

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DR137
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Name of Service:	The Apres School Club Ltd
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Address of Service:	Cluny Grounds, Ballinclea Road, Killiney, Co. Dublin
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Eircode:	A96 VFW0
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Name of Registered Provider:	Maria Sweeney
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	16/06/2025
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No of pre-school children:	AM	51	PM	7
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Address of the Early Years Inspectorate:	The Brunel Building, Heuston South Quarter, St John's Road West, Dublin 8.
Inspection undertaken by:	S. Early O'Brien & R. Brien.
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).

Conditions if applicable	NA
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Description of service

The Apres School Club is located in a coastal suburb on the south side of Dublin. The service is registered to provide full day, part-time and sessional care to children aged 2 to 6 years. The service operates from three rooms in a former school. There are two rooms on the ground floor and one room on the first floor. An outdoor area is located at the rear of the building. The service opens from 8:30am to 6:30pm Monday to Friday and the Early Childhood Care and Education (ECCE) programme is provided from 9am to 12pm.

Staffing

There are 17 staff employed in the service. This includes the registered provider, two chefs, two domestics and three receptionists. On the day of inspection, there were 7 adults 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/ premises and facilities and records. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under the following regulations

Regulation 9 (1)(a)(b)(2)(3)(4) - Management and recruitment

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

Regulation 15(1) – Record of a pre-school child

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

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

Regulation 23 - Safeguarding health, safety and welfare of child

Regulation 25 - First aid

Regulation 28 - Insurance

However, on inspection additional non-compliance which posed a risk was identified under Regulation 29(d) – Premises. These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under regulation 15(1) – Record of a pre-school child and regulation 16 – Record in relation a pre-school service.

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

Two Immediate Action Notices were issued on 16 June 2025 for non-compliance with regulation 23. The first was issued in relation to children attending the service who require emergency medication, whose medication had expired. The second Immediate Action Notice was issued as the main entrance door to the service was open on the inspectors' arrival and on the afternoon of the inspection.

A third Immediate Action Notice was issued on 17 June 2025 for non-compliance with regulation 9(2)(c). A mandatory Garda vetting disclosure was not available for one adult who had access to children contrary to the National Vetting Bureau (Children and Vulnerable Persons) Act 2012.

The registered provider submitted a response on 18 June 2025 which should address the risk identified on inspection.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, 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, 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.

(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 is the designated person in charge of the service and there is a named person appointed to deputise as required.

(b) The person in charge was present and in charge of the service when the inspectors arrived at 10:00 on the morning of the inspection and was present in the service for the duration of the inspection. The registered provider arrived to the service after the inspectors' arrival and was present for the remainder of the inspection.

(2)

The files of 17 adults were reviewed as part of the inspection. This included six staff members who had commenced working in the service since the last inspection on 20 February 2023.

Documentation was reviewed in respect of these adults and met regulatory requirements as follows:

(a)(b) Of the 12 validated, written references that were required, 11 were available from a past employer.

(c) Garda vetting disclosures were on file and had been obtained for 16 staff members, demonstrating that the service adhered to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years.

(d) Police vetting was required and available for three staff members who had lived outside of the State for a period of more than six months as an adult.

(4)

Records were available demonstrating that all adults employed in the service held a major award in Early Childhood Care and Education at Level 5 or above on the National Qualifications Framework.

Non-Compliance Information

(2)(a)(b)

There was no second written and validated reference available in respect to one adult.

(2)(c)

A mandatory Garda vetting disclosure was not available for one adult who was present in the service on the 16 June 2025, contrary to the National Vetting Bureau (Children and Vulnerable Persons) Act 2012. An Immediate Action Notice was issued on the 17 June 2025. The registered provider submitted a response on the 18 June 2025 outlining the actions being taken to address this non-compliance.

(3)

The registered provider did not take appropriate measures to ensure that all employees were suitable to work in an early years' service prior to their commencement date as outlined below:

- It is acknowledged that two past employer references were available in respect of one adult, however, these references had been validated by the registered provider after the adult commenced employment in the service. The staff member commenced employment in the service in August 2023 and the references were validated on 29 September 2023 and 10 October 2023 respectively.
- The registered provider did not ensure that Garda vetting disclosures were received for two staff members prior to their start date of employment. One staff member commenced employment on 10 July 2023 with the Garda vetting disclosure dated 12 July 2023. The second staff member commenced employment on the 04 December 2024 with the Garda vetting disclosure dated 09 December 2024.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Garda Vetting has been obtained for the person in question.

A second reference has been obtained for the individual and validation has been sought in the form of an email as there was no one available to speak with when contacted.

The assistant manager is now responsible for all staff files ensuring that vetting has been obtained for all staff before commencement of work with our service and the three yearly renewals for all staff. They will also ensure that two validated references are filed before commencement of employment for new staff.

Supporting documentation submitted

A copy of the garda vetting disclosure has been submitted and verified.

A copy of the validated reference.

Summary Comment

The inspectorate has deemed that the actions submitted adequately address the non-compliance.

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)

An adequate number of adults were working directly with the children at all times during the inspection.

(2)

The minimum ratio of adults to children for full-day care services was adhered to at all times during the inspection. There were 51 children being supervised by 9 adults on the day of inspection.

(8)(a)

There was a minimum of two adults on the premises at all times during the inspection

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)(a)-(i)

Ten children's records were sampled and reviewed. The records detailed the information which was required.

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;*
- (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.*

Compliance Information

- (1)
- (h) Children's attendance was recorded manually on an attendance register on the day of inspection. These records included details of each child's arrival and departure times from the service.
- (i) A record of the staff roster was available and was reflective of the staff present on the day.
- (j) Seven medication records were reviewed and found to be completed appropriately with signatures from both staff and parents.
- (k) A sample of ten accident and incident records were reviewed and found to be completed appropriately with signatures from both staff and parents.

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

(1)(a)(b)

Basic Needs

Healthy eating was promoted in the service and staff reported that all children bring in their morning snack from home. For children who attend on a full day-care basis, all remaining meals are provided by the service. On the day of inspection, the children were observed to be eating a dinner of mashed potato, beans and fish fingers. Staff advised that alternatives were available, and food preferences catered for with additional food available upon request of children. Drinking water and milk was accessible to children throughout the day and all children were given water with their dinner. Children appeared happy and content within each of the care rooms. Children's care needs were observed to be met promptly. Children were encouraged and supported to be independent including cleaning up after their play and meals.

Supporting Relationships

Staff demonstrated a good awareness of the needs of each child in their care and responded to children's cues promptly. Staff interacted warmly with the children throughout the inspection and were observed supporting children in their play, encouraging and praising children. Staff provided an appropriate level of supervision whilst supporting the children's independence during play and mealtimes.

Physical and Material Environment

Care rooms were arranged to provide a range of play materials and areas of interest providing children with the freedom to play and explore. The care rooms follow the Montessori method in addition to areas of interest for free-play which included small world toys, construction toys, jigsaws, rest areas with books, home corners, art & crafts, painting and dress up areas. The care rooms provided a range of developmentally appropriate play experiences for the children and were adequately resourced with a variety of materials. Family photos, birthday displays, visual routines and children's artwork were displayed in the care rooms.

The environment was laid out to support the children's independence. Play materials were observed to be accessible to the children on low level shelving. Low level tables and chairs were available in the care rooms.

A fully enclosed outdoor play area was located to the rear of the premises. This area had a grass surface and contained a tarmac court area. In this space children had access to picnic benches, a slide, two climbing frames, a gardening area, a teepee, scooters, tricycles and a tractor. The outdoor space is directly accessible from the Orange room and Green room with children in the baking room accessing the garden via the stairs. Staff informed the inspectors that children spend at least thirty minutes outdoors, twice daily. All children accessed the outdoor play area on the day of inspection.

Programme of Activities

Children were observed to make choices on their own play materials within the environment.

Positive language was observed to be used across the staff team and with the children. Language development was supported in discussions observed both in play and at snack time where the adults were observed to speak with, ask questions of and encouraged the children to use their own words. Children appeared to handle transitions well and it is evident that they are familiar with the daily routine of the service based on observations on inspection.

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

The inspectors found by observation of practice, review of documentation, discussion with staff and inspection of the premises that the registered provider had taken the following steps to safeguard children attending:

General Safety:

- Visitors to the premises were required to sign in on arrival to the premises.
- The toys and play equipment observed in use by the children on the day of inspection were safe and in good working order.
- The registered provider had taken measures to ensure the indoor play environments were safe and free from hazards.
- Medication was stored safely and out of the reach of children.
- Storage facilities for hazardous cleaning materials were inaccessible to children.

Infection Control:

- Liquid soap, warm water and paper towels were available to facilitate hand washing in adjoining sanitary accommodation for all three care rooms.
- Cleaning schedules were available in all care rooms and the service appeared clean.
- Foot pedal bins were available throughout the service for the safe disposal of used hand towels and other waste products.
- Tables were observed by the inspectors to be cleaned before and after snack time.

Administration of Medication:

- There was written evidence of prior parental consent for the administration of anti-febrile medication and prescribed medication and there were procedures in place to safely administer and document such medication if required.
- Staff adequately detailed the procedures for administering anti-febrile medication and antibiotics if required during discussions with the inspectors in line with the services policy on administering medication.

Fire Safety:

- On the day of inspection, all emergency exits were observed to be clearly identifiable and were not obstructed.

Outing:

- Staff explained that outings are undertaken with the children to a local farm with signed consent from parents. They reported that prior to any outing, a risk assessment is carried out. It was evident through discussion that the staff members were familiar with the services outings policy.

Non-Compliance Information

General Safety:

- An Immediate Action Notice was issued to the service on the day of inspection, 16 June 2025 in relation to the entrance door leading into the service being open on the afternoon of inspection. This poses a risk to the safety of children as in not being appropriately secured it fails to prevent children from exiting unsupervised and to restrict unauthorised persons from gaining access to the premises.
- During snack time in the garden, the inspector observed that a child had whole grapes in their lunchbox. It is acknowledged that the staff member cut these for the child when it was brought to their attention by the inspector.

Infection Control:

- In the sanitary adjacent to the Baking room there was no pedal bin available for disposal of paper towels, instead a swing lidded bin was in place. This poses a risk of cross infection and contamination for staff and children.
- On return indoors from the outdoor play area, children in the Baking room did not wash hands.

Administration of Medication:

- An Immediate Action Notice was issued to the registered provider on the day of inspection 16 June 2025 in relation to dates of emergency medication required for two children having expired. This poses a risk to the health and safety of the children concerned.
- While it is acknowledged that care plans were available for a number of children in the service, these plans require greater detail specifically for those children who may require emergency medical intervention. Care plans for one child evidenced the fact that vital information relating to the child's medical care needs was not located centrally within the care room.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. Since the date of inspection, the front door has been bolted from the inside and the gym door is closed when unattended. When attended the front door is unbolted but closed and the gym door is open. The front is now a 'No Go Area' for children and all children use the back stairs whenever possible to enforce the new rule of the front area being a 'No Go Area'. There is daily re-enforcing the new rule and following through by all members of the team. The registered provider submitted this response on 18 June 2025 which should address the risk identified on inspection.
2. Parents are reminded to cut grapes in half if including them in a child's lunchbox. All staff are reminded to keep an eye on children's lunchboxes and to be on the lookout for whole grapes and or popcorn. Staff should cut grapes if they come across whole grapes but also should remind parents not to include whole grapes in the future.

Infection Control:

3. A pedal bin is now in place in the sanitary area next to the Baking Room. Staff are aware that this bin should always remain in situ.
4. Children are always reminded to wash their hands. Washing of hands is the first thing all children do when coming in from outside.

Administration of Medication:

5. In date emergency medication was received immediately. Emergency medication is clearly labelled with the expiry date on the outside of the boxes and monitoring of all medication is now under the supervision of the assistant manager to prevent this issue from reoccurring in the future.
6. Further details in relation to medical needs have been included on care plans and these have been copied and placed with all emergency medications and is now the responsibility of management in the future.

Supporting documentation submitted

General Safety:

A copy of the services risk assessment plan for management of access of the front door has been submitted as part of the response to the Immediate Action Notice issued on 16th June 2025.

A copy of the services healthy eating policy has been submitted referring to responsibilities in relation to ensuring that grapes are served to children appropriately. In addition, a copy of the services summer newsletter for parents which states that grapes must be halved/quartered.

Infection Control:

A photograph of the pedal bin in situ in the sanitary area adjacent to the Baking Room.

A copy of the services infection control policy outlining the policy and procedure specific to handwashing.

Administration of Medication:

Photographic evidence of in date emergency medication.

Copy of the updated care plan.

Summary Comment

The inspectorate has deemed that the actions submitted adequately address the non-compliance and these will inform the next inspection.

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)

A person trained in first aid responder (FAR) training was immediately available to the children attending the pre-school service. Five staff members hold current FAR certification.

(2)(a)(b)

Suitably equipped first aid boxes for children were available and safely stored on the premises.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The registered provider had a valid certificate of insurance which expires on 27 March 2026 to a cover a maximum of 220 children with the type of service covered being full-day care.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-
(d) cleaned, maintained and repaired, as required, and .*

Non-Compliance Information

- (d)
1. On the day of inspection, in the outdoor area, the wire fencing on the tarmacadam court area was observed to be damaged in places with sharp metal wire exposed in places posing a risk of injury to children. Staff stated that the children use this area during outdoor play. On inspection of this area, it was observed that wiring on the perimeter of the fence was in disrepair with jagged edges protruding on the ground and further evidenced in numerous holes that were visible. This compromises the fences' purpose and poses a risk to the health and safety of children.
 2. The tarmacadam surface of the court had several holes around the perimeter, and these pose a trip hazard to staff and children using this area.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. The wiring on the fence has been tightened until such time as the builders are free to carry out further repairs. There is no estimated date for completion of the work. The children are reminded not to lean on the fence surrounding the court as this is the reason why this fence is so loose.
2. The holes on the tarmacadam surface have been repaired and refilled. It is impossible to prevent this, but the registered provider will keep a close eye on it ensuring that should any new holes appear that they are filled promptly.

Supporting documentation submitted

Photographic evidence submitted of repairs to holes on the perimeter of the tarmacadam surface of the court.
Photographs of interim repairs of wire perimeter fencing.

Summary Comment

The inspectorate has deemed that the actions submitted adequately address the non-compliance and these will inform the next inspection.