

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2016FL028
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Name of Service:	Kelly's Bay Montessori Limited
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Address of Service:	Unit 1, Skerries Point, Skerries, Co. Dublin
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Name of Registered Provider:	Cheryl Boardman
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Service type:	Part Time
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Date of Inspection:	24/03/2025
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No of pre-school children:	AM	40	PM	23
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Address of the Early Years Inspectorate:	Early Years Inspectorate 2 nd Floor, Unit 4/5, The Nexus Building Blanchardstown Corporate Park, Ballycoolin Dublin 15 D15 CF9K
Inspection undertaken by:	E Hosford
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	Not applicable
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Description of service

Kelly's Bay Montessori Limited is a private service which provides sessional and part time care and education to children aged between 2.5 to 5 years of age and participates in the Early Childhood Care and Education (ECCE) scheme which operates two sessions daily from 9.15am to 12.15pm and 1.30 to 4.30pm Monday to Friday. Parents can avail of additional hours from 8.15-9.15am, 12.15-1.15pm and 4.30-5.15pm Monday to Friday. The service operates from two care rooms on the ground floor of a retail building in Skerries, Co Dublin. An enclosed outdoor area is available to the side of the service.

Staffing

Eleven staff members work in the service to include the registered provider, deputy person in charge and nine childcare practitioners.

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 an examination of compliance under regulations 9,11,19,23,25 and 26.

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 provider, 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.*

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(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

The staff files of 11 staff members employed in the service and a student on work placement were reviewed.

(2)

(a) The following references were from a past employer.

- Two validated written references for 4 staff members and the student.
- One validated written reference for 1 staff member.

(b) The following references were from a source other than a past employer.

- Two written references for the registered provider.
- Two validated written references for 5 staff members.
- One validated written reference for 1 staff member.

(c) Garda Vetting disclosures were available for 11 staff members and a student on work placement. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) International police vetting was available from 4 countries in respect of 3 staff members and 1 student who had lived in a state other than the State for a period of longer than 6 consecutive months.

(4) On review of documentation available eleven staff members working with the children had evidence to demonstrate that they held a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications.

Non-Compliance Information

(2)(d) International police vetting was not available in respect of one staff member who had lived in a state other than the State for a period of longer than 6 consecutive months.

(3) The registered provider did not ensure that the procedures specified in paragraph (2) were carried out in respect of a person being appointed, assigned or allowed access to the early years' service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(d) In response to the non-compliance the service has stated that the staff member has applied for police vetting from the relevant authority on the 4 April 2025 and this should be received within 20 working days from when applied for. Going forward all future staff must have this correct additional certificate before commencement, this is now documented in our Garda and International Vetting Policy.

(3) In response assistance was given to the staff member in the process of applying for the additional certificate required to be compliant. The registered provider and managerial staff have made themselves aware of the process and requirements and updated our Garda and International Vetting Policy to reflect this. Ensure staff have the correct documentation before commencement.

Supporting documentation submitted

(2)(d) and (3)

- Correspondence from relevant authority and confirmation of application made on behalf of the staff member.
- Updated service policy.

Summary Comment

The service has addressed the non-compliance as identified. The regulatory requirement will be met on receipt of the required police vetting from the relevant authority for the staff member.

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) The registered provider ensured that there was an adequate number of adults working directly with the children attending the service.

(2) The adult to child ratios were correct in the service on the day of inspection. The following adult to child ratios were observed on the morning of the inspection:

- In Room 1 there were 22 children aged from 3 to 4 years of age being cared for by 4 staff members and 1 student. Two staff members present were available to reduce the adult to child ratio to support children with additional needs, when necessary, as part of the Access and Inclusion Model (AIM).
- In Room 2 there were 18 children aged from 2 years 8 months to 4 years of age being cared for by 4 staff members, two of which were available to reduce the adult to child ratio to support children with additional needs, when necessary, as part of the Access and Inclusion Model (AIM).

The following adult to child ratios were observed on the afternoon of the inspection:

- In Room 3 there were 12 children aged from 3 to 5 years of age being cared for by 4 staff members, two of which were available to reduce the adult to child ratio to support children with additional needs, when necessary, as part of the Access and Inclusion Model (AIM).
- In Room 4 there were 11 children aged from 3 to 5 years of age being cared for by 2 staff members, one of whom was available to reduce the adult to child ratio to support children with additional needs, when necessary, as part of the Access and Inclusion Model (AIM).

(8)(a) The registered provider ensured that two adults were on the premises during the operation of the service.

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:

- The staff members were observed to be kind and attentive in their interactions with the children and the atmosphere in the service was warm and child centred.
- Healthy eating was promoted within the service with staff working with parents and children to encourage healthy packed lunches. Drinking water was freely available to the children throughout the session. The staff members sat with the children at snack time encouraging conversations and extending interactions.
- The children were observed using the toilet under supervision, with assistance provided by the staff member when necessary.
- Children were observed moving freely within the care rooms and taking a break from activities and relaxing in a cosy corner in the care room which was equipped with soft matting and a sofa.
- The children spent time in the outdoor area while enjoying the opportunity to explore and develop their gross motor skills of climbing and balancing.

SUPPORTING RELATIONSHIPS AROUND CHILDREN

- The staff members demonstrated sensitivity and responsiveness to each child's individual needs, likes and preferences, and frequently initiated conversations with the children, responded meaningfully to their verbal and non-verbal cues and provided regular praise and encouragement using a gentle tone of voice.
- The staff members demonstrated a child-centred and flexible approach to the care of the children while supporting each child's play experiences and interests. For example, in Room 2 a smaller group spent time in the outdoor area while their friends had their snack from home. This enabled the children to explore the area and develop their gross motor skills and use of the equipment. An emphasis was placed

on caring for their friends and taking turns among the children and this was evidenced while the children played in the outdoor area on the slide and mounded grass area.

- Parents and guardians were communicated with at drop off and collection and via an electronic application, which the staff members could also use to share information about the children and the activities undertaken during the day.
- Staff were observed working well together in supporting the children and transitioning from activities such as outdoor play and snack time. Any updates on children's care needs were communicated to staff via messages from the provider, thus ensuring a consistent and seamless approach between home and the service.

PHYSICAL AND MATERIAL ENVIRONMENT

- The care rooms were bright and inviting spaces for the children which created an atmosphere that was welcoming and engaging. Areas within the rooms were available and accessible which enabled the children to develop their skills and interests and become independent and confident learners. Materials available included a home area, construction space, small world, tabletop games and puzzles, arts and crafts and a rest area with a library. Each area was well equipped with supporting equipment displayed on low shelving which assisted the children in making choices in their play. All equipment and materials in the care rooms were appropriate to the age and development of the children.
- The children had access to an enclosed outdoor area to the side of the premises which was accessed directly from both care rooms. The garden was surfaced with artificial grass which had purposely formed small mounds in place to add interest and challenge for the children when playing outdoors. A wooden climbing frame with standing platform and slide attached, a wooden playhouse, a large outdoor wooden kitchen with pots and pans, an activity tray table with varying materials throughout the day such as bricks, cars and trucks and seating for adults and children if required.

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 to the service was closely monitored by staff who granted access by a key which was stored out of the children's reach.
- The care rooms were observed to be suitable and safe with all cleaning agents and sharp implements out of children's reach.
- All blind cords in the care rooms were secured.
- The premises and outdoor play area was appropriately secured to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the service.
- The water temperature in the sanitary accommodation in the service did not exceed the recommended maximum water temperature of 43°C. This reduced the risk of scalding for the children in attendance.

Infection Control:

- Adequate hand washing facilities were available in the sanitary facilities used by the children, these included thermostatically controlled hot water, liquid soap, paper towels and pedal operated bins. Children were observed to wash their hands before lunch and after using the toilet.
- Children's perishable food from home was refrigerated on arrival to the service and staff were observed cleaning the tables before and after lunch.
- The service was observed to be clean and well maintained with cleaning schedules in operation within the care rooms and sanitary facilities. The care room and sanitary facility had active mechanical ventilation to extract any stale air.

Administration of Medication:

- Staff were familiar with the service medication administration policy and records were maintained electronically when medication was required to be given to a child while in the service. Medications were stored out of the reach of children in a named container with the child's full name, medication dosage and expiry date.
- No medication was administered to a child during the inspection.

Fire Safety:

- Documentary evidence was available to demonstrate that monthly fire drills were completed in the service during the morning and afternoon sessions. All fire equipment to include fire extinguishers and smoke detectors were serviced yearly.
- The designated fire exit was illuminated and clear of any obstructions throughout the 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 registered provider ensured that three staff member was trained in First Aid Responder (FAR) certification with an expiry date of the October 2025 and Novemeber 2026.

(2)

(a) and (b) A first aid box was available in the service and suitably equipped and accessible to the adults responsible for caring for 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 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)

The last recorded fire drills that took place in the service were the 28 February 2025 in the morning and the 24 February 2025 in the afternoon session.

(b)

The number, type and maintenance of the firefighting equipment and smoke alarms was present in the service, the fire extinguishers were serviced on the 23 October 2024 and the smoke alarms on the 19 October 2024.

(4)

A notice of the fire procedures to be followed in the event of an emergency were clearly displayed in the care rooms