

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CC315
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Name of Service:	Orchard Childcare
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Address of Service:	6 The Mews, Riverway, South Douglas Road, Douglas, Co Cork
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Eircode:	T12 KF95
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Name of Registered Provider:	Rachel Cunningham, Sinead O'Leary
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Service type:	Full Day
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Date(s) of Inspection:	18/05/2026
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No of pre-school children:	AM	17	PM	19
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Address of the Early Years Inspectorate:	13 Market Square Mallow Cork P51DD5Y
Inspection undertaken by:	B Fraher
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

Orchard Childcare is a full day care service that operates out the ground floor of a 2-storey dwelling house that is located in a residential area in Douglas in Cork city. The service caters for children aged 1 to 6 years with the Early Childhood Care and Education Scheme (ECCE) operating from 9:00 to 12:00. The opening times are between 8:00 and 18:00. The service has 2 care rooms namely the Toddler room and the ECCE room which is divided into ECCE 1 and ECCE 2 areas. The children have access to an outdoor play area located to the rear of the premises.

Staffing

There is a total of eight adults employed by the service including the two registered provider and one AIM support worker. On the day of inspection five staff were working directly with the children.

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.

The inspection focused on an examination of compliance under Regulation 9: Management and recruitment, Regulation 10: Policies, procedures of a preschool service, Regulation 11: Staffing levels, Regulation 15: Record of a preschool child, Regulation 19: Health, welfare and development of a preschool child, Regulation 23: Safeguarding health, safety and welfare of child, Regulation 24: Checking in and out and records of attendance

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and Regulation 25: First Aid, however on inspection additional non-compliances which posed a risk were identified under Regulation 20: Facilities for rest and play and Regulation: 27: Supervision. These findings are outlined within the relevant regulations within this report.

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 wishes to acknowledge the cooperation of the children, person in charge and staff 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*

(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.

(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 registered provider had appointed a person in charge and a deputy.
- (b) The person in charge and the deputy were on duty at the service when the inspectors arrived and facilitated the inspection process.
- (2) The recruitment records in relation to eight adults attached to the service were the subject of the inspection.
- (a) Of the 16 required written and validated references, 11 had been provided by past employers.
- (b) Of the 16 required written and validated references, 5 had been provided by a source other than a past employer.
- (c) Garda vetting disclosures had been obtained for all eight adults. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years.
- (d) Police vetting records, with certified translations where required, were available on file for five of the eight staff members, who had lived outside the State for a period of six consecutive months or longer, as adults.
- (4) Evidence of completion of a major award in Early Childhood Care and Education at level 5 or above on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent was on file for four adults and four adults held a letter of qualification recognition from the Department of Children, Disability and Equality.

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Part III – Management and Staff

Regulation 10 - Policies, procedures etc. of pre-school service

A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.

Compliance Information

The following policy was reviewed:

- Policy on infection control

The policies contained the information required to guide staff in their care practices for the children.

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) At the time of inspection, there was an adequate number of adults responsible for the direct care of the children in attendance at all times.

(2) The service maintained the minimum ratio required as per regulation in the care rooms. The ratio was as follows:

- The ECCE 1 & 2 room, there was 4 adults caring for 15 children in the morning and three adults caring for 15 children in the afternoon.
- The Toddler room, there was one adult caring for two children in the morning and one adult caring for four children in the afternoon.

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8 (a) The service operated with at least two adults present at all times. This was observed on the day of inspection and was evident through examination of the staff roster.

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.*

Compliance Information

(1) The service has 22 early years children registered and a sample of 10 records were inspected. They were found to contain the required information as listed (a) through to (i).

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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,

Compliance Information

Basic needs:

- All meals and snacks are provided by the service and a four-week menu plan was in place. The food provided was observed to be healthy and nutritious. Children were observed eating pasta with sauce and yogurt. A variety of snacks were in the service such as wraps, crackers, bread sticks, fruit, cheese and breakfast cereal were available to the children also.
- The children's reusable water bottles were accessible on a low-level shelving in the care rooms.
- Cutlery and crockery were available in the kitchen area and provided to the children.
- A relaxed unhurried atmosphere was evident at snack time, as the children chatted and interacted with one another. The adults remained with the children, helping and assisting as needed and joined in the conversation.
- Children were observed to independently access the sanitary facilities and the adults supervised the children and assisted as required.
- Low-level tables and chairs were available for the children to use.

Supporting relationship:

- The adults were observed to show positive regard for the children in all the care rooms on the day of inspection. The children were encouraged and praised during tasks in a warm and caring manner for example when children played with magnetic bricks, completed artwork and building with connectible pieces of plastic.
- The adults were observed to sit with the children and interact with them through play. This was observed when children were playing with moulding dough.
- Staff were observed to sit during group activity with the children practicing singing for the class graduation, which supported positive relationships with the children and language development.

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- The classrooms had low-level open shelving units which displayed materials and resources which children could freely access. Children were observed to make choices of what they wished to play with, which promoted independence and decision making.
- Parents or guardians were communicated with at pick up and drop off. Policies were emailed at enrolment, and photographs were sent through a digital application. The deputy informed the inspector that meetings outside of this time can be requested.

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-

(b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

Non-Compliance Information

There was no comfortable soft seating available to children in the ECCE 1 & 2 room or the Toddler room for rest or relaxation. Children were observed to sit on the ground by the book area reading. It is acknowledged that a mat was available in ECCE 2 area, and the Toddler room. The deputy obtained some cushions during the inspection. The rest area needs further development to meet the needs of the children.

Corrective & Preventive Action submitted by the Registered Provider

The following response was received from the registered provider:

Corrective and Preventive Action

New mats and cushions were added to the rest area. Additional mats and cushions will be added as required.

Supporting documentation submitted

Photographic evidence received.

Summary Comment

The response from the registered provider was deemed to meet regulatory compliance under Regulation 20 (1) (b).

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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

General Safety:

- The entrance door was secured appropriately. This restricted unauthorised access to the building and prevented the risk of children exiting unsupervised.
- The window in the Toddler room was out of reach and was adequately secured to ensure the safety of the children.
- Cleaning agents were stored out of reach of the children.
- The toys and play equipment assessed were in good condition.
- The outdoor area was a safe and secure space for the children with concrete walls and a timber gate. This prevented children gaining unsupervised access to an unsafe area.
- There were no cables or trailing flexes observed to be accessible to the children on the day of inspection.

Infection Control:

- Handwashing facilities were accessible to the children with warm running water, liquid soap and paper towels.
- Children were observed to wash their hands before snack time and after using the sanitary facilities.
- Children's coats were stored off the ground on hooks.
- A refrigerator was available in the kitchen for the storage of perishable foods.
- During nappy changing processes observed, staff adhered to the services nappy changing policy which was on display. Staff ensured that gloves and aprons were worn during the nappy changing process and both child and staff hands were washed after nappy changing had taken place.

Safe Sleep:

- The Toddler room was used for children to sleep after lunch. The air temperature was recorded at 20°C. There were four children asleep in the room at the time. The room temperature was maintained at the required temperature of between 18°C and 22°C for children above 12 months.

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- Staff were noted to maintain sleep records and checks were completed at 10-minute intervals. The inspector reviewed 10 sleep records, and these were recorded to be carried out correctly.

Fire Safety:

- The fire exit doors were free from obstruction on inspection.
- Fire extinguishers were wall mounted.

Outing:

- On discussion with the person in charge, the service has an outing yearly with a risk assessment completed prior to this occurring. On discussing the risk assessment, a number of strategies were in place to mitigate identified risks to the children.

Non-Compliance Information

Infection Control:

The waste Bin in the ECCE 2 area of the care room did not have a pedal operated lid. A child was observed to handle the lid to dispose of waste and then returned to the table. This posed a risk of cross contamination and infection.

Action submitted by the Registered Provider

The following response was received from the registered provider:

Corrective & Preventive Action

Infection Control:

A new lidded pedal operated bin has been purchased. Hand hygiene has been discussed with children. The service will ensure lidded pedal operated bins are available and replaced where required.

Supporting documentation submitted

Infection Control:

Photographic evidence was received.

Summary Comment

The corrective actions submitted by the registered provider have addressed the non-compliances identified under Regulation 23.

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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-

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

Compliance Information

(1) The staff working in the service ensured that each child was checked in and out of the service.

(3)

(b) A daily record of visitors to the premises was kept in visitors log sheets. The inspector was requested to complete this on arrival to the service.

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) Up to date records of First Aid Response (FAR) certification were in place for three of the adults working in the service.

(2)

(a) There was one sufficiently stocked first aid box available in the service, which was safely stored out of reach of children.

(b) The first aid supplies were accessible, should they be required.

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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.

Non-Compliance Information

Four children sleeping on stackable beds in the toddler room were not adequately supervised at all times. Whilst staff were observed to be checking these children every ten minutes, children sleeping on stackable beds needs to be supervised at all times to ensure their safety.

Corrective & Preventive Action submitted by the Registered Provider

The following response was received from the registered provider:

Corrective and Preventive Action

Management spoke with staff to ensure that staff remain with the children in the room while sleeping at all times.

Supporting documentation submitted

The response from the registered provider is accepted.

Summary Comment

The action taken by the registered provider have addressed the non-compliances identified under Regulation 27.