

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2016CC020
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Name of Service:	Churchtown Montessori School
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Address of Service:	Churchtown, Cloyne, Co Cork
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Eircode:	P25 HE42
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Name of Registered Provider:	Niamh Fogarty
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Service type:	Part Time
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Date of Inspection:	13/11/2025
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No of pre-school children:	AM	37	PM	24
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Administration Building, St Mary's Health Campus, Gurrabraher, Cork T23 X440
Inspection undertaken by:	D Prendergast
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
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Description of service

Churchtown Montessori School is a part time service, that is registered to cater for children aged 2 to 6 years. This includes children attending the Early Childhood Care and Education (ECCE) Scheme, which is facilitated over 38 weeks annually.

Located in Cloyne in Co Cork, the service operates from a former primary school, which consists of a single storey, detached building. There are two operational care rooms, with adjacent sanitary facilities. The premises also includes an office/storage room and a designated outdoor play area, which includes an outdoor classroom. The registered provider is a multiple service provider.

Staffing

The early years service employs nine adults, all of whom are involved in the direct care of the children. This includes the registered provider, who is available to provide relief cover. Two adults are employed under the Access and Inclusion Model (AIM) support scheme. A student was also undertaking a work placement at the time of the inspection.

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.

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, deputy, 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.

Compliance Information

(1) The service was found to be operating within its registered age range of children and type of service.

Non-Compliance Information

(1) The part time hours in operation at the setting were at variance with the service's registered opening hours. The registered hours of operation were from 9.00am to 1.15pm, however the service was found to be accommodating children between the hours of 9.00am and 2.00pm. This was confirmed during discussion with the person in charge and subsequent review of the children's attendance records. The registered provider had not notified the Agency regarding this change.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The written reply outlined that this has been corrected. A change in circumstance application was submitted and approved. As a preventive measure, the service will check for any administration error in future.

Supporting documentation submitted

A copy of the email from the change in circumstance team, confirming that the service is now registered to operate between the hours of 9.00am and 2.00pm.

Summary Comment

The non-compliance identified under this regulation 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.*

(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 of operating the early years service and a deputy had been appointed to deputise, as required.
- (b) The person in charge was present upon the inspector's arrival and facilitated the duration of the inspection. The deputy was also available. The practice of ensuring that a person in charge was onsite at all times, was further evidenced through review of the staff roster.
- (2) Recruitment records in respect of the nine adults employed at the setting were reviewed, along with those of a student undertaking a work placement. The following was noted:
- (a) Twenty written and validated references were required in total. Thirteen of these had been provided by past employers.
- (b) A further seven of the written and validated references on file were from sources other than previous employers.
- (d) Review of the adults' curricula vitae indicated that police vetting from outside of the jurisdiction was not required.
- (4) The nine staff members had each attained a major award in Early Childhood Care and Education, to a minimum of level 5, on the National Framework of Qualifications (NFQ).

Non-Compliance Information

- (2)
- (c) While it was acknowledged that Garda vetting disclosures were available for all nine staff and for the student, the Garda vetting available for one of the staff members had been obtained through another organisation. This was not accepted under part (2)(c) of the regulation, as Garda vetting cannot be transferred from a previous role. Registered providers are required to process their own staff with regard to Garda vetting, before staff are allowed access to or contact with children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The required Garda vetting was immediately applied for on behalf of this employee. Going forward, this will be checked by management, to ensure this error will not reoccur.

Supporting documentation submitted

A copy of the required Garda vetting.

Summary Comment

The corrective and preventive actions submitted have adequately addressed the non-compliance identified under 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.

(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) At the time of inspection, it was observed that there was an adequate number of staff working directly with the children.

(2) The required adult to child ratios were observed in both care rooms:

- During the morning, 8 adults, including the person in charge and the deputy, were available to the 37 children in attendance, who were aged 2 ½ to 5 years.
- Twenty-four of these children remained to avail of part time care and were under the care and supervision of six adults.

(8)

(a) There were at least two adults rostered to work at the service, for the duration of the hours of operation.

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) Of the 39 children enrolled at the service, a sample of 10 child record forms were assessed and were noted to include the required information, as listed from (a) to (i).

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:

- A rolling snack was accommodated during the sessional service, with plenty of time afforded to the children, for chatting and eating, at a relaxed pace. This was followed by a second snack break at 12.20pm, for the children who remained to attend part time care.
- Drinking water was available to the children, should they become thirsty outside of routine meal breaks.
- There was an emphasis on promoting self-care skills and care of the environment; the adults were observed to encourage the children to carry out tasks, such as handwashing, tidying up and putting on their coats, independently. Boxes of tissues were also within easy reach for the children, which supported them to attend to their personal hygiene.
- The children's efforts and achievements were frequently acknowledged by the adults, who demonstrated kindness and patience. Children who required additional support, such as movement breaks, or time in quieter areas of the service, were readily accommodated.
- The children's need for rest, relaxation and comfort was met through the provision of suitable areas within the care rooms, where they could take time to read books and relax.
- A notably calm and pleasant atmosphere was evident in both care rooms, as the children participated in work time. Appropriate support and guidance were readily provided by the adults.
- The room layouts within the service allowed for the children to move freely, as they engaged with various materials. The outdoor classroom offered an additional area for free play activities and the outdoor play space was well utilised on the day of the inspection.

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 was found to have been appropriately secured prior to the inspector's unannounced arrival. A buzzer entry system was in place for visitors. This minimised the risk of unauthorised persons gaining access to the service.
- Cleaning agents were stored on high-level shelves, that were inaccessible to children.
- Thermostatically controlled warm water was available at the children's wash hand basins.
- Wall mounted storage was provided for fire extinguishers.
- Good supervision practices were ensured during outdoor play.

Infection control:

- Warm running water, liquid soap and paper towels were easily accessible at the children's wash hand basins. Handwashing was carried out following outdoor activities, prior to eating and after using the sanitary facilities.
- Disposable aprons and gloves were available for the adults' use when carrying out nappy changing.
- The available refrigerators were used to store the children's perishable snacks, prior to the mid-morning meal.
- Coat hooks and storage units were in use to store the children's belongings.
- The sanitary facilities were cleaned and floors were hoovered, while the children played outdoors.

Fire safety:

- Fire exits were free from obstruction.
- Fire exit signage was illuminated.

Non-Compliance Information

General safety:

Two of the display units in the Talented Turtles room were not securely anchored, which posed a risk of injury to a child. This issue was also found at the previous inspection on 19 January 2023. The subsequent CAPA response outlined that the risk of moveable shelving had been addressed, however, this was not found in practice.

Action submitted by the Registered Provider

Corrective & Preventive Action

The response stated that the shelves were removed and replaced with lower shelving, which is the same as the other shelving in the classroom. These shelves will remain in the classroom.

Supporting documentation submitted

Photographic evidence.

Summary Comment

Following the corrective action implemented, regulatory compliance is determined to have been met.

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 registered provider had ensured that a person with up to date First Aid Responder (FAR) training, was available to the children throughout the hours of operation, as indicated on the staff roster. The certification presented for examination demonstrated that one of the adults had completed this training.
- (2)
- (a) Two first aid boxes and an additional first aid kit were provided, each of which was stored in a location that was out of the children's reach, while easily accessible by adults. Sufficient supplies were also maintained.
 - (b) The first aid boxes were available throughout the hours of operation.

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

- (1)
- (a) Previously conducted monthly fire drills were recorded and maintained on a digital application, or in paper format. The most recently undertaken fire drill was dated 17 October 2025.
 - (b) A record, which contained details regarding the number and type of firefighting equipment was on file. According to the servicing documentation available, the firefighting equipment was last checked on 18 February 2025 and the wired smoke alarm was tested on 6 August 2025.

(4) The steps to be taken in the event of a fire were set out in a written notice, copies of which were displayed in the care rooms.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-

- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

Compliance Information

- (c)
- Adequate lighting in the care rooms was provided through a combination of natural lighting from several windows and artificial ceiling lights.
 - Recorded air temperatures in the care rooms fell within the required range of 18°C to 22°C.
 - Openable windows were available in the care rooms and sanitary areas.

Non-Compliance Information

- (d) Two of the ceiling tiles in the Busy Bees room required repair. One of the ceiling tiles was covered with black tape and the second ceiling tile was partially covered with tape. The inspector was advised that replacement tiles had been acquired but were damaged before installation was possible.
- (e) One of the toilets in the Talented Turtles sanitary facility was not maintained in proper working order and required repair. The toilet cubicle door was secured and could not be accessed. During subsequent discussion, a staff member advised that the flush mechanism on the toilet was not working. This issue was found in relation to a different toilet at the previous inspection on 19 January 2023.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (d) The ceiling tiles have been replaced. Any broken ceiling tiles will be replaced by the landlord.
- (e) The toilet has been repaired. As the building is old, repairs are sometimes required. A plumber will be contacted to fix any issue that may arise.

Supporting documentation submitted

Photographic evidence was submitted in respect of both corrective actions.

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Summary Comment

The corrective actions implemented have addressed the non-compliances identified under Regulation 29.