

# Early Years Inspectorate Regulatory Report

## Pre School

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| <b>TUSLA Identifier:</b> | TU2015KE032 |
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| <b>Name of Service:</b> | Elms Montessori Limited |
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| <b>Address of Service:</b> | Kilcullen Community Centre, Kilcullen, Co. Kildare |
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| <b>Eircode:</b> | R56 VH95 |
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| <b>Name of Registered Provider:</b> | Christine Ayerst |
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| <b>Service type:</b> | Sessional |
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| <b>Date of Inspection:</b> | 27/01/2026 |
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|-----------------------------------|----|----|----|-----|
| <b>No of pre-school children:</b> | AM | 29 | PM | N/A |
|-----------------------------------|----|----|----|-----|

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| <b>Address of the Early Years Inspectorate:</b> | Early Years Inspectorate<br>Child & Family Agency<br>Suite 7, Vista Primary Care<br>Ballymore Eustace Road<br>Naas, Co. Kildare<br>W91 X38W |
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| <b>Inspection undertaken by:</b> | F. Maher |
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| <b>Title:</b> | Early Years Inspector |
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### 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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| <b>Conditions if applicable</b> | Not applicable. |
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### Description of service

Elms Montessori Ltd. is a private sessional service located across two rooms, with independent access, in the Kilcullen community centre on the outskirts of Kilcullen Co. Kildare. Opening hours are from 09:00-12:00hrs and from 12:30-15:30hrs, Monday to Friday for 38 weeks of the pre-school year. Children aged between 2-6 years are catered for. The children have access to the adjacent community centre hall for periods of play.

### Staffing

There are seven adults employed in the service. There were six adults present and working directly with the children on the day of inspection, this included the registered provider.

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

The inspection focused on an examination of compliance under:

- Regulation 9 (1)(a)(b), (2)(a)(b)(d), (4), (7)(a) – Management and recruitment.
- Regulation 11(1), (3) – Staffing Levels
- Regulation 15 - Record of pre-school child
- Regulation 23 – Safeguarding Health, Safety and Welfare of Child

- Regulation 24 - Checking in and out and record of attendance
- Regulation 25 (1), (2)(a)(b) – First aid
- Regulation 26 – Fire safety measures
- Regulation 28 - Insurance

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.

## 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, 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.

(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)

There was a designated person in charge and a named person to deputise as required.

(b) The named person in charge remained on the premises for the duration of the inspection.

The file of two adults employed since the last inspection were reviewed.

(2)(a)(b)

Two written and verified past employer references or references from a reputable source other than a past employer, were available in respect of one adult whose records were reviewed.

(c) Garda Vetting disclosures were available for all adults employed and/or present in the service.

However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.

(d) Police vetting was available for one adult who had lived in a state other than the State for a period of longer than 6 consecutive months.

(4)  
All staff members held a major award in Early childhood Care and Education at Level 5 or higher on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

(7)(a)  
There was documentary evidence that regular team meetings were taking place and documentation was available to indicate each staff member had to sign an individual document that they had receive, read and understood the policies of the service, Staff supervision meetings had also been implemented by the registered provider.

### Non-Compliance Information

(2)(a)(b)  
Two written and verified past employer references or references from a reputable source other than a past employer, were not available in respect of one adult whose records were reviewed.

(d)  
Police vetting was required for one adult who had lived in a state other than the State for a period of longer than 6 consecutive months.

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

#### Corrective and Preventive Action

Both references pertaining to this staff member have been obtained and verified. References will be obtained and verified prior to staff member commences employment.

The police vetting application sent via courier and will take approximately 6 weeks to process and will be returned by courier to Ireland. This will be the same for any other Police clearance in future.

#### Supporting documentation submitted

Documents X 4

## Summary Comment

Following review of the submitted written response and documentation, the requirement for Regulation 9 (2)(a)(b) has been met, however, as the police vetting disclosure document has not yet been returned, the requirement for Regulation 9(2)(d) has not been met at this time and remains outstanding.

## 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)

There were 29 children attending the service being supervised directly by six adults.

(3)

The minimum ratio of adults to children was adhered to during the inspection.

## Part IV – Information and Records

### Regulation 15 – Record of pre-school child

*(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:*

- (a) the name and date of birth of the child;*
- (b) the date on which the child first attended the service;*
- (c) the date on which the child ceased to attend the service;*

- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
- (e) authorisation for the collection of the child;*
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
- (g) the name and telephone number of the child's registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.*

- (3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-*
- (c) an authorised person.*

### Compliance Information

(1)

The service maintained a record in writing of all children attending the service. A sample size of 10 child enrolment forms were assessed and contained all the relevant information as outlined (a)-(i) in the above regulation.

(3)(c)

The records were open and available for inspection by the authorised inspector.

## 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 door and internal doors to the service were secure and controlled by staff to prevent children from exiting the service unsupervised and to restrict unauthorised persons from gaining access to the pre-school service.

During conversations with staff members, they advised they were very observant of any food/fruit provided that had the potential risk of choking and immediately cut the food/fruit into smaller pieces. Staff also advised they immediately remove any necklace a child may wear into the service.

Daily indoor room environmental risk assessments were completed and available for inspection.

No hazards were observed in the indoor environments as the service met the necessary safety requirements in respect of the toys and equipment and safe storage of cleaning agents which were out of reach of the children.

Fire exits were clearly marked and not obstructed and staff advised they were familiar with the emergency evacuation routes taken from their room and the location of the assembly point in the outdoor area.

### Non-Compliance Information

#### General Safety:

1. Garda vetting was available for all staff members however, two vetting disclosures were not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### General Safety:

Garda Vetting for 2 staff members had been submitted and one Certificate has been issued, waiting for the second one. I have made a visual list of Garda vetting renewals. I will ensure that applications are processed 6 weeks prior to expiry date.

#### Supporting documentation submitted

#### General Safety:

Documents x 2

### Summary Comment

Following review of the submitted documentation, it is acknowledged one Garda vetting has been obtained. It is acknowledged evidence of one Garda vetting application has been receipted for one staff member; however, the full disclosure document has not yet been returned, therefore, the requirement for Regulation 23 has not been met at this time and remains outstanding.

### 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.*

*(2) Where there are more than 15 children attending a pre-school service in a drop-in centre, the registered provider shall ensure that one employee or unpaid worker is assigned responsibility for the checking in and out of children.*

*(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)  
The registered provider ensured that each child was checked in and out of the service. This was confirmed by the written attendance records maintained in real time on the day of the inspection.

(2)  
Not applicable as this was not a drop-in service.

(3) (a), (b)  
The registered provider ensured that any person entering the service was approved and a record in writing was maintained.

## 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)

Persons were trained First Aid Response (FAR) and were immediately available to the children attending the service.

(2)(a)

The first aid equipment was safely stored, in conspicuous positions in the service.

(b) A suitably equipped first aid box for children was available at all times to the adults caring for the children attending the service.

## 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 written record was available of fire drills which were completed monthly in the service, the last recorded fire drill took place 2 December 2025.

(b)

A record was kept of the number, type and maintenance of the firefighting equipment and smoke alarms in the premises. The smoke/fire detection system was last serviced 17 December 2025.

(4)

Notices of the procedures to be followed in the event of a fire were conspicuously displayed in the service.

### Non-Compliance Information

(1)(b)

The firefighting equipment had not been recently serviced and was dated 21 October 2024.

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

#### **Corrective and Preventive Action**

Arranged for company to service equipment. Annual service contract in place

#### **Supporting documentation submitted**

Document dated 3 February 2026.

### Summary Comment

The requirement for Regulation 26 (1)(b) has been met.

## Part VI - Safety

### Regulation 28 - Insurance

*A registered provider shall ensure that the pre-school service is adequately insured.*

### Compliance Information

There was evidence of current insurance cover valid until 27 November 2026. The insurance provided cover for 31 children.