

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015TY129				
Name of Service:	Martha's Montessori				
Address of Service:	8 Comeragh Court, Clonmel, Co Tipperary				
Eircode:	E91 A386				
Name of Registered Provider:	Martha O'Shea				
Service type:	Sessional				
Date of Inspection:	16/09/2025				
No of pre-school children:	<table border="1"> <tr> <td>AM</td> <td>7</td> <td>PM</td> <td>N/A</td> </tr> </table>	AM	7	PM	N/A
AM	7	PM	N/A		
Address of the Early Years Inspectorate:	13 Market Square, Mallow, Co Cork. P51DD5Y				
Inspection undertaken by:	B Fraher				
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

Description of service

Martha's Montessori is a private early years service which was established in 1999, located in the urban town of Clonmel. This is a sister service of Martha's Montessori school Carrick-on-suir. The premises is a purpose built single storey structure. It consists of two early years rooms, a cloakroom, kitchen and sanitary accommodations. An enclosed courtyard provides children with access to the outdoors. The service operates the early childhood care and education (ECCE) scheme from 9:00 to 12:30, 38 weeks of the year.

Staffing

A total of three adults were employed at the setting. This includes the registered provider, who provides relief cover but is not service based.

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. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under Regulations 9 Management and recruitment, Regulation 10 Policies Procedures of a pre-school service, Regulation 11 Staffing levels, Regulation 15 Record of a pre-school child, Regulation 16 Records in relation to a pre-school service, Regulation 19 Health, welfare and

development of child, Regulation 23 Safeguarding health, safety and welfare of child,; however, on inspection additional non-compliance which posed a risk was identified under Regulation 8 Notification of change in circumstances and Regulation 25 First aid. 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 to the person in charge as the locking mechanism on two of the fire exit doors was identified as posing a potential safety risk and a referral was made to the Fire Officer. Further information can be found under Regulation 23 of this report.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the children, person in charge and staff 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 had not notified the agency of the change to the person in charge and the age range of the children attending the service. The service is registered to cater for 3 to 6 year olds and was catering for 2 to 6 year olds on the day of inspection.

Corrective & Preventive Action submitted by the Registered Provider

The following statement was received from the registered provider:

Corrective and Preventive Action

A change in circumstances was submitted and approval was received. Tusla registration will be checked annually to ensure compliance.

Supporting documentation submitted

Proof of change in circumstances received.

Summary Comment

The corrective action submitted by the registered provider has addressed the non-compliance identified under Regulation 8 (1).

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
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.

(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 service had a designated person in charge and there was a named deputy in the service that could deputise as required.
 - (b) The person in charge was on duty at the service when the inspectors arrived. The staff roster indicated that either the person in charge or the deputy were on duty at all times during the hours of operation.
 - (c) There was clear evidence on inspection of the management structure in place and the specific roles of each of the staff members.

- (2) The staff files in relation to three adults who were employed in the service were the subject of the inspection.
- (a) Of the six required references, two were from previous employers and were validated.
- (b) Of the six required references, four were from a source other than a previous employer and were validated.
- (c) Garda vetting disclosures were obtained for all three staff members. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda Vetting every three years.
- (d) No staff member had lived outside the state for over six months as an adult; therefore, no police vetting was required.
- (4) Three of the staff members working directly with the children held a relevant qualification in Early Childhood Care and Education at level 5 to level 7 as listed on the National Framework of Qualifications or a qualification deemed relevant by the Minister.

Part III – Management and Staff

Regulation 10 - Policies, procedures etc. of pre-school service

A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.

Compliance Information

The following policy was reviewed:

- Fire safety policy

The policy contained the information required to guide staff in their care practices for the children.

Non-Compliance Information

1. The services policy on administration of medication did not contain the following required information to meet the regulatory requirements.

- The procedure for safe labelling and storage of children's medication.
- The timeframe for record retention.
- The procedure for dealing with individual care plans.

This causes a risk of the wrong medication and procedure being used during administration.

2. The services policy on healthy eating called the diet and nutrition policy did not outline the following:

- How food is safely stored and served.
- State that parents' and guardians' choices are supported.

Unsafe storage of food can cause an infection control risk.

3. The policy on outdoor play did not set out the procedure for carrying out risk assessments.

Corrective & Preventive Action submitted by the Registered Provider

The following statement was received from the registered provider:

Corrective and Preventive Action

1. A new medication management policy was written and implemented. The service plans to update its policies.
2. The healthy eating policy was updated to include the required information. The service plans to update its policies.
3. The service has a risk assessment sheet introduced and will evaluate and make changes as needed going forward.

Supporting documentation submitted

1. A copy of the medication management policy was received.
2. A copy of the updated healthy eating policy was received.
3. A copy of the risk assessment template was received.

Summary Comment

The corrective actions submitted by the registered provider have addressed the non-compliances identified under Regulation 10.

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) At the time of inspection, there was an adequate number of adults responsible for the direct care and supervision of the children in attendance.

(3) The adult / child ratio was observed to be above the minimum requirement for the duration of the inspection. There were two adults directly caring for the seven children that were in attendance.

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)

(a-i) A sample of 10 records of the early years children attending the service were reviewed. The records were found to contain all the required information.

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:

(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 following records were reviewed:

(i) The staff roster for the month of inspection was available for assessment. A copy of the roster was received; the roster was in keeping with the staff working in the service on the day of inspection.

(j) A sample of 10 accidents and incidents were reviewed. They contained all the relevant information.

(k) The inspector requested to review medication administration records. The person in charge informed the inspector that no medication has been administered in the service. A record book was available to record administration if required.

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:

- All snacks were provided by the parents and were observed to be healthy and nutritious. On the day of inspection, it was observed that the children's snacks consisted of yogurts, ham sandwiches, crackers and fruit.
- Drinking water was available to the children and children were observed to freely access their drinks throughout the morning.
- Children accessed the toilets independently under the supervision of the staff, assistance was given where needed.
- Children were encouraged and supported to wash their hands prior to eating and after using the toilets.
- A rest area consisting of soft cushions was available in the corner of Room Two and was available for use.
- Outdoor games and activities were promoted and observed, with the children accessing the outdoor area for play.
- Appropriate seating was used in the form of low-level tables and chairs.
- Children had sufficient space to move freely indoors on inspection.

Supporting relationships:

- Throughout the morning, staff were heard engaging in social conversation with the children which helped promote a relaxed and happy atmosphere.
- Interactions between the staff and children was observed to be warm and sensitive. An example included when children were encouraged to build a train set together.
- Parents and guardians were communicated with via email, at drop off and collection. Staff informed the inspector that arranged times are facilitated if needed.

- Staff were observed to encourage positive behaviour, encouraging children to be gentle with each other and share during play. This was observed when two children had a minor disagreement.
- The person in charge informed the inspector that the service plans to introduce a key worker system in the service when all the children had settled.
- Children appeared to be familiar with the routine of the service and supported each other to tidy up which promoted a sense of responsibility.
- Family pictures were evident on the wall, promoting a sense of belonging for the children.
- As the children drew and completed puzzles, staff were observed to provide praise and encouragement for their accomplishments.
- One staff member was observed to read to the children in circle time.

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 was secured. This restricted unauthorised access to the building and prevented the risk of children exiting unsupervised.
- The windows in the care rooms were adequately secured to ensure the safety of the children.
- The outdoor area was in a courtyard. It was observed to be a safe and secure space for the children with walls and a metal gate. This prevented children gaining unsupervised access to an unsafe area.
- The toys and play equipment assessed were in good condition.
- Staff were observed to bring toys outdoors for the children to play with. These toys and the outdoor equipment used were in good condition.
- Cleaning agents were stored out of reach of the children.
- There were no cables or trailing flexes accessible to the children on the day of inspection.
- The radiator temperatures were recorded at an appropriate level of between 27.6°C and 28.1°C.
- Blind cords in the rooms inspected were secured and not accessible to the children.

Infection control:

- Handwashing facilities were accessible to the children with running water, liquid soap and paper tissue. Children were observed to wash their hands after using the toilet and before food and staff were observed to remind them.
- Children's coats and bags were stored off the ground on hooks in the cloak room and children were encouraged to hang up their coats.
- Lidded pedal bins were in use for the disposal of waste.
- A refrigerator was available in each room for the storage of perishable foods.

Fire safety:

- All fire extinguishers observed were wall mounted.

Non-Compliance Information

Fire safety:

An Immediate Action Notice was issued to the person in charge as two fire exit doors were locked with keys on the day of inspection. It is acknowledged that the key was on one door. These locking mechanisms posed a potential safety risk and a referral was made to the fire officer.

Action submitted by the Registered Provider

The following statement was received from the registered provider:

Corrective & Preventive Action

Fire safety:

A thumb twist lock has been fitted. The service is awaiting a meeting with the fire officer.

Supporting documentation submitted

Photographs of the lock received and a copy of the email from the fire officer.

Summary Comment

The corrective action submitted by the registered provider has addressed the non-compliance identified under Regulation 23.

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.

Non-Compliance Information

The inspector noted no staff member working in the service on the day of inspection held a current up to date first aid responder (FAR) certificate. In the event of an accident or injury occurring to a child, this posed a safety risk to the children. It is acknowledged that one staff member held an up to date first aid certificate.

Corrective & Preventive Action submitted by the Registered Provider

The following statement was received from the registered provider:

Corrective and Preventive Action

A staff member is currently undertaking a blended learning FAR course. Staff files will be reviewed at the end of each term to ensure compliance.

Supporting documentation submitted:

Evidence of booking of the FAR course received.

Summary Comment

The corrective action submitted by the registered provider has addressed the non-compliance identified under Regulation 25.