

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015WX082
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<b>Name of Service:</b>	Little Scholars Montessori
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<b>Address of Service:</b>	Willows, Killeens, Wexford, Co. Wexford
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<b>Eircode:</b>	Y35 PX09
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<b>Name of Registered Provider:</b>	Melissa McCormack
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date of Inspection:</b>	23 October 2024
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<b>Follow up Inspection</b>	13 March 2025
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<b>No of pre-school children:</b>	AM	14	PM	2
<b>Day 2</b>		13		N/A

<b>Address of the Early Years Inspectorate:</b>	Tusla Child and Family Agency, Early Years Inspectorate, Ely Hospital, Ferrybank, Wexford.
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<b>Inspection undertaken by:</b>	E Mc Garry
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<b>Title:</b>	Early Years Inspector
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### 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).

<b>Conditions if applicable</b>	Not applicable
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### Description of service

This full day care service is situated on the outskirts of Wexford town. It is operated from a premises which has been converted to provide a preschool service from a building adjacent to the registered provider's home. The service consists of two preschool rooms, toilets, nappy changing facilities, a kitchen and a large outdoor play area to the rear of the service. The service is registered to operate from Monday to Friday from 9.00am to 4.00pm from September to June.

### Staffing

There are three staff working in the service including the registered provider who works directly with the children also. All staff held a major award in Early Childhood Care and Education at Level 5 and above on the National Qualifications Framework.

### 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/ premises and facilities. The inspection may also focus on other areas as required.

The inspection focused on the following regulations:

Regulation 9 Management and Recruitment (1) (2) (a) (b) (c) (d) (4)

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

Regulation 11 Staffing levels (1) (2),

Regulation 15 – Record of pre-school child

Regulation 20 – Facilities for rest and play

Regulation 21 Equipment and Materials

Regulation 22 – Food and drink

Regulation 23 Safeguarding Health, Safety, and Welfare of the Child

Regulation 25 First aid (1) (2) (a) (b)

Regulation 26 Fire Safety Measures

Regulation 28 Insurance

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

Following the inspection on the 23 October a draft report was issued to the registered provider on 2 December 2024. Two reminder notifications were sent to the provider to return the corrective and preventative action document outlining how the registered provider proposed to address the noncompliance found on the day of inspection. The corrective and preventative action document was received on 7 February 2025. Following the receipt of this document and evidence the registered provider was requested to submit further evidence by email to confirm the details provided in the capa document. An unannounced follow up inspection was carried out 13 March 2025 to confirm compliance with the documents submitted. Following this inspection a referral was made to the fire officer in relation to the absence of a certificate of the annual maintenance of the smoke alarm in the service. The fire officer carried out an inspection in the service on 4 April 2025.

### Acknowledgments

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

### 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)(b)

#### Day 1

The registered provider was the person in charge on the day of inspection and remained in the service for the duration of the inspection.

### Day 2

There was a person in charge when the inspector arrived. The registered provider arrived shortly after the inspector and remained in the service to facilitate the inspection.

(2)  
Following a discussion with the registered provider and on review of documentation, it was established that there were three staff employed in the service including the registered provider. All three files were reviewed on the first day of inspection.

(a)(b)  
There were two references available on file for the registered provider which did not require to be validated.

(c)  
Garda vetting disclosures had been 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 3 years for 2 staff members.

(d)  
Police vetting was not required as no staff member had lived in a state other than Ireland for a period of longer than six consecutive months.

(4)  
All staff held a major award in Early Childhood Care and Education at Level 5 and above on the National Qualifications Framework.

### Non-Compliance Information

1.  
One staff member had two written references on file in the service which were not validated. All references available on file in the service should be validated.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

1.  
The inspector received evidence of two validated references available on file in the service for the staff member.

#### Supporting documentation submitted

The registered provider will ensure all written references are validated and available on file in the service prior to staff starting in the service.

## Summary Comment

The response and evidence submitted is sufficient to address the finding of noncompliance.

## 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

There were policies and procedures in place in the service specified in Schedule 5 of these regulations. Two policies were reviewed. The policy on infection control in the service was compliant.

### Non-Compliance Information

The healthy eating policy did not contain the detail of the national standards of healthy food required for parents to provide to children attending the service. For example, the policy did not contain the number of snacks and hot meals required for parents to provide for children who were attending the service on a full times basis. The policy did not set out the measures to ensure that sufficient, suitable and nutritious food was available to children.

#### Day 2

The Healthy eating policy has not been updated.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

The registered provider has stated that the healthy eating policy will be updated to include the nutritional requirements for children attending the service as sessional, parttime and full day care.

#### Supporting documentation submitted

No evidence received.

## Summary Comment

This noncompliance has not been adequately addressed . This regulation will be reviewed on the next inspection.

## 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.*

### Compliance Information

#### Day 1

(1)  
There was an adequate number of staff working directly with the children attending the preschool service for the duration of the inspection.

(2)  
At 11.00am.  
There were 14 children aged 2 to 6 years of age in the care of 2 staff.

At 1.30pm  
There were 2 children aged 2 to 6 years of age in the care of 2 staff.

#### Day 2

(1)  
There was an adequate number of staff working directly with the children attending the preschool service for the duration of the inspection.

At 11.00am.  
There were 14 children aged 2 to 6 years of age in the care of 2 staff.

The registered provider arrived in the service shortly after the arrival of the inspector and was available to facilitate the inspection.

## 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

There was a registration form available in respect of each child enrolled in the service. A sample of 10 forms completed by the parents were reviewed as part of the inspection process and were found to contain all the information required under parts (a) – (i) of this regulation.

## 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 19 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.

#### Compliance Information

##### Day 1

(1)(a)

There was one room in operation on the day of inspection. This was called Melissa's room. There were child sized tables and chairs suitable for tabletop activities. There was sufficient space for children and staff to move around and enjoy various activities and play. Open shelving units allowed children to freely access what they wanted to choose to play with.

There was original art work displayed on the walls. The children had painted a series of pumpkins. There was a supply of Montessori equipment easily accessible to the children. There was a variety of toys provided including books, jigsaws, small cars and plastic bricks. There was a large outdoor area to the rear of the service. This consisted of a mixture of grass and concrete for children to play on. There were swings, ride on toys and a bench for children to sit on.

#### Non-Compliance Information

(b)

There was no rest area in the room for children to rest on during the day.

#### Corrective & Preventive Action submitted by the Registered Provider

##### Corrective and Preventive Action

The rest area has been reinstated in the service. The registered provider will ensure the rest area is available to the children always attending the service.

##### Supporting documentation submitted

A photograph of the rest area was received by the inspector.

## Summary Comment

The response and evidence submitted is satisfactory to meet the requirements The Child Care Act 1991 (Early Years Services) Regulations 2016.

## 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

Staff sat with the children during meal and snack times making it a sociable time for them. Parents provided all snacks and meals for the children attending the service.

#### Non-Compliance Information

1

The inspector observed that some of the foods available to the children were high in sugar or salt and inadequate to meet nutritional requirements for a full day care setting. As evidenced by the following observations on the day of inspection.

2.

The morning snack was observed by the inspector. Many of the children had large bottles of juice to drink. Juice drinks are not recommended in preschool services as they can cause tooth decay in children.

3.

Children had chocolate spread sandwiches, chocolate croissants, chocolate rice cakes and crisps at snack time.

4.

The children who were attending the full day care service were served their main meal at 12.30pm. One child had a roll with butter and juice to drink. Another child had chocolate biscuits, crackers and juice. National standards for preschools require services to provide a hot meal to children attending on a full day care basis. This meal should consist of food from three food groups. For example, rice / potato / pasta, with a vegetable /salad, and a protein such as meat, fish, eggs, or beans.

#### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

1,2,3,4.

Parents were made aware once again national healthy eating standards and asked to ensure healthy food and drinks were provided for snack time. The service has asked parents that children attending school for full daycare be provided with two healthy snacks and one hot meal. The service aims to help and guide parents with this ongoing issue. Leaflets were shared and put on the notice board in the service. Suggestions have been shared with parents on healthy snacks and meals.

**Supporting documentation submitted**

A snapshot of the what's app messages and leaflets shared with parents was received by the inspector.

**Summary Comment**

The response and evidence submitted is satisfactory to meet the requirements The Child Care Act 1991 (Early Years Services) Regulations 2016.

**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**

The registered provider took the following measures to safeguard the health, safety and welfare of the preschool children attending the service:

**GENERAL SAFETY**

All cleaning agents were stored in a safe and secure area which was inaccessible to children. Access to the service was gained through the front door which was secure on arrival and remained secure for the duration of the inspection.

**INFECTION CONTROL**

The service appeared to be clean. There was, liquid soap and foot controlled lidded bins available in the service. Good hand washing practice was observed on the day of inspection. Children were observed washing their hands after using the toilet. All perishable items were stored in the fridge.

### Non-Compliance Information

Garda vetting disclosures had been obtained for all staff. However, the service did not adhere to the re-vetting time frames for one staff member.

#### Day 2

There was no evidence available that renewed garda vetting had been applied for the staff member.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

The registered provider has stated the staff member is no longer working in the service.

#### Supporting documentation submitted

No evidence received.

### Summary Comment

The response provided is adequate to address the matter. This regulation will be reviewed on the 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

(2)(a)(b)

There was a suitably equipped first aid box stored in an easily accessible and conspicuous position on the premises and was available to the children attending the preschool service.

### Non-Compliance Information

#### Day 1

There was no staff member trained in a First Aid Responder course employed in the service. It is acknowledged both staff members who were present on the day were trained in paediatric first aid.

### Day 2

There was still no staff member available to the children who was trained in a first aid responder course. There was evidence that the registered provider had attended the online component of a first aid responder course.

Following day 2 of the inspection the inspector received evidence that the registered provider and staff member had attended and achieved a certificate in a first aid responder course on the 1 March 2025.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

The two staff in the service are now trained in a first aid responder course.

#### Supporting documentation submitted

Evidence both staff have qualified in a first aid responder course was received by the inspector.

### Summary Comment

The response and evidence submitted is satisfactory to meet the requirements The Child Care Act 1991 (Early Years Services) Regulations

## 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.
- (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

#### Day 1

##### (1)(a)

There was a record of fire drills that had taken place in the service. The last fire drill was recorded as having taken place in October 2024.

##### (4)

There was a notice of the procedures to be followed in the event of fire displayed in a conspicuous position in the entrance door to the service.

## Day 2

Evidence was available the firefighting equipment had been serviced in October 2024.

### Non-Compliance Information

#### Day 1

There was no record of the annual maintenance of the firefighting equipment or smoke alarm in the service.

#### Day 2

There was no evidence of the annual maintenance of the smoke alarm in the service. A referral was sent to the fire officer on the 13 March 2025.

The registered provider stated the smoke alarm had been reviewed by a competent professional since the last inspection on 23 October 2024. However, that person was unable to supply an annual maintenance certificate for the smoke alarm in the service. The fire officer has reviewed the smoke alarm in the service on the 4 April 2025 and recommended works to be carried out.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

The registered provider has sent a statement declaring a competent professional has been employed to carry out the work recommended by the fire officer in June 2025 when the service is closed.

#### Supporting documentation submitted

A record of the annual maintenance of the fire equipment which was carried out in October 2024 was received by the inspector.

### Summary Comment

The actions as stated have been accepted but has not yet been completed. Compliance with this regulation will be reviewed on the next inspection.

### Part VI - Safety

#### Regulation 28 - Insurance

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

#### Compliance Information

There was adequate insurance in place for the children who were present on the day of inspection.