

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015WW091		
<b>Name of Service:</b>	The Marian Centre CLG		
<b>Address of Service:</b>	Green Park Road, Bray, Co. Wicklow		
<b>Eircode:</b>	A98 PX48		
<b>Name of Registered Provider:</b>	Lisa Kearns		
<b>Service type:</b>	Sessional		
<b>Date of Inspection:</b>	08/10/2025		
<b>No of pre-school children:</b>	AM	19	PM N/A
<b>Address of the Early Years Inspectorate:</b>	Tusla Child and Family Agency First Floor Trinity Building IDA Business Park Southern Cross Road Bray, Co. Wicklow		
<b>Inspection undertaken by:</b>	H. Bourke		
<b>Title:</b>	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

The Marian Centre is a community owned sessional childcare service established in 2004. The service operates from a single storey building in the urban setting of Bray Co. Wicklow. The service is registered to provide care and education for children aged between 2 years and 6 years of age. The service is open from Monday to Friday and provides a sessional ECCE service for 38 weeks of the year.

There are two pre-school rooms located within the building that are divided into three separate play areas for the children.

The pre-school service operates two sessional services, the first from 9am to 12pm and the second from 1pm to 4pm. The children have access to a secure outdoor area at the side of the premises.

### Staffing

There are ten adults currently employed in the service. This includes the person in charge of the service, a receptionist, a housekeeper and a financial administrator. A total of nine adults were present on the day of inspection; six adults were working directly with the children attending the pre-school.

The registered provider is on the board of management and does not work directly with the children in the service.

### 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/ safety/ premises and facilities. 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 person in charge, 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
- (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

Following a discussion with the person in charge and inspecting the staff roster it was confirmed that there are ten adults employed in the service, these files were reviewed.

(1)(a)

The person in charge was present and there was a named person who was able to deputise as required.

(b)

The person in charge was on the premises at the time of the arrival of the inspector and remained on the premises for the remainder of the inspection.

- (c)  
There was a clear management structure within the service.
- (2)(a)(b)  
Written validated references were available in respect of ten adults.
- (c)  
The required three-year Garda Vetting Disclosures were available for ten adults.
- (d)  
International police vetting was available for one adult working in the service who had lived outside the jurisdiction for more than six consecutive months as an adult.
- (4)  
Eight staff members held a major award in Early Childhood Care and Education at Level 5 or higher 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.*
- (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) Without prejudice to paragraphs (2) to (7)-*  
*(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)  
Throughout the inspection there were an adequate number of adults working directly with the children attending the pre-school service.
- (3)  
The correct adult/child ratio was maintained at all times. There were six adults employed and present with 19 children on the day of inspection.
- (8)(c)  
Not applicable as the registered provider does not operate the service single-handedly.

### 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)(a)-(i)

The person in charge ensured that a record in writing of the above particulars was kept in respect of each child attending the pre-school service.

(3)(c)

The person in charge ensured that these records were available for inspection to an authorised person.

## 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;*
- (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.*

*(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.*

### Compliance Information

(1)(a),(h)-(k)

The person in charge ensured that a record in writing was kept of the above list of information in relation to the service.

(3)  
The person in charge ensured that the above list of documents was open to inspection by an authorised person.

## Part V - Care of Child in Pre-school Service

### Regulation 22 – Food and drink

*A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.*

#### Compliance Information

The service provides all food and drink for the children who attend the pre-school. On the day of inspection, the children were given a wide variety of healthy fruit and snacks that were in keeping with the healthy eating policy of the service.

Fresh milk to drink in addition to watermelon, bananas, strawberries, cheese, cold meats, yogurt and fresh bread were amongst the foods available at snack time for the children.

Fresh drinking water was available throughout the morning. Children were given as long as needed to finish their snacks and there was additional food available for the children if they wanted more to eat.

## 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 toys and play equipment observed in use by the children on the day of inspection were safe and in good working order. The person in charge had taken measures to ensure the indoor and outdoor play environments were safe and free from hazards. Fire exits were clearly marked and free from obstruction.

Cleaning products and hazardous materials were stored securely out of reach of the children. The kitchen area was inaccessible to the children attending the service.

#### Non-Compliance Information

## General Safety:

The entrance door into the service was not adequately secured to ensure the safety of the children within and to avoid unauthorised persons accessing the service or children exiting unsupervised. The inspector was able to gain unauthorised access to the service and the pre-school rooms on arrival to the service.

## Action submitted by the Registered Provider

### Corrective & Preventive Action

#### General Safety:

All staff have been spoken to about the importance of ensuring the entrance door remains locked at all times. A sign has been placed on the door as an extra reminder, see attached evidence. We have contacted our Alarm contractor to see if he can install a buzzer door system as a more efficient way to ensure door safety.

### Supporting documentation submitted

#### General Safety:

Photographic evidence of the signage on the entrance door, to keep the door closed was submitted with the CAPA response.

## Summary Comment

The non-compliance found on the day of inspection in relation to regulation 23 general safety has been addressed and will be reviewed on next inspection.

## 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 person in charge ensured that there were an adequate number of staff trained in FAR (first aid response) and were available to the children throughout the inspection.

(2)(a)

A suitably equipped first aid box was located in an accessible place within the pre-school room.

(b)

The first aid box was available to 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 firefighting equipment and smoke alarms in the premises.*
- (2) The record referred to in paragraph (1) shall be open to inspection by-*
- (c) an authorised person.*
- (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 having taken place in the pre-school service on a monthly basis.

(b)

There was a maintenance record for firefighting equipment and smoke alarms on the premises dated January 2025 and July 2025 respectively.

(2)(c)

The above records referred to in paragraph (1) were open to inspection by an authorised person.

(4)

There was a notice of the procedures to follow in the event of a fire, clearly displayed within the pre-school rooms.

## Part VI - Safety

### Regulation 27 – Supervision

*A registered provider shall ensure that pre-school children attending the service are supervised at all times.*

#### Compliance Information

The person in charge ensured that there were enough adults present, to adequately supervise the children attending the service during their day.