

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2022OY001
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<b>Name of Service:</b>	Lusmagh's Little Learners Montessori & Afterschool
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<b>Address of Service:</b>	St Cronan's National School, Lusmagh, Banagher, Co. Offaly
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<b>Eircode:</b>	R42 KC99
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<b>Name of Registered Provider:</b>	Jennifer Tonge
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<b>Service type:</b>	Sessional
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<b>Date of Inspection:</b>	29/05/2025
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<b>No of pre-school children:</b>	AM	18	PM	Not applicable
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate Primary Care Centre Church Avenue Tullamore Co Offaly R35K1W4
<b>Inspection undertaken by:</b>	A Spain
<b>Title:</b>	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).

<b>Conditions if applicable</b>	Not applicable.
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### Description of service

Lusmagh's Little Learners Montessori and Afterschool Service is a privately run sessional service in operation from a room dedicated to the service in a primary school in southwest Offaly. The service is operational between the hours of 9.20am and 12.50pm and cares for children in the age range 2 to 6 years. Rooms in use in the service include a playroom, a kitchen and storage area, and sanitary accommodation for the sole use of the children, directly off a hallway outside the playroom. Staff have access to sanitary accommodation in the main school building. The service has access to an enclosed play area close to the playroom which is shared with the junior infant class. In addition, children have access to section of the school playground from 10.15 to 10.55am and from 11.40 am to 12.10pm daily. A school age service is operational between the hours of 1.45 and 5.30pm

### Staffing

The service is staffed by five staff members. A student on work experience is also currently present in the service. The registered provider also works directly in the service.

### 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 and safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under:

- Regulation 9 – Management and recruitment,
- Regulation 11 – Staffing levels,
- Regulation 15 – Records of pre-school child,
- Regulation 19 – Health, welfare and development of child,
- Regulation 21 – Equipment and materials,
- Regulation 23 – Safeguarding health, safety and welfare of child,
- Regulation 25 – First aid,
- Regulation 26 – Fire safety measures,
- Regulation 28 – Insurance.

A sampling process was used to assess compliance under regulation 15 Records of pre-school child. The scope of the inspection included the preschool room and the outdoor play area.

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 wish 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.

(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 has both a designated person in charge and a named person to deputise as required.

(b)

Both the designated person in charge and the named person to deputise were present in the service on the day of inspection.

(c)

Staff were observed to be familiar with their roles and range of responsibilities as they engaged in play with the children and looked after their care needs on the day of inspection.

(2)(a)(b)

Two references from past employers were held on file for the registered provider, three staff members, and the student on work experience placement in the service. A reference from a past employer and a reference from a reputable source were held on file in respect of the remaining two staff members.

(c)

Garda vetting disclosure was held on file in respect of the registered provider, five staff members and a student on work experience. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.

(d)

Police vetting was held on file in respect of one staff member who had lived outside of the state for over six consecutive months as an adult.

(4)

Records held on staff files confirmed that all five staff working in the service held a major award in Early childhood Care and Education, varying from level 5 to level 8.

### Non-Compliance Information

(2) (a)(b)

With the exception of one reference, the registered provider had not validated nine written references available for the five staff members or the references for the student on placement.

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

#### Corrective and Preventive Action

The registered provider advised in the response to the inspection report that all current staff references have been validated. As a preventive measure the registered provider has advised that all references for both new staff and students on placement will be validated post recruitment.

### Summary Comment

The measures taken by the registered provider have addressed the non-compliance identified under Regulation 9(2)(a)(b) and will be reviewed on the next inspection of the service.

### 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.*

#### Compliance Information

- (1)  
An adequate number of adults worked and cared for the children in the playroom and when playing outdoors for the duration of the inspection. The inspector also reviewed the children's attendance records and the staff roster for the week beginning 24 February 2025. Records confirmed that the maximum number of children in daily attendance was 16 children with 4 staff members present.
- (3)  
Three staff members cared for 18 children in the age range 2 years and six months to 5 years on the day of inspection. Both the registered provider and a student were also present in a supernumerary capacity.

### 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-*

*(a) a parent or guardian of a pre-school child but only in respect of the record relating to that child,*

*(b) an employee who is authorised in that behalf by the registered provider, and*

*(c) an authorised person.*

### Compliance Information

(1)(a) to (i)

The inspector reviewed a sample of 5 children's records forms. The necessary details in respect of (1)(a) to (h) were recorded in respect of the sample of records reviewed.

(3)(a)(b)(c)

The records referred to in paragraph (1) were open to inspection by a parent or guardian of a pre-school child in respect of the record relating to their child, an employee who is authorised by the registered provider and the inspector on the day of inspection.

### Non-Compliance Information

(1)(i)

The sample of children's record forms reviewed by the inspector did not include signed written parental consent for medical treatment to a child in the event of an emergency.

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

#### Corrective and Preventive Action

The registered provider advised in the response to the inspection report that a consent form signed by parents and guardians for administration of medication to children in the event of an emergency is now in use in the service. As a preventive measure, the registered provider advised that the signed consent form for administration of medication in the event of an emergency will be included with the enrolment forms for children in the service.

### Supporting documentation submitted

A sample emergency medication treatment consent form for use in the service was submitted by the registered provider.

### Summary Comment

The corrective and preventive actions taken by the registered provider and the documentation submitted address the non-compliance identified and meet the regulatory requirement of regulation 15(1)(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.*

### Compliance Information

(1)(a)

Children were observed to line up and wash their hands under staff supervision before break time in the service. Children were allowed to take their time during both toileting and when seated for break. Staff were observed to assist children with toilet use and hand washing as necessary.

Children and staff sat at low level tables for lunch. Children were not rushed and were given time to eat and engage in leisurely conversation with their friends and staff members. Lunches provided from home included sandwiches, rice cakes, cheese strings, yoghurts and fresh fruit including bananas and strawberries. Children were observed to move freely to play when finished their lunch before other children. The rest area located in the book corner of the playroom was furnished with soft armchairs and cushions and children were observed to pick up books of their choice and relax as necessary.

Staff were observed to support the children to play together in groups, interact with each other and develop their friendships. Children sat together engaged in imaginative play in the home corner, baking with modelling dough and searching for bugs with a magnifying glass at the bug table. Staff members were observed to assist a child who required extra support to ensure participation in the service. Children and staff sang songs to music and motions and played outdoors both before break and before home time in the service.

The walls in the playroom were decorated with the children's artwork and pictures of the children located on balloons with their names. "Our family tree" was decorated with pictures from home and served to foster connections between the service and home settings. The registered provider informed the inspector that a parent's handbook was emailed to parents on enrolment of their child, with details of the service operations and activities.

## Part V - Care of Child in Pre-school Service

### Regulation 21 – Equipment and materials

*A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.*

#### Compliance Information

Low level tables and chairs were available in areas of the playroom to facilitate tabletop activities. Toys and play equipment were located on open low level shelving for easy access by children to pick and choose what to play with. Defined areas of interest included home corners with dolls, prams and push chairs. The kitchen area was equipped with cooking and baking equipment, utensils and tea sets. A variety of board games, cards, jigsaws and puzzles were provided for tabletop activities. The sensory corner was equipped with a sensory tent, soft seating and displayed pictures of the children on the adjoining wall. Natural materials including delph bowls, spoons, cones and knobs and wooden interconnecting toys were provided. Paper, colours, paint and shapes were available for art and craft activities.

The enclosed outdoor area play area had a grass surface. A playhouse, climbing frames, swings and bouncing balls were observed for children to enjoy physical play outdoors. The smooth concrete surface in the school yard provided a suitable area for children to play on ride on toys outdoors.

### 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:

There was a separate and direct access from outside to the preschool which was secured. A doorbell was provided to facilitate access to the service. A high level latch was provided on the door in the hallway leading to the kitchen and storage area to guard against access by the children to this area. Cleaning agents and chemicals were stored out of reach on a high level shelf in the playroom and in the kitchen area. The outdoor play area was safely and securely fenced in by a high level timber fence, a concrete wall and high level heavy duty wire fencing on the remaining two site boundaries.

##### Infection Control:

A sink was provided in the playroom to assist with daily cleaning. The playroom in the service, furniture and play equipment were observed to be clean on the day of inspection and both daily and weekly cleaning schedules were maintained. The two wash hand basins used by children were provided with liquid soap dispensers, thermostatically controlled hot water, disposable paper towels and foot pedal operated bins for used paper towel disposal.

##### Administration of Medication:

No medication was administered to children on the day of inspection. Temperature reducing medication was held in storage in the kitchen in the service. The registered provider confirmed that no children in the service were on prescribed medication.

##### Fire Safety:

Fire exit signage was provided on the exit door leading from the playroom to the yard area. A fire assembly point was posted on the wall at the front of the school building.

##### Outing:

The registered provider advised that the service does not participate in outings.

#### Non-Compliance Information

## General Safety:

Garda vetting was available for all staff members. However, in respect of one staff member, this vetting disclosure was not dated within the previous three years in adherence with the Early Years Inspectorate Regulatory Notice “EYI-RN12.3 Renewal of Garda Vetting”.

## Action submitted by the Registered Provider

### Corrective & Preventive Action

The registered provider submitted written confirmation as secured from the National Vetting Bureau to confirm that Garda vetting was renewed for the staff member as and from the 23 June 2025. As a preventive measure, the registered provider advised in the CAPA response that staff files will be audited on an annual basis to ensure that vetting disclosures are maintained in date.

### Supporting documentation submitted

#### General Safety:

Email confirmation secured from the National Vetting Bureau to advise of renewal of Garda vetting was submitted.

## Summary Comment

The corrective and preventive action taken have addressed the non-compliance identified on inspection. Regulatory compliance has been met for Regulation 23.

## 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)  
A staff member was available to the children with up to date First Aid Response (FAR) training with an expiry date of the 31 July 2025.

(2)(a)(b)  
A first aid box was stored on a high level shelf in the playroom and in an area which was easily accessible to staff caring for children in attendance in 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.*

*(2) The record referred to in paragraph (1) shall be open to inspection by-*

*(a) a parent or guardian of a pre-school child attending or proposing to attend the pre-school service,*

*(b) an employee, and*

*(c) an authorised person.*

*(3) A registered provider shall ensure that a record referred to in paragraph (2) is retained for a period of 5 years after its creation*

*(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 service maintained a record of fire drills conducted in the service. The last monthly fire drill was recorded on 26 May 2025.

(b)

The maintenance record for the firefighting equipment and the smoke alarm system confirmed that a service was conducted in February 2025.

(4)

A notice of the procedure to be followed in the event of a fire was posted on the wall in the playroom adjacent to the exit door.

## Part VI - Safety

### Regulation 28 - Insurance

*A registered provider shall ensure that the pre-school service is adequately insured.*

### Compliance Information

The service had insurance cover for a maximum of 22 children in daily attendance in a sessional service. Insurance cover was valid from 28 March 2025 to 27 March 2026.