

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015GY049				
<b>Name of Service:</b>	Burren View Creche & Montessori				
<b>Address of Service:</b>	76A Burren View, Ennis Road, Gort, Co. Galway				
<b>Eircode:</b>	H91 D658				
<b>Name of Registered Provider:</b>	Linda Fallon				
<b>Service type:</b>	Full Day, Part Time, Sessional				
<b>Date of Inspection:</b>	14/08/2025				
<b>Date of Regulatory Compliance Meeting:</b>	07/10/2025				
<b>No of pre-school children:</b>	<table border="1"> <tr> <td>AM</td> <td>19</td> <td>PM</td> <td>16</td> </tr> </table>	AM	19	PM	16
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<b>Address of the Early Years Inspectorate:</b>	<p>Early Years Inspectorate, Quality and Regulation Directorate, Clinical &amp; Administration Building, Block A - (1st Floor- Green Corridor), Merlin Park Hospital, Galway.</p>				
<b>Inspection undertaken by:</b>	<p>E. Friel F. Duffy</p>				
<b>Titles:</b>	<p>Early Years Inspector Inspection and Registration Manager</p>				

### 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

### Description of service

Burren View Creche and Montessori is registered to operate a full day care service, which also caters for children attending on a part time and sessional basis. Children ranging in age from 1 to 6 years are accommodated. Daily opening hours are from 08:00 to 18:00, Monday to Friday and the service is open for 49 weeks of the year. This includes children enrolled on the Early Childhood Care and Education (ECCE) Scheme, which is facilitated over 38 weeks annually from 09:00 to 12:00.

Burren View Creche and Montessori is located in the town of Gort in south county Galway. There are 3 playrooms, namely, Montessori ECCE, Pre-ECCE and Toddlers. In addition, there are 2 children's sanitary areas, 1 adult toilet, a nappy changing room, kitchen and office. The outdoor areas are located at the side and rear of the service.

### Staffing

There is a total of 5 adults employed by the service including the registered provider and a cleaner employed after operational hours.

### 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.

However, on inspection an additional non-compliance which posed a risk was identified under Regulation 23. These findings are outlined within the relevant regulation 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

This inspection was triggered by information received by the inspectorate.

14/08/2025

An immediate action notice was issued on site with regard to Regulation 23 – Safeguarding Health, Safety and Welfare of Child – Sleep and care room temperatures which were recorded above the recommended temperatures of 18°C to 22°C.

15/08/2025

An inadequate response was received in the office of the inspectorate and additional information was requested from the registered provider.

18/08/2025

An adequate response was received from the registered provider to address the Immediate Action Notice.

07/10/2025

A Regulatory Compliance Meeting was held on the 07/10/2025 to discuss the remaining outstanding non-compliances on the Corrective Actions and Preventive Actions (CAPA) form 2.

## Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, person in charge, staff and children who were present on the day of the inspection.

### Part 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.

(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.

(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) The registered provider was the person in charge and there was a named person available to deputise in the service as required.
  - (b) The person in charge was on the premises when the early years inspectors arrived and remained on site for the duration of the inspection. The registered provider was observed carrying out nappy changing and cover for breaks and lunches.

(2) One adult had joined the service since the last inspection on 24 February 2025. Therefore, this recruitment file was reviewed:

(a) There were 2 written and appropriately validated references from past employers for the new staff member.

(b) Not applicable as the staff member had 2 references from past employers.

(c) A garda vetting disclosure was available in respect of the adult who had joined the service since the last inspection. In addition, garda vetting for existing staff was assessed from the last inspection on 24/02/2025 and this was found to demonstrate compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew garda vetting every 3 years.

(d) Not applicable as there was no indication the staff member had lived outside this jurisdiction as an adult.

(4) The new staff member had evidence of an award in Quality and Qualifications Ireland (QQI) at Level 6 on the National Framework of Qualifications in Early Childhood Care and Education or a qualification deemed by the Minister to be equivalent.

(7)

(a) There was evidence that supervision had taken place for existing staff in February 2025. The new staff member had received induction on commencement of their role, including the policies and procedures of the service.

### Non-Compliance Information

(4) One adult working directly with the children, who was recorded as a student on the last inspection on 24/02/2025 and was recorded as a permanent staff member on this inspection, did not have evidence of 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. In conversation with the registered provider and the adult it was stated that the course had been completed, the adult was awaiting results, however none were available on file.

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

#### Corrective and Preventive Action

The following statement was received from the registered provider;

- The adult is no longer working in the service. In future all staff employed to work directly with the children will have a childcare qualification prior to contact with, or access to, the children.

#### Supporting documentation submitted

- Following the Regulatory Compliance meeting on 07/10/2025 the registered provider submitted copies of the staff roster from 01/09/2025 to 09/10/2025 which evidenced that the adult is no longer working in the service. The statement from the registered provider has been accepted.

### Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 9 (4) has 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) Documentary evidence, in the form of attendance records and staff rosters, indicated that the minimum number of adults were working directly with the children.
- (2) The adult child ratios were met. There were 4 adults working directly with 19 early years children in the morning and 4 adults working directly with 16 early years children in the afternoon.
- (8)(a) Documentary evidence was available to indicate that there were 2 adults on the premises while the early years children were present.

### 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.

(2) A registered provider shall ensure that no corporal punishment is inflicted on a pre-school child whilst attending the service.

(3) A registered provider shall ensure that no practices that are disrespectful, degrading, exploitive, intimidating, emotionally or physically harmful or neglectful are carried out in respect of a pre-school child whilst attending the service.

#### Compliance Information

(1) (a)

##### Basic Needs:

- Food and snacks were provided at regular intervals during the day. Breakfast of oat and wheat-based cereals were available from 08:00.
- A morning snack was served at 10:00. Staff were observed supervising children during snack and assisting with opening packaging in the Montessori ECCE, Pre-ECCE and Toddler rooms.
- Lunch observed being served at 12:25 consisted of roast beef, potatoes, carrots and broccoli and afternoon snack was served at 15:30. Examples of food available were bite sized pieces of fruit, filled rolls, yogurt and rice cakes.
- Each child was provided with developmentally appropriate cutlery and crockery. When finished the bowls, plates and cutlery were stacked on a tray and taken back to the kitchen.
- Children were observed accessing their water containers in the indoor and outdoor areas.
- Nappy changing was observed to be carried out regularly and as required. The staff member was observed speaking to the children during this time and using it as a time for one-to-one interactions.
- Older children were observed accessing the nearby toilets independently and were assisted where required. Accidents were dealt with in a sensitive manner and spare clothes were readily available.
- Developmentally appropriate tables and chairs were accessible to children in the Montessori ECCE, Pre-ECCE and Toddler rooms.

- Younger children in the Toddler room were observed sitting on the floor with play equipment including dolls, sensory toys and activity centres.
- Children were observed sitting reading throughout the day in the rest/quiet area of the Montessori ECCE and Toddler rooms. The children sat on soft furnishings which included a vinyl sofa/soft seating area and books were available nearby.

### **Supporting children's relationships:**

- Staff were observed in the Montessori ECCE, Pre-ECCE and Toddler rooms sitting at the tables with the children during meals and tabletop activities engaging the children in conversation.
- A staff member in the Pre-ECCE room was observed comforting a child who required additional support throughout the day. The inspector observed the staff member bring the child's bag over and offer a choice of comforters from the child's bag.
- In addition, a staff member in the Toddler room was observed providing emotional comfort to children throughout the day. Examples included at transition times such as after sleep, the children were observed sitting on the staff member's lap receiving cuddles.
- Children in the Montessori ECCE room were encouraged to engage positively with each other in activities which required turn taking and sharing in line with the service's behaviour management policy.
- Staff were heard praising and encouraging children's efforts. An example included a staff member heard praising a child who was building with construction materials "You are a fantastic creator."

### **Programme of activities:**

- Staff were heard inviting the children to choose materials from easily accessible shelving in the rooms. The children were observed involved in group activities of matching colours and building with construction materials in the Montessori ECCE care room.

(2) and (3)

The inspectors did not observe any corporal punishment or practices which were disrespectful, degrading, exploitive, intimidating, emotionally or physically harmful or neglectful being carried out in respect of the early years children present on inspection. In conversation, staff informed the inspectors of the different stages of behaviour management in place for children with challenging behaviour which followed the service's Behaviour Management (including Managing Challenging Behaviour) policy. An example included a

staff member in the Montessori ECCE room assisting a child with the rules of sharing and turn taking while the child was engaged in playing with construction materials in a group activity.

### Non-Compliance Information

#### Basic Needs

1. Provisions for children's sleep requirements were not observed. At approximately 13:45, a child in the Toddler room was displaying signs of tiredness including lying on the floor, rubbing their eyes, closing their eyes and wanting to leave the care room. The child was not placed to sleep until after 14.15 despite the Early Years Inspector advising the adult that the child required sleep. Failure to facilitate children to sleep according to their needs may impact negatively on their emotional and cognitive development.

#### Planning of activities:

2. A documented programme of activity planning was not available in the Montessori or the Pre-ECCE care rooms for review by the inspectors. In conversation the staff members stated that over the summer months they had a more relaxed programme, however there was no evidence available of any programme which could potentially impact on the overall learning and development of the children.

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

#### Corrective and Preventive Action

The following statements 1 and 2 were received from the registered provider following the Regulatory Compliance meeting on 07/10/2025.

#### Basic needs:

1. Staff have been reminded that children showing signs of tiredness must have their sleep needs met. Children who are tired will be placed in a cot or a sleep mat dependent on their age.

#### Planning of activities:

2. Activities and planning are now available in all care rooms; staff will be made aware of where these are visible in the room.

#### Supporting documentation submitted

The following documentation was received in the office of the inspectorate

#### Basic needs:

1. Following the Regulatory Compliance meeting on 07/10/2025 the statement from the registered provider was accepted.

## Planning of activities:

- Following the Regulatory Compliance meeting on 07/10/2025 a copy of the summer programme of activities was received.

## Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliances identified under Regulation 19 (1) (a) 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:

- The main door was secured on arrival and was answered by the registered provider ensuring that no child could leave the service unsupervised or that no unauthorised adult could enter the service.
- The blind cord in the designated sleep room was secured out of reach of the children.
- All toys and equipment in the service appeared in good condition and were well maintained.
- The perimeter of the outdoor play area was secured with high concrete walls. Play areas were cordoned with wooden fencing. The exit gate was secured with a butterfly catch and a sliding bolt, both inaccessible by the children, preventing the children leaving the area unsupervised.

### Infection Control:

- There was liquid soap and paper towels in the sanitary area used by the children to facilitate hand drying.
- Waste bins in the sanitary area were foot pedal operated with lids ensuring the contents were inaccessible to the pre-school children.
- The water was thermostatically controlled to not exceed 43°C to facilitate hygienic hand washing for the preschool children.

### Non-Compliance Information

#### General Safety:

1. An Immediate Action Notice (IAN) was issued on 14/08/2025 for temperatures which were above the recommended 18°C – 22°C in the sleep and care rooms. Examples included temperatures in the sleep room ranging from 23.2°C at 12 noon to 25.6°C at 14:00. Care room temperatures were recorded between 23.2 °C and 24.3°C at 14:10 in the Toddler, Pre-ECCE and Montessori ECCE rooms.  
An inadequate response from the registered provider was received on the 15/08/2025 where the registered provider was requested to submit a risk assessment and risk management plan, to manage the temperatures of the designated sleep and playrooms in hot weather.

#### Infection Control:

Hygienic handwashing techniques were inadequate to control the spread of cross infection.

2. Contrary to the service’s handwashing guidelines which state that “Children should wash their hands and be supervised doing so after playing outside and before eating and drinking” the inspector observed 5 children from the Montessori room returning from the outdoor play area who were not supervised and did not use soap while hand washing, posing a risk of cross infection. In addition, an adult in the Toddler play room was observed cleaning children’s hand with wipes and before and after meals, contrary to the handwashing guidelines which state that hands are washed with warm water and soap.

#### Safe sleep:

3. It was observed that an adult did not remain in the designated sleep room while children were asleep. The sleep policy stated a supervising adult always remained in the sleep room when children were asleep. No adult was observed remaining in the sleep room posing a safety risk to the children.
4. The inspector observed that physical sleep checks were not being carried out every 10-minutes as per the service’s safe sleep policy. The inspector observed a gap of 17 minutes between 13:05 and 13:22 and a gap of 20 minutes between 13.22 and 13.42, posing a safety risk to the children.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

The following statements were received by the registered provider;

#### General Safety:

1. An air conditioning unit was fitted to the sleep room to ensure the safety of the sleeping children. In addition, a separate mobile air conditioning unit has been purchased for use in the care rooms. When the temperatures are high the units will be switched on. Staff have been informed of the necessary steps to

ensure the comfort of the children and the steps to be taken in hot weather as per Tusla's Keeping children safe and comfortable indoors and outdoors in all weathers and a risk assessment and risk management plans are now in place.

### **Infection Control:**

2. We will ensure that all children wash their hands with thermostatically controlled hot water and soap before eating food and when coming in from outdoor play. An adult will be available to assist the children and a step up has been put in place to assist children to reach the wash hand basin.

### **Safe Sleep:**

3. The generic sleep policy has been amended to reflect the service's sleep practice. Staff will ensure that children's sleep cues are followed with putting the child down to sleep.
4. The staff member carrying out the 10-minute physical sleep checks will record the check on the sleep record within a 10-minute period.

### **Supporting documentation submitted**

#### **General Safety:**

1. The registered provider submitted evidence on 18/08/2025 in response to an email requesting additional information to the Immediate Action Notice issued on 14/08/2025. A photograph of a mobile air conditioning unit detailing the sleep room temperature of 21°C and a letter from a refrigeration company confirming an engineer's appointment to advise on fitting an air conditioning unit. A risk assessment and risk management plan were also received regarding reducing the temperatures of the care rooms in hot weather. A photograph of the air conditioning unit, fitted by a refrigeration engineer, was received along with a photograph of a mobile air conditioning unit for the care rooms on 23/09/2025 addressing the issue of the high temperatures in the designated sleep and care rooms. The statement from the registered provider has been accepted.

#### **Infection Control:**

2. Photographic evidence of the step up in place at the wash hand basin.

#### **Safe sleep:**

3. Following the Regulatory Compliance meeting on 07/10/2025 a copy of the amended sleep policy in line with the service's practice for safe sleep was received. The statement from the registered provider has been accepted.
4. The statement from the registered provider has been accepted.

### Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliances identified under Regulation 23 have been addressed.

### Part VIII - Notifications and Complaints

#### Regulation 32 – Complaints

- (1) A registered provider shall ensure that the complaints policy of the service specifies-*
- (a) the procedure to be followed by a person for the purposes of making a complaint in relation to the service,*
  - (b) the manner in which such a complaint shall be dealt with, and*
  - (c) the procedures for keeping a person who makes such a complaint informed of the manner in which it is being dealt with.*
- (2) A registered provider shall ensure that-*
- (a) a record in writing is kept of a complaint made to the provider in respect of the pre-school service, and*
  - (b) the complaint is duly dealt with in accordance with the provider's complaints policy.*
- (3) A record in writing referred to in paragraph (2)(a) shall-*
- (a) include the nature of the complaint and the manner in which the complaint was dealt with, and*
  - (b) be open to inspection on the premises by an authorised person.*
- (4) A registered provider shall ensure that a record in writing referred to in paragraph (2)(a) is retained for a period of 2 years from the date on which the complaint has been dealt with.*

### Compliance Information

- (1) (a)(b)(c) The service's complaints policy outlined:
- The procedure to be followed by a person making a complaint in relation to the service.
  - The way a complaint shall be dealt with.
  - The procedures for keeping a person who makes such a complaint informed of the way it is being dealt with.
- (2) (a)(b)
- There was one complaint on file since the last inspection on 24/02/2025 and the inspectors noted that this was dealt with in line with the service's complaints policy.
- (3) (a) (b)
- The record of the complaint included the nature of the complaint and the manner in which it was dealt with.
  - The complaint was available for inspection by an authorised person.

(4) The provider stated the record in writing would be retained for a period of 2 years from the date on which the complaint had been dealt with.