

# Early Years Inspectorate Regulatory Report

## Pre School

**TUSLA Identifier:** TU2020KY002

**Name of Service:** Bright Sparks Montessori

**Address of Service:** Doon Road, Ballybunion, Co. Kerry

**Eircode:** V31 RT61

**Name of Registered Provider:** Marie Enright Daly

**Service type:** Sessional

**Date(s) of Inspection:** 12/02/2026

**No of pre-school children:** AM 13 PM None

**Address of the Early Years Inspectorate:** Áras an Phobail, Deans Lane, Tralee, Co. Kerry.

**Inspection undertaken by:** N. Reidy

**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

### Description of service

Bright Sparks Montessori is a private early years service that provides education and care to children aged from 2 years to 6 years offering sessional care. The service is registered to operate 1 session between 9 am and 12.15 pm Monday to Friday. At the time of the inspection the children attending were aged between 3 years and 4 years. The premise consists of one spacious playroom attached to St. Joseph's National school, in Ballybunion, Co. Kerry. The sanitary accommodation is located outside of the playroom and there is a designated enclosed outdoor area located to the front and rear of the building.

### Staffing

There were 5 adults attached to the service including the registered provider that are employed to work directly with the children. There were 2 adults employed under the Access and Inclusion Model (AIM) Support Scheme.

### 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. The inspections 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.*

*(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 registered provider is the designated person in charge and there is a named deputy to deputise in her absence as required.
- (b) When the unannounced inspection commenced, the registered provider and the named deputy were on duty to assist with the inspection process.
- (2) The recruitment records in relation to each of the 5 adults attached to the service were inspected.
- (a) There were 10 references from previous employers with records of validation on file.
- (b) Not applicable, the 10 validated references required were from previous employers.
- (c) Garda vetting disclosures had been obtained for each of the 5 adults. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d) Not applicable, the 5 adults had not resided outside the jurisdiction for a period of longer than 6 consecutive months.
- (4) All staff working directly with the children had achieved major awards in Early Childhood Care and Education, as listed on the National Framework of Qualifications (NFQ) with copies of the relevant qualifications on file.

### 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 period of inspection, the registered provider did ensure that there was an adequate number of adults caring for the children attending the service.
- (3) There were 4 adults caring for 13 children aged between 3 years to 4 years attending the service on a sessional basis. The adult child ratio was correct and maintained.
- (8)(c) Not applicable as the service does not operate single-handedly.

### 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 children were encouraged and supported to manage their own personal care appropriate to their individual level of independence. This was evidenced for example when children washed their hands prior to snack time and after using the toilet.
- Under supervision the children took their lunch bags from the pull-out plastic trays in the timber low level unit located outside the playroom door.
- The said timber unit provided since the last inspection, had allocated plastic trays with a photograph and the children's names on each to enable them to easily identify their respective tray.
- During the snack time observed on inspection, each of the children had enough time to eat and enjoy their food without being rushed in any way with the adults sitting with them at the tables.
- The children who had finished their food before others took a story book from the book display unit and sat in the rest area.
- When more children joined the group after eating, a staff member read a story for them.

- The children had opportunities to move about freely and explore their environment in the spacious playroom.
- The staff encouraged the children to interact and to engage with a wide range of materials, activities and equipment in the playroom.
- The toys and play materials were arranged on low level open shelving and on the floor so they were readily visible and accessible to promote independent free access by the children at all times.
- The staff ensured that the children had opportunities to interact informally with one another as evidenced during the free play time and at snack time for example.
- The adults facilitated opportunities for small and large group activities and play as evidenced with tabletop activities, story time, movement and dancing and playing outdoors as the weather permitted before departing from the service.
- The children who did not wish to participate in the dancing and movement activity were facilitated to do so, they sat in the rest area with a staff member.
- The staff were observed listening to children in a caring, gentle way when they expressed their emotions.
- Staff spoke to the children in low soft tones of voice, coming down to their level making eye contact.
- The staff were cognisant of children's needs and observed to make the transition into the service as easy and as comfortable as possible for the children who were new to the service.
- There was a designated rest/relaxation area in the playroom, comprising of low-level single seating and a large rug on the floor.
- The room was colourfully decorated with an array of Valentines Day themed decorations and the children's artwork.

### 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 supplied by their parents or guardians.
- On the day of inspection, examples of the food provided for the snacks for the children were noted to include, sandwiches, a selection of fruit, cheese and yogurts.
- The staff informed the inspector of the foods prohibited in line with Healthy eating policy of the service, as was evidenced by the food observed on 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 First aid box was stored in a high-level wall mounted press in the playroom.
- The entrance door to the service was secured to prevent children from leaving unsupervised and to prevent unauthorised persons in.
- The outdoor play area was secured with walls, fencing and gates.

##### Infection Control:

- There was a supply of warm water, liquid hand soap, disposable paper hand towels and pedal operated lidded bins in place at the wash hand basins to facilitate effective hand washing to prevent the spread of infection.
- The tables were cleaned down prior to and after the morning snack.
- There was a “snuffle station” accessible to the children in the playroom. It consisted of a low-level table, with tissues, a pedal operated lidded bin beneath, wall mounted visuals and illustrations for blowing noses and handwashing, to facilitate children’s effective personal hygiene management.

##### Administration of Medication:

- The staff informed the inspector that no children attending the service were in receipt of medication.

##### Fire Safety:

- A notice of the procedures to be followed in the event of a fire was displayed in the service.
- The service carried out fire drills on a monthly basis as was evidenced on the electronic records maintained.

### 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) The equipped first aid box was stored up high, out of reach of children within a clearly identifiable wall mounted press in the playroom.
- (b) The first aid box was suitably stocked for the number of children attending the service and was available for the adult to attend to the children if required.

#### Non-Compliance Information

- (1) The staff roster demonstrated that on 11.2.'26 there was no staff member present with completed first aid responder (FAR) training. It was acknowledged 1 adult working with the children on that day did have in date emergency first aid training as evidenced by the certification on file.

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

##### Corrective and Preventive Action

There is always one member of staff on the premise with FAR. Two staff members have FAR training and the relief staff member will complete the FAR course when available.

##### Supporting documentation submitted

The statement is accepted as evidence.

#### Summary Comment

The documentation received was examined. The requirement for this regulation has been met.