

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KK071
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Name of Service:	Smarties Montessori
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Address of Service:	Inchacarron, Mullinavat, Co. Kilkenny
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Eircode:	X91 Y36X
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Name of Registered Provider:	Margaret Walsh
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Service type:	Part Time
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Date of Inspection:	04/03/2026
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No of pre-school children:	AM	32	PM	N/A
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Address of the Early Years Inspectorate:	Community Health Care Buildings, Cork Road, Waterford.
Inspection undertaken by:	E Cullen
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

Smarties Montessori is a privately owned childcare service on the outskirts of Mullinavat village in south county Kilkenny. The service operates from a two-storey purpose-built premises on the grounds of the registered provider's home. The building accommodates two early years rooms, a kitchenette, sanitary facilities and storage room for toys and equipment. There is a secured outdoor play area at the rear of the registered provider's home, with car parking facilities to the front of the premises. Smarties Montessori offers part time and sessional care for 33 children. The service opens from 09:00hrs to 14:00hrs Monday to Friday. The service also provides school age childcare from 14:00hrs to 17:00hrs with a pickup service from the local school.

Staffing

The service employs three staff members and the registered provider works directly with children on a daily basis. Staff members held qualifications in Early Childhood Education and Care at Level 6, and 8 on the National Framework of Qualifications.

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

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A sampling process was used to assess compliance under regulation 15 - Child Records. As a result, the scope of the inspection included both early years rooms.

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.

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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.

Compliance Information

(1)(a)(b) The registered provider was the designated person in charge on the day of inspection, and a named person was available to deputise as required.

(2) Documentation was reviewed for the three staff members employed by the service and Garda vetting was reviewed for the registered provider.

(a)(b) Two validated references were available for each staff member from either a past employer, or from a source other than a past employer.

(c) Garda vetting disclosures had been obtained for all staff. 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 not required as no staff member had lived outside the state for a period over 6 months.

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(4) Certificates of qualification were available on file demonstrating that staff members held a qualification at the minimum level 5 and above on the National Framework of Qualifications.

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.

Compliance Information

(1)(2)

On the day of inspection there were adequate numbers of staff working directly with the children. The staff to child ratios were maintained as follows:

- Downstairs – there were 20 children being cared for by 2 staff.
- Upstairs – there were 12 children being cared for by 2 staff.

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;*

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(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..

Compliance Information

(1)(a) – (i) Prior to a child commencing in the service, all parents and guardians were issued with a child registration form. This registration form was developed by the service and contained all of the required information for parents and guardians to complete.

A sample of ten child registration forms were reviewed on the day of inspection, and all were completed in full with appropriate declarations signed by parents and guardians.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

(1) Subject to this regulation, a registered provider shall ensure that-

(a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child to play indoors and, where required by these Regulations, outdoors, during the day, and

(b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

(3) A registered provider of a full day care service, a part-time day care service or a childminding service, other than such a service to which paragraph (2) applies, shall ensure that-

(a) a suitable, safe and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises, or

Compliance Information

(1)(a) There were adequate and suitable facilities available for the numbers of children attending the service. Both early years rooms were clean and organised. There was consideration given to the layout of the rooms, to ensure children could play together in groups or individually. Children's play and learning was supported through defined areas of interest. Examples of the materials and resources freely available included Montessori equipment, arts and crafts, paint easel, doll house, role play vets, play kitchen, dress up, books and puppets.

(1)(b) There well-defined rest and cosy areas in both rooms, with child sized couches, mats, and cushions. Low-level beds available to meet the sleep requirements of children if required.

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(3)(a) Children could directly access the enclosed outdoor play area from the ground floor room. On the day of inspection children were observed to use the outdoor area. The play spaces were free from hazards and equipment was safe for use by the age group of children in attendance. The area consisted of a partially enclosed shelter directly off the classroom, beyond this, children had access to grass and concrete areas. Play materials available included: mud kitchen, sand boxes, goal posts, picnic benches, climbing rocks and ride on toys.

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) Digital records on the service mobile application confirmed that each child was checked in on arrival at the service and checked out on departure by a staff member.

(3)(a)(b) A visitor register was used to record all persons entering the premises. This book was presented to the inspector on arrival at the service.

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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) There were two staff trained in first aid response available to the children attending the early years service.

(2)(a)(b) There was a suitably equipped first aid box stored in an easily accessible and conspicuous position on the premises available for the use of the children attending the early years 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) There was a record of fire drills which had taken place in the service. The most recent fire drill was recorded as having taken place on 02 March 2026.

(b) There was a record available demonstrating that the firefighting equipment was last serviced on 18 December 2025 and the smoke alarm system was last serviced on 20 November 2025.

(4) There was a notice of the procedures to be followed in the event of a fire displayed in the lobby of the premises.

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Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The service demonstrated insurance cover for a part time daycare and school aged care for 33 children. The insurance policy commenced 28 March 2025 and will expire 27 March 2026.