

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KE026
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Name of Service:	Milltown Playschool
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Address of Service:	1334 Milltown, Newbridge, Co. Kildare
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Eircode:	W12 WY45
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Name of Registered Provider:	Geraldine Kelly
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Service type:	Sessional
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Date(s) of Inspection:	26/03/2025
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No of pre-school children:	AM	20	PM	n/a
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Tusla Child and Family Agency, Suite 7, Vista Primary Care, Ballymore Eustace Road, Naas, Co. Kildare, W91 X38W.
Inspection undertaken by:	E. Mulhern
Title:	Early Years Inspector

Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

Conditions if applicable	NA
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Description of service

Milltown Playschool was established in 2002 as a privately operated, sessional early years service for children aged 2-6 years. The service opens from 08:45 to 11:45 Monday to Friday. It is located in a purpose-built premises beside the registered providers home in Milltown near Newbridge, County Kildare. The service consists of one room with adjoining sanitary facilities. An outdoor area is available at the rear of the premises.

Staffing

The registered provider and another staff member were working in the service on the day of inspection. Two children were brought to the registered providers home during the inspection where they were reported to be cared for by an emergency contact person while awaiting early collection from 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

This inspection was unannounced and focused on the areas of governance, health, welfare and development of child and safety. The inspection may also focus on other areas as required. The inspection focused on an examination of compliance under the following regulations:

Regulation 9 (2)(a)(b)(c)(d), (3) and (4) – Management and recruitment

Regulation 11 (1) and (3) - Staffing levels

Regulation 19 (1)(a) - Health, welfare and development of child
Regulation 23 - Safeguarding health, safety and welfare of child
Regulation 25 (1) and (2)(a)(b) - First aid
Regulation 26 (1)(a)(b) and (4) - Fire safety measures

However, on inspection additional non-compliance which posed a risk was identified under the following regulations:

Regulation 8 (1)(2) and (3) – Notification of change in circumstances
Regulation 15 (1) – Record of pre-school child
Regulation 24 (1) - Checking in and out and record of attendance
Regulation 27 - Supervision
Regulation 28 – Insurance

These findings are outlined within the relevant regulations within this report.

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

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

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

Additional Information

Escalation and Enforcement

The service had a previous history of escalation and enforcement. Conditions had been applied to the registration of the service on 26 November 2021 and 20 April 2023 due to a repeated history of non-compliance with regulatory requirements, posing a risk to the safety and wellbeing of children. The conditions were found to have been breached when inspections were carried out on 23 May 2022 and 29 September 2023. The most recent conditions were removed on 20 April 2024 following an inspection on 17 April 2024.

However, the registered provider was observed on this inspection, dated 26 March 2025, to be non-compliant with regulatory requirements posing a risk to the safety and wellbeing of children. Information is included under the relevant regulations within the report.

This service was referred to the National Registration Enforcement Panel on the 13th May 2025 in relation to the non-compliance on inspection within the early years' childcare facility.

Immediate Action Notice

An immediate action notice was issued to the registered provider on 27 March 2025 due to the significant risk posed to children under regulation 23 - Safeguarding health, welfare and safety of child. The notice related to non-compliance identified under regulations 23 (point 1), 24 (1), 25(1), 27 and 28. Information is outlined under the relevant regulations in the report. A response was received from the registered provider on 28 March 2025 outlining immediate actions that will be taken. The actions if implemented should mitigate the risk identified.

Acknowledgments

The inspector wishes to acknowledge the registered provider, staff and children who were present on the day of the inspection.

Part II - Registration and Register

Regulation 8 - Notification of change in circumstances

(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.

(3) Where a registered provider has been unable for good and proper reason to notify the Agency within the time specified in paragraph (1) or (2), as the case may be, of a change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2), the registered provider shall notify the Agency in writing of the change as soon as possible thereafter.

Non-Compliance Information

(1) & (3) The registered provider did not notify the Early Years Inspectorate of a proposed change to the number of children attending as required. On the day of inspection, the service was registered to accommodate a maximum of 18 children at any one time. Both the registered provider and staff member informed the inspector that there were 18 children present when the inspector arrived unannounced at 09:26. When asked the maximum number of children in attendance on any given day both the registered provider and staff member reported there are never more than 18 children in attendance. The inspector counted 20 children present which was subsequently confirmed by the registered provider and staff member.

Although, there were no attendance records available for the two extra children, an enrolment record was available for one of the children. The start date documented on the record was 28 August 2024, indicating the service may have been operating above its registered numbers since this date.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Going forward the registered provider and staff are fully aware that the maximum number of children that can attend is 18. The registered provider is fully aware going forward that any updates to the service need to be communicated to the agency. The role book was reviewed, and it was ensured only 18 children are listed. The policy on arriving and collecting has also been updated to include that the role book needs to be filled out in the

morning as children arrive ensuring that only children on the role book attend. This policy has been retrained and resigned by both the staff member and registered provider.

Supporting documentation submitted

Copy of attendance register list with 18 names.

Copy of the services 'arriving and collecting' policy dated 25 May 2025 with the registered provider's signature.

Summary Comment

Initial corrective and preventive actions submitted by the registered provider on 30 April were deemed inadequate as statements in the 'arriving and collecting policy' submitted as supporting evidence were at variance with the actions submitted and the regulatory requirement.

The registered provider submitted revised corrective and preventive actions on 25 May 2025 as requested. These have been included in the report. However, the 'arriving and collecting' policy submitted as supporting evidence did not make any reference to the information stated in the actions.

Due to the lack of supporting evidence and history of repeat non-compliance the inspectorate is not assured the non-compliance has been appropriately addressed.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(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

The inspection focused on the recruitment records for the registered provider, second staff member and a person who the registered provider reported is an emergency contact person. Compliance findings are outlined below.

(2) (b) Two adults had references available from reputable sources as they did not have previous employers.

(2)(c) Garda vetting disclosures had been obtained for all three adults. 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 in relation to two adults. Please refer to the information outlined under regulation 23 of this report.

(2)(d) International police vetting had been sourced for one adult who had lived in another state for more than six consecutive months as an adult.

(4) Two adults working directly with the children held a major award in Early Childhood Care and Education at Levels 5 and 6 on the National Framework of Qualifications.

Non-Compliance Information

The registered provider did not take reasonable measures to ensure that one adult was suitable and competent to work with children as outlined below.

(2) (a) A past employer reference was not available for one adult who was reported to have been in employment with a previous company for 20 years until 2024. Only character references were available. The registered provider confirmed that a past employment reference had not been sourced. This regulation was previously non-compliant on inspections dated 23 May 2022, 19 December 2022 and 21 February 2024 in relation to other staff members. The corrective and preventive actions submitted by the registered provider following those inspections had not been effective in preventing the non-compliance from recurring.

(3) The procedures specified in paragraph (2) had not been completed in all instances prior to any person being appointed, assigned or allowed access or contact with a child attending the service as outlined above.

(4) Two children were brought to the registered providers home to be cared for by the person the registered provider reported was the emergency contact person. The children were in the care of this adult from 10:33 until they were collected by their parents/guardians at approximately 10:47 and 10:53 consecutively. The adult did not hold at least a major award in Early Childhood Care and Education at Level 5 on the National Framework of Qualifications or a qualification deemed equivalent by the Minister.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2) (a) The reference for the individual from the company they worked for has been received. To ensure this does not occur again, the registered provider has updated the services staffing policy to outline that all permanent staff, all student placements and emergency contact must have a previous work (or school for placements) reference on file before they start. This updated policy has been signed by both the registered provider and second staff member and will be in place going forward.

(4) The registered provider stated that bringing the children into the adjacent building with the emergency contact was an error in judgment, while attempting to rectify having more children than were registered on the day in the service. The emergency contact person will not be with the children without another member of staff who holds at least a major award in Early Childhood Care and Education at Level 5 on the National Framework of Qualifications present.

Supporting documentation submitted

Copy of outstanding reference.

Copy of the service's 'staff recruitment and training' policy.

Summary Comment

9 (2) (a) and (3) Initial corrective actions were submitted by the registered provider on 30 April 2025 including a copy of the outstanding reference. However, the response was deemed inadequate as there were no preventive actions submitted to prevent the non-compliance from recurring in future.

The registered provider submitted preventive actions as requested on 25 May 2025 and these have been included in the report. The supporting evidence included a copy of the services 'staff recruitment and training policy'. However, the sections on the policy titled 'Signatures' and 'Date' were blank, contrary to the registered providers statement that this updated policy has been signed by both the registered provider and second staff member and will be in place going forward.

Due to the inadequate preventive actions submitted and history of repeat non-compliance the inspectorate is not assured the non-compliance has been appropriately addressed.

9(4) The actions if implemented should 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.

(3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) therefore at that reference number is satisfied.

Compliance Information

(1) An adequate number of adults were working directly with the children when the inspector arrived at the service at 09:26. There were two adults working directly with 20 children.

(3) The minimum adult to child ratio requirements were adhered to when the inspector arrived at the service at 09:26 as outlined above.

Non-Compliance Information

(1) An adequate number of adults were not working directly with the children between 10:33 and 10:53 as outlined under regulation 11(3) below.

(3) The minimum ratio requirement of 1 adult to 11 children was not maintained at all times as outlined below.

1. From 10:33 to 10:41 one adult was present in the outdoor area with 18 children. During this period the second adult brought two children to the house adjacent to the service.
2. At 10:44 one adult was in the pre-school room with one child while the second adult was in the outdoor area with 17 children. The first adult left the pre-school room to go to the adjacent house at 10:45 leaving the child in the preschool room without a staff member until she returned at 10:48.
3. At 10:53 one adult was in the pre-school room with two children while the second adult was in the outdoor area with 16 children. The first adult took one of the children to the main house to be collected, leaving one child in the pre-school room without a staff member for approximately one minute.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider stated that bringing the children into the adjacent building with the emergency contact was an error in judgment, while attempting to rectify having more children than were registered on the day in the service. The knock-on effect was a member of staff being out of ratio and one child in the pre-school room without an adult. This would not happen under normal circumstances. The registered provider and staff will ensure adherence every day going forward to the maximum number of children the service can take as per the regulations and will keep to the ratio through the day.

Supporting documentation submitted

No documents received.

Summary Comment

9(4) The actions if implemented should address the non-compliance.

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.*

Non-Compliance Information

The inspector requested the records with the information required under regulation 15(1)(a) to (i) for two children who were present but not recorded on the attendance record. There were no records available for one of the children. This information is required to allow for the appropriate individualised care of a child. The lack of a record posed a risk to the health and safety of the child should the information be required in an emergency. This regulation was non-compliant on previous inspections dated 29 September 2023 and 21 February 2024. The corrective and preventive actions submitted by the registered provider following those inspections had not been effective in preventing the non-compliance from recurring.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The missing form for one of the additional children that was in attendance on this day has now been received. This child will be attending the service in September 2025. The registered provider has generated a new policy 'Start of Playschool' which outlines that the above information must be provided for all children before they commence.

Supporting documentation submitted

Copy of 'start of playschool' policy.

Summary Comment

The actions if implemented should address the non-compliance.

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.

Compliance Information

When the inspector arrived at the service the children were taken outside where most of them remained until they were collected from the service. The registered provider had taken measures to support the health, welfare and development of the children. Each child had a pair of wellington boots. The outdoor area had a natural grass surface and space for the children to run and play. There was equipment to support full body movement including swings, a climbing frame, slides and ride-on toys. The equipment and materials in the pre-school room included a sand table, a construction area, a home corner, small world toys and puzzles.

The children brought food and drinks from home. They used the toilet independently when needed. The adults assisted the children to resolve minor conflicts using age-appropriate techniques. The adults engaged kindly with the children throughout the inspection, speaking softly to them and addressing them by name.

Non-Compliance Information

The registered provider did not ensure that the welfare and development of children was always supported as outlined below.

1. There was a lack of planning for the children's meal which could impact on the provision of a positive mealtime experience. The children ate their lunch in the outdoor area. There was not enough space at the picnic benches for the 17 children who were present at this time. Some of the children were seated on chairs brought from the pre-school room but had to ask for tables to place their lunches. There was no seating for the adults to sit with the

children. Many of the children complained that they were cold with two children saying they were “freezing”. The adults spent much of the lunch period going in and out of the pre-school room to retrieve tables and coats.

2. An adequate area was not provided for the children to rest or take a break from activities. There were two soft seats in the pre-school room which could seat approximately four children. The cushioned seating of one of the seats was missing. There was no matting or space for a child to lie down if they became unwell and were waiting collection.

3. There was insufficient hanging space for the children’s belongings for the number of children in attendance. Several coats and bags were stored on top of each other with some bags on the floor as there were not enough hangers. This could affect the ability of children to store and access their belongings independently.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. The service has decided that children will not spend lunch time outside for the rest of this preschool year. The children will come back into the service where they have their lunch bags and ample seating. Over the summer the registered provider will review the number of seats and tables available and potentially increase this number to allow children to sit outside, weather permitting from September 2025. Additionally, the children if sitting outside from September 2025 will be provided with their coats to allow them to put these on if needed.

2. The cushioned seating that was not present at the time of the inspection had been washed and was not yet dried. This has since dried and been returned to the soft chair. The soft chair also functions to allow children to lie down. These cushions will now be washed only when there is sufficient time to dry them before use unless required for spills etc.

3. Extra hooks have been placed on the wall under the current hooks to allow ample space for the children to hang their bags and coats.

Supporting documentation submitted

Photograph of cushioned seating.

Photograph of additional coat/bag hooks.

Summary Comment

1. The actions if implemented should address the non-compliance.

2 & 3. The actions have been deemed to address the non-compliances.

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:

Measures had been taken to safeguard the children including storing cleaning products and cables out of children's reach. Heavy furniture was secured to prevent tipping. Emergency exits were kept clear to allow for evacuation and an assembly point was signposted. Records were available demonstrating fire drills were carried out monthly.

Infection Control:

The pre-school room and sanitary facilities were adequately cleaned. Waste was properly managed using pedal-operated bins, ensuring hands-free disposal. Facial tissues were available for children to clean their noses if needed.

Administration of Medication:

The registered provider told the inspector that one of the children had a severe allergy that could require emergency medication. The medication was stored appropriately out of reach of children but easily available to the adults. A care plan was available outlining the signs of a severe allergic reaction, how to administer the medicine and the procedure for contacting the emergency services and the child's parents if required.

Non-Compliance Information

General Safety:

1. The service was not adequately secured to prevent a child leaving unsupervised. The front door to the pre-school room was locked on the inside with a low-level thumb-turn lock. The lock could be easily opened by a child. The door led to a driveway which had an open gate onto a road. This posed a risk of injury should a child leave the service unsupervised.

This risk was identified on previous inspections dated 9 January 2018 and 21 April 2021. The corrective and preventive actions submitted by the registered provider following these inspections had not prevented the non-compliance from recurring. An immediate action notice was issued to the registered provider on 27 March 2025 under regulation 23 due to the risk posed. A response was received from the registered provider on 28 March 2025 outlining actions that will be taken. The actions if implemented should mitigate the risk identified.

2. Garda vetting was available for all staff members. However, the vetting disclosures for two adults were not dated within the previous three years in adherence with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

This requirement was non-compliant on previous inspections dated 21 February 2024 and 17 April 2024. The corrective and preventive actions submitted by the registered provider following those inspections had not prevented the no-compliance from recurring.

Infection Control:

3. The sanitary area was not equipped with soap or paper towels for children to wash or dry their hands after using the toilet. It is acknowledged the registered provider provided soap for the children to use before lunch, however facial tissues were used to dry the children's hands which tear easily and are not absorbent enough to effectively dry hands. The lack of appropriate equipment to support hand washing poses a risk of illness to the children through the potential spread of infection.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The registered provider has requested guidance from the fire safety officer on what type of lock to implement. The lock will be reviewed as mentioned above and updated over the summer if not sooner once an appropriate solution is recommended. In addition, a notice is on the service notice board outlining the gate closure times. The registered provider and staff member have familiarised themselves with it.

2. Garda vetting disclosures are within date. The registered provider is aware one needs to be updated in June of this year and this will be actioned.

Infection Control:

3. Soap is now readily available for all children beside the sink. Paper towels have been added to the paper towel dispenser. To ensure both soap and paper towels are always present the staff member and registered provider will check the bathrooms in the morning before the children arrive and before lunch break. As part of stock management, the registered provider will ensure to bulk order paper towels and have them readily available to replace in necessary.

Supporting documentation submitted

General Safety:

1. Photograph of gate closure notice
2. Copies of outstanding Garda vetting disclosures dated 12 April 2024 and 30 April 2024.

Infection Control:

3. Photographs of sanitary area with liquid soap dispenser, stocked paper towel dispenser and supply of paper towels.

Summary Comment

The actions have been deemed to adequately address the non-compliance.

Part VI - Safety

Regulation 24 - Checking in and out and record of attendance

(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.

Non-Compliance Information

(1) There was no record of attendance for two children who were present in the service during the inspection. It could not be determined from discussions with the registered provider or staff member how long the children had been attending the service due to conflicting information provided. An enrolment record was available for one child with a start date documented 28 August 2024. This posed a risk to the safe evacuation of the children in the event of a fire as their presence was not documented.

This requirement was non-compliant on previous inspections dated 9 January 2018, 14 November 2019, 23 May 2022, 19 December 2022, 29 September 2023 and 21 February 2024. The corrective and preventive actions submitted by the registered provider following those inspections had not prevented the non-compliance from recurring.

An immediate action notice was issued to the registered provider on 27 March 2025 under regulation 23 due to the risk posed. A response was received from the registered provider on 28 March 2025 outlining actions that will be taken. The actions if implemented should mitigate the risk identified.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider acknowledges this and its significance and unfortunately although always adhered to it was not on this day due to the two additional children. However, going forward the registered provider and staff are aware of the importance of the maximum number of children in the service and will ensure its compliance along with the compliance of the attendance document every day.

Supporting documentation submitted

No documents received

Summary Comment

The actions if implemented should address the non-compliance.

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

(2)

(a) The service had first aid equipment stored in the pre-school room in a conspicuous position.

(b) The first aid equipment was available for use at all times.

Non-Compliance Information

(1) It was not evidenced that an adult with current First Aid Responder training was available to the children. This posed a risk to the appropriate treatment of a child should first aid be required. An immediate action notice was issued to the registered provider on 27 March 2025 under regulation 23 due to the risk posed. A response was received from the registered provider on 28 March 2025 confirming they had completed First Aid Responder training in January 2025 and would be issued a certificate in due course.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The certificate has since been issued, and a printed copy is kept in the service. As part of the twice yearly review the registered provider and staff member will ensure these certifications and proof of same are up to date.

Supporting documentation submitted

Copy of registered provider's First Aid Responder certificate with an expiry date of 1 February 2027.

Summary Comment

The non-compliance has been deemed to be 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) A written record was available detailing monthly fire drills that had been carried out in the service. The most recent fire drill record was dated February 2025.
 - (4) A notice of the procedures to be followed in the event of fire was displayed in the pre-school room.

Non-Compliance Information

- (1)(b) Maintenance records were not available in relation to the smoke alarm and firefighting equipment. The registered provider reported these had been serviced within the past year but a certificate of maintenance was not issued.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The previous company used to inspect the fire extinguishers signed the log book and the extinguishers when inspected however unfortunately they did not respond to provide a certificate. To correct this a new inspector from an external company inspected all fire extinguishers and supplied a new fire blanket and certificate on 7 May 2025. This company do not inspect smoke alarms. The registered provider has contacted another company, and they have confirmed they will inspect before the end of term. Once a certificate has been provided the registered provider will forward it to the early years inspectorate.

Supporting documentation submitted

Certificate of supply and maintenance of firefighting equipment dated 7 May 2025.

Summary Comment

It is acknowledged the record was submitted in relation to the firefighting equipment. However, the record in relation to the smoke alarms remains outstanding.

Part VI - Safety

Regulation 27 – Supervision

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

Non-Compliance Information

The registered provider did not ensure the children were adequately supervised at all times as outlined under regulation 11 (1) and (3) posing a risk to their safety. An immediate action notice was issued to the registered provider on 27 March 2025 under regulation 23 due to the risk posed. A response was received from the registered provider on 28 March 2025 outlining actions that will be taken. The actions if implemented should mitigate the risk identified.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The incident of the child in the pre-school room on their own was an unfortunate situation while the registered provider attempted to rectify the additional child numbers. The registered provider and staff member are aware the number of children allowed is 18 and will ensure going forward that this number is never exceeded.

Supporting documentation submitted

No documents received

Summary Comment

The actions if implemented should address the non-compliance.

Part VI - Safety

Regulation 28 - Insurance

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

Non-Compliance Information

The registered provider did not ensure that the pre-school service was adequately insured as outlined below.

1. The service had a certificate of insurance for 18 children dated from 28 March 2024 to 27 March 2025. Twenty children were present on the day of inspection exceeding the number covered by the insurance.
2. The registered provider was observed to take two children to the house adjacent to the service which is not part of the registered service and is not covered by the services insurance. A documented risk assessment was not available.

An immediate action notice was issued to the registered provider on 27 March 2025 under regulation 23 due to the risk posed. A response was received from the registered provider on 28 March 2025 outlining actions that will be taken. The actions if implemented should mitigate the risk identified.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The maximum number attending the service going forward will not exceed 18 as per the service insurance. The registered provider has reconfirmed the total number on the service role book is 18. Additionally, the registered provider will review with the insurance company if the service can have 20 children attending based on the size. The registered provider will start this review process and inform Tusla of any changes to the insurance policy before considering increasing any numbers.

Supporting documentation submitted

No documents received

Summary Comment

The actions if implemented should address the non-compliance.