

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015GY275
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Name of Service:	Top Marks Montessori
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Address of Service:	Father Sammon Centre, Monivea, Co. Galway
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Eircode:	H65 H393
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Name of Registered Provider:	Hazel McNulty
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Service type:	Sessional
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Date of Inspection:	13/03/2026
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No of pre-school children:	AM	13	PM	No.
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Address of the Early Years Inspectorate:	Tusla– Child and Family Agency, Early Years Inspectorate, Quality Assurance Directorate, Clinical & Administration Building, Block A - (1st Floor- Green Corridor), Merlin Park, Galway
Inspection undertaken by:	F Kelly
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).

Conditions if applicable	Not applicable.
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Description of service

The service is in the village of Monivea, Co Galway. The service operates a sessional service for pre-school children aged between 2 and 6 years; from 09.30 to 12.30. The service consists of one playroom. An outdoor play area was located at the rear of the premises. The children have direct access to this area from the playroom.

Staffing

The registered provider was on the premises on the day of the inspection. A total of two adults were working with the pre-school children 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

This inspection was unannounced and focused on the area of governance, health, welfare and development of child. The inspection may also focus on other areas as required.

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.

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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.

Acknowledgments

The inspector wishes 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.

(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 registered provider was the designated person in charge and there was a named person who was able to deputise as required.
- (b) During the period of inspection, the registered provider was the person in charge and was on the premises and facilitated the inspection.

Following a review of the service files and discussion with the service manager, it was confirmed that there were three staff members working in the service, which included the registered provider, deputy person in charge and an early years practitioner.

These files were reviewed on the day of inspection.

- (2) (a) Of the six references required, three references were sourced from past employers and were validated.
- (b) The remaining three required references were from a source other than a past employer.

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- (c) Garda vetting disclosures had been obtained for three staff. The service adhered to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew garda vetting every three years.
- (d) A police vetting disclosure was available for one adult working in the service that had lived outside the jurisdiction for a period of over six months.
- (4) All adults working directly with children have obtained an award in Early Childhood Care and Education from Level 6 to a Level 8 on the National Qualifications Framework.

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.*
- (3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 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) therefore at that reference number is satisfied.*

Compliance Information

- (1) During the period of inspection there were adequate numbers of adults working with the pre-school children attending the service.
- (2) At 09:50 am on the day of inspection, the following playroom was in operation.
Playroom 1- there were 2 adults working with 13 preschool children.

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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

BASIC NEEDS:

- Children were independent with their toileting needs. However, on occasion children needed a reminder from staff.
- Children were observed washing their hands prior to lunchtime and after using the toilet. The children used a low-level sink that was conveniently located in the playroom. The children used warm water, liquid soap and used paper towels to dry their hands, which was disposed of in a foot pedalled waste bin.
- Lunchtime was observed to be a social event. The children ate their snacks in the low-level tables and chairs. The staff sat with the children and ate their own lunch, speaking and interacting in a positive manner with the children.
- The staff members supported children's transitions within the service in a positive and sensitive manner. The use of a sand timer indicated to the children when it was time to tidy up after an activity so that a new activity could be introduced e.g. time to tidy up after play to get ready for lunch.
- Children got the opportunity to move freely around the outdoor play area during the period of the inspection. Staff stated the children got an opportunity to play in the outdoor area each day.
- The staff were observed to use positive approaches and praise when speaking to the children. The children listened to a story read to them by a staff member. The children asked questions in relation to the story and the staff member answered all questions with great enthusiasm. Staff also used a one to one activity to finish an arts and craft project to speak to the children and help build a relationship with the children on their care.
- The outdoor play area had a large, fenced area where the children could play. The area had a range of toys and equipment that can be used in the outdoor area.

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INDOOR PLAY AREA

- The play area was divided into defined areas offering different experiences for the children. The playrooms were bright and well laid out with a variety of distinct interest areas. Wall spaces were effectively used to display photographs of the children and their families, art works and posters relating to the current curricular plan.
- All the play and educational resources were accessible to children on open shelving at their height. The children were observed on various occasions taking toys and puzzles off the shelves playing with them and before playing with a different toy or puzzle they returned the first toy to where they got it without any prompts or direction from the staff members.

Part V - Care of Child in Pre-school Service

Regulation 21 – Equipment and materials

A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.

Compliance Information

Furniture

- There were low level tables and chairs that allowed for the children to sit with their feet flat on the floor to sit comfortably and safely.
- The shelving units and storage units were open and accessible by the children to encourage independence in selecting and returning toys and other materials.
- The soft seating area consisted of comfortable seating such as a low-level child sofa and circular cushions where the children could sit and look or listen to circle time or story time.

Play equipment available:

- Imaginative play- play kitchen, shop unit, dolls and prams and doll accessories, garage and transport rugs and sets and a large selection of dress up costumes.
- Construction and fine motor- different types and size of building blocks, nuts and bolts, stickle bricks.
- Sensory play- soft play dough and various arts and craft supplies.
- Outdoor play equipment- there was a wooden climbing frame and a slide, there was a wooden teepee with a wooden base and a climbing bridge. There was a wooden and plastic kitchen with utensils. There was a large soil area for children to dig, with diggers, trucks and utensils.

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The toys, equipment, materials and furniture available to the appeared clean and in good condition.

Part VI - Safety

Regulation 24 - Checking in and out and record of attendance

(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.

(3) A registered provider shall ensure that-

(a) no person other than-

(i) pre-school child attending the service,

(ii) a person dropping or collecting such a child,

(iii) an employee, or

(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and

(b) a daily record in writing is kept of the entry on the premises of any such person.

Compliance Information

(1) Each child attending the service was checked in and out by a staff member. A record of each child's attendance detailing the arrival and departure time of each child was maintained daily. This record was available for inspection.

(3)(a) A register of people entering the premises other than those outlined above in (3) (a) was available for inspection.

The following information was recorded for each person as outlined above.

- The date
- The person's name and contact details,
- The reason for entry

(b) A daily register of visitors to the service was maintained.