

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CE109
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Name of Service:	Obair Community Creche
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Address of Service:	Obair Community Creche, Ennis Road, Newmarket-on-Fergus, Co. Clare
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Eircode:	V95 X0NY
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Name of Registered Provider:	Mary O'Donnell O'Brien
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	21/04/2026
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No of pre-school children:	AM	55	PM	48
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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 & M Riordan
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

Obair Community Crèche is a full day care childcare service which first opened in 2003. It is operated by a community based limited company. It is registered to cater for 80 pre-school children from 0- 6 years of age. A school service is also available in the creche.

The service operates from a community-based premises with pre-school children attending a Baby room, Toddler room, Pre-school room and ECCE room. An additional sensory room is available for children to use when they require time away from large group activities

Staffing

A total of twenty-four adults are employed in the service. Eighteen adults including the manager and assistant manager work directly with the pre-school children attending the service. Three adults are employed to work with school age children, and two adults are employed for kitchen duties. The registered provider is on the board of management and does not work in the service.

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, premises and facilities. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations:

Regulation 9 – Management and recruitment (1)(a)(b), (2)(a)(b)(c)(d), (3) and (4)

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

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

Regulation 23 Safeguarding health, safety and welfare of child

Regulation 29 Premises

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 person in charge, 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 0181	21/04/2026	Evidence of International Police Vetting was not available for two staff members who had access to children.
Status	Action was taken by the service immediately following service of the Notice and a response to the IAN was received on 22 April 2026 which detailed corrective and preventive actions which were accepted. Copies of Police vetting for both staff have been obtained.	

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,
 - (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.

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(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 person in charge, and a person was available to deputise in their absence.

(b)

The person in charge and the deputy were available during the inspection.

Twenty four files were available in respect of the registered provider and all adults working in the service. The findings included the following:

(2)(a)

Thirty seven written and validated references from past employers in respect of the registered provider and adults working in the service were available.

(b)

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

(c)

Garda vetting disclosures had been obtained for twenty four adults. However, the service did not adhere to the re-vetting timeframes in relation to one adult 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)

International police vetting was available in respect of one adult working in the service who had lived in another State for a period longer than six months.

(4)

The 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 Qualification or recognised equivalent qualifications.

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Non-Compliance Information

(2)(a)(b)

Two references from a past employer or a source other than a past employer were not available in respect of one adult.

(d)

See Statutory Notice section in relation to Immediate Action Notice IAN0181 served

(3)

The vetting procedures outlined in paragraph (2) were not carried out prior to all adults commencing in the service. This posed a potential risk to the safety of children attending the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a)

Two validated past employer references have been located and submitted. The verification of references took place at the time of employment; however the forms were missing from the employee file. They have been located and notes of verification are on the reference.

(d)

Police vetting documentation for both staff have been received.

(3)

The service will have tighter organisation of personnel information and filing.

Supporting documentation submitted

Two validated past employer references which were outstanding in respect of one adult were submitted.

Copies of Police vetting.

Summary Comment

The actions taken by the service have addressed the non compliances identified.

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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 21 April 2026, the ratio of adults caring for children was maintained. Thirteen adults cared for the fifty five children attending in the morning and nine adults cared for forty eight children in the afternoon.
There were 10 pre-school children and 3 staff in the Baby Room.
There were 14 pre-school children and 3 staff in the Toddler Room.
There were 20 pre-school children and 5 staff in the Preschool Room.
There were 11 pre-school children and 2 staff in the ECCE Preschool Room.
Relief staff were available to replace staff while taking meal breaks. A designated person was available to prepare, cook and serve food to all children who attended the service.
- (8)(a)
The staff roster demonstrated that more than two adults were available in the childcare facility at all times.

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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, and

Compliance Information

Basic Needs:

The needs of the children around food and drinks were met. The children were offered their snack midmorning, and the children ate together in their care rooms. The children had access to their drinks at all times, and the water bottles were on suitably low shelving where the children could be independent in accessing them.

Drinks of milk and water were offered at dinner time, and the service promoted a healthy eating policy and examples of the food provided for the snacks included fruit, sandwiches, yogurts, cheese and crackers. Dinner served was chicken and pasta bake with vegetables blended into the sauce. Cheese was also offered to those that wished for same.

The children in the service were supported to be independent in toileting and the staff supported this and supervised hand washing.

Children that required nappy changes had these changed on routine and if needed.

Rest and relaxation areas were child sized couches in the care rooms which the children could access at any time. Additional floor cushions were available to the children when they sat as a large group for circle time and story time.

The children from the care rooms had opportunities to play outside during the day with warm clothing provided. There was no restriction on the movement of the children, and the children were observed to move about freely.

Supporting Relationships:

To ensure adequate communication, parents dropped and collected their children from each room daily, allowing for informal information exchanges with staff. Staff used an electronic device to upload updates regarding each child's day. Details concerning meals, fluid intake, sleep duration, play, and specific activities were communicated via the app. A room leader was available in each department to report any issues to management. All staff met every six to eight weeks for a full meeting, while the designated person in charge met with room leaders weekly to discuss emerging concerns.

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The adults within the service were consistent and were working in the service for a number of years. The children knew their carers well and were engaged with them in their activities throughout the day. Children sought the support of the adults when needed.

The adults were observed to support and engage with the children in their activities outside and supported them if they required help however not creating an adult led approach to the play activities.

The adults sat with the children during snack and dinner time and engaged with them, assisted them as required and created a social space.

Family walls were displayed in each care room with the children eager to show who their family was and connected with the photographs.

Communication with parents was at drop off and collection of the children to and from the care rooms.

Physical And Material Environment:

Each room was thoughtfully designed to foster social, emotional, cognitive, and physical development. The Baby room offered a calm atmosphere with ample soft floor space and comfortable adult seating for feeding and comfort. Lots of floor matting encouraged floor play. Both the Baby room and the Toddler room introduced areas for physical challenges, such as low-level climbing frames for gross motor skills and appropriately sized furniture for tabletop activities. The 2 preschool rooms were highly adaptable, with layouts and equipment frequently rotated to reflect the children's evolving interests and abilities. All play materials were clearly labelled and easily identifiable on low level open shelving. Photographic displays throughout the service documented the children's activities and milestones. Every room featured a dedicated reading area with a diverse book selection. To keep the environment stimulating, staff regularly redesigned internal and external spaces based on the children's current preferences and developmental needs.

In addition to the active play areas, the facility had a dedicated sensory room. This space allowed children to enjoy quiet time in a soothing environment featuring soft furnishings, dimmed lighting and calming music.

The larger outdoor space at the rear of the premises contained a variety of age-appropriate play materials. Ample space was provided for the older children, including equipment that challenged and encouraged their gross motor skills. A specific outdoor area was available for the younger children in the Baby room within close proximity to their playroom. This section included low-level climbing equipment and suitable push and pull along toys, which were positioned on impact-absorbent rubber matting to ensure children played safely.

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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.

Non-Compliance Information

General Safety:

1. Garda vetting was available for twenty-four adults employed by the service. However, one of the twenty-four Garda vetting disclosures was not dated within the previous three years in adherence with the Early Years Inspectorate Regulatory Notice.

Infection Control:

2. Children over the age of two from the Toddler room utilised a designated sleep area in close proximity to their primary room. Rest facilities consisted of mattresses positioned directly on the floor. Observations indicated that several mattresses were placed in immediate contact with one another, leaving no discernible gap between them. To mitigate the risk of cross-infection, a minimum distance of 50cm is required between all sleeping children.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

The renewal of Garda Vetting for one employee has been applied for, and the service is currently waiting for the certificate. The application is in progress. The service will ensure more vigilance around dates of Garda vetting for employees.

Infection Control:

To mitigate the risk of cross infection and to adhere to the minimum 50cm between sleeping children, the main Toddler room is now being used to facilitate sleeping children.

Supporting documentation submitted

General Safety:

Copy of Garda vetting was received.

Infection Control:

Photographic evidence.

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Summary Comment

The non compliances identified under regulation 23 have been addressed.

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)
- There were no visible defects within the building.
- (b)
- A secure bell operated electromagnetic lock system was in place for safe entry to the premises with additional high level magnetic door locks on internal doors. Keypad access was available to the adults working in the service. The manager and the adults working in the service monitored the safe entry and exit of the children to and from the service. These measures ensured that the children were secure within the service and while in the outdoor area and that no unauthorised adult could gain access to the service.
- (c)
- The service was adequately lit by means of natural lighting supplemented by artificial lighting. The service was heated by means of an oil-fired heating system. The ambient temperatures of the care rooms and the sanitary accommodation were within the optimum care room temperature range of 18 to 22°Celsius. Natural ventilation was available in the care rooms and sanitary facilities.
- (e)
- The children had access to sanitary facilities adjacent to the care rooms. The sanitary facilities were appropriately equipped with child sized toilets and wash hand basins. The nappy changing facility was equipped with two nappy changing mats and nappy changing procedures were displayed. Two sanitary facilities were available for use by the adults.

Non-Compliance Information

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(c)

The following area was not kept adequately heated;

1. The ambient temperature of the Sensory room was 16.6°Celsius which was below the optimum temperature range of 18 to 22°Celsius.

(d)

The following areas which were not adequately cleaned, maintained or repaired;

2. The radiator cover in the ECCE room was broken with the front part of the cover falling off.
3. Wall tiles in the Toddler room were broken with the edge trim extruding from the wall.
4. The lid on a waste disposal bin in the Toddler room was broken.
5. A large, upholstered sofa in the sensory room was stained and required cleaning.
6. Skirting boards were chipped and required repainting.
7. The wooden shelving unit in the Preschool room exhibited significant wear and chipped surfaces, hindering effective cleaning and sanitisation.
8. Following the removal of a large play gym, an indentation remained in the outdoor area, presenting a trip hazard in the vicinity of the swing and slide sets.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(c)

1. An air conditioning firm have been contacted, and an appointment has been made for Friday 12th June for them to look at the air conditioning unit in the room. The service contract has been changed to every 6 months to make sure this issue doesn't arise again.

(d)

2. The radiator cover has been removed, and a new one is being made to order. Maintenance will resolve this issue within the next three weeks (due to holidays).
3. Broken tiles have been removed, and a wooden skirting board will be fitted in the next three weeks.
4. The bin has been replaced.
5. The sofa has been removed from the sensory room, and a chair has been put in place.
6. All skirting boards are going to be sanded and repainted within the next three weeks.
7. The shelving unit has been revamped with contact paper to allow for easier cleaning.
8. The indentation in the outdoor area has been filled in temporarily until maintenance can put a long-term solution in place within the next three weeks.

The service will stay up to date with maintenance inspections.

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Supporting documentation submitted

Photographic evidence.

Summary Comment

The actions outlined will address the non-compliances and these will be reviewed on next inspection.