

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DR035
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Name of Service:	Ballinteer Montessori School
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Address of Service:	Unit 7, Block C, Nutgrove Office Park, Rathfarnham, Dublin 16, Co. Dublin
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Eircode:	D14 F984
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Name of Registered Provider:	Teresa Duggan
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Service type:	Full Day, Part Time, Sessional
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Date 1 of Inspection:	30/03/2026
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Date 2 of Inspection:	31/03/2026
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No of pre-school children:	AM	24	PM	19
Day 2	AM	24	PM	24

Address of the Early Years Inspectorate:	The Early Years Inspectorate, Tusla Child and Family Agency, Carysfort House, Carysfort Avenue, Blackrock, Co Dublin
Inspection undertaken by:	L Magee & O Quill
Title:	Early Years Inspectors

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).

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Description of service

Ballinteer Montessori School is a purpose-built crèche facility located in an office park in Rathfarnham, Dublin 16. The service operates Monday to Friday from 8am – 6pm. There are four care rooms in the service. These include pre-Montessori 1, pre-Montessori 2, Montessori 1 and Montessori 2. The service provides a full-day care, a part-time and a sessional service for children aged 2-6 years, forty-four weeks of the year. Camps are run during the school holidays. The service is registered to provide a school age service. A large enclosed outdoor area is located to the front of the building.

Staffing

The service currently employs 13 staff including the registered provider. There were eight staff and a student working directly with the children on the first day of inspection and seven staff working with the children on the second day of the inspection, this included the registered provider. The service also employs a chef.

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 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

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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.

Additional Information

On both days of inspection, one of the care rooms, pre-Montessori 2 was closed.

On 1 April 2026, a referral was made to the fire officer.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, person in charge, staff and children who were present on the day of the inspection.

Statutory Notices

Notice	Date Served	Detail
Immediate Action Notice IAN0101	30/03/2026	Police vetting was not available for one adult who was working with the children on the day of inspection.
Status	The registered provider took immediate corrective action which addressed the risk identified. Preventative actions were submitted by the registered provider which were accepted and addressed the statutory notice.	
Improvement Notice IN0121	30/03/2026	Translated police vetting was not available for three adults who were working in the service.
Status	The registered provider took immediate corrective action which addressed the risk identified. Preventative actions were submitted by the registered provider which were accepted and addressed the statutory notice.	
Improvement Notice IN0122	30/03/2026	Two children were observed playing in the playhouse in the outdoor area. The wooden frame and ladder were

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		observed to be poorly maintained and unsteady posing a risk of harm.
Status	The registered provider took immediate corrective action which addressed the risk identified. Preventative actions were submitted by the registered provider which were accepted and addressed the statutory notice.	

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.

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(7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:

(a) the policies, procedures and statements of the service specified in Schedule 5.

Compliance Information

- (1)
- (a) There was a designated person in charge and a named person who was able to deputise as required.
- (b) The designated person in charge was present at all times on the day of inspection.
- (c) There is a clear management structure in the service that identifies the lines of authority and accountability for each employee.
- (2) Following a discussion with the registered provider, it was confirmed that five adults and one student had commenced employment in the service since Regulation 9 was last inspected on 7 May 2025. Documentation required under Regulation 9 (2), (3), (4) was reviewed in respect of these six adults.
- Documentation was reviewed in respect of these adults and met regulatory requirements as follows:
- (a) Nine written validated references were provided from a past employer.
- (b) One written validated reference was available from a source other than a past employer.
- (c) Garda vetting disclosures were available for six adults. Garda vetting disclosures for the remaining seven adults were all in date and had been renewed in accordance with the Early Years Inspectorate Regulatory Notice, which requires services to renew Garda vetting every three years.
- (d) Police vetting disclosures were available for five adults who lived outside Ireland for a period of longer than six months as adult.
- (4) Documentary evidence was available to show that four staff members employed to work directly with children attending the service held at least a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications, or a qualification deemed equivalent by the Department of Children.
- (7) (a) Adults working in the service were familiar with policies and procedures of the service. This included four adults who had recently commenced working in the service and had read the policies and procedures and received support from the manager and training manager during the induction period. The process was consistent with the recruitment and induction policy for the service.

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Non-Compliance Information

(9) (2)

(a) & (b) One adult did not have validated references from either a past employer or from a source other than a past employer.

(d) See Statutory Notice section in relation to Immediate Action Notice IAN0101 and Improvement Notice IN0121 served.

(3) Documentation reviewed evidenced that the procedures specified above under 9(2) had not been carried out prior to one staff member commencing employment in the service.

(4) Documentary evidence was not available to show that one staff member employed to work directly with children attending the service held at least a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications, or a qualification deemed equivalent by the Department of Children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2) The registered provider will only accept translated references before adults begin working in the service.

(3) The registered provider will also look for the most recent references from future employees.

(4) Going forward the registered provider will only accept a certificate/diploma in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications, or a qualification deemed equivalent by the Department of Children.

Supporting documentation submitted

Documentation was reviewed.

Summary Comment

The actions taken by the registered provider have addressed the non-compliances. The regulatory requirement has been met.

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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.

Compliance Information

(2) An adequate number of adults were working directly with the children from 1.30pm – 6pm on 30 March 2026 and on 31 March 2026. The minimum ratio of adults to children was adhered to in pre-Montessori 1 and Montessori 1 during the inspection.

Non-Compliance Information

- (1) The minimum ratio of adults to children was not adhered to in Montessori 2, on 30 March 2026. One adult was working directly with ten children aged 3-5 years, from 9.50am -1.30pm. The service was operating a camp on the day of inspection which only provided full day and part time care to children. This care requires an adult child ratio of 1 adult to every 8 children. This was only rectified when it was brought to the attention of the registered provider at 1.30pm.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The service forgot that sessional care does not apply outside of term time and thought we were in ratio 1:10. An additional teacher went into Montessori 2 at 1.30pm when this was brought to our attention by the inspector. The registered provider will ensure that all staff are aware of the ratio's outside of term time and management guarantee that this error will not occur in the future.

Supporting documentation submitted

No documentation was submitted.

Summary Comment

The actions taken by the registered provider have addressed the non-compliances identified.

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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:

(i) details of staff rosters on a daily basis;

(k) details of any accident, injury or incident involving a pre-school child attending the service.

Compliance Information

(1) (k) A sample of ten accident and incidents records were reviewed. These records were signed by staff and parents and were completed appropriately.

Non-Compliance Information

(1) (i) On both days of inspection, the staff roster did not accurately reflect who was present on the day. This did not include all staff who were present and working in service and staff who were on rostered annual leave and sick leave.

This was non-compliant on the last two inspections dated 29 May 2025 and 18 April 2024, despite assurances from the registered provider during the corrective action and preventative action process.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Management will ensure staff rosters are completed in line with the regulations and include all staff members, the chef and students are included going forward. The service will ensure this applies all year.

Supporting documentation submitted

Supporting documentation was submitted.

Summary Comment

The regulatory requirement has been met. Regulation 16 (1) (i) will be assessed on the next inspection.

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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)

Staff confirmed that children bring in a lunch from home which is stored in the fridge in the service. The service provides a snack and a hot meal for children who attend on a full day or part time basis. Dinner was provided by a private catering company and served at 3.30pm. Young children were given the opportunity to feed themselves. Water was available throughout the day in individual named cups and bottles. The children were supervised using the toilet independently. Staff were observed speaking kindly and respectfully to the children at all times. They spoke to the children by name and helped them with activities as required. Staff described how they communicate with parents on a daily basis at drop off and collection times.

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 entrance door to the service was adequately secured to ensure the safety of the children within and to avoid unauthorised persons accessing the service or children exiting unsupervised. Cleaning agents were stored safely out of reach of children. All storage facilities were inaccessible to children. All blind cords were secured.

Infection Control:

Liquid soap, warm water and paper towels were available to facilitate hand washing. Children were supported to wash their hands at regular intervals including after using the toilet and before meals.

Administration of Medication:

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Staff members detailed the procedures for administering medication when required during discussions with the inspector, including parental consent, the signatures of the staff member who administered the medication, and the staff member who was present as a witness.

Safe Sleep:

Children were physically monitored while sleeping and sleep checks were documented every ten minutes. Discussion with staff demonstrated that staff were familiar with safe sleep guidelines.

Fire Safety:

Staff demonstrated a clear understanding of the procedure to be followed in the event of a fire. Regular fire drills were conducted in the service.

Non-Compliance Information

General Safety:

1. See Statutory Notice section in relation to Improvement Notice IN0122 served.
2. One child was prescribed an auto injector medication in the event of a severe allergic reaction. Only one dosage of this medication was available on the first day of the inspection. A second dosage of this medication is required in the event the auto injector malfunctions. A second dose was made available on the second day of inspection after it was brought to the attention of the registered provider.
3. A care plan was available in the service for a child who required emergency medication, but it was generic and not tailored to meet the child's specific medical needs. A tailored care plan is required to meet a child's medical needs when they require specific medication.

Infection Control:

4. Staff were observed to wear the same gloves throughout the nappy changing procedure. This included reapplying a clean nappy and redressing the children. Both the staff and the children then left the nappy changing area and the care room to wash their hands despite a sink being present in the nappy changing area. These actions increase the risk of the spread of infection.
This is contrary to the service's nappy changing policy. The nappy changing procedure was found to be a non-compliance on the last inspection dated 29 May 2025, despite assurances from the registered provider during the corrective action and preventative action process.
5. Open top bins were observed in the care rooms and in the children's sanitary area. This increases the risk of the spread of infection.
- 6.

Action submitted by the Registered Provider

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Corrective & Preventive Action

General Safety:

2. Staff have been made aware of the necessity to always keep auto injector medication in class and ensure expiry dates are checked and contact parents for new medication before the expiry date.
3. The registered provider contacted the parent and received the relevant information to meet the child's specific care need. The service updated their emergency medication care plan tailored to meet the child's specific care needs.

Infection Control:

4. The service updated their nappy and toileting policy and clarified in detail the procedures for nappy changing. The service has posted a step by step guide for staff in the nappy changing area. The service did a training day with staff following the step by step guide to nappy changing. The registered provider will ensure all policies and procedures are understood and implemented by staff.
5. The service will only use pedal bins going forward.

Supporting documentation submitted

Documentation was reviewed.

Summary Comment

The actions taken by the registered provider have addressed the non-compliances identified. This regulation will be assessed on the next 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

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(1) The registered provider ensured that a person trained in first aid for children was available at all times to the children.

Evidence provided demonstrated two staff members who were present had in date First Aid Responder training certifications.

(2)(a)&(b) A suitably equipped first aid box was safely stored in an easily accessible and conspicuous place on the premises and was available to the children attending the service at all times.

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) A written record was available detailing monthly fire drills that had taken place in the service. The last fire drill had been recorded as undertaken on 12 January 2026.

(b) The number, type and maintenance record of the firefighting equipment and the smoke alarms on the premises were available. The maintenance records for the fire equipment were dated September 2025. The smoke alarm system records were dated February 2026.

(4) The procedures to be followed during a fire drill and in the event of a fire were displayed in a conspicuous location within the service.