

# Early Years Inspectorate Regulatory Report

## Pre School

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| <b>TUSLA Identifier:</b> | TU2015DY234 |
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| <b>Name of Service:</b> | Willow Tree Creche |
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| <b>Address of Service:</b> | St Kevin's Boys Secondary School, Ballygall Rd East, Dublin 11 |
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|                 |          |
|-----------------|----------|
| <b>Eircode:</b> | D11 DW40 |
|-----------------|----------|

|                                     |              |
|-------------------------------------|--------------|
| <b>Name of Registered Provider:</b> | John O'Neill |
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|                      |                                |
|----------------------|--------------------------------|
| <b>Service type:</b> | Full Day, Part Time, Sessional |
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| <b>Date of Inspection:</b> | 27/04/2026 |
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|                                   |    |    |    |    |
|-----------------------------------|----|----|----|----|
| <b>No of pre-school children:</b> | AM | 13 | PM | 11 |
|-----------------------------------|----|----|----|----|

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|-------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Address of the Early Years Inspectorate:</b> | Early Years Inspectorate Area 1<br>2 <sup>nd</sup> Floor, Unit 4/5<br>The Nexus Building<br>Blanchardstown Corporate Park<br>Ballycoolin<br>Dublin 15   D15 CF9K |
| <b>Inspection undertaken by:</b>                | T. Nelson                                                                                                                                                        |
| <b>Title:</b>                                   | 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).

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### Description of service

Willow Tree Creche is a full day care service located in a residential area of Dublin 11 and is registered to provide early childhood care and education to a maximum of 60 children aged 1 to 6 years old, Monday to Friday. The service also operates a part-time service and two Early Childhood Care and Education (ECCE) programme sessional services from 9.00am to 12.00pm and 12.30pm to 3.30pm.

Willow Tree Creche operates from a single-story building in the grounds of a school and has three care rooms. The Toddler Room (2 to 4 years old) and Preschool room (3 to 5 years old) were operating on the day of the inspection with the Baby room currently closed. There are sanitary facilities located off each of the care rooms, further sanitary facilities are available for staff.

A fully enclosed outdoor area is located to the front of the premises.

### Staffing

The registered provider employs nine staff to work in the service, including a childcare manager, the person in charge, four staff who work directly with the children and three relief staff. Seven staff including the childcare manager, the person in charge, four staff who work directly with the children and a relief staff member were present on the day. There are eight Community Education (CE) staff working in the service including two caretakers, two childcare workers, three kitchen staff and the CE supervisor who were all present on the day. The registered provider 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 and safety. The inspection may also focus on other areas as required.

A sampling process was used to assess compliance under the following:

- Regulation 9 (1)(2)(3)(4) - Management and recruitment
- Regulation 16(1)(h)(i)(j)(k) – Record in relation to Preschool 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.

### Acknowledgments

The inspector wishes to acknowledge the cooperation of the general childcare manager, 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, and*
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.*

*(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) The registered provider ensured that;

- (a) The service had a designated person in charge and named person to deputise as required.
- (b) A review of the roster showed either the person in charge or the deputy person in charge were rostered to be present during the operational hours of the service.
- (c) There was a clear management structure in place, and staff reported being aware of this.

(2) Following a review of previous inspection information, information available on inspection and discussion with the person in charge it was determined that there were four new staff members employed since the previous inspection, and two staff members whose files were not reviewed previously, and all six of these staff members work directly with the children. Three adults had also joined the service on a Community

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Employment (C.E.) scheme and the file of a student on an educational work placement programme were reviewed. A total of ten full files were reviewed. In addition, Garda vetting disclosures for seven adults whose disclosures were identified as due for renewal were requested for review.

The registered provider had completed the following checks:

- (a) Four validated written references were available from recent past employers.
  - (b) Fourteen validated written references were available from a source other than a past employer.
  - (c) Garda vetting disclosures had been obtained for all 17 reviewed. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
  - (d) Documentary evidence was available that established that international police vetting was available for two adults who had lived outside of Ireland for a period of longer than six months as adults.
- (4) The six staff who worked directly with children attending the service held at least a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent.

### Non-Compliance Information

(2)

- (b) Although it is acknowledged there were two references available for a staff member, there was no documentary evidence available to show that these references had been verified.

Full checks must be completed on references for staff members in order to establish their validity.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

The registered provider has submitted evidence of the attempts made to verify the references which were for a long-standing staff member. The service commit to ensuring all references will be verified for any new staff member recruited.

#### Supporting documentation submitted

Documentary evidence.

### Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 9 has been adequately addressed.

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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.*

#### Compliance Information

The registered provider ensured the following:

- (1) On the day of inspection there were an adequate number of adults available to the children attending the service to meet their care needs.
  - There were 4 qualified staff available to 13 children present on the morning of the inspection and 11 children present in the afternoon.
- (2) The adult to child ratios were maintained correctly throughout the inspection. For example,
  - A qualified relief staff member was available to provide cover for breaks and cover for breaks was clearly detailed on the staff roster.
  - CE staff members present in the care rooms were not included in adult child ratios.

### 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*

#### Compliance Information

(1) The registered provider ensured the following records were maintained:

- (a) Details of the name, position, qualifications, and experience of all staff were maintained within the staff files.
- (b) The service Tusla certificate detailed the class of service and the age profile of children for which the service is registered to provide services. This was displayed in the hallway.
- (c) The statement of purpose and function outlined the adult: child ratios.
- (d) The Guide for Parents outlined the type of care provided.
- (e) The statement of purpose and function outlined the facilities available within the service.
- (f) The opening hours and fees of the service were displayed in the care rooms and hallway.
- (h) Attendance records detailing the daily arrival and departure of the children were maintained.
- (i) A record was maintained of the staff roster which was reflective of the staff present on the day.

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- (j) Following a review of a sample of four records, the registered provider ensured a full record in writing was maintained for the administration of medication.
- (k) Following a review of a sample of 12 records, the registered provider ensured there was a record maintained of accidents and incidents.

### Non-Compliance Information

(1) The following records were not maintained:

- (g) The Risk Management policy, which is required under Schedule 5 in accordance with Regulation 10 was not available. Documented policies are required to clearly outline the service decision making procedures on specified practice areas.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

A risk assessment policy was developed and submitted. This will be adopted and made available with other policies.

#### Supporting documentation submitted

Risk assessment policy.

### Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 16 has been adequately addressed.

## 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 following measures were observed to be in place to safeguard children:

#### **General Safety:**

- The main entrance to the service was secured on arrival to the service, and entry was managed and monitored by staff.
- All visitors to the service were required to sign in.
- Blind cords were observed to be secured out of reach of children throughout the premises.

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- Staff were observed to be positioned effectively ensuring adequate supervision of children during the transition to outdoor play.
- The outdoor play area was fully enclosed; the area was clear of hazards and the equipment in use was observed to be well maintained. Staff reported a risk checklist was used prior to children using the outdoor play area.

### Infection Control:

- Staff were observed to support children to handwash after outdoor play and before meals.
- Thermostatically controlled warm water, liquid soap and single use hand towels were available at all wash hand basins used by the children and the staff members.
- Tables were wiped down after play, prior to mealtime.
- Nappy changes were observed to be in line with appropriate infection control, where handwashing was completed after the nappy change and the area was cleaned down after use.
- Windows were observed to be open, allowing appropriate ventilation of the rooms.

### Safe Sleep:

- Staff were observed to complete a physical check on the colour, breathing and position of a sleeping child every 10 minutes, and a log was maintained of these checks.

### Non-Compliance Information

#### General Safety:

1. A plastic bag was observed on the floor of the sanitary area off the Toddler room, which was potentially accessible to the children. This posed a potential injury risk. It is acknowledged no children were observed to have unsupervised access to the sanitary area on the day.
2. Cleaning agents were observed to be stored in an unsecured low press in the preschool room. These posed a potential risk if accessed by children. It is acknowledged the safety latch on the press had broken the day of the inspection, and this had been replaced by the afternoon.
3. Trailing flexes were observed within reach of children in the Toddler room. This posed a risk of injury.
4. The accident and incident forms were not fully completed in a consistent manner. Of the 12 forms reviewed, the following was identified:
  - Three did not have a record of the parents acknowledging they had been informed of an incident.
  - Six did not have a record of the date the parent was informed of the incident.
  - One did not have the full details of the child's name or details of the staff completing the form.

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All accident and incident forms must be completed in full in order to support effective and timely communication to provide for the care needs of children following an incident.

5. A staff member reported that a child in the care room had previously opened the fire exit door, and the push bar on the fire door was observed to be potentially accessible to children. All exit routes must be secured to restrict the movement of children. It is acknowledged that the service is in the process of fitting a gate to the bottom of the external ramp to minimise risk to the safety of children.
6. There was no bottle of fever reducing medication available on the premises, which could pose a potential risk to the safety of children should they urgently require this.

### Infection Control:

The following increased the potential risk of infection.

7. The corner of the two couches in the toddler room were torn with foam exposed, leaving an ineffective cleaning surface.
8. There was a gap where skirting was coming away from the wall in the Toddler room, leaving an ineffective cleaning surface.
9. The foot-pedal operation of the bins used for the disposal of paper towels in the sanitary areas of the Toddler and Pre-school were not working, thereby requiring repeated hand-touch of the lid of the bin.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### General Safety:

1. The bag was immediately removed. Staff were reminded to dispose of plastic bags when sent by parents supplying nappies.
2. The service has reviewed the practice of storing cleaning agents in the room. It was discussed with staff to store them at a high level in the future, rather than in a locked press.
3. A hook was fitted in the room for the wire to be looped over. The registered provider reports that the issue was discussed with staff and they have been reminded to check that the flex is looped on the hook every morning as per the risk assessment form.
4. Management report that staff were reminded of the importance of fully completing the accident report sheets. Management will ensure that the reports will be reviewed to confirm they are completed in full.
5. Management report that the emergency door is required to be unobstructed and the push bar accessible. The materials in the area have been rearranged to distract attention from the door. Practitioners are alert to

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children playing in the area. A safety gate has been erected outside the emergency door so that even if the fire door is opened children can go no further without adult assistance.

6. A bottle of fever reducing medication was purchased. This is stored in a high press in the preschool room.  
A monthly date check/availability check for the medication has been added to the First Aid box check list.

### Infection Control:

7. The old sofas were temporarily restored. New sofas have been ordered and staff reminded that they need to inform the manager when furniture falls into disrepair.
8. The skirting was reattached to the wall to eliminate the gap. Staff have been reminded to report damage to surfaces when it occurs and not to leave it to worsen.
9. The bins were temporarily repaired and new bins were ordered. Staff were reminded to inform the manager when equipment breaks.

### Supporting documentation submitted

#### General Safety:

1. Photographic evidence.
2. Photographic evidence.
3. Photographic and documentary evidence.
4. No evidence submitted.
5. Photographic evidence.
6. Photographic and documentary evidence

#### Infection Control:

7. Photographic evidence.
8. Photographic evidence
9. Photographic evidence

### Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliances identified under Regulation 23 have been adequately addressed.

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### 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) The service provided evidence that a person trained in First Aid Responder training was available at all times to the children attending the pre-school.
- (2) The registered provider ensured that:
- (a) A suitably equipped first aid box was stored in the office and staff reported being aware of this.
  - (b) The first aid box was easily accessible and readily available.