

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2015LS016

Name of Service: Magic Moments Montessori

Address of Service: 78 Hawthorn Drive, Portlaoise, Co. Laois

Eircode: R32 DX26

Name of Registered Provider: Nuala McEvoy, Olivia Kelly

Service type: Full Day

Dates of Inspection: 04/09/2025

No of pre-school children:	AM	40	PM	22
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Address of the Early Years Inspectorate: Early Years Inspectorate
Tusla, Child and Family Agency
Primary Care Centre
Church Avenue
Tullamore
Co Offaly
R35 K1W4

Inspection undertaken by: R Flynn

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.

Description of service

Magic Moments Montessori is a private childcare service in the town of Portlaoise, Co. Laois. Magic Moments Montessori offers full day care, part time and sessional care to children between the age of 2-6 years. The premises is a standalone single storey building located in a residential area.

The full day care service operates from 07:30am to 5:30pm, Monday to Friday. Two sessional services are offered. The morning session is from 08:30am – 11:30am, and the afternoon session runs from 12.15pm – 3:15pm Monday to Friday.

Three preschool rooms, a rest/quiet room, a kitchen, storeroom and office are provided on the premises. A large secure outdoor play area is located to the rear of the building. Parking and set down is available on the public road outside the premises.

Staffing

The registered providers employ six adults to work in the service. Both registered providers work directly with the children and facilitated the inspection on 04 September. There were seven adults present on the day of inspection, this included two registered providers, a deputy person in charge, three childcare practitioners and one cook.

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.

- Regulation 9 – Management and Recruitment (1)(a)(b), (2)(a)(b)(c)(d), (4),
- Regulation 11– Staffing Levels (1)(3)(8)(a),
- Regulation 19 - Health, Welfare and Development of Child (1)(a),
- Regulation 20 – Facilities for Rest and Play (1)(a)(b) (3)(a),
- Regulation 23 – Safeguarding Health, Safety and Welfare of child,
- Regulation 25 - First Aid (1), (2)(a)(b),
- Regulation 26 – Fire Safety Measures (1) (a) (b), (4),
- Regulation 28 – Insurance.

On inspection an additional non-compliance was identified under Regulation 8 – Notification of Change of Circumstances. 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

An Immediate Action Notice was issued on 05 September 2025 to the registered providers in relation to Garda vetting. The registered providers submitted a response on 08 September 2025 which addressed the non-compliance. See Regulation 9 for further details.

Acknowledgments

The inspector wishes to acknowledge the cooperation of both registered providers, staff and children who were present on the day of the inspection.

Part II - Registration and Register

Regulation 8 - Notification of change in circumstances

(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.

Non-Compliance Information

(1)
The registered provider did not notify Tusla of a change in the hours of operation and were found to be operating outside of their registration status. The service is registered to operate between the hours of 08:00 – 18:00, however were operating between the hours of 07:30-17:30.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

A Change of Circumstances application was submitted to Tusla to inform of change in opening hours.

Supporting documentation submitted

Copy of email received.

Summary Comment

The inspector has reviewed the corrective and preventive actions taken and evidence submitted. The non-compliance identified under Regulation 8 has been adequately addressed.

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.*

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(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)

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.

(2)

Eight staff files including the two registered providers files were reviewed and the following was noted:

(a)

Six written validated references were available from a previous employer and

(b)

Six written validated references were available from a reputable source.

(c) Garda vetting disclosures had been obtained for seven staff. In regard to the seven staff members, the service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) Police vetting was available for one staff member who had lived outside the state for a period of longer than six consecutive months as an adult.

(4)

Seven employed childcare staff members working directly with the pre-school children attending the service held a major award in Early Childhood Care and Education Level 5 to Level 8 on the National Framework of Qualifications or a qualification deemed equivalent by the Minister.

Non-Compliance Information

(9)

(2) (a)

Two written references from a past employer were not validated in respect of two adults employed in the service.

(2) (b)

Two written references from a reputable source were not validated in respect of two adults employed in the service.

(2) (c)

A garda vetting disclosure was unavailable for one adult employed by the service. An immediate action notice was issued on 05 September 2025 in response to breach of regulation (9)(2)(c).

(3)

The procedures specified in paragraph (2) had not been completed prior to one staff member being appointed, assigned or allowed access to or contact with children. Garda Vetting was not available for one staff member and four references had not been validated.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2) (a) (b)

Outstanding written references have been obtained and verified. The registered providers will ensure all required documentation is on file prior to staff commencing work in the service.

(2) (C)

The outstanding Garda Vetting was returned on 15 September. The registered providers will ensure Garda Vetting is received prior to new members of staff commencing employment.

(3)

The Garda vetting application had been made for the relevant staff member on 14 August 2025 prior to the staff member commencing employment. The Garda Vetting was returned on 15 September. The staff member was absent from the service from 05 September to 15 September awaiting their Garda Vetting.

Supporting documentation submitted

(2)(a)(b) Written validated references received.

(2)(c) Garda vetting received.

(3) Garda Vetting Disclosure received.

Summary Comment

The inspector has reviewed the corrective and preventive actions taken and evidence submitted. The non-compliances identified under Regulation 9 have been adequately 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)
An adequate number of adults were working directly with the children. In the morning on arrival at the service, there were forty children being supervised directly by six adults. In the afternoon, there were twenty-two children being supervised by five adults.

(2)
The minimum ratio of adults to children was maintained on the day of inspection demonstrated by the following observation;

Morning

- There was one adult providing direct care to ten children aged between 2 years 8 months – 4 years in Room 1.
- There were two adults providing direct care to ten children aged between 2 years 8 months – 3 years and 8 months in Room 2.
- There were three adults providing direct care to twenty children aged between 2 years and 8 months – 4 and a half years in Room 3.

Afternoon

- There was one adult providing direct care to ten children aged between 2 years and 9 months – 4 years in Room 1.
- There were two adults providing direct care to twelve full day care children aged between 3-5 years.

(8)(a)
There were at least two adults on the premises duration the operational hours of the service. This was confirmed following review of the staff roster for the service.

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

(1) (a)

Basic Needs

The service promoted healthy eating and parents provided the morning and afternoon snack for their child. The snacks provided were observed to include sandwiches, fresh fruit, cheese, crackers and yoghurts. Children had individual water bottles.

The service employed a cook to provide the main meal and evening tea which were freshly prepared daily. A three-week menu was in place. Dinner on the day was observed to be ground beef, mashed potatoes and carrots. Regular hand washing was observed as children washed their hands before meals, after toileting and as needed. Self-toileting was supported, and children were supervised as necessary.

The children availed of outdoor play throughout the day and enjoyed freedom of movement within the pre-school rooms and in the outdoor play area. Facilities for baby changing were available in the service however none were observed.

Supporting relationships

The staff members demonstrated warmth and affection in their interactions with the children and were observed to speak to the children in warm tones and provide hugs and reassurance when required. The three care rooms had family walls displaying pictures of the children with their family members. Individual booklets labelled 'All About Me', had photos and stories about the children's holidays and families, which helped keep the children connected to home. Birthday walls displayed each child's birthday and their photograph. Staff advised that they communicate with parents through an electronic application that provides updates to parents regarding their child's activities and learning. Parents were also spoken with at drop off and collection times.

Physical and material environment

The pre-school rooms had a range of play-based materials and specialist Montessori equipment that offered opportunity for stimulation, exploration, and imaginative play. These were positioned at an accessible level on open shelving which nurtured independence, facilitated choice, and encouraged curiosity.

Materials and equipment included paper and colouring equipment, modelling dough, wooden puzzles, jigsaws, books, vehicles and connector blocks. Equipment to promote fine and gross motor development such as stickle bricks and blocks were available to the children. Areas of interest included, home/kitchen corners, construction areas, dress up and rest areas with libraries.

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.

Compliance Information

(1)(a)

Suitable play equipment was provided which included toys and equipment for construction, tabletop activities, arts and crafts and sensory materials in each room.

(b)

Soft furnishings such as vinyl bean bags and mats in cosy corners, provided facilities for rest and relaxation in the pre-school rooms. Room 1 had a cosy carpeted loft area with bean bags for children to read and relax. Room 2 also had a cosy corner with bean bags which provided a retreat if children wished to take a break from activities. Room 3 had a segregated cosy area which was divided from the main room by a mesh curtain which provided a relaxing break out space for children who wished to take a break from activities. Rugs and bean bags were

available for the children to rest during the session if they wished. A small room located within room 3 had vinyl floor mats and a small mattress with blankets if children were tired or required a sleep or rest.

(3)(a)

An outdoor play area was provided at the back of the premises and accessed via patio doors in room 2 and 3. Shelter was provided in the outdoor play area with a plastic corrugated roof covering part of the outdoor space. A low wooden fence and gate divided the outdoor area into two play spaces. Children were observed to move freely between both areas. A soft shock resistant surface covered the ground. A wooden climbing frame with two slides, a play kitchen, balance bikes and wheelbarrows were available to the children. An additional covered open play area with mud, sand and digging tools such as shovels, buckets and wheelbarrows was to the side of the outdoor space. The messy play area also contained a mud kitchen, and tyres to climb on and roll. Wellington boots were stored at the messy play area for children to use when needed. Children were observed playing on space hopper balls and bouncing up and down the outdoor space, using the tricycles, ride on mini scooters and balance bikes available and playing on the climbing frame and playhouse.

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 entrance door to the service was secure and managed by the staff. A doorbell alerted staff to any visitors and an internal latch, and lock were positioned up high out of reach of children.

Cleaning products were stored safely on high shelves in the sanitary accommodation out of reach of children.

The kitchen was inaccessible to the children on the day of the inspection.

Infection Control:

Liquid soap and warm water were available for hand washing. Paper hand towels were accessible to children from wall mounted dispensers. The children were supported to wash their hands after outdoor play, before meals and after using the bathroom. Pedal bins were available in each care room and sanitary accommodation for the hygienic disposal of waste. Mechanical ventilation was in place in the sanitary accommodation as well as openable windows. The care rooms were well-ventilated with openable windows.

Administration of Medication:

No medication was administered on the day of inspection. Staff were familiar with the procedure of administering medication if required by a child. An emergency medical care plan was in place for a child with a specific condition. The medication was in date, easily accessible within the room and stored with the child's specific care plan. Staff members were fully aware of their roles and responsibilities in the event of a medical emergency occurring. Temperature reducing medication was available in the service if a child presented with a high temperature and was stored safely in a kitchen out of reach of the children.

Non-Compliance Information

General Safety:

The two side gates leading from the outdoor play area to the front of the premises, were observed to be unlocked. The gate at the front of the service was left open. This posed a risk of children exiting the premises. It is acknowledged that the children were supervised during outdoor play on the day of inspection.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

Signs were placed at the side gates on 05 September to notify parents/users to ensure the gate is closed each time. The registered provider sent a reminder message to parents to ensure the gate is closed after entry or exit from the service.

Supporting documentation submitted

General Safety:

Photographs of the signs at the gates received.

Summary Comment

The inspector has reviewed the corrective and preventive actions taken and evidence submitted. The non-compliance identified under Regulation 23 has been 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)

Two staff members were qualified in First Aid response (FAR). One staff member was available on the premises during the operational hours of the service on 04 September 2025.

(2)(a)

Suitably equipped first aid boxes were located throughout the service.

(b)

A first aid box was accessible to adults caring for children in the pre-school 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 for the completed fire drills was available on the premises. The last fire drill was recorded as taking place on 15 May 2025.

(b)

A record was available demonstrating the number and type of the firefighting equipment and smoke alarms on the premises. The firefighting equipment and smoke alarms were serviced 18 August 2025.

(4)

A notice of the procedure to be followed in the event of a fire were positioned at doorways throughout the service.

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 for 84 children attending the service and the expiry date noted was 27 March 2026.