

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DL024
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Name of Service:	Clever Kids Pre-school
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Address of Service:	Drummtrummon, Kerrykeel, Co. Donegal
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Eircode:	F92 D7W0
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Name of Registered Provider:	Mary Friel
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Service type:	Sessional
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Date of Inspection:	03/11/2025
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No of pre-school children:	AM	10	PM	-
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Hampton Court, Cootehill Road, Drumalee, Co Cavan. H12 YY84
Inspection undertaken by:	S Mc Kenna
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).

Conditions if applicable	Not Applicable
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Description of service

Clever Kids Pre-School is a privately owned and operated preschool service located outside the rural village of Kerrykeel, Co. Donegal. The service is registered to operate two sessional preschool sessions for children aged 2- 6 years. The morning session is registered to operate from 9.15 am to 12.15 pm, and the afternoon session from 12.45pm to 3.45pm. The premises consists of one playroom with adjacent sanitary facilities on the ground level of a split-level building, with the first-floor level occupied solely by the registered provider. There is a fully secured outdoor play area to the rear of the preschool room.

Staffing

A total of 6 staff are employed to work directly with children, including the registered provider.

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 may also focus on other areas as required.

The inspection focused on an examination of compliance under Regulation 9 Management & Recruitment, Regulation 11 Staffing Levels, Regulation 19 Health, Welfare & Development of Child, Regulation 23 Safeguarding Health, Safety and Welfare of Child, Regulation 25 First Aid, Regulation 26 Fire Safety Measures and Regulation 27 Supervision.

However, on inspection an additional non-compliance which posed a risk was identified under Regulation 8. 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.

Additional Information

An immediate action notice was issued to the registered provider on 03 November 2025 in relation to no Garda Vetting available for one staff member. An adequate response was received from the registered provider on 04 November 2025.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, person in charge, deputy person in charge, staff and children who were present on the day of the inspection.

Part II - Registration and Register

Regulation 8 - Notification of change in circumstances

(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.

Non-Compliance Information

- (1) The registered provider did not notify Tusla of the change in operating hours. The service is registered with Tusla to operate a sessional service between the hours of 9.15am to 12.15pm and 12.45pm to 3.45pm. Attendance records reviewed on the day and also confirmed by the person in charge, demonstrated that the sessions operate from 9.30am to 12.30pm and 1pm to 4pm. It is acknowledged a change in circumstances application was submitted to Tusla on the afternoon following the inspection.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Change to operating hours submitted to Tusla on afternoon following inspection. Change to operating hours approved. Person in charge will take responsibility to ensure oversight does not happen again.

Supporting documentation submitted

Confirmation of change in circumstances received.

Summary Comment

The response from the registered provider and supporting documentation submitted has adequately addressed the non-compliance in Regulation 8 (1).

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

(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, who is the registered provider, and two named persons to deputise in their absence.

(b) Following discussion with the registered provider and persons in charge, it was confirmed that when the preschool service was in operation, the designated person in charge or the named person in charge was on the premises.

(2) The files for 6 staff were reviewed.

(a) (b)

A total of 7 written and validated references from a previous employer were on file.

A total of 5 written and validated references from a reputable source were on file.

(c) Garda vetting disclosures had been obtained for 5 of the 6 staff. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years for these 5 staff.

(d) A review of the employment history for 6 staff demonstrated that no adult had lived outside the State for a period of longer than 6 consecutive months. Therefore, police vetting was not required.

(4) Documentary evidence was available to confirm that 6 staff employed to work with children held an appropriate childcare qualification at Level 5 or above on the National Framework of Qualifications, or a qualification deemed by the Minister to be equivalent.

Non-Compliance Information

(c) Following review of staff files, it was found that there was no Garda vetting on file for one staff member. An immediate action notice was issued to the registered provider on 03 November 2025 in relation to no Garda Vetting available for one staff member. An adequate response was received from the registered provider on 04 November 2025.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Non-vetted member of staff left our setting immediately and is no longer employed.

Vetting applied for on 3rd November 2025. Apply for vetting well in advance of staff member starting or being re-vetted as there is a long delay time in being vetted.

Supporting documentation submitted

Immediate Action response received 04 November 2025.

Summary Comment

The response from the registered provider, supporting documentation submitted, and the assurances from the registered provider confirming the staff member is no longer employed have adequately addressed the non-compliance in Regulation 9 (2) (c).

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.*

Compliance Information

- (1) On the day of inspection, there was an adequate number of adults working directly with the children attending the pre-school service.
- (3) The adult to child ratios were correct in the service when the inspector arrived unannounced and remained so throughout the inspection. Three adults cared for 10 children aged 3 years 6 months to 4 years 9 months.

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*
 - (b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.*

Compliance Information

The following examples demonstrate how children's learning, development and well-being was facilitated in the service:

Basic Needs

The children had access to their drinks throughout the preschool session. Snack time was observed to be unrushed, where staff were observed to use this time to engage in conversations with the children about the child's home life to include a child's recent holiday and what the children dressed up as for Halloween. Children's lunches contained a variety of sandwiches, cheese, cereal, chopped fruit and vegetables.

The children were encouraged to use the toilet independently, and staff remained close by for support when needed. The children experienced a change in environment during their preschool session, when they went outdoors following lunch time and were dressed in suitable waterproof clothing and wellie boots when outdoors. This allowed the children to explore their environment freely without worry of wetting or soiling their clothing. A rest area in the preschool room, to include a soft mat and cushions, was provided to allow an area for the children to rest during their time in preschool.

Supporting Relationships

The atmosphere upon the inspector's arrival in the preschool room was warm and welcoming. The children were happily engaged in activities such as playing in the home corner, playing on a plastic activity slide, building blocks, playing with sand and building jigsaws.

The staff were observed using soft and gentle tones while engaging with the children. The staff were observed to promote positive behaviour, and praise was given where positive interactions were observed, such as turn-taking and sharing.

Communication with parents is through in-person at arrival and collection times, and the use of a digital messaging service. Learning journals are created by staff and shared with the children's families at the end of each term. A lending library is in place where children choose to take home a book each week, and a notebook is sent with the book where parents provide feedback on the child's experience with each storybook.

Physical And Material Environment

The indoor preschool room was pleasant and laid out to suit the needs of the children in attendance. The room included designated interest areas such as a well-resourced home corner with role play materials, sand tray, table top area, a climbing frame with slide, creative area, books and a rest area, construction area, floor play toys and small world toys.

Materials were freely available and accessible to the children on low-level shelves, nurturing independence to retrieve and self-care to return. Displays of family photos, an interest board, a welcome board where children place their photo upon arrival, curriculum planning and creative work were on display in the preschool room. The outdoor area located directly outside the preschool room is laid out well to accommodate children's needs. The area was secured with fencing and had ground surfaces of soft fall surfacing, bark, grass and concrete. Developmentally appropriate materials and equipment were available to include a mud kitchen, a wooden climbing structure with slide, construction bench with tools, hoops and child-sized brushes, a child sized bench,

wall mounted chalkboards, ride on trucks and tractors and a grassed area with a seesaw. A sheltered area with sand and building toys, and a storage shed with additional resources were provided for children's use while in the outdoors.

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 premises were appropriately secured to prevent a child from exiting unsupervised and to restrict unauthorised persons from gaining access to the premises.
- A visitor log was maintained, and the inspector was requested to sign in upon arrival.
- The outdoor area was secured by fencing and secure gates, and no hazards were identified.
- The play equipment and materials used by the children, both indoor and outdoor, were maintained in good condition.
- Risk assessments were carried out and records kept up to date.
- Storage areas were inaccessible to the children. Cleaning materials were stored out of reach.
- Floor coverings were presented in good condition.
- Fire exits remained free from obstruction during the inspection.

Infection Control:

- Warm running water, liquid soap and paper towels were provided for handwashing purposes. The children were observed to wash their hands after using the toilet and before having their lunch.
- Sanitary areas are ventilated through means of trickle ventilation.
- Tables were observed to be cleaned before the children had their lunch. The children's lunches were stored in the fridge until lunchtime.
- Cleaning schedules were available for review and were completed up to date. The service was presented in a clean and hygienic manner throughout.
- External waste bins were stored securely and were inaccessible to children.

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) Following review of staff files, it was evident that the registered provider ensured that there was a member of staff trained in First Aid Response (FAR) on the premises at all times. This was evidenced by five staff who held up-to-date FAR training certificates.
- (2) (a) & (b) A suitably equipped first aid box was available on the premises and was stored in an accessible and conspicuous location out of the reach of children.

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 record of the fire drills that take place was available. The most recent fire drill was recorded in November 2025.
- (b) The annual maintenance certificate for the fire extinguishers was dated August 2025, and the smoke alarms were dated July 2025.
- (4) The fire evacuation procedures were displayed on the walls throughout the service, which contained details in relation to the procedure to be followed in the event of a fire.