

# Early Years Inspectorate Regulatory Report

## Pre School

**TUSLA Identifier:** TU2016WW005

**Name of Service:** Muddy Boots Nature Montessori

**Address of Service:** Glencarrig House, Ballyronan Road, Kilquade, Co. Wicklow

**Eircode:** A63 P958

**Name of Registered Provider:** Helen Massey

**Service type:** Sessional

**Date of Inspection:** 21/01/2025

<b>No of pre-school children:</b>	AM	30	PM	N/A
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**Address of the Early Years Inspectorate:** Tusla Child and Family Agency  
First Floor Trinity Building  
IDA Business Park  
Southern Cross Road  
Bray  
Co. Wicklow

**Inspection undertaken by:** H. Bourke

**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** Click or tap here to enter text.

### Description of service

This private childcare service was first registered with Tusla in 2016 and currently provides care and education for children aged two to six years of age on a sessional basis. The hours of operation are 9am – 12pm and 9.15am – 12.15pm with an optional additional 30 minutes for children attending each session. The service is located within the grounds of the registered providers domestic dwelling which is a working farm in a rural area of north Wicklow. The service operates from a converted garage known as the Garden Room and an enclosed outdoor area, which can accommodate an additional twenty-two children. The permanent outdoor structure is known as Robins Barn.

### Staffing

There are currently six adults employed in the service, and this includes the registered provider.

### 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 registered provider, 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.*

*(6A) Paragraph (4) shall not apply to an employee of a registered provider where - (a) the registered provider receives funding for the employment of the employee pursuant to a scheme funded by the Minister and known as the Access and Inclusion Model, and (b) the employment of the employee is for the purpose of providing support, pursuant to the scheme referred to in subparagraph (a), for a child attending the service to enable the child to participate in the programme known as the Early Childhood Care and Education (ECCE) funding Programme.”*

### Compliance Information

Following a discussion with the registered provider and a review of the staff roster, it was confirmed that there were six adults employed in the Montessori service, and this included the registered provider, these files were reviewed.

(1)(a)

The registered provider was present in the Montessori and there was a named staff member who was able to deputise as required.

(b)

The registered provider was on the premises at the time of arrival of the inspector and remained on the premises for the duration of the inspection.

(c)

There was a clear management structure in the Montessori service that identified the lines of authority and accountability.

(2)(a)(b)

Written references were available in respect of six adults.

(c)

The required three-year Garda vetting disclosures were available in respect of six adults.

(d)

Police vetting was not required as no adult had lived outside the State for a period of longer than 6 consecutive months since turning 18 years of age.

(4)

Six adults held a major award in Early Childhood Care and Education at Level 5 or higher on the National Framework of Qualifications.

(6A)

There was one adult employed pursuant to the Access and Inclusion Model.

## 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 Montessori service.

(3)

The correct adult/child ratio was maintained during the inspection. There were six adults present with thirty-six children.

(8)(c)

Not applicable as the registered provider does not operate the Montessori 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 registered provider ensured that a record in writing of the above particulars, were kept in respect of each child attending the Montessori service.

(3)(c)

The registered provider 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 registered provider made sure that a record in writing was kept of the above information in relation to the service.

(3)

The registered provider ensured that these records were available for inspection to an authorised person.

### 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-*

*(b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.*

#### Compliance Information

(1)(b)

The registered provider ensured that appropriate and suitable care practices were in place. The children attending both the Garden room and Robins barn were given the opportunity for free play during the morning, and children's participation was encouraged in all activities throughout the day.

The transition between one activity and the next was smooth and unhurried, aided by the language used by the adults to the children. Positive reinforcement of children's behaviour contributed to a pleasant environment for the children in the service. One to one attention was given to a child when required, in addition, support was given to children so that they remained included in activities they maybe have been unsure or unfamiliar with. A strong ethos of teamwork was evident from observing how staff members worked together. The relationships between the adults and children reflected a sense of belonging, inclusion, connectedness and diversity.

The snack time was relaxed and observed to be a positive social experience for children, all children sat on low level chairs at a table, and conversation was encouraged. The adults sat with the children and had their own snacks during this time. Children were addressed by their name and were given plenty of time to eat their food.

All food was provided by the parents of the children in the service.

All children had the opportunity to avail of outdoor play during their morning. The children attending the Montessori had appropriate outdoor clothing and footwear and were able to enjoy the outdoors in all weather conditions.

The service had a cosy area in both the Garden room and Robins barn, with rugs and soft furnishings for children to use should they require it during their day.

Children's parents are spoken to on an individual basis at collection time. Parents are encouraged to make direct contact with the service, should they have any concerns or issues.

## 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 door to the indoor service was securely locked on arrival of the inspector.
- All toys and equipment examined during the inspection were in good condition and were suitable, age appropriate and in good working order.
- All cleaning products were stored safely out of the reach of children.
- The emergency exit route from the Garden room, and Robins barn were both free from obstruction and clearly marked.

##### Infection Control:

- There was a sanitary area located in the Garden room, and a second sanitary area beside Robins barn. There was warm running water at 30°C, liquid soap and paper towels available in both areas.
- Foot pedal bins were available in both sanitary areas for the safe disposal of used paper towels and other waste matter.
- Table cleaning was observed before and after snack time.
- Hand washing by the adults and children was observed before snacks, after using the toilet and outdoor play.
- A cleaning schedule was present and maintained in the service.

##### Fire Safety:

There was a record for servicing of fire extinguishers dated September 2024 and smoke alarms dated January 2025.

## Part VI - Safety

### Regulation 24 - Checking in and out and record of attendance

*(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.*

*(3) A registered provider shall ensure that-*

*(a) no person other than-*

*(i) pre-school child attending the service,*

*(ii) a person dropping or collecting such a child,*

*(iii) an employee, or*

*(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and*

*(b) a daily record in writing is kept of the entry on the premises of any such person.*

### Compliance Information

(1)

The registered provider ensured that all children attending the service were checked in and out on the service register.

(3)(a)(i-iv)

The registered provider ensured that no other person other than the agreed list of people has access to the Montessori service.

(b)

The registered provider had a record in writing in the form of a visitors' book of all such persons who accessed the Montessori service.

## 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 there were adults trained in FAR first aid available to the children at all times during their day.

(2)(a)

A suitably equipped first aid box was located in an accessible place within the Garden room and Robins barn.

(b)

The first aid box was available to the children attending the Montessori at all times.