

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015FL133
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Name of Service:	Kids Care Limited
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Address of Service:	B.A.S.E. St Cronan's School Grounds, Brackenstown Road, Swords, Co. Dublin
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Eircode:	K67 PH96
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Name of Registered Provider:	Hazel McCarthy
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Service type:	Part Time, Sessional
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Date of Inspection:	18/09/2025
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No of pre-school children:	AM	37	PM	Not applicable
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Address of the Early Years Inspectorate:	2 nd Floor, Unit 4/5, The Nexus Building, Blanchardstown Corporate Park, Ballycoolin, Dublin 15.
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Inspection undertaken by:	Y Kelly
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Title:	Early Years Inspector
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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

Kids Care is a privately operated service which is located on the ground floor of a community building situated alongside a primary school in Swords, Co Dublin. There are 2 care rooms in the service namely Room One and Room Two. The service provides part time preschool care and education to children aged 2 to 6 years of age and participates in the Early Childhood Care and Education (ECCE) scheme from 9.00am to 12.00 midday and from 12.15pm to 3.15pm daily for 38 weeks each year. Some of these pre-school children attend the service for a maximum of 5 hours daily on a part-time basis. Childcare services are also provided to school aged children. A fully enclosed outdoor play area is located to the front of the premises.

Staffing

The service employs 11 staff members including the registered provider and the person in charge all of whom work directly with the children attending the service. Four staff members, including the person in charge, are employed in the service to reduce the adult to child ratio and if necessary to work with a child with additional needs, a post which is funded by the minister as part of the Access and Inclusion Model scheme. A staff member is employed to carry out household duties in the evenings and at the weekends. There is a student on a work experience programme. There was one staff member employed to work in the school aged service. The registered provider was present for the duration of the inspection. In total there were 9 adults present on the day of the inspection.

Methodology

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

The inspection focused on an examination of compliance under the regulations 9, 11, 19, 21, 23, 25, and 26 however, on inspection additional non-compliance which posed a risk was identified under regulation 16. These findings are outlined within the relevant regulations within this report.

As a result, the scope of the inspection included Room 1 and Room 2.

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 19 September 2025 in relation to Garda vetting requirements under Regulation 9 Management and Recruitment. A response which adequately addressed the concern was received on 19 September 2025. Further details are available under Regulation 9.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, 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

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

(b)The deputy manager was present and in charge of the service when the inspector arrived unannounced to the service at 09:50am. The service manager and the registered provider arrived shortly after.

(2) The files for 12 adults were reviewed. This included a student who is part of a work experience programme but was not present on the day of the inspection. The following was recorded:

(a) Fourteen validated and written references were available from past employers.

(b) Six validated and written references were available from a reputable source other than a past employer.

(c) Garda vetting disclosures were available for 10 adults whose files were reviewed. One adult is employed for household duties and works at the weekends when the service is closed. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.

(d) International Police vetting was available for 1 adult who had lived outside of the state for a period of more than six months.

(4) Documentary evidence was available to confirm that 10 staff members whose files were reviewed and who may work directly with the children in 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 eligible by the Department of Children, Disability and Equality.

Non-Compliance Information

(2)(a)(b) The registered provider had not ensured the following:

Four written and validated references were not available for two adults including the student.

(c) Garda vetting disclosures were not available for one staff member employed to work directly with the children. This staff member was not present when the inspector arrived in the service. An immediate action notice was issued to the registered provider.

(3) The procedures as outlined in paragraph (2)(c) were not carried out prior to one adult working with or having access to children in the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

(2) (a)(b) All 4 written and validated references were submitted.

(c) The registered provider now has Garda Vetting for the staff member who was not present on the day of the inspection. The immediate action notice was responded to by ensuring the staff member would not be in direct contact with the children until the Garda Vetting was received. The staff member was on leave and Garda vetting had been received upon the staff members return.

(3) The staff member is now Garda Vetted.

Preventive Action

(2) (a) (b)

The registered provider will ensure that every new employee and student will have 2 written references from past employees, but in the case of no previous employment (students) from a reputable source.

(c) The registered provider will ensure that any new staff or students who have direct contact with the children will have Garda Vetting prior to commencing employment or work experience.

(3) The registered provider will address Garda Vetting when the services' policies are due for review. The registered provider will also explain this to future employees and students.

Supporting documentation submitted

- Four written and validated references.
- Documentary evidence of Garda Vetting.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliances under Regulation 9 have been addressed.

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) On the day of the inspection there was an adequate number of adults working directly with the children attending the service.

(2) The adult to child ratio was correct in the service when the inspector arrived unannounced and remained so throughout the inspection. There were 7 adults working directly with 37 children on the morning of the

inspection.

The following adult to child ratios were observed during the inspection:

- In Room 1 there were 3 staff members working with 18 children aged 2 years 9 months to 3 years 9 months one of whom was employed as part of the Access and Inclusion Model scheme.
- In Room 2 there were 4 staff members working with 19 children aged 3 years 5 months to 4 years 7 months one of whom was employed as part of the Access and Inclusion Model scheme. The manager who is also employed as part of the Access and Inclusion Model scheme and the deputy manager. The registered provider was available to support staff in the rooms as required.

(8)(a) The registered provider ensured that there were 2 adults on the premises at all times.

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;

Non-Compliance Information

(1)(a) In respect of 2 adults, there was no recorded history of past employment and relevant experience available for inspection. Therefore, it was not possible to determine whether international police vetting was required in accordance with Regulation 9(2)(c).

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

16. (1) (a) A copy of a CV with recorded history of past employment and relevant experience has been submitted for two adults. The registered provider has added both CVs to the staff files kept on the premises.

Preventive Action

16. (1) (a) The registered provider will ensure that all CV's for any new staff members will be added to the staff files before commencement of employment in the service.

Supporting documentation submitted

- Evidence of CV for two adults.

Summary Comment

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

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

Compliance Information

(1)(a) The following observations were made on how each child's learning, development and well-being was facilitated within daily life in the service:

Basic needs:

- Children's snack and water bottles were brought from home. Snack consisted of sandwiches, yoghurts and fruit. Lunch consisted of beans on toast at 12pm. Drinking water and cups were available for the children to take a drink as they desired throughout the session. The children's snack time was observed to be calm and relaxed. Children and staff were observed to sit and eat together and chatted socially during this time.
- There were cosy areas in both ECCE rooms for the children to relax in as required. The cosy areas were equipped with sofas, a rug, canopy, a bubble tube and a selection of books for reading and relaxation.
- Children's independence was supported. Children tidied up their lunch boxes independently after snack time.
- All of the children attending the service were given the opportunity to spend time in the outdoor area during the inspection.

Supporting relationships

- Staff discussed that there is a key person approach in the service. Staff demonstrated warm and caring interactions with the children. Children were offered comfort and support when needed. There was a welcoming atmosphere in the service.

- Staff were observed interacting with children at their level and engaging in children’s play.
- The staff members were observed greeting parents at the door at collection time where they exchanged information about the child’s day in the service.
- Identity and belonging were promoted in the service. For example, there was a ‘Family Wall’ display in each room with photographs of children’s families, birthday chart display and photographs of children on their first day and playing in the garden. In addition, each child had their own coat hook identified by photographs of the children.
- Transitions were observed to be well managed; the children engaged well with tidying up, putting items away independently. Routines provided for predictability and comfort for young children.

Programme of activities and its Implementation:

- Discussions with staff and observation ascertained that there is an emergent curriculum in place. Staff discussed that children’s learning and development is documented using anecdotes and observations of children which informs planning for the curriculum.
- One of the themes of the month was based on sea creatures and wild animals.

Non-Compliance Information

Physical and material environment:

1. There were no supportive materials available at the outdoor mark making area to provide opportunities for creativity and mark making.
2. In Room 1 a shelving unit was observed to be turned away from the children and stored against the wall which prevented the children from accessing the play resources contained within, which included tabletop materials. This practice restricts children’s freely chosen play, through reducing their access to play materials and resources. It is acknowledged that a staff member turned the shelf around at 11.40am when the inspector brought this to the attention of staff.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

Physical and material environment:

1. To provide different opportunities for all children for creativity in the outdoor area, paint sticks and washable markers are at the outdoor board at all times. The children can freely access these at any time.
2. The registered provider will ensure that the children will have free access to all the play resources and materials in their service to encourage each child’s development.

Preventive Action

1. One staff member is now responsible for ensuring that there are always art supplies in the garden, these can be stored overnight in Zoe's Den.
2. Staff members who set up Room 1 and Room 2 each morning are now aware that all shelving must be facing the children, this is regardless of the children going to their outdoor area at the start of the session instead of when they return. This will include the tabletop materials.

Supporting documentation submitted

- Photographic evidence of outdoor mark making and shelving unit.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliances under Regulation 19 have been addressed.

Part V - Care of Child in Pre-school Service

Regulation 21 – Equipment and materials

A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.

Compliance Information

- There was age-appropriate furniture with child sized chairs and tables for children to sit whilst they played or for mealtimes.
- There was a variety of play based materials available that were suitable to the age and stage of children's development divided into labelled interest areas which were accessible to children.
- In both ECCE rooms there was a home corner with kitchen, dress up area, shop and doctor's box and real-life items such as phones to support dramatic and pretend play for children. In the art area and mark making areas there were art materials such as paint easels, paint, paper, pencils and crayons to support creative art and mark making for children. There were sensory play materials to include playdough materials, water play sink and a tuff tray for sensory play. There were transportation toys such as cars, trains and train tracks and road mat, and small world toys including dolls house, farm animals and dinosaurs. The construction area consisted of wooden blocks and plastic building bricks. Tabletop materials included jigsaws, construction straws, threading and pegboards, Montessori pink tower and matching games.

- An enclosed outdoor play area is located to the front of the service. The equipment and materials included two wooden climbing frames with slides, a rope ladder and climbing steps and also a set of swings which provided the children with opportunities for challenge and safe risk. Large tyres were provided along with ‘buddy bench’ and benches under the tree for children to sit on. There were wooden blocks for construction. A wooden house ‘Zoe’s Den’ with soft mats and selection of books which provided a space for children to go inside for storytelling whilst in the outdoor area. There was a wooden sandpit with real-life pots and pans and dinosaurs which provided sensory play opportunities. Children’s wellies for outdoor play were available in a box in the outdoor area.

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:

- On arrival to the service, the inspector observed that the door was secure and monitored by staff.
- Cleaning agents were stored safely out of the reach of the children.
- The outdoor play area was fully enclosed and secured with a fence and mainly surfaced with grass.

Infection Control:

- Thermostatically controlled water, liquid hand soap and dispensed handtowels and electronic hand dryers were available in the sanitary facilities.
- Pedal operated bins were available for waste and disposal of contaminated items.
- Windows were open for air circulation in care rooms.

Administration of Medication:

- Medication was observed to be stored safely out of the reach of the children.
- There were health care plans available and displayed in the care rooms for children who required them. Staff were aware of the care plans in place and the procedure to be followed in the event of a medical emergency.

Fire Safety:

- Fire exits were clearly labelled and unobstructed in the event of emergency evacuation.

Non-Compliance Information

General Safety:

1. Five Garda vetting disclosures were not dated within the previous three years in adherence to the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

Action submitted by the Registered Provider

Corrective Action

General Safety:

1. All 5 staff members Garda Vetting are now in date.

Preventive Action

1. The ECCE manager is now assigned to check the staff files regularly to ensure they are applying for all Garda Vetting as soon as the 3 years is approaching.

Supporting documentation submitted

General Safety:

- Documentary evidence of Garda Vetting.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance under Regulation 23 has been addressed.

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 registered provider ensured that an adequate number of staff were trained in First Aid Response (FAR) and a staff member trained in FAR was available on the premises throughout the opening hours of the service. There was certification to show that 3 staff were trained in First Aid Response (FAR), all of whom were present on the day of the inspection.
- (2)(a) Adequately stocked first aid boxes were observed in the service. There were two first aid boxes, one for each care room.
- (b) First aid boxes were stored out of the reach of the children but available to staff as needed.

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 was available on the premises with the last fire drill dated as having been carried out on the 5 June 2025 in ECCE Room 1 and 25 June 2025 in ECCE Room 2.
- (b) The number, type and maintenance record for firefighting equipment and smoke alarms were available. Firefighting equipment was last serviced in January 2025 and the smoke alarms were serviced on the 01 July 2025.
- (4) Fire evacuation procedures were displayed on the noticeboard in the hallway.