

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2015DL110

Name of Service: Newtowncunningham Community Playgroup Ltd

Address of Service: Main Street, Newtowncunningham, Lifford, Co. Donegal

Eircode: F93 FH76

Name of Registered Provider: Laura Ann McBrearty

Service type: Sessional

Date of Inspection: 06/11/2025

No of pre-school children:	AM	40	PM	NA
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Address of the Early Years Inspectorate:	Early Years Inspectorate, TUSLA Child & Family Agency, Markievicz House, Barrack St, Sligo, F91 XC84
Inspection undertaken by:	K Folan
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

Newtowncunningham Community Playgroup is a sessional preschool service for children aged 2 to 6 years located on the main street in Newtowncunningham Co. Donegal. The service operates two preschool sessions concurrently from 09:30-12:30 and one afternoon session from 13:30-16:30 each weekday. The service operates from a purpose built, single storey premises which consists of two preschool rooms with adjacent sanitary accommodation and built in storage areas. An office, adult sanitary accommodation, nappy changing facility and a kitchen are also available. The service has two outdoor areas, one to the front of the premises and a garden area to the rear of the premises.

Staffing

The registered provider does not work in the service. A total of ten adults work in the service, eight of which were present on the day of inspection. There were seven adults working directly with the preschool children and a person in charge to oversee the operation of the service. One staff member was employed under the Access and Inclusion Model (AIM) and two members of staff were employed under employment activation programmes.

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

The inspection focused on an examination of compliance under regulations 9,11,15,16,23,24,25,26,27 and 28. 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 *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,

(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,

(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) There was a designated person in charge and a named person who was able to deputise as required.

(b) The designated person in charge was on the premises throughout the inspection. Staff rosters and sign in records documented that the person in charge was on the premises at all times during the hours of operation.

(2) (a) (b).

Following a review of previous inspection information, information available on inspection and discussion with the person in charge it was determined that four new staff members had been employed since the previous inspection, and one adult had commenced an employment activation scheme in the service.

A total of five staff files were reviewed. In addition, Garda vetting for five staff members whose disclosures were identified as due for renewal were requested for review.

Staff files in respect of five adults were reviewed, and the following information was available:

(a) Six written references from past employers for five of the adults.

(b) Two written references from a reputable source for two of the adults.

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

(4)

Five of the adult files reviewed, evidenced they held a major award at level 5 or above in early childhood care and education on the national qualification framework, or qualifications deemed by the Department of Children, Disability and Equality (DCDE) to meet the regulatory requirement

Non-Compliance Information

(2)(a)(b)

1. One of the references held on file had no evidence of validation.
2. Two references in respect of two adults were not available.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. Reference validated.
2. References obtained and validated.

Supporting documentation submitted

1. Documentary evidence submitted.
2. Documentary evidence submitted.

Summary Comment

The corrective and preventive actions submitted by the registered provider adequately address the non-compliance found on inspection. This regulation is now compliant.

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 preschool children attending the service.

(3)

The minimum ratio of adults to children was maintained at all times throughout the inspection.

- In the Sunflower Room two adults cared for 22 children aged between 3 to 5 years of age.
- In the Daffodil room three adults cared for 18 children aged between 3 to 4 years of age.

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.*

(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-

- (a) a parent or guardian of a pre-school child but only in respect of the record relating to that child,*
- (b) an employee who is authorised in that behalf by the registered provider, and*
- (c) an authorised person.*

(4) A registered provider shall ensure that a record in writing referred to in paragraph (1) is retained for a period of 2 years from the date on which the child to whom it relates ceases to attend the service.

Compliance Information

(1) (a-i)

Ten records of the children attending the service were reviewed. The required information including the name and date of birth of each child, authorisation to collect the child, details of illness or special needs of the child, written parental consent for medical treatment in the event of an emergency and record of immunisations were fully completed for each child.

(3)(c)

The records in writing were available for inspection by the early year's inspector.

(4)

The person in charge confirmed that the records are retained for the required period as set out in the regulations

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:

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;*
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;*
- (c) details of the adult:child ratios in the service;*
- (d) the type of care or programme provided in the service;*
- (e) the facilities available;*
- (f) the opening hours and fees;*
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*
- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

(2) A registered provider shall ensure that-

- (b) a record referred to in subparagraph (h), (j) or (k) of paragraph (1) is retained for a period of 2 years from the date on which the child to whom it relates ceases to attend the service, or in the case of a preschool service in a drop-in centre or of a temporary pre-school service, for a period of 2 years from the date on which the child attends the service.*

(4) A record referred to in paragraph (1) shall be open to inspection on the premises by a parent or guardian of a child but only in respect of information concerning that child.

Compliance Information

(1) (a-k)

The person in charge demonstrated compliance in ensuring that details of the service including the type of care provided, ratios, the facilities available, opening hours and fees were clearly displayed on the services noticeboard. A record of children's attendance was recorded in attendance books stored in each care room. Staff attendance was recorded on a software application in the service.

Medication administration records and accident and incident records were available in record books in each of the care rooms.

(2) (b)

The person in charge is aware of the statutory requirement to retain these records for a period of two years.

(4)

These records were made available to the parent /guardian as evidenced by parents' signatures.

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 door to the service was secure on the inspector's arrival.
- Children with allergies and medical needs were identified in the service with care plans available in respect of each child.
- Leads and flexes were secure and inaccessible to the preschool children.
- Snacks brought from the children's homes were safely stored in the refrigerator.
- The temperature of the care rooms was within the required range of 18°C to 22°C.
- Cleaning products were stored out of children's reach in the kitchen area.
- All materials and equipment were clean and in good condition.
- Cleaning charts were available for review. On the day of the inspection the care rooms and sanitary accommodation were clean and in a good state of repair.

Infection Control:

- Warm water, liquid soap and paper towels were provided for the hygienic hand washing.
- Staff encouraged children to wash their hands before snack, after using the bathroom and returning from outdoors.
- Foot operated pedal bins were available within the service for safe disposal of waste.

Administration of Medication:

- No medicine was administered on the day of inspection. On discussion with the person in charge, the inspector was informed of the services policy for safe medicine administration.

Non-Compliance Information

General Safety:

1. In the outdoor area, a waste bin was stored in the children's play area, posing a risk to children.
2. A steel storage unit in the outdoor play, storing a petrol lawnmower, was unlocked posing a risk of a child gaining access.
3. In the Daffodil room, the door to the storage room containing play equipment, staff personal belongings and plumbing equipment was unlocked posing a risk of children accessing this area.
4. In the Daffodil room, a blind cord was unsecured. It is acknowledged that it was out of the reach of children.

Infection Control:

5. In the Daffodil room, a mop and brush were stored on the floor of the main play area.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. Waste bin removed.
2. Lock fitted on shed.
3. Door secured.
4. Blind cord secured.

Infection Control:

5. Mop and brush removed.

Supporting documentation submitted

General Safety:

1. Documentary evidence submitted.
2. Documentary evidence submitted.
3. Documentary evidence submitted.
4. Documentary evidence submitted.

Infection Control:

5. Documentary evidence submitted.

Summary Comment

The corrective and preventive actions submitted by the registered provider adequately address the non-compliance found on inspection. This regulation is now compliant.

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) Three adults in the service were trained in First aid. Attendance records demonstrated that an adult trained in First aid was available to the children at all times during the services opening hours.

(2)(a)(b) There were two suitably equipped first aid boxes available in the service. The first aid boxes were stored in easily accessible positions.

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 fire drills carried out in the service was available with the most recent fire drill carried out on 22 October 2025.

(1)(b) Records were available to evidence that the firefighting equipment was last serviced on 12 December 2024 and smoke alarms were serviced on 05 June 2025.

(4) Fire evacuation procedures were displayed in the service in the main entrance hallway.

Part VI - Safety

Regulation 27 – Supervision

A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Compliance Information

The registered provider ensured that the preschool children attending the service were adequately supervised.

In the care rooms good communication was observed between the supervising staff, ensuring that each staff was aware of the children’s location within the room and play areas. Staff sat with the children during the session, reading stories, completing play activities and offering support when needed such as assisting the children to put on outdoor clothing and wellingtons.

In the outdoor area, the staff members positioned themselves at different locations to ensure all children were in view while playing outdoors. Extra supervision was provided by staff during the mobile library visit to the service on the morning of the inspection, when children walked from the service to the car park to access the bus.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

There was evidence of a current insurance cover valid until the 27 March 2026. The insurance provided cover for 44 children.

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-

(a) no person other than-

(i) pre-school child attending the service,

(ii) a person dropping or collecting such a child,

(iii) an employee, or

(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and

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

(4) A registered provider shall ensure that a record in writing referred to in paragraph (3)(b) is retained for a period of one year from the date to which it relates.

Compliance Information

(1) Records demonstrated that each child was checked in and out of the service by staff in each room on a daily basis.

(3)(a)(b) A visitors' book was provided in the main hallway of the service. Visitors to the service were required to sign in on arrival to the service.

(4) Records were retained for the required time period of one year.

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