

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015FL204
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Name of Service:	Magic Years Creche & Montessori (Carpenterstown)
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Address of Service:	Station View, Carpenterstown Road, Dublin 15
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Eircode:	D15 XF84
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Name of Registered Provider:	Mary Hale
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	08/06/2026
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No of pre-school children:	AM	83	PM	81
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Address of the Early Years Inspectorate:	Early Years Inspectorate Area 1 2 nd Floor, Unit 4/5 The Nexus Building Blanchardstown Corporate Park Ballycoolin Dublin 15 D15 CF9K
Inspection undertaken by:	T. Nelson and E. Griffin
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

Magic Years Creche and Montessori is a full day care service located in a residential area of Dublin 15 and is registered to provide early childhood care and education to a maximum of 120 children aged 0 to 6 years old, Monday to Friday. The service operates an Early Childhood Care and Education (ECCE) programme sessional service from 9.00am to 12.00pm. The service is also registered for school age childcare and is one of two services operated locally by the registered provider. Magic Years Creche and Montessori operates from a detached two-storey building and has five care rooms to include the Nursery Room (11 to 24 months old) on the first floor, and Senior Wobbler room (23 months to 3 years old), Playschool room (3 to 4 years old), Preschool room 1 (3 to 5 years old) and Preschool room 2 (3 to 5 years old) on the ground floor. There are sanitary facilities located off each of the care rooms, and three cot rooms located on the first floor. Further sanitary facilities are available for staff. There is a large reception area on entry to the service, a staff room, office and a kitchen on the ground floor. A fully enclosed outdoor play area is located to the rear and side of the premises.

Staffing

There are currently 28 staff employed including the operations manager, the person in charge, deputy person in charge, a cook, a bus driver, an administration worker and 23 childcare staff who work directly with the children. The registered provider does not work in the service. There were 21 adults present on the day of the inspection including a student on work placement.

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

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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.

A sampling process was used to assess compliance under the following:

- Regulation 19 (1)(a)-Health, Welfare and Development of child
- Regulation 23 – Safeguarding Health, Safety and Welfare of Child

As a result, the scope of the inspection included the Nursery, Senior Wobbler and Playschool rooms and did not include Preschool 1 and 2. Regulation 11 was inspected across all rooms.

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 inspectors wish to acknowledge the cooperation of the management team, staff and children who were present on the day of the inspection.

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Statutory Notices

Notice	Date Served	Detail
Immediate Action Notice IAN 0301	08/06/2026	Police Vetting was not available for two adults who had access to children. This posed a significant safeguarding risk. Relevant police vetting must be available prior to any adult having access to children.
Status	The registered provider submitted a detailed response with corrective and preventive actions which were accepted by the Inspectorate.	

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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.

Compliance Information

(1) The registered provider ensured that;

- (a) The service had a designated person in charge and named person to deputise as required.
- (b) A review of the roster showed either the person in charge or the deputy person in charge were rostered to be present during the operational hours of the service.
- (c) There was a clear management structure in place, and staff reported being aware of this.

(2) Following a review of previous inspection information, information available on inspection and discussion with the registered provider it was determined that eight new staff members had been employed since the previous inspection and all eight of these new staff members work directly with the children. On the day of inspection, a student was present on an educational work placement programme. The files of the eight new

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staff and one student who was present on the day of inspection were reviewed. In addition, Garda vetting for eight adults whose disclosures were identified as due for renewal were requested for review

The registered provider had completed the following checks:

- (a) Seven validated written references were available from recent past employers.
 - (b) Nine validated written references were available from a source other than a past employer.
 - (c) Garda vetting disclosures had been obtained for all 17 reviewed. 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) Documentary evidence was available that established that five of the seven adults who had lived in a state other than Ireland for more than six months as an adult had the required translated international police vetting available.
- (4) The eight staff who worked 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 eligible by the Department of Children, Disability and Equality.

Non-Compliance Information

- (2)
- (a) (b) There were no validated references available for one adult who had access to children.
 - (d) See Statutory Notice section in relation to Immediate Action Notice IAN 0301 served.
- Appropriate and suitable checks must be completed on adults who have access and are working directly with the children to adequately safeguard them.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (2) (a)(b)
- The adult was removed from duties until receipt of two reference which were verified. The Registered Provider has implemented a strengthened pre-employment verification process which will be completed by management prior to any new staff or work experience participant commencing within the service.

Supporting documentation submitted

Documentary evidence.

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Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 9 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.

Compliance Information

- (1) On the day of inspection there were an adequate number of adults available to the children attending the service to meet their care needs.
- There were 16 qualified staff available to 83 children present on the morning of the inspection.
 - There were 17 qualified staff available to 81 children present on the afternoon of the inspection.
- (2) The adult to child ratios were maintained correctly throughout the inspection. For example:
- The person in charge and deputy person in charge were available to provide cover for breaks.
 - Cover staff were available to provide support when needed in the rooms.

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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-

(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) Appropriate and suitable care practices were observed, as evidenced by the following:

- A review of documentation, discussion with staff and observation on the day showed children were provided with varied food on a regular basis. Breakfast is served on arrival, a snack of fruit is served at 10.00am, a hot meal is served at 11.30am and an afternoon snack is served at 3.30pm. There was a four-week menu plan available.
- There was sufficient food provided, with additional portions available on request. Alternative meals were available for those children with alternative dietary requirements.
- Drinks of water were available to the children in the care rooms.
- Nappy changing and toileting were observed to be timely and pleasant experiences for the children. Staff reported regular nappy changes were scheduled, and this was documented in the daily routine.
- The staff interacted with the children in a respectful, warm and sensitive manner. They were observed to be familiar with the children in their care room which enabled them to provide for their individual care needs, such as food and play preferences.
- The experiences and activities provided to the children in the rooms were suitable to the age and stage of development of the children. For example, staff discussed that planning for play was informed by the children's interests. Documentary evidence of this was available.
- All children had access to outdoor play on the day of inspection for an extended period of time. Suitable clothing and suncreams were available, allowing for outdoor play in diverse weather.
- Daily routines were available and were reflected in practice.
- Staff and children appeared to be familiar with the transitions between experiences such as that from play to mealtime to sleep. As a result, these transitions were prompt and smooth.

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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

The following measures were observed to be in place to safeguard children:

General Safety:

- Blind cords were observed to be secured out of reach of children.
- Children's highchairs were fitted with a safety harness.
- Foam padding was fitted on all corners and sharp edges.
- The kitchen was observed to be inaccessible throughout the inspection, with the hallway to the kitchen restricted by a stable gate.

Infection Control:

- Windows were observed to be open, allowing fresh air to circulate throughout the care rooms.
- Liquid soap and single use hand towels were used to effectively support hygienic hand-washing practice.
- Staff were observed to support children to hand wash before and after mealtime and after using the toilet.
- The premises was in a clean and hygienic condition and the person in charge reported that she documented cleaning records in her checklist.

Administration of Medication:

- Staff reported being familiar with the medication needs of the children in their care.
- There was a detailed care plan available for a child on a specific medication, and this was stored clearly labelled and out of reach of children but accessible to staff if needed in the case of an emergency.

Safe Sleep:

- Cots and low beds were positioned with adequate space between them to check on sleeping children.
- The temperature of the cot rooms while children slept was maintained at 20°C whilst children aged between one to two years were sleeping as per the service's safe sleep policy.
- Staff were observed to complete physical checks on the colour, breathing and position of sleeping children every ten minutes, and a log was maintained of these checks.

Fire Safety:

- Emergency exits were observed to be unobstructed.

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- A review of the attendance log showed all children present had been accurately accounted for on the day.

Non-Compliance Information

General Safety:

- The soft close mechanism of the door from the Senior Wobbler room to the sanitary area was not operating effectively, causing the door to slam. This posed a potential finger trap injury.
- The water temperature in the wash hand basin used by the children in the sanitary area off the Playschool room exceeded the recommended temperature of 43°C. A temperature of 46.9°C was recorded by the inspector at 10.49am. This posed a potential scald risk to the children.
- One of the 17 garda vetting disclosures reviewed was not dated within the required three-year timeline. This was not in adherence with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

Safe Sleep:

The following practices were not in line with safe sleep practice:

- Children aged between one to two years were observed to sleep in cots with soft toys and comforters. This can pose a potential risk should the items cover the child's face while sleeping.
- The following were not suitable sleep facilities for children:
 - Two children under two years old were observed to sleep on low stackable beds. Children under the age of two years who do not sleep in a cot must have access to an appropriate floor bed with a mattress depth of between 6 to 15 cm.
- A documented sleep risk assessment had not been carried out prior to children under the age of two years sleeping on low beds. An assessment of the potential hazards in the care room while children sleep on low beds should be carried out prior to sleep-time in order to mitigate any potential risks.

These were not in line with current safe sleep guidance or the service policy on safe sleep.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

- It was established that this occurred because of a vacuum effect that can cause the Senior Wobbler Room door to slam. As an interim measure, staff were reminded that the fire door leading to the sanitary area between the Senior Wobbler Room and Preschool Room 1 must always remain closed to prevent this vacuum. The service has contacted a contractor to arrange to a permanent solution to the issue.

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2. The service report that the thermostatic mixing valve (TMV) has been replaced and that staff will continue to complete daily risk assessments and monitor water temperatures to ensure they do not exceed 43°C.
3. The registered provider confirms that the renewal Garda Vetting application for this staff member was submitted on 2 June 2026 and is currently awaiting completion. Evidence of the application submission was provided to the regulator on the day of the inspection. A full audit of Garda Vetting renewal dates has been completed by the PIC and DPIC, confirming that there are no outstanding renewals. To prevent recurrence, the PIC and DPIC now have full access to the HR database, including Garda Vetting renewal dates, and quarterly audits will be conducted to ensure ongoing compliance.

Safe Sleep:

4. Evidence was submitted that staff were immediately reminded that comfort items may be used to support a child in settling; however, they must be removed once the child has fallen asleep, in accordance with safe sleep practices. A staff memo was issued, and the Tusla Safe Sleep Guidelines were circulated to all staff.
5. Evidence was submitted that two new suitable floor beds have been purchased. Staff have been reminded that children under two years of age must be placed in either a standard cot or a foldable cot or the floor beds where staff determine that a cot may not be the most appropriate sleeping arrangement for a child.
6. Evidence was submitted that the daily risk assessment for the Senior Wobbler Room has been reviewed and updated to include a dedicated sleep risk assessment section. This will be completed before each sleep period, and all relevant staff were informed of the updated procedure and their responsibility to ensure compliance.

Supporting documentation submitted

General Safety:

1. Photographic and document evidence.
2. Photographic and document evidence.
3. Documentary evidence.

Safe Sleep:

4. Documentary evidence.
5. Documentary evidence.
6. Documentary evidence.

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Summary Comment

The registered provider has addressed the non-compliances details in points 1, 2, 4, 5, 6. The non-compliance at point 3 remains outstanding. The registered provider must submit the Garda vetting disclosure to the inspectorate when it is received. This will be reviewed 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

(1) The service provided evidence that a person trained in First Aid Responder training was available at all times to the children attending the pre-school.

(2) The registered provider ensured that:

(a) Suitably equipped first aid boxes were stored throughout the premises and there were signs displayed indicating this.

(b) The first aid boxes were easily accessible and readily available.

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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 record of fire drills was available on the premises with the last drill dated as having been carried out on the 8 May 2026.
 - (b) An up-to-date maintenance record was available for the Fire extinguishers and smoke alarms in the premises. The fire extinguishers were serviced on 20 April 2026, and the smoke alarms were maintained on the 4 June 2026
- (4) A procedure to be followed in the event of a fire was on display in each of the care rooms.