

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KY118
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Name of Service:	Starlight Starbright Montessori Pre School
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Address of Service:	Highfield House, Leith, Tralee, Co. Kerry
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Eircode:	V92 X857
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Name of Registered Provider:	Marilyn Duffy
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Service type:	Sessional
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Date of Inspection:	05/12/2024
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No of pre-school children:	AM	7	PM	N/A
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Address of the Early Years Inspectorate:	Early Years Inspectorate Offices, 134 Bank Place, Mallow, Co. Cork
Inspection undertaken by:	M Riordan
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	N/A
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Description of service

Starlight Starbright Montessori Preschool, operating since 2007, is a private sessional service located in Leith, County Kerry, outside the town of Tralee. The preschool offers a combination of Montessori and play-based curriculum for children aged 2 years to 6 years. It operates from 9:00 am to 12:00 pm, providing 38 weeks of the Early Years Care and Education (ECCE) Scheme annually. The preschool is housed in a purpose-built, detached, single-storey childcare facility within the provider's home grounds. It features a cloakroom, main preschool room, kitchen, adult and child sanitary areas, and a dedicated outdoor play area, with a shared car park for parents.

Staffing

The registered provider is the owner and the manager of the service. A person to call on in the event of an emergency is available.

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 the child and safety. 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.

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 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.

Compliance Information

(1)(a) The registered provider was the designated person in charge on the day of the inspection.

(b) The registered provider was present in the service for the duration of the inspection and the staff roster demonstrated that the registered provider was the sole adult present at the service each day.

(2)(a) There were 2 written references available for the registered provider.

(b) Both references were sourced from reputable sources such as schools.

(c) Garda vetting disclosures had been obtained for the registered provider. 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) The registered provider did not require police vetting from another jurisdiction.

(4) The registered provider held an appropriate qualification in Early Childhood Care and Education at level 7 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.

(8)(c) a registered provider of a sessional pre-school service shall ensure that, where the person in charge operates the service single-handedly, a second person familiar with the operation of the service and in a position to provide

assistance to the person in charge in operating the service is, at all times, within close distance of the service and available to attend the service to assist the person in charge in the event of an emergency.

Compliance Information

(1) The registered provider ensured that there the correct number of children and adults are present each day at the service.

(3) The service operates a morning sessional programme from 9.00am to 12.00md. On the day of the inspection there were 7 pre-school children present with 1 staff for the morning sessional service. The adult child ratio was compliant with the requirements of Regulation 11.

(8) (c) The registered provider had at all times a second person, who was familiar with the operation of the service available within close distance to assist in the event of an emergency.

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.*

Compliance Information

- (1) All children's enrolment forms were reviewed. The service had a record in writing containing the following particulars for each of the children.
- (a) The name and date of birth of the child.
 - (b) The date on which the child first attended the service.
 - (c) Provision to record 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 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 received by the child.
 - (i) Written parental consent for appropriate medical treatment of the child in the event of an emergency.

Part IV – Information and Records

Regulation 16 – Record in relation to pre-school service

(1) A registered provider shall ensure that a record in writing is kept of the following information in relation to the service:

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;*
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;*
- (c) details of the adult:child ratios in the service;*
- (d) the type of care or programme provided in the service;*
- (e) the facilities available;*
- (f) the opening hours and fees;*
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*
- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

Compliance Information

(1) The registered providers ensured that a record in writing was kept of the following information in relation to the service:

- a) The name, position, qualifications and experience of the person in charge at the facility.*
- b) Details of the type of service in operation and the age profile of children for which the facility is registered to provide services. These were outlined in the parent handbook for the service.*
- c) Details of the adult: child ratios in the service.*
- d) The type of care or programme provided in the service.*
- e) The facilities available.*
- f) The opening hours and fees.*
- g) A record in writing was maintained of policies and procedures required in accordance with Regulation 10.*
- h) Details of attendance by each pre-school child daily.*

- i) Staff rosters were maintained on a daily basis and available for inspection. These correlated with the numbers that were present on the day of inspection.
- j) The service had a medication administration recording template book available that was completed in the event of a child requiring medication to be administered.
- k) Details of any accident, injury or incident involving a pre-school child attending the service was recorded.

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:

The service promotes healthy eating by encouraging parents to provide nutritious snacks, with a variety of sandwiches, fruits, and yogurts observed in the children's lunches. Perishable foods are stored appropriately in a refrigerator, and drinks are accessible throughout the session. The environment is well organised, with each child having a labelled coat hook and shelf for their personal belongings. Toilets are easily accessible and change and protective clothing are provided for messy play. Rest and relaxation areas are available in the library space and a model toy car filled with soft furnishings and blankets is also available as a comfort space if needed.

Physical and Material Environment:

The service operates in a spacious preschool room featuring low-level tables for meals and tabletop activities. Open shelving provides easy access to a variety of educational Montessori materials. Imaginative play is encouraged with a large princess castle, dolls houses, toy kitchens, prams, and a village shop prop. The walls are decorated with educational posters and children's artwork, while a notice board displays family photographs, fostering a sense of belonging. Throughout the morning, children were engaged and content in various activities, encouraged to work independently, select activities, and engage for extended periods, with guidance from the registered provider when needed.

Non-Compliance Information

Basic Needs:

The outdoor play area was not in use during the inspection, with the registered provider noting limited use during the winter months. It is recommended that children have access to the outdoor space year-round to support their learning and development needs.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The outdoor area was reviewed by the registered provider following the inspection of the service. The space was deep cleaned. All play equipment that was in storage for the winter, was returned to the area and the facility was made accessible to the children on a daily basis.

Supporting documentation submitted

N/A

Summary Comment

The inspector has reviewed the corrective and the preventive actions taken. The non-compliance identified has been adequately 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 facility has several general safety measures in place, including a secured front door with entry granted only through ringing a bell answered by staff, preventing unauthorised access. Low-level windows are decorated with artwork to prevent children from banging into them, and window locks are placed out of children's reach to avoid accidental exits or falls. Cleaning agents are stored on high shelves, inaccessible to children, and the kitchen is off-limits to them. The outdoor area is securely enclosed with high-level hedging around the perimeter to ensure safety.

Fire Safety:

All emergency fire doors were unobstructed.

Non-Compliance Information

General Safety:

1. Garda vetting was available for the registered provider, however, the vetting disclosure was not dated within the previous three years in adherence to the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.
2. The surface of the outdoor play area was greasy and slippery. Lots of leaves that gathered across all areas of the play space. Rainwater had collected in lots of containers outdoors. A deep clean of this area was required in order to make it safe for use by the children at the service.

Infection Control:

3. There was no hot water available at the wash hand basin used by the children in the sanitary accommodation. Thermostatically controlled hot water is required at all wash hand basins in the service to ensure proper infection control measures are followed.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. A Garda vetting renewal application was processed for the registered provider. Garda vetting will be renewed every three years.
2. The outdoor area was deep cleaned and made safe for the children to access on a daily basis. Regular and ongoing cleaning will take place at the service to ensure the area is accessible throughout the year.

Infection Control:

3. Repair works were carried out on the emersion heater to ensure that hot water for handwashing was always accessible. All repair works within the service will be carried out in a timely manner to ensure adequate infection control measures will always be in place.

Supporting documentation submitted

General Safety:

1. Details were outlined in the CAPA of all remedial actions taken. A copy of the updated Garda vetting will be forwarded to the Office of the Early Years Inspectorate when processed.

Infection Control:

N/A

Summary Comment

The inspector has reviewed the corrective and preventive actions taken. The non-compliances identified has been adequately addressed.

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 has first aid responder (FAR) training, and this training is in date up to 2025.

(2) (a) There was a first aid box available in the main preschool room.

(b) The first aid equipment was accessible to the registered provider at all times if required.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The registered provider had a current insurance certificate which outlined that adequate insurance was available for up to 11 preschool children to attend the service. The insurance cover commenced on the 28th of March 2024 and is due to expire on the 27th of March 2025.