection undertaken by:</b>	E Hosford
<b>Title:</b>	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).

<b>Conditions if applicable</b>	Not applicable.
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### Description of service

Really Cool Afterschool and Montessori School was established in this location in 2014 and operates as a privately owned sessional and part-time Early Years service, one of three childcare services which are operated by the registered providers in Balbriggan, North County Dublin. There is one care room in the service which is in the Flemington Community Centre in Balbriggan. The service is operational between 07:30am and 6:30pm participating in the Early Childhood Care and Education scheme (ECCE) from 9.00am to 12pm daily with the early years children attending on a predominantly sessional basis with some children attending for up to 5 hours on a part time basis. School aged care is provided in this service.

### Staffing

The service employs a total of four staff members to work directly with the early years children attending the service. The two registered providers do not work directly with the children in the service and were not present in the service on the day of inspection.

### 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

The unannounced inspection focused on an examination of compliance under The Child Care Act 1991 (Early Years Services) Regulations 9, 11, 19, 21,23,25 and 29.

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 service on the 10 September 2025 in relation to Regulation 23- Safeguarding, Health, Safety and Welfare of Child.

On the 11 September 2025 the registered provider responded to the immediate action notice with the measures implemented within the service to mitigate the risk. See body of report for details.

### 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 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.*

#### Compliance Information

(1) The designated person in charge was aware of their responsibility to notify the Early Years Inspectorate of any change in circumstances in relation to their service as per schedule 4 Form.

### Part III – Management and Staff

#### Regulation 9 – Management and recruitment

*(1) A registered provider shall ensure that-*

- (a) the service has a designated person in charge and a named person who is able to deputise as required,*
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and*
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.*

*(2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-*

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,*
- (b) consideration of references from reputable sources in the case of a person who has no past employers,*
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and*
- (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.*

*(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) A deputy designated person in charge was on the premises when the inspector arrived unannounced to carry out the inspection.
- (c) A clear management structure was displayed in the service.
- (2) The files of four staff members working in the service directly with the early years children were reviewed.
- (a) Four validated written references were available from a past employer.
- (b) Four validated written references were available from a source other than a past employer
- (c) Garda vetting disclosures had been obtained for the four employees employed in the service. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d) Police vetting was available from five countries for staff members who had resided outside the jurisdiction for a period of more than 6 consecutive months as an adult.
- (4) Documentary evidence was available to confirm that the four employees employed in the service held an appropriate childcare qualification at Level 5 or higher on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

### 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) The adult to child ratios were correct in the care room when the inspector arrived unannounced to the service.

(2) There were 3 adults working directly with 14 children aged 2 years 10 months to 4 years 10 months in the morning and 2 staff working with 2 children in the afternoon.

(8)(a) On review of the service roster and on discussion with staff it was confirmed that 2 adults were present in the service at all times.

### 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)

##### Basic Needs:

- The children enjoyed their snack from home in a relaxed and sociable environment. The food provided by parents consisted of crackers, fruit, yogurt, sandwiches and cheese. The children that attended the service on a part time basis had extra food available. Drinks of water were available in the care room throughout the day.
- Transitions were observed to be smooth, timely and supportive for children. For example, the snack time experience was calm and strategies such as calling children by their names and maintaining eye contact were used to facilitate this.

##### Supporting relationships around children:

- Staff were familiar with the children in their care and their individual preferences and personalities.
- Strategies such as praise and encouragement were observed throughout the inspection.
- Staff engaged with parents in person at drop off and collection and by text messages.
- The staff members modelled positive ways of interacting with the children and each other and were observed working cooperatively, supporting each other to create a child friendly atmosphere in the service.
- Staff were observed to resolve any minor difficulties between children in a calm and relaxed manner with children being encouraged to share and take turns.

##### Physical and Material Environment:

- The care room was a bright and inviting space for the children which created an atmosphere that was welcoming and engaging. Areas within the room were available and accessible which enabled the children to develop their skills and interests and become independent and confident learners. Materials available

included a home area, construction space, small world, sensory activity table, tabletop games and puzzles, arts and crafts and a rest area with a library. Each area was well equipped with supporting equipment displayed on low shelving which assisted the children in making choices in their play. The layout of the care room encouraged children to make choices and initiate self-directed play and activities.

### Non-Compliance Information

(1)(a)

1. The service does not have access to an outdoor space to enable the children to explore and exercise while attending the service.

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

#### Corrective and Preventive Action

(1)(a)

1. In response to the non-compliance the service has stated that they do not have a garden space as they opened prior the regulation requirement for one. Building management have been contacted regarding access to an outdoor space, but unfortunately there none on the premises. The service combats this by introducing more sensory and movement activities such as yoga and dance into daily sessions. The service plans to bring the class on outdoor walks when children are settled and following risk assessment of group.

#### Supporting documentation submitted

(1)(a)

1. Photographic evidence of the children engaging in sensory activities with leaves and balance games.

### Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under regulation 19 has been addressed and preventative actions will be reviewed at 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 main entrance to the community centre was closely monitored by reception staff.
- The care room was observed to be suitable and safe with all cleaning agents and sharp implements out of children's reach.
- Staff maintained a record of the arrival and departure of children in the service.
- The water temperature in the sanitary accommodation in the service did not exceed the recommended maximum water temperature of 43°C. This reduced the risk of scalding for the children in attendance.

##### Infection Control:

- Suitable hand washing facilities were available in the sanitary facilities used by the children, these included thermostatically controlled hot water, liquid soap and electric hand dryers.  
Children were observed to wash their hands before snack and after using the toilet.
- Children's perishable food from home was refrigerated on arrival to the service and staff were observed cleaning the tables before and after lunch.
- The service was observed to be clean and well maintained with cleaning schedules in operation within the care room and sanitary facility. The care room had open windows for ventilation and the sanitary facility had active mechanical ventilation.

##### Fire Safety:

- The emergency exit was unobstructed and clearly illuminated to aid the evacuation of staff and children in the event of an emergency. .

#### Non-Compliance Information

##### General Safety:

1. The main door from the care room was controlled by an automatic release system which was accessible to the children in the service. This increased the potential risk of children exiting the care room unsupervised.  
An immediate action notice was issued to the service on the 10 September 2025.

## Action submitted by the Registered Provider

### Corrective & Preventive Action

#### General Safety:

1. In response to the non-compliance the service has stated that a new lock has been installed on the door out of the reach of children. There is a key with lock which is chained to doorframe to prevent the key becoming lost. Contact was made with management of the community centre to have the release button moved higher up. This email was sent on the 11th of September. A maintenance man came on the 19th of September to measure and decide where the switch would go. Service is waiting for a date for when this work will be completed.

### Supporting documentation submitted

#### General Safety:

1. Photographic evidence.

### Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under regulation 23 has been addressed and the actions will be reviewed at the next inspection.

## 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 three staff members were trained in First Aid Responder (FAR) certification and available to the children during the operation of the service.

(2)

(a) and (b) A first aid box was available in the service and suitably equipped and accessible to the adults responsible for caring for the children attending 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*

#### Compliance Information

(d) The care room and sanitary facilities were observed to be clean and well maintained.