

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2019CC005
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Name of Service:	Orchard Montessori School
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Address of Service:	Mount Vernon Crescent, South Douglas Road, Douglas, Co Cork
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Name of Registered Provider:	Rachel Cunningham, Sinead O Connell
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Service type:	Full Day, Sessional
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Date of Inspection:	09/03/2026
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No of pre-school children:	AM	27	PM	26
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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

Orchard Montessori School is a privately owned service, that is registered to provide full day care to children aged 2 to 6 years. The service participates in the Early Childhood Care and Education (ECCE) scheme and operates a sessional service from 9.00am to 12.00pm. Daily opening hours are from 8.00am to 6.00pm, over 51 weeks of the year.

Located in a suburban area of Cork city, the premises consists of a detached, two-storey building. There are four care rooms, one of which is partitioned into two areas. Children's sanitary facilities are available either adjoining or adjacent to the care rooms. A kitchen, staff sanitary facilities and an office are also provided and the children have access to an outdoor play area, beside of the building.

Staffing

There are 11 adults currently attached to the service, all of whom work with the early years children. This includes both registered providers, who can provide cover in the care rooms, if required, an adult employed under the Access and Inclusion Model (AIM) support scheme and one student.

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, person in charge, 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*

(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

- (1)
- (a) The service had a designed person in charge and named deputies.
 - (b) The person in charge was working at the setting when the inspector arrived and was present throughout the inspection process. The registered provider arrived within 30 minutes. It was demonstrated through review of the staff roster that the person in charge was present during the service's hours of operation.
- (2) Recruitment records in respect of the 10 adults attached to the setting were assessed for compliance, along with those of a student, who was undertaking a work placement.
- (a) Of the 22 required written and validated references, 21 had been provided by past employers.
 - (b) One of the references was from a source other than a previous employer and had been validated.
 - (c) Garda vetting disclosures had been obtained for all 11 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 required and available for eight of the adults.
- (4) There was evidence that six adults working directly with the children had attained major awards in early childhood care and education, at level 5 or above, on the National Framework of Qualifications. Four adults who did not have the required qualification had letters of qualification recognition from the Department of Children, Disability and Equality (DCDE).

Non-Compliance Information

- (3) It was noted that the Garda vetting disclosures held in respect of three of the adults were dated after the staff members had commenced working at the service. This was not accepted under part (3) of the regulation, as Garda vetting is required to be in place prior to any person being appointed, assigned, or allowed access to or contact with children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The written reply outlined that the management team will ensure that the appropriate vetting is in place before a staff member begins working within the service. The deputy has also completed training in relation to Garda vetting.

Supporting documentation submitted

Certification in relation to the training recently undertaken.

Summary Comment

The non-compliance identified under this regulation has been adequately addressed.

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) There was an adequate number of adults observed to be available to the children during the period of inspection.

(2) The adult to child ratios were maintained in line with the required ratios, as follows:

- A total of 27 children, aged 2 to 4 years, were present in the morning, with 6 adults involved in their direct care.

- There were 26 children, aged 2 to 4 years present in the afternoon, with 4 adults working directly with these children. The person in charge was also available to assist in the care rooms. A student was not included in the adult child ratios.

(8)

- (a) The service was operated with a minimum of two adults present during 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

A sample of 10 registration forms was reviewed as part of the inspection process.

- (1) The registration forms contained all of the required information, as listed from (a) to (i) of this regulation.

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 inspector was advised that up to five daily meal breaks were facilitated at the early years service; breakfast, a mid-morning snack, a hot lunch meal, an afternoon snack and an evening snack, for children who remained at the setting until 6.00pm.
- Across the care rooms, mealtimes were observed to be conducted at a relaxed pace and children were afforded sufficient time for eating and drinking.
- The children's reusable water bottles were available to them both during and outside of mealtimes.
- Nappy changing was attended to at regular intervals and as the need arose. This care routine was observed to be sensitively managed by staff, who chatted warmly to the children. While supervising the older children's access to the sanitary areas, the adults were noted to use verbal prompts and reminders to assist the children with self-care skills.
- Each of the care rooms was furnished with a rest area, which was available for any child who may need time to relax, or opt out of scheduled activities.
- In the afternoon, a scheduled rest period was accommodated for the children who attended the Pre Montessori rooms. All of these children were observed to avail of either sleep or rest at this time. The lighting in the care room was dimmed and the adults were observed to gently soothe the children, which helped to create a calm environment.
- The children were observed to move freely throughout the indoor environment as they engaged in their chosen activities. The outdoor play space was also in use.

Physical and material environment:

- The service consisted of four care rooms, with colourful wall displays, which created a warm, inviting environment.

- The care rooms were equipped with an adequate amount of child sized tables and chairs. This enabled the children to comfortably participate in tabletop activities and mealtime routines.
- Materials were displayed on low-level shelving and were easily accessible to the children.
- Fine motor skills, language development, creative and imaginary play were supported through the provision of play resources, such as:
 - connectable shapes, magnet tiles and shape sorters
 - jigsaws
 - books
 - art and craft materials
 - play kitchens with utensils and dolls houses
 - plastic bricks and building blocks
- An outdoor play environment was provided at the rear of the service. Available equipment in this area included a climbing frame with slides, seesaws, ride on toys and footballs, which promoted gross motor development.

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

- Food for the children’s meal breaks was provided by the service, with an onsite kitchen available.
- Dinner meals were delivered chilled by a catering company and were reheated as required. Corresponding menus were presented for review and were noted to be varied and suitable. The inspector was advised that these menus were shared with parents via a digital application.
- On the day of inspection, the children’s mid-morning snack consisted of fruit, with either crackers or breadsticks and water to drink. Diced pork with vegetables and rice, was served for lunch.
- A nut free policy was implemented at the setting as a precautionary measure. Where children had other food allergies or intolerances, ingredients were monitored and meals and snacks were adjusted accordingly.
- During discussion, the person in charge advised that a snack would be offered to any child who may become hungry outside of routine mealtimes.

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 parents and visitors. This minimised the risk of unauthorised persons gaining access to the service.
- In the outdoor play area, secured gates, walls and fencing were in place to create a secure enclosure.
- Water at the wash hand basins was thermostatically controlled, so as not to exceed 43°C.
- Cleaning agents were stored in a manner that was inaccessible to children.
- Low level cupboards in Pre Montessori 1 were secured with child proof locks, which prevented children from accessing unsafe materials.

Infection control:

- Wash hand basins were equipped with warm running water, liquid soap, paper towel dispensers and pedal operated bins. It was noted that the children washed their hands before mealtimes and were reminded to wash their hands after using the toilet.
- The children's toiletries were maintained in individually labelled basket containers, in the nappy changing areas.
- Wall hook storage was in use for the children's coats and bags. This ensured that such items were maintained above floor level.
- Adequate ventilation of the care rooms was ensured through open windows.

Safe sleep:

- An appropriate air temperature was recorded in Pre Montessori 1, while this room was used for a scheduled rest period, in the afternoon. A temperature reading of 21°C was recorded, which fell within the required range.
- The children, who were all aged over 2 years, were accommodated to sleep on stackable beds, which appeared well spaced apart.

Fire safety:

- Fire exits were maintained free from obstruction.

- Fire extinguishers were securely wall mounted.

Non-Compliance Information

General safety:

1. A window blind cord in the ECCE 2 room was not secured, as required to reduce the risk of injury to a child. The tension device in place appeared to have broken and was no longer functioning correctly.

Infection control:

2. Following each of the two nappy changing procedures that were observed in the sanitary facility adjoining Pre Montessori 1, the adult did not wash her hands and the children's hands were not washed. This posed a risk of cross infection.
3. The vinyl sofa in the Pre Montessori 1 room had several tears and a second vinyl sofa in Pre Montessori 2 was also torn, with the inner foam exposed. This impeded effective cleaning.

Action submitted by the Registered Provider

Corrective & Preventive Action

General safety:

1. In the written reply, the registered provider stated that the safety clip has been moved and that the blind cord is now safely secured. As a preventive measure, when new blinds are fitted in the future, it will be ensured that the safety clips for the blind cords are correctly secured.

Infection control:

2. Management have spoken with all staff members who carry out nappy changing, to ensure that the staff and children's hands are washed after each nappy change. More handwashing visuals have also been displayed in the sanitary area. Nappy changing within the pre Montessori room will be monitored, to ensure that adequate handwashing is taking place for the children and the adults.
3. The vinyl sofas have been removed from the classroom and replaced with mats and cushions. If vinyl sofas are purchased in the future, staff will monitor the condition of these sofas on a weekly basis and will remove them, if required

Supporting documentation submitted

Photographic evidence was submitted in relation to each of the corrective actions.

Summary Comment

The corrective actions implemented by the registered provider have addressed the non-compliances identified under Regulation 23.