

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015KE083
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<b>Name of Service:</b>	Tír na Nóg
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<b>Address of Service:</b>	Avilla, Old Connell, Newbridge, Co. Kildare
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<b>Eircode:</b>	W12 TP63
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<b>Name of Registered Provider:</b>	Ian Clarke, Orlaith Connolly Clarke
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date(s) of Inspection:</b>	07/04/2025
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<b>Date 2 of Inspection:</b>	08/04/2025
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<b>No of pre-school children:</b>	AM	105	PM	57
<b>Day 2</b>	AM	109	PM	60

<b>Address of the Early Years Inspectorate:</b>	Suite 7, Tusla, Vista Primary Care, Ballymore Eustace Road, Naas, Co Kildare
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<b>Inspection undertaken by:</b>	F Carty and S Quigley
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<b>Title:</b>	Early Years Inspectors
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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).

<b>Conditions if applicable</b>	Not applicable.
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### Description of service

Tir na Nóg is registered to provide full day, part-time and sessional care to children aged 0 to 6 years. The service operates from eight units in a purposely adapted crèche facility in Newbridge Co Kildare. The units are located in six separate buildings. There is a separate sleep room, sanitary accommodation together with three outdoor areas which are located within the creche complex. The service opens from 7.15am to 6.30pm, Monday to Friday. A morning Early Childhood Care and Education Scheme (ECCE) session is provided from 9.15am to 12.15pm for 38 weeks of the year.

There are kitchens located in each unit where all meals and snacks are prepared. An office, staff room, storage area and staff sanitary accommodation is also available on site.

### Staffing

There are twenty four staff employed in the preschool service including a manager and deputy manager. On the first day of inspection there were nineteen staff working directly with one hundred and five children, on the second day of inspection there were twenty staff working directly with one hundred and nine children. The manager and deputy were also available to assist in the care rooms if necessary. One registered provider arrived subsequent to the inspector's arrival on the first day and the other was available at all times during the second day of inspection. There were two students also present on both days of inspection.

### 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, information and records, 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 - Management and Recruitment,

Regulation 11 - Staffing Levels,

Regulation 15 – Register of a Preschool Child,

Regulation 16 - Record in relation to pre-school service,

Regulation 19 - Health, Welfare and Development of Child,

Regulation 23 - Safeguarding, Health, Safety and Welfare of Child,

Regulation 25 – First Aid,

Regulation 26 – Fire Safety.

However, on inspection additional non-compliance which posed a risk was identified under Regulation 30 - Space Requirements. These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under regulation 15 and 16 – information and records.

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 the 8<sup>th</sup> April 2025 in respect of Regulation 23 – Safety. A response which addressed the risk was received from the service on the 8<sup>th</sup> April 2025.

### Acknowledgments

The inspectors wish 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

*(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

The manager stated that one adult and two students had been employed since the last inspection dated 14<sup>th</sup> October 2024. The files of these adults were reviewed as part of this inspection as follows:

(2)(a)(b)

Three references from a past employer and three references from a source other than a past employer were available in respect of the three adults.

(c) Garda vetting disclosures were available for all three adults. The service also demonstrated compliance with the regulatory notice to renew Garda vetting every three years for all staff employed.

(d) International police vetting was available for one adult.

(4)

Records were available that demonstrated that the one adult who required it held the required equivalent qualification.

### Non-Compliance Information

(2)(d)

International Police vetting was not available for one adult who had lived outside the State for a period exceeding 6 months as an adult.

(3) The procedures specified in paragraph (2) of regulation 9 were not completed prior to two adults commencing work in the service as detailed under (2)(d) and (2)(a)(b) one staff members references had not been verified prior to them commencing work in the service.

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

#### **Corrective and Preventive Action**

(2)(d)

We have put in our student checklist that police clearance is essential if you have lived outside of Ireland for more than 6 months. No student will be allowed to commence work experience unless they have the correct police clearance if applicable.

(3)

Our new policy states that no student is to commence work experience without all of their relevant documents provided, including police clearance if applicable.

No staff member to commence employment without all the relevant documents provided and two written references verified via phone call prior to them starting.

#### **Supporting documentation submitted**

(2)(d) No supporting documents submitted.

(3) No supporting documents submitted.

### Summary Comment

The corrective and preventive actions as stated by the registered provider are deemed to meet the requirements of Regulation 9.

### 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

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

(2) The minimum ratio of adults to children for full day care services was adhered to at all times during the inspection.

On the first day of inspection there were nineteen staff working directly with one hundred and five children, on the second day of inspection there were twenty staff working directly with one hundred and nine children.

### Part IV – Information and Records

#### Regulation 15 – Record of pre-school child

*(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:*

- (a) the name and date of birth of the child;*
- (b) the date on which the child first attended the service;*
- (c) the date on which the child ceased to attend the service;*
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
- (e) authorisation for the collection of the child;*
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*

- (g) the name and telephone number of the child's registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.*

### Compliance Information

(1) A sample of twenty one records were reviewed by the inspectors.

The registered provider ensured that a record in writing was kept of the details relating to (a), to (i) of the above Regulation for all of the records reviewed.

## Part IV – Information and Records

### Regulation 16 – Record in relation to pre-school service

*(1) A registered provider shall ensure that a record in writing is kept of the following information in relation to the service:*

- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service..*

### Compliance Information

(h) Details of the attendance of each child in each room were electronically recorded at the time of entering and leaving the service.

(i) A staff roster was in place which demonstrated the staff present on the day of inspection.

(j) Of a sample size of fifteen medication administration records reviewed, all of the records were signed by staff and parents and were completed appropriately.

(k) A sample of eighteen accident and incidents records were reviewed. These records were signed by staff and parents and were completed appropriately.

### 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-

(b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.

#### Compliance Information

(1)(b)

The service provided a range of meals and snacks served to children attending on a part time and full time basis at regular intervals throughout the day. These were prepared on site. Snacks were provided by parents of children attending the service on a sessional basis. Children in each of the rooms observed were seated in an age-appropriate manner at low level tables and chairs or in high chairs to enjoy their meals. Children were encouraged and supported to feed themselves and staff were observed offering help to younger children if required. Water was provided in individual drinking cups or bottles depending on the child's age and stage of development and milk was offered with the main meal and snacks. There were adequate portions observed to be provided for each child and alternative options available for children with specific dietary requirements.

Older children all accessed the toilet independently during the inspection and staff supported younger children where required. Children requiring nappy changes were changed regularly and when required. Staff demonstrated kindness and warmth during interactions observed by the inspector and were engaged with the children throughout the inspection. Comfort was offered to children promptly when required. The children appeared happy and content at their play throughout the inspection and were provided with freedom of choice in the materials they wished to use.

Staff supported the children to wash their hands and clean their noses at appropriate times during the inspection. Children were encouraged to take turns assisting with tasks in the care rooms to promote independence. Rest areas were available so the children could take time away from the group or rest if required. Staff were observed supporting the children, offering reassurance and praise during play and used prompts to extend and enhance play and learning. Additional play materials were provided when more children became engaged for example a number of water play activities were brought to the outdoor area so all children could be engaged in the activity. The children all accessed the outdoor area during the inspection and suncream was applied by staff for protection due to the warm weather.

### Part VI – Safety

#### Regulation 23 - Safeguarding health, safety and welfare of child

*A registered provider shall ensure that all reasonable measures are taken to safeguard the health, safety and welfare of a pre-school child attending the service and that the environment of the service is safe.*

#### Compliance Information

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

##### General Safety:

- Hand sanitisers and cleaning agents and medication were stored safely out of reach of children.
- All storage facilities were inaccessible to children.
- The toys and play equipment observed in use by the children on the day of inspection appeared in good working order.

##### Infection Control:

- Liquid soap, warm water and paper towels were available to facilitate hand washing.
- Children’s hands were washed at required times including before eating and after using the toilet.
- Staff were observed to follow all the required infection control steps when completing nappy changing.
- Individual bed linen was provided for children. Staff stated that bed linen is laundered once per week.

##### Administration of Medication:

There was written evidence of prior parental consent for the administration of both temperature reducing and prescribed medications. Staff adequately detailed the procedures for administering medication when required during discussions with the inspectors. A detailed care plan was available for administration of emergency medication and staff detailed steps to take in the event of an emergency.

##### Safe Sleep:

Staff were familiar with safe sleep guidance. Sleep logs were maintained in the dedicated sleep room and the younger care rooms, and individual children’s observations recorded every ten minutes. Standard cots and low-level beds were available for sleep and were used in accordance with children’s ages and developmental needs.

##### Fire Safety:

All emergency exits were kept clear and unobstructed. Staff stated and documentation demonstrated that regular fire drills were practiced in the service.

### Non-Compliance Information

#### General Safety:

1. On day two of inspection the entrance gate to the service was open on the inspector's arrival. The inspectors brought this to the managers attention and the gate was locked immediately.

An Immediate Action Notice was issued to the service on the 8<sup>th</sup> April 2025.

2. A trailing cable was in reach of the children in the cot room of Unit 1.

The above non-compliance was found on the last inspection dated 14<sup>th</sup> October 2025. The corrective and preventive actions taken by the registered provider did not prevent the non-compliance from re-occurring.

3. There were a number of trip hazards in the artificial surfacing in the outdoor area including a large hole and parts of the surfacing was lifting and frayed creating a trip hazard.

#### Infection Control:

4. There was no system in place for mouthing toys in Unit 2. Children were observed mouthing toys and staff did not take them and place them in the box provided.

The above non-compliance was found on the last inspection dated 14<sup>th</sup> October 2025. The corrective and preventive actions taken by the registered provider did not prevent the non-compliance from re-occurring.

5. A child was observed picking up other children's drinks and drinking from them. The inspector had to alert the staff member to this which posed a risk of cross contamination.

6. The handtowels in Unit 7 were not contained in a dispenser and handed to children when they were drying their hands. This poses a risk of cross contamination.

7. Pedal bins were not available in all units in the service. Children were observed handling bin lids. This poses a risk of cross contamination.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### General Safety:

1. Signs were put up on the gate, a message was sent to all parents and staff to ensure gate is closed properly at all times. We have put random gate checks on our daily planner and the service check and sign this 3/4 times daily.

The service will keep the signs on the gate and will continue to do random gate checks. The area is covered by CCTV camera which allows staff to check it remotely from the office to ensure it remains closed at all times.

The service also emailed the immediate action notice reply on 08th April 2025 & received a reply on 10th April 2025.

2. Maintenance to check all rooms for trailing cables & ensure that they are covered. The service has ensured all trailing cables are covered. Maintenance have been told to check regularly to ensure trailing cables are covered.
3. The area is being re-surfaced on the 3<sup>rd</sup> June 2025. The service will ensure the safety & upkeep of the artificial grass once it's put down. At present the service have limited the numbers in the garden at any one time until the new grass is put down.

### **Infection Control:**

4. Management had meeting with staff in unit 1 to reiterate this non-compliance. Unit 1 staff were sent infection control policy and told to reread the policy and sign that they understood the policy and will use the system we have in place for mouthed toys to prevent cross contamination. Management will monitor this on a daily basis at random times.
5. Management had meeting with staff in unit 4. Unit 4 staff were sent infection control policy and told to reread the policy and sign that they understood the policy and will use the system we have in place for sterilisation to prevent cross contamination. The service will ensure that all staff do not allow children drink out of other children's bottles but if this happens, we will ensure that the bottle is sterilised before we give it back to the child who owns it.
6. Since inspection we have put up a hand towel dispenser to reduce the risk of cross contamination. The service will ensure we have hand towels in all bathrooms & sanitary areas.
7. Pedal bins were bought for where they were needed. The service will ensure that we have pedal bins in all areas and that we have spare pedal bins in storage if needed.

### **Supporting documentation submitted**

#### **General Safety:**

1. Photo of signage on the gate.
2. Photo of covered cable.
3. Invoice for re-surfacing.

#### **Infection Control:**

4. and 5. Photo of policy signed off by staff.
6. Photo of hand towel dispenser.
7. Photo of new pedal bin.

### Summary Comment

The corrective and preventive actions together with the supporting evidence were reviewed by the inspector and are deemed to meet the requirements of Regulation 23.

### 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 a staff member trained in FAR was available at all times to the children.

(2)

(a)(b) A first aid box was available and stored in a conspicuous position within the service

### 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.*

#### Compliance Information

(1)

(a) A written record was available detailing fire drills that had taken place in the service. The record showed that the last fire drill had taken place on the 3<sup>rd</sup> April 2025.

(b) There was a record to show that the firefighting equipment had been serviced on the 11<sup>th</sup> April 2024 and that maintenance of the fire detection and alarm system had taken place on the 22<sup>nd</sup> February 2025.

## Part VII - Premises and Space Requirements

### Regulation 30 - Minimum space requirements

- (1) Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.*
- (2) A registered provider of a full day care service or a part-time day care service shall ensure that the minimum amount of clear floor space specified in column (3) of Schedule 7 opposite a particular reference number specified in column (1) of that Schedule in respect of the age range of children specified in column (2) thereof at that reference number is available for each child in that age range attending the service.*
- (4) Where a registered provider contemporaneously provides-*
- (a) a sessional pre-school service, and*
  - (b) a full day care service or a part-time day care service, or both,*
- the minimum clear floor space applicable for the duration of the sessional preschool service in respect of the children attending that service shall be the floor space specified in paragraph (3).*

### Non-Compliance Information

(1)(2) The registered provider did not ensure that there was adequate clear floor space available to the children in Unit 3. Staff stated that eleven children attend that care room on a full day care basis on a Thursday and Friday of each week. The inspector reviewed attendance records which demonstrated that there was inadequate space available each day in these rooms which was occupied by children aged over 3 years attending on a full day care basis.

The maximum floor space available to children was 19.31sqm. This allowed for 8 children aged over 3 years on a full day care basis.

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

#### **Corrective and Preventive Action**

The service reduced the ratio to 8 full time children after 12.15pm on Thursday & Friday.

Going forward we will only have 8 full time children in unit 3 from 7.15-9.15am and 12.15 – 6.30pm Monday to Friday.

#### **Supporting documentation submitted**

No supporting documentation submitted.

### Summary Comment

The corrective and preventive actions submitted were reviewed by the inspector and are deemed to meet the requirements of Regulation 30.