

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015WW111				
Name of Service:	Blackberry Academy Montessori				
Address of Service:	The Old School House, St Mary's Road, Arklow, Co. Wicklow				
Eircode:	Y14 YX29				
Name of Registered Provider:	Dee Prendergast and Sara Ryan				
Service type:	Sessional				
Date) of Inspection:	06/02/2025				
No of pre-school children:	<table border="1"> <tr> <td>AM</td> <td>31</td> <td>PM</td> <td>N/A</td> </tr> </table>	AM	31	PM	N/A
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Address of the Early Years Inspectorate:	Loughlinstown Health Centre, Loughlinstown Drive, Loughlinstown, Co. Dublin.				
Inspection undertaken by:	Mona Condon				
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

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Description of service

Blackberry Academy Montessori is located in the centre of Arklow town, County Wicklow. There are two separate rooms in use, one of which is in an old schoolhouse building and the second in a prefabricated building at the rear of the premises. Both rooms have been adapted for use as a pre-school. An outdoor area is located at the side and front of the premises. This service operates from 9.30am to 12.30pm daily.

Staffing

There are five staff employed which includes the registered providers.

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.

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 providers, staff and children who were present on the day of the inspection.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(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

There were six adults present on inspection. This included one student on work placement from college. These six files were reviewed on inspection.

(a)(b) Eleven written and validated references were available for six adults.

(c) Garda vetting disclosures had been obtained for six adults. 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 available for two adults who had been employed outside the state for a period of more than six months as an adult.

(4)

Five adults employed held major awards in Early Childhood Care and Education at National Framework for Qualifications.

Non-Compliance Information

9(2)(a)(b)

There was no evidence that a second validated reference was available for one adult.

9(2)(d)

Police vetting was not available for one adult who had been employed outside the state for a period of more than six months as an adult.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

9(2)(a)(b)

Staff member has been asked to provide a second reference as soon as possible. Future staff members will be asked to provide 2 references prior to employment.

9(2)(d)

Staff member has been asked to provide police vetting as soon as possible. Future staff members will be asked to provide Police vetting prior to employment.

Summary Comment

The registered provider has addressed the non-compliance as identified on inspection in relation to Regulation 9.

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) There were five adults present working directly with thirty-one pre-school children throughout the period of the inspection.
- (3) The adult/child ratios were maintained at all times.

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)

Eleven files were examined.

The records required in writing in relation to (a)-(i) above was kept for each child. The children's files were located in a secure place in the service.

(3)(c) A record in writing referred to in paragraph (1) (a)-(i) was open to inspection on the premises by the inspectors.

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 main entrance door to the service was secure. With the exception of the non-compliances below the service met the necessary safety requirements in respect of the indoor and outdoor environment.

Infection Control:

The staff members supervised children's handwashing and handwashing routines were well established. Foot pedal operated bins were provided for the disposal of used tissues and paper towels in the sanitary area and in the pre-school room. Sanitary facilities were equipped with warm water, liquid soap, and paper towels for handwashing. Written cleaning schedules were on display for the room environment and sanitary area which were observed to be maintained in a clean and hygienic condition.

Administration of Medication:

Medication was not given at the time of the inspection; written parental consent was available should medication be required to be administered to a child. The staff members were familiar with required safe practice when administering medication in the service. Medicine was safely stored.

Non-Compliance Information

General Safety:

1. In the pre-school room at the rear of the premises a variety of cleaning agents were accessible to a child in a press under the sink in the room.

2. At the front of the premises an insulated wire which had been secured to a doorway had become loose and was accessible to a child which posed a risk. It is acknowledged that this was addressed on the day of inspection and evidence received.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

General Safety

1. These cleaning agents were removed and no longer accessible to a child.
2. The wire was secured and is no longer accessible.

Supporting documentation submitted

Photographic evidence.

Summary Comment

The registered providers have addressed the non-compliances as identified on inspection in relation to 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.

(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

(2)

(a) The first aid box for children was safely stored in an accessible and conspicuous position in the pre-school room.

(b) At all times the first aid box was available to the children attending the pre-school service.

Non-Compliance Information

- (1) No adult present had a qualification in First Aid Response was present and immediately available to the pre-school children. It is acknowledged that two staff members had a qualification in Paediatric First Aid.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Two members of staff are attending this course presently and will receive certificates on 14th March 2025.

Summary Comment

The registered providers have addressed the non-compliances as identified on inspection in relation to Regulation 25.

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 record in writing was kept of all fire drills that took place in the premises. The last fire drill was recorded on the 7th of February 2025.

(b)

A record was available detailing the number, type and maintenance of firefighting equipment and smoke alarm dated September 2024 and October 2024 respectively.

(4)

Notices were displayed in conspicuous positions, detailing the procedures to be followed in the event of fire.

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 children present were supervised at all times during the session.

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 valid until 27th of November 2025. The insurance provides cover for up to 44 children attending for sessional care.