

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2019WW004
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Name of Service:	Ballyflanigan Montessori - Avoca
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Address of Service:	Avoca Community Hall, Avoca, Co. Wicklow
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Eircode:	Y14 P890
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Name of Registered Provider:	Jenny Kane
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Service type:	Sessional
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Date of Inspection:	03/06/2026
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No of pre-school children:	AM	18	PM	N/A
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Address of the Early Years Inspectorate:	Tusla Child and Family Agency First Floor Trinity Building IDA Business Park Southern Cross Road Bray Co. Wicklow
Inspection undertaken by:	H. Bourke
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).

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Description of service

Ballyflanigan Montessori Avoca was first established in 2019. It is a privately owned service that is registered to provide care and education for children aged between two years and six years of age.

The Montessori consists of one large care room, with a separate sanitary area, located in the local community centre in Avoca.

There is a large enclosed outdoor area to the side of the premises which the children use on a daily basis. The Montessori operates an Early Childhood Care and Education (ECCE) service between the hours of 09.30am and 12.30pm Monday to Friday for 38 weeks of the year.

Staffing

There are three staff members employed in the Montessori service. The registered provider attends the Montessori service every second day and arrived a short time after the inspection had started.

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/ 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

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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.

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*
- (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,*

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(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.

(6A) Paragraph (4) shall not apply to an employee of a registered provider where - (a) the registered provider receives funding for the employment of the employee pursuant to a scheme funded by the Minister and known as the Access and Inclusion Model, and (b) the employment of the employee is for the purpose of providing support, pursuant to the scheme referred to in subparagraph (a), for a child attending the service to enable the child to participate in the programme known as the Early Childhood Care and Education (ECCE) funding Programme."

Compliance Information

Following a discussion with the person in charge and a review of the staff roster, it was confirmed that there were three adults employed in the Montessori service by the registered provider. The registered provider works in the service on alternate days, then there are four adults present in the service.

(1)(a)

The person in charge was present in the Montessori and there was a named staff member who was able to deputise as required.

(b)

The person in charge was on the premises at the time of arrival of the inspector and remained on the premises for the duration of the inspection.

(c)

There was a clear management structure in the Montessori service that identified the lines of authority and accountability.

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(2)(a)(b)

Written references were available in respect of four adults.

(c)

The required three-year Garda vetting disclosures were available in respect of four adults.

(d)

International police vetting was available for two adults who had lived outside the State for more than six months since turning 18 years of age.

(3)

The procedures specified in paragraph (2) were carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the Montessori service.

(4)

Four adults held a major award in Early Childhood Care and Education at Level 5 or higher on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent.

(6A)

One adult was employed under the scheme funded by the Minister and known as the Access and Inclusion Model.

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.

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Compliance Information

(1)
Throughout the inspection there were an adequate number of adults working directly with the children attending the pre-school.

(3)
The correct adult/child ratio was maintained during the inspection. There were three adults present with 18 children.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

(1) Subject to this regulation, a registered provider shall ensure that-
(a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child to play indoors and, where required by these Regulations, outdoors, during the day, and

Compliance Information

(1)(a)
The large care room had a suitable sized cosy area available to the children. The area consisted of a large sofa, soft matting, cushions and a rocking chair. The children were observed to use this area at regular intervals throughout their day, on the day of inspection.

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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

The person in charge ensured that there was safe, suitable and an adequate amount of play equipment for the children attending the Montessori to play with.

The Montessori room had an adequate number of age-appropriate tables and chairs for the children attending the service. The toys and equipment were suitable and there was a large variety of materials to support various forms of play. The equipment was well maintained, durable and appeared clean.

The outdoor playground consisted of a multi surfaced area for the children to use. The children had access to push bikes, water play, a large permanent wooden tractor, a wooden teepee and an assortment of climbing equipment. The children accessed the outdoor area daily.

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 door to the community centre was securely locked on arrival of the inspector to the service.
- All toys examined were in good condition and equipment was suitable, age appropriate and in good working order.
- The kitchen area was inaccessible to the children.
- Documentary evidence was available of daily risk assessments being carried out in the service.
- All cleaning products were stored safely out of the reach of children.
- The emergency exit route from the Montessori room was free from obstruction and clearly marked.

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Infection Control:

- Cleaning schedules for the Montessori room was available and maintained.
- The Montessori room had access to a sanitary area, with toilets, warm running water, liquid soap and paper towels.
- Hand washing by adults and children was observed before meals.
- A foot pedal bin was available in the sanitary area for the safe disposal of used paper towels. Foot pedal bins were also available in the Montessori room.
- Table cleaning was observed before and after snack time as was hand washing by adults and children before snacks and after using the toilet.

Part VI - Safety

Regulation 24 - Checking in and out and record of attendance

(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.

(3) A registered provider shall ensure that-

(a) no person other than-

(i) pre-school child attending the service,

(ii) a person dropping or collecting such a child,

(iii) an employee, or

(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and

(b) a daily record in writing is kept of the entry on the premises of any such person.

(4) A registered provider shall ensure that a record in writing referred to in paragraph (3)(b) is retained for a period of one year from the date to which it relates.

Compliance Information

(1)

The person in charge ensured that all children attending the Montessori service were checked in and out on the service register.

(3)(a)(i-iv)

The person in charge ensured that no other person other than the agreed list of people has access to the Montessori.

(b)

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The person in charge had a record in writing in the form of a visitors' book of all such persons who accessed the Montessori.

(4)

The person in charge ensured that a record in writing referred to in paragraph (3)(b) was retained for a period of one year from the date to which it related to.

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)

There was one adult present trained in FAR (first aid response) and was available to the children throughout the inspection.

(2)(a)

A suitably equipped first aid box was located in an accessible place within the Montessori room.

(b)

The first aid box was available to the children attending the service at all times.

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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 firefighting equipment and smoke alarms in the premises.*
- (2) The record referred to in paragraph (1) shall be open to inspection by-*
- (c) an authorised person.*
- (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)

There was a record of fire drills having taken place in the Montessori on a monthly basis. The last fire drill took place on the 25 May 2026.

(b)

There was a maintenance record for firefighting equipment and the smoke detection system on the premises dated February 2026 and March 2026 respectively.

(2)(c)

The above records referred to in paragraph (1) were open to inspection by an authorised person.

(4)

There was a notice of the procedures to follow in the event of a fire, clearly displayed within the Montessori room and in the main corridor of the premises.

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Part VI - Safety

Regulation 27 – Supervision

A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Compliance Information

The person in charge was able to demonstrate that all children attending the Montessori service were adequately supervised throughout their day.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-

- (a) of sound and stable structure,*
- (b) safe and secure,*
- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

Compliance Information

(a)

The service appeared to be of a sound and stable structure.

(b)

The service appeared to be safe and secure.

(c)

The service was warm, brightly lit and well ventilated.

(d)

There were cleaning schedules available and completed correctly and the care room appeared to be well maintained.

(e)

There was suitable and maintained sanitary facilities for both children and adults attending the service.