

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015CC004
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<b>Name of Service:</b>	A Breath of Fresh Air Pre-School
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<b>Address of Service:</b>	Aghamarta, Carrigaline, Co. Cork
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<b>Eircode:</b>	P43 AX75
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<b>Name of Registered Provider:</b>	Ailish Thompson
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<b>Service type:</b>	Full Day
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<b>Date of Inspection:</b>	25/11/2025
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<b>No of pre-school children:</b>	AM	47	PM	28
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<b>Address of the Early Years Inspectorate:</b>	2 <sup>nd</sup> Floor, Estuary House, Henry Street, Limerick, V94 XT5F
<b>Inspection undertaken by:</b>	S O'Brien
<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>	N/A
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### Description of service

A Breath of Fresh Air Pre-School is a privately operated full day care service which also offers the Early Childhood Care and Education (ECCE) programme. The service is based in a refurbished one storey barn on the outskirts of Carrigaline, Cork. The service caters for children aged 3 to 6 years. The service operates from 8am to 6pm, Monday to Friday. The service consists of three care rooms, sanitary facilities and an outdoor area to the front of the building.

### Staffing

There are 19 staff members employed in the service which includes the registered provider, person in charge, 2 assistant managers, educators and relief staff. The registered provider is not based in the service. On the day of inspection, 12 staff members were present. The person in charge was not working directly with the children on the day of inspection.

### 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

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 25 November 2025, an Immediate Action Notice was issued to the registered provider under Regulation 23 Safeguarding Health, Safety and Welfare of the children. Surface temperature on radiators was recorded from 53.4°C and 62.3°C in the care rooms and foyer area of the service posing a burn risk to the children.

On 26 November 2025, the registered provider outlined the steps to mitigate the risk.

### Acknowledgments

The inspector wishes to acknowledge the cooperation of the 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,*  
*(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 service had a designated person in charge and two named persons who were able to deputise if needed.  
 (b) The person in charge and two named persons were present for the duration of the inspection.  
 (c) There was a clear management structure in place in the service, and all staff were aware of their roles and responsibilities.

(2) Nineteen staff files were reviewed including the registered provider.

(a) Thirty-one of the references available were from a past employer and were validated.  
 (b) Seven of the references available were from a reputable source and were validated.  
 (c) Garda vetting disclosures had been obtained for all 19 staff. 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 disclosures were available for eight staff who had lived outside of Ireland for longer than six consecutive months.

(4) All 19 staff held a relevant qualification in Early Childhood Care and Education from Level 5 to Level 8 or a qualification deemed equivalent by the minister.

### 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.*

*(8) Without prejudice to paragraphs (2) to (7)-*

*(a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times,*

#### Compliance Information

(1) The registered provider ensured there were an adequate number of staff working directly with the children on the day of inspection.

(2) The following adult to child ratios were observed and adhered to the required minimum adult to child ratios:

In the morning:

- In the Yellow Room, there were 17 children aged between 3 and 4 years, being cared for by 2 staff.
- In the Red Room, there were 14 children aged between 3 and 4 years, being cared for by 3 staff.
- In the Blue Room, there were 16 children aged between 3 and years, being cared for by 2 staff.

In the afternoon:

- In the Yellow Room, there were 7 children aged between 3 and 4 years, being cared for by 2 staff.
- In the Red Room, there were 9 children aged between 3 and 4 years, being cared for by 2 staff.
- In the Blue Room, there were 12 children aged between 3 and years, being cared for by 2 staff.

(8)

(a) The registered provider ensured that there were at least two staff members present in the service at all times while the service was in operation. This was confirmed on review of the staff roster that was available.

### 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) The following records were reviewed:

- (i) A staff roster was available for a four-week period and clearly outlined the start and finish times of each staff member.
- (k) A sample of 30 accident and incident records were reviewed and were observed to be complete and contained the relevant information.

### 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 observed freely moving around the care rooms and outdoor area, partaking in activities of choice.
  - All children had several opportunities to spend time in the outdoor area. The staff outlined that they split the groups throughout the day as some children wanted to spend extra time in the outdoor area and they discussed the importance of outdoor play for children's well-being.
  - The parents and guardians of the children provided all meals for the children. At morning and afternoon snack, the children were observed eating fruit, yoghurts, crackers, meat sandwiches, cheese. At dinner time, the children were observed eating, mash, pasta, vegetables, pork and mince beef.

- A water station was available for the children to keep hydrated throughout they day. Individual water beakers were also available to the children.
- Individual care plans were available for children who required them. On discussion, the staff were aware of the care plans and outlined how they supported them in their care practices.
- The children were encouraged to be independent while being supported by the staff. This was observed when the children were putting on their coats to go outdoors.

### Supporting relationships

- Family walls were on display in the care rooms which supported the children’s sense of identity and belonging.
- Mealtimes were relaxed experiences for the children where they were given time to sit and enjoy their food while chatting to the other children and staff.
- The staff in the care rooms spoke the children in a kind and respectful way and ensure they were at the child’s level when communicating with them.

### Programme of activities

- The children in the Yellow Room were observed painting their hands and placing their handprints on the window in the care room. This supported the children’s sensory development.
- The children in the Blue Care room were observed colouring in winter pictures which promoted gross motor skills.
- The children in the Red Room were observed making jigsaws which promoted cognitive development.
- All the children were observed playing in the outdoor area which promoted physical development.

## 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 entrance door to the service was secured on arrival to the service and remained secured for the duration of the inspection. This prevented a child from leaving the service unattended or any unauthorised access to the service.
- The outdoor area was observed to be safe and secure area for the children to play in with a fence and gate.

- Cleaning products were stored out of reach of children during the inspection.
- Unsafe areas were secured and prevented children from accessing these areas on inspection.
- Glass panels on low level windows and doors had visibility strips as safety precautions to prevent injury.

### Infection Control:

- The children were observed washing their hands after outdoor play and before mealtimes. Warm water, paper towels and hand soap was available to the children in the sanitary areas.
- Perishable items from the children meals were stored in a refrigerator to prevent foods from spoiling.
- The care rooms were naturally ventilated.

### Administration of Medication:

- Medication was not observed being administered on the day of inspection. Staff outlined the steps to follow in the event of medication being required to be administered.

### Fire Safety:

- Fire exits were observed to be clear and unobstructed

## Non-Compliance Information

### General Safety:

1. Surface temperatures on radiators were observed to exceed 50°C during the inspection. The following temperatures were recorded:

- At 10.05am, in the Yellow Room, a temperature of 56.8°C was recorded. When the inspector informed the assistant manager of the service, the thermostat on the radiator was adjusted. At 10.20am, a temperature of 47.6°C was recorded.
- At 2.04pm, in the Yellow Room, temperatures between 53.4°C and 60.1°C were recorded.
- At 2.06pm, in the foyer area between the Red and Blue Room, temperatures between 56.6°C and 62.3°C were recorded.
- At 2.08pm, in the Blue Room, a temperature 60.2°C were recorded.

This posed a burn risk to the children in these areas.

2. Garda vetting was available for three members. However, these vetting disclosures were not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

It is acknowledged that Garda vetting renewal applications in respect of the three staff members were applied for on 4 November 2025 and were submitted to the inspectorate.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

##### **General Safety:**

The registered provider outlined in their response:

##### **Corrective Action**

1. A plumber was contacted on the afternoon of 25<sup>th</sup> November 2025 where the temperature of the boiler was lowered. The thermostatic valves have been lowered, and the radiators are being closely monitored with the non-contact thermometer until the digital radiator thermometer arrives.
2. The Garda vetting applications that were in process came back and have been added to the staff files in relation to the three staff members.

##### **Preventive Action**

1. The service has been monitoring the temperatures and set the radiators to a heat not exceeding 50°C, thermostat covers have been purchased so this cannot be changed. The radiators will be monitored and checked regularly.
2. The service has set a reminder on the office laptop for 90 days in advance of the Garda vetting expiring, to allow sufficient time for the vetting to be completed.

#### Supporting documentation submitted

##### **General Safety:**

1. Documented evidence of purchase invoices for the thermostat covers and thermometer were submitted to the inspectorate.
2. Documented evidence of the Garda vetting disclosures were submitted to the inspectorate in respect of the three staff members.

### Summary Comment

The registered providers response and documented evidence was reviewed and has met the regulatory requirements. This will be reviewed on next inspection.

## 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 of fire drills that had taken in place the Yellow, Red and Blue care rooms were available for review. It was observed that fire drills were carried out twice a month in each care room.
  - (b) A record of maintenance for the fire extinguishers in the service was available and was last inspected on 23 January 2025.
- (4) The fire excavation procedure for the service was displayed throughout the service.

### Non-Compliance Information

- (1)
- (b) The service had no records available of maintenance carried out on the smoke alarm systems since February 2024. This posed a safety risk to the children and staff present in the service in the event of a fire.

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

#### Corrective and Preventive Action

The registered provider stated in their response:

#### **Corrective Action**

The service contacted a fire safety company, which completed servicing on all the fire alarms on 28 November 2025.

#### **Preventive Action**

The service has contacted the fire safety company to arrange annual servicing. To minimise the risk of human error, the service has set a reminder on the office laptop in advance of the yearly servicing, to allow for sufficient time to confirm the booking

### **Supporting documentation submitted**

Documented evidence of the servicing carried out on the smoke alarms was submitted to the inspectorate.

### **Summary Comment**

The registered providers response and documented evidence was reviewed and has met the regulatory requirements. This will be reviewed on next inspection.

## Part VI - Safety

### Regulation 28 - Insurance

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

### **Compliance Information**

The registered provider ensured that the service was adequately insured. The insurance policy commenced on 28 March 2025 and expired 27 March 2026.

## Part VIII - Notifications and Complaints

### Regulation 31 - Notification of incidents

*A registered provider shall notify the Agency in writing within 3 working days of becoming aware of any of the following incidents occurring in the preschool service:*

- (a) the death of a pre-school child while attending the service, including the death of a child in hospital following his or her transfer to hospital from the service;*
- (b) the diagnosis of a pre-school child attending the service, an employee, unpaid worker, contractor or other person working in the service as suffering from an infectious disease within the meaning of the Infectious Diseases Regulations 1981 (S.I. No. 390 of 1981);*
- (c) an incident that occurs in the service and that results in the service being closed for any length of time;*
- (d) a serious injury to a pre-school child while attending the service that requires immediate medical treatment by a registered medical practitioner whether in a hospital or otherwise;*
- (e) an incident in respect of which a pre-school child attending the service goes missing while attending the service.*

### **Compliance Information**

On review of 30 accident and incident reports on file for children in attendance and discussion with the staff, it was outlined that no notification of incident had been required to be notified to the agency. The staff outlined that they were aware of the requirements to notify the agency and the procedures to follow.

# Early Years Inspectorate Regulatory Report Pre School