

# Early Years Inspectorate Regulatory Report

## Pre School

**TUSLA Identifier:** TU2015DY281

**Name of Service:** Tiernan's Nursery

**Address of Service:** 4 Holmes Cottages, Church Gardens, Rathmines, Dublin 6, Co. Dublin

**Eircode:** D06 XY99

**Name of Registered Provider:** Kenneth Tiernan

**Service type:** Full Day, Sessional

**Date of Inspection:** 25/08/2025

<b>No of pre-school children:</b>	<b>AM</b>	38	<b>PM</b>	36

<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Child and Family Agency, Unit 4&5 Nexus Building, Block 6A, Blanchardstown Corporate Park, Dublin 15
<b>Inspection undertaken by:</b>	E Hosford and C Kerrigan
<b>Title:</b>	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** Not applicable.

### Description of service

Tiernan's Nursery is a full day care, part-time and sessional service located in Rathmines, Dublin 6. The service operates from 8.00am to 6.00pm, Monday to Friday, to children aged between 0 to 6 years. The service participates in the Early Childhood Care and Education (ECCE) scheme, and a school aged service is also provided from 1.30 pm to 6.00pm daily. The service operates from two buildings, a single storey building with three care rooms the Baby room, the Wobbler room, the Toddler room and a designated cot room and a two-storey building with two care rooms, the Junior Preschool room and the Senior Preschool room, a dining room, a kitchen, an office and a staff room. On the day of inspection the Senior Preschool room was assigned to school age children.

### Staffing

The registered provider employs 17 staff to work in the service to include the designated person in charge, a deputy person in charge, 13 early years childcare staff, an administration assistant and a cook. The registered provider does not work directly with the children and the designated person in charge was available to support when required.

### 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.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

## Acknowledgments

The inspectors wish to acknowledge the cooperation of the designated 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)
- (a) The service had a designated person in charge and named person to deputise as required.
  - (b) A deputy person in charge was present on the arrival of the inspectors to the service and was present for the duration of the inspection.
  - (c) There was a clear management structure in place within the service

(2) The files of six new staff members employed in the service since the last inspection were reviewed. Garda vetting disclosures for all staff were also reviewed.

The registered provider had completed the following checks:

(a) Eleven validated written references were available from a past employer.

(b) One validated written reference was available from a source other than a past employer.

(c) Garda vetting disclosures had been obtained for 17 staff members employed in the service and 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 for all staff employed.

(d) Documentary evidence was available to demonstrate that police vetting was available for five new employees who had lived outside of the state for six months or more as adults.

(4) Six staff members had documentary evidence of 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 eligible by the Department of Children, Equality, Disability, Integration and Youth Affairs.

### Part III – Management and Staff

#### Regulation 11 - Staffing levels

*(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

(2) During the inspection there were 9 adults working directly with 38 children aged between 1 to 6 years in the morning and 10 adults working with 36 children in the afternoon.

- Baby room- 2 adults working with 5 children aged from 1-2 years of age in the morning and 4 children in the afternoon.
- Wobbler room- 2 adults working with 8 children aged from 1-2 years of age in the morning and afternoon.
- Toddler room- 2 adults working with 9 children aged from 2-3 years of age in the morning and afternoon.
- Junior Preschool room-3 adults working with 16 children aged from 3-5 years of age in the morning and 15 children in the afternoon.

(8)(a) On review of the service roster and on discussion with staff two adults were on the premises during the operation of the service.

### 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;

(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.

#### Compliance Information

- (1)
- (h) On review of the documentation available in the four care rooms Baby, Wobbler, Toddler and Preschool room's the children's arrival and departure was accurately reflected in either an electronic application or daily record book maintained by staff. This assisted in the safe evacuation of children in the event of an emergency.
- (i) A service roster was available, and it demonstrated the staff present in the service and their contracted working hours.
- (3) The required records were available to the inspectors during the inspection.

### Part V - Care of Child in Pre-school Service

#### Regulation 22 – Food and drink

*A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.*

#### Compliance Information

- Food for the children was prepared by the cook in the onsite kitchen in the senior building. A menu indicating the food available at mealtimes was available in the service. Each care room used the separate dining hall for snacks and meals which created a sociable and relaxed atmosphere. Appropriately sized cutlery, plates and cups were used for the children at mealtimes to assist them in developing their co-ordination and skills while eating
- Children in the service had a breakfast of cereal and milk in the morning, a snack of pineapple, apple and milk in the morning and a hot meal of pasta and pesto in the afternoon. An afternoon tea of ham sandwiches was served with milk. Additional food was available and offered to the children with alternative food available to children if they requested it. Children were observed to be offered meals and snacks at regular intervals throughout the day.
- Water was available on low level shelving or low tables for the children to access it as required throughout the day and was readily available to the children whilst they had their meals and played.

### 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 main service gate and the entrance door leading into the premises were appropriately secured with digital keypad locks and high-level release buttons to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the early years' service.

- Cleaning agents, blind cords, garden equipment and flexes were stored safely out of the reach of children.
- The kitchen was inaccessible to the children during the inspection.

### Infection Control:

- Thermostatically controlled warm water, liquid soap and paper hand towels were provided to support hand hygiene in the sanitary accommodation in the Junior and Senior buildings. The children in the care rooms were facilitated to wash their hands after outdoor play, using the toilet and before meals. Pedal bins were provided for the disposal of wastepaper in the sanitary facility.
- Soothers were labelled and stored in personalised containers when not in use.
- The premises, play equipment and materials were in a clean and hygienic condition.
- Individual storage bags were available for the storage of sheets used by the children during sleep time.
- Mattresses in use in the 14 cots in the two cot rooms were in good condition, and all had washable wipeable covers allowing for easy cleaning. Cots and low beds at sleep time were observed to be positioned with a minimum of 50 cm apart at sleep time
- Nappy changing was completed as per service policy.

### Safe Sleep:

- Children under the age of two years were facilitated to sleep in cots.
- Staff members completed 10-minute sleep checks to include each child's colour, breathing and position.
- Shoes and outer clothing such as shoes, tops and trousers were removed from children while they slept

### Fire Safety:

- Documentation available demonstrated that monthly fire drills were completed in the service. Illuminated fire exits were unobstructed during the inspection and fire procedures were clearly displayed in the care rooms inspected.

## Non-Compliance Information

### General Safety:

1. The temperature of the Wobbler, Toddler and cot room were not maintained between the recommended temperature of 18-22° C, while children slept. It is acknowledged that staff did open windows within the rooms and had electric fans in operation. The temperatures were recorded as.

- Cot room 24.3° C at 12.24pm
- Wobbler room 24.4° C at 12.31pm
- Toddler room 24° C at 12.11pm

## Action submitted by the Registered Provider

### Corrective & Preventive Action

#### General Safety:

1. In response to the non-compliance the service has stated that they have resourced effective ways and devices to cool the room effectively to maintain the temperature between 18-22 degrees on extremely hot days. The service will also install a safety gate at the classroom door to allow for additional ventilation.

### Supporting documentation submitted

#### General Safety:

1. Photographic evidence of devices in place.

## Summary Comment

The inspector has reviewed the actions and evidence submitted. The non compliances identified in regulation 23 have been adequately addressed.

## 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)

The last recorded fire drill that took place in the service was on the 21 August 2025. Records demonstrate that monthly fire drills are carried out monthly.

(b)

The number, type and maintenance of the firefighting equipment and smoke alarms was present in the service. The fire extinguishers were serviced on 30 January 2025 and the smoke alarms on the 23 April 2025.

(4)

A notice of the fire procedures to be followed in the event of an emergency were clearly displayed in the service

### Part VII - Premises and Space Requirements

#### Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-*  
*(e) equipped with adequate and suitable sanitary facilities.*

#### Compliance Information

(e) The sanitary facilities within the service were adequately equipped with thermostatically controlled water not exceeding the recommended 43 ° C, liquid soap, paper towels and pedal bins.