

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CE065
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Name of Service:	Kilmaley Community Creche
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Address of Service:	Kilmaley, Ennis, Co. Clare
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Eircode:	V95 P9YX
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Name of Registered Provider:	Gerry Pyne
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	16/04/2026
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No of pre-school children:	AM	41	PM	33
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Address of the Early Years Inspectorate:	Early Years Inspectorate Tusla Child and Family Agency Primary Care Centre Station Road Ennis County Clare.
Inspection undertaken by:	J. Hayes & A McCarthy
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).

Early Years Inspectorate Regulatory Report

Pre School

Description of service

Kilmaley Community Crèche was established in 2006, in Kilmaley, Ennis, County Clare. The childcare facility operates Monday to Friday from 07:30 to 18:00 on a full day, part-time and sessional care basis for children ranging in age from six months to six years. A school aged childcare service is provided each afternoon and during school holidays. The childcare facility is located in a single storey building. Two care rooms are accessed via the main reception, and the third care room is accessed to the side of the premises. An outdoor area is located to the side and rear of the building.

Staffing

Eighteen adults are employed by the service. On the 16 April 2026 ten adults and a student worked directly with the children in attendance. The registered provider is part of the board of management and does not work in the service. The manager and assistant manager provided administrative roles and did not work directly with the children during the inspection. The service also employed a chef who provided hot meals and snacks for 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 and safety. The inspection focused on an examination of compliance under regulations:

Early Years Inspectorate Regulatory Report

Pre School

Regulation 9 – Management and recruitment (1)(a)(b), (2)(a)(b)(c)(d) and (4)

Regulation 11 - Staffing levels (1) (2) (8)(a)

Regulation 16 – Record in relation to pre-school service (1)(h)(i)

Regulation 19 - Health, welfare and development of child (1)(a)

Regulation 23 - Safeguarding health, safety and welfare of child

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 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 Manager, Assistant Manager, staff, student 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*

(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,*

Early Years Inspectorate Regulatory Report

Pre School

(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 manager was assigned as the person in charge and a person was available to deputise when required.

(b)

During the inspection the manager and the assistant manager were available.

(2)

Twenty files were reviewed; the findings included the following:

(a)

Twenty four written and validated references were available from past employers in respect of the adults working in the service.

(b)

Sixteen written and validated references were available from a source other than a past employer in respect of adults working in the service.

(c)

Garda vetting disclosures were available in respect of the registered provider and nineteen adults working in the service. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d)

International police vetting was available for three adults, who had lived in another state for a period longer than six months.

(4)

Early Years Inspectorate Regulatory Report

Pre School

All adults working directly with the children held Early Childhood Care and Education qualifications ranging from Level 5 to level 8 on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent.

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)
During the inspection an adequate number of adults worked directly with the children in attendance.
- (2)
On the 16 April 2024 the ratio of adults caring for children was maintained during the inspection in the care rooms. Ten adults cared for forty-one children in the morning, and six adults cared for thirty-three children in the afternoon.
- (8)(a)
The staff roster demonstrated that more than two adults were available in the service at all times.

Early Years Inspectorate Regulatory Report

Pre School

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:

(h) details of attendance by each pre-school child on a daily basis;

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

Compliance Information

(1)(h)

The service maintained a record of all children in attendance at the service on the 16 April 2026.

(i)

A staff roster was available and accurately detailed the attendance of all staff on 16 April 2026 and the relief cover available for staff breaks.

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)

The children's learning, development and well-being was facilitated within the service through the provision of appropriate activities, interactions, materials, and equipment, having regard to the age and stage of development of the children. Three indoor care rooms and two outdoor play areas were accessed by the preschool children on the day of inspection.

Supporting Relationships Around Children:

The adults working directly with the children demonstrated a knowledge of the children's preferences and capabilities and a key person approach was observed in operation in each care room. The transitions from play based activities, to sleep and mealtime were completed with ease as the children were notified in advance of these transitions. The rooms accommodated visual routine displays demonstrating photographic illustrations to support

Early Years Inspectorate Regulatory Report

Pre School

and include all children in the programme of care and children appeared settled, content, and deeply immersed in their self-selected activities.

The adults worked effectively together to meet the care needs of the children in each room. The children were observed to seek the support of adults when needed and were responded to promptly. The adults were observed to cuddle, comfort and soothe the children. The adults engaged with the children in individual and group-based activities and followed the children's lead in the care rooms. Positive behavioural strategies were used during interactions observed between the adults and children. The children were encouraged to be independent with caring for their belongings, feeding, using the toilet and during play-based activities and this was praised by the adults. An open-door policy was observed in place in the service parents were openly invited into the service at drop off and collection times. Parents were communicated with in an informal manner during the children's arrival and departure to the service. Learning journals captured the children's activities and artwork, and parents are communicated with through the service's application system.

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:

On inspection the following was observed:

- All external doors were appropriately secured with a magnetic lock to prevent children accessing unsafe areas or allowing unsupervised access to the building.
- The children were signed in and out on arrival and departure to the service.
- The outdoor areas were secured with fencing and gates to protect the children within.
- All highchairs used by the younger children at mealtimes were in good condition and fitted with safety harnesses.
- Storage facilities were secured and inaccessible to the children.
- The blind cords were appropriately secured to the windows throughout the service.
- Cleaning agents were stored in locked cupboards or on high shelves in the playrooms
- Medication was stored out of reach of children.

Early Years Inspectorate Regulatory Report

Pre School

Infection Control:

- The service was maintained in a clean and hygienic condition. Completed cleaning schedules were available demonstrating measures taken by staff to clean and maintain the service.
- The sanitary facilities were equipped with warm water, liquid soap, paper hand towels and lidded, lined pedal operated bins.
- Suitable nappy changing areas were available, and a nappy changing procedure was clearly displayed on the wall close to the change mats.
- Wipeable mattress covers were provided on all mattresses located in the cots.
- The children were supported by staff to wash their hands at appropriate intervals such as after activities, after using the toilet, after outdoor play and before mealtime.
- The children's perishable food items such as infant formula/breast milk were stored in a refrigerator until required for consumption.

Safe Sleep:

- A safe sleep policy was in place at the service and staff adhered to the best practice sleep guidelines for all children under 2 years of age.
- The adults demonstrated an awareness of the service's safe sleep policy.
- The children's sleep observations were recorded by the adults every ten minutes.
- The sleep room accommodated standard cots for the children to sleep.
- Low level beds with individual blankets and bedlinen were available for the older children who required sleep.
- An electronic thermometer was available for the adults to measure and monitor the room temperatures

Fire Safety:

- The adults had evidence on file of up-to-date fire safety training.
- The fire exit routes and passageways were clear from obstruction.
- The fire exits routes and fire assembly points were readily identified with signage. A fire action notice was displayed at all the fire exit points in the building.
- The service demonstrated evidence of completing monthly fire drills to prepare the service to respond in the event of fire