

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KE144
--------------------------	-------------

Name of Service:	Auntie Annes Country Crèche
-------------------------	-----------------------------

Address of Service:	Gilltown, Kilcullen, Co. Kildare
----------------------------	----------------------------------

Eircode:	R56 TY27
-----------------	----------

Name of Registered Provider:	Anne Birchall, Regina Birchall
-------------------------------------	--------------------------------

Service type:	Full Day, Sessional
----------------------	---------------------

Date of Inspection:	12/05/2025
----------------------------	------------

No of pre-school children:	AM	74	PM	68
-----------------------------------	----	----	----	----

Address of the Early Years Inspectorate:	Early Years Inspectorate Child & Family Agency Suite 7, Vista Primary Care Ballymore Eustace Road Naas, Co. Kildare W91 X38W
Inspection undertaken by:	F. Maher, LA. Webster
Title:	Early Years Inspectors

Authority to Inspect

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

Conditions if applicable	Not applicable.
---------------------------------	-----------------

Description of service

Auntie Annes Country Crèche is a private service providing full day care and sessional education and care to pre-school children aged 1-6 years and opens from 7:30am – 6:00pm, Monday to Friday.

The four pre-school rooms, sleep room and kitchen provided, are located across two single storey buildings with each building containing two pre-school rooms and sanitary facilities. A sensory room has recently been added following the refurbishment of the previously used office. A large covered outdoor play space and various dedicated outdoor play facilities are located to the rear and sides of the premises. Parking is available to the front of the building.

Staffing

There were fifteen adults employed in the service. Fourteen adults were present on the day of the inspection and included the cook and administrator. Both registered providers and ten staff members were working directly with the children; one staff member arrived to the service at 12:00hrs.

Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Child Care Act 1991 (Early Years Services) Regulations 2016 define the duty of a registered provider to ensure the safety and well-being of children and to comply with these regulations. This Act also gives Tusla the authority to assess compliance with the regulations. The purpose of regulation in relation to early years services is to ensure that the care, safety, and well-being of children attending such services is upheld. Inspections of early years services are planned based on the following:

- Previous inspection history
- Any information received in relation to the service

The findings on inspection are based on:

- Information obtained through examination of documentation
- Direct observation
- Discussion with relevant staff

This inspection was unannounced and focused on the area of governance, health, welfare and development of child and safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under

- Regulation 9 (2)(a)(b)(d), (4) – Management and recruitment.
- Regulation 11(1), (2), (8)(a) – Staffing Levels
- Regulation 15 – Record of a pre-school Child
- Regulation 16 – Record in Relation to Pre-school service
- Regulation 22 – Food and Drink
- Regulation 25 (1), (2)(a)(b) – First aid
- Regulation 26 – Fire Safety

However, on inspection an additional non-compliance which posed a risk was identified under Regulation 8. This finding is outlined within the relevant regulation 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

1. A written immediate action notice under Regulation 9 – Management and Recruitment was issued to the registered provider on 12 May 2025.
2. A written response was submitted by the registered provider on 13 May 2025 outlining the measures taken to address the immediate concern.

Please see body of the report for details.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered providers, 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.

Non-Compliance Information

The service was found to be operating outside its registration status. There were 74 children present in the service until 12:00hrs. The service is registered to accommodate 70 children at any one time.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

A change in circumstances application has been submitted to the registration department to increase the number of children attending.

Supporting documentation submitted

Documents x 7

Summary Comment

The requirement for Regulation 8 being met is dependent on the outcome of the approval process following the application for a change in circumstance; this is currently in process and the requirement remains outstanding at this time.

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)

There was a designated person in charge and a named person to deputise as required.

(b) The named persons in charge remained on the premises for the duration of the inspection.

(2)

The files of thirteen adults employed and/or present in the service, including the registered providers were reviewed on inspection.

(a)(b)

Two written and verified past employer references or references from a reputable source other than a past employer, were available in respect of 7 adults whose files were reviewed.

One written and verified past employer reference or a reference from a reputable source other than a past employer, was available in respect of 6 adults employed.

(c) Garda vetting disclosures had been obtained for 13 staff which demonstrated compliance in keeping with the Early Years Inspectorate Regulatory Notice requiring services to renew GV every 3 years

(d) Police vetting was available for 3 adults who had lived in a state other than the State for a period of longer than 6 consecutive months.

(4)

Ten employed childcare staff members working directly with pre-school children attending the service held a major award in Early Childhood Care and Education at Level 5 or higher on the National Framework of Qualifications or a qualification deemed equivalent by the Minister.

Non-Compliance Information

(2)(a), (b)

Two written and verified past employer references or references from a reputable source in the absence of a past employer reference were not available in respect of two adults recently employed in the service.

(c) Garda vetting disclosures were unavailable for two adults recently employed by the service.

A written immediate action notice was issued to the registered provider 12 May 2025.

(d)

It could not be determined if police vetting was required for two adults recently employed as there was no documentary evidence available to state otherwise.

(3)

The procedures specified in paragraph (2) in relation to the mandatory Garda vetting and police vetting if required was not carried out in respect of two adults employed, prior to being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(4)

There was no documentary evidence provided to state that two recently employed adults, working directly with children in the service, held at least a major award in Early Childhood Care and Education at Level 5 or equivalent on the National Framework of Qualifications.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Verified references and Garda vetting disclosures are in place for two staff members. Police vetting was not required for two staff members. Childcare qualifications are on file for two staff members.

As from the 16th June 2025, we have filled an administration position who will monitor all regulatory requirements, including Garda Vetting process.

Supporting documentation submitted

Documents x 8

Summary Comment

Following review of the submitted documentary evidence including the response and action taken following the issuing of the immediate action notice, the inspectorate is satisfied the requirement for Regulation 9 (2)(a)(b)(c)(d), (3), (4) has been met.

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)
There were 74 children attending the service being supervised directly by 12 staff members during the inspection, one of whom arrived to the service at 12:00hrs.

(2)
The minimum ratio of adults to children was adhered to during the day as specified in column (3) of Part 1 of Schedule 6.

(8)(a)
There were at least two adults on the premises at all times for the duration of the inspection.

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.

- (3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-
- (c) an authorised person.

Compliance Information

(1)

A sample of 13 children's enrolment records were reviewed. The registered provider ensured that a record in writing was kept of the details relating to (a) to (i) of the above regulation for ten records reviewed.

(3)

The ten written records, as detailed above, were available to the inspectors to assess and review.

Non-Compliance Information

(1)

- Three enrolment records, pertaining to three children attending the service on the day of inspection were not available; this had the potential to cause confusion particularly in relation to the child's relevant medical history and emergency contacts not being immediately available if required.

It is acknowledged one child's enrolment record was completed before the inspectors left the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Three enrolment forms are now on file.

As from the 16th June 2025, we have filled an administration position, who will monitor all regulatory requirements, together with the new communication application.

Supporting documentation submitted

Documents x 2

Summary Comment

The requirement for Regulation 15 has been met, this area of the regulation will be reviewed at the time of the next inspection.

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

(1)(h)

The daily attendance records for the children were reviewed and completed in real time in each pre-school room.

(j) A sample size of ten administration of medication forms were reviewed and contained the necessary information to authorise and administer medication to a child should it be required.

(k) A sample size of ten accident and incident forms were reviewed; the necessary information and details were recorded and complete.

Non-Compliance Information

(i)

The service had a staff roster for the Oak and Beech rooms and a staff roster for the Ash and Hazel rooms.

1. When reviewed, the roster for the Oak and Beech rooms did not have the following information recorded:

- Each staff member's full name
- The room assigned for each staff member
- The staff member providing relief/lunch cover
- It was not documented which staff member(s) had First Aid Response (FAR) training

2. When reviewed, the roster for the Ash and Hazel rooms did not have the following information recorded:

- Each staff member's full name

- The hours of work for each staff member
- The room assigned for each staff member
- The staff member providing relief/lunch cover
- It was not documented which staff member(s) had First Aid Response (FAR) training

3. One staff member, assigned to the Oak room in the morning and to the Beech room in the afternoon and one staff member rostered absent from the Oak room, arrived to the service at 12:00hrs; the roster was not updated to reflect these changes.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1/2/3. A staff roster is now in place. Staff rosters will be monitored together with the new electronic application.

Supporting documentation submitted

Document x 1

Summary Comment

The requirement for Regulation 16 (i) has been met, this will be subject to review at the time of the next inspection.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

- (1) Subject to this regulation, a registered provider shall ensure that-
- (b) there are adequate and suitable facilities for a pre-school child to rest during the day.

Compliance Information

(1)(b)

Suitable rest areas with couches in the Oak and Beech rooms and soft flooring in designated areas in Hazel and Ash rooms provided spaces for children to sit and relax during the day in their respective rooms.

One cot room was equipped with fourteen cots to provide for the sleep needs of children less than 2 years old attending the service.

A sufficient number of low-level beds, twenty-four in total, were in place for any child aged 2 years and above wishing to avail of a period of sleep when attending on a part time or full day care basis.

Individual bed linen was available for each child's cot/low -level bed.

Part V - Care of Child in Pre-school Service

Regulation 22 – Food and drink

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

Compliance Information

The service provided the meals and snacks to all children attending. Meals and snacks were freshly prepared daily by the cook employed and a three-week menu displayed all food served which was observed to be varied and nutritious. A sample of the food provided included a variety of fresh meat, potatoes and vegetables daily. Snacks and evening tea options included, fresh fruit, yoghurt, buttered bread/crackers, pasta, homemade soup, eggs and chicken goujons. The hot meal served on the day of inspection was chicken, potatoes and vegetables. Drinking water was freely available throughout the day in each pre-school room.

The staff members in Oak room advised the inspector they promoted healthy eating on a regular basis with the children through discussion and in general conversation at mealtimes. The children were happy to share their knowledge with the inspector regarding healthy and non-healthy food and drink choices.

The registered provider advised the inspector that the staff member assigned for food preparation was trained in food safety and the kitchen was registered with the relevant health authority.

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:

During conversations with staff members, they advised they were very observant of any food provided that had the potential risk of choking and immediately cut the food into smaller pieces.

The service met the necessary safety requirements in respect of the toys and equipment and safe storage of cleaning agents.

Infection Control:

Thermostatically controlled hot water, liquid hand soap and paper hand towel, hygienically dispensed from wall mounted units, were readily available for hygienic hand washing and drying and handwashing routines were well established and observed.

Six nappy changing procedures were observed and carried out in a hygienic manner for infection control purposes. Foot pedal operated bins were provided for the disposal of soiled nappies, used tissues, paper towel and waste. Cleaning schedules were in place and maintained by the staff members in their respective rooms.

Administration of Medication:

Medication was not given at the time of the inspection. During conversations with the staff members, they advised they were aware of the procedures to be followed to administer medicine safely to a child if required while attending the service.

Safe Sleep:

The staff members were familiar with current safe sleep guidance to reduce the risk of sudden infant death including completing 10-minute sleep check observations on all sleeping children and documenting the colour, position and breathing pattern of sleeping children in their care. The environmental temperature of the cot room was maintained between 18-22°C for the comfort and safety of sleeping children. The temperature of the cot room was recorded at 19.1°C at 10:22am.

Fire Safety:

All fire exits on the premises were easily recognisable and unobstructed and staff were familiar with the evacuation routes to exit the building in the event of an emergency occurring.

Outing:

Outings do not take place from the service as advised by the registered provider.

Non-Compliance Information

General Safety:

1. On arrival to the service at 09:20am, the main gate and door to the service were unlocked; it is acknowledged the register provider was immediately available and secured the front door to prevent unauthorised access to the building.
2. At 11:42, the door to the Oak room was unlocked and unauthorised entry was possible as the electromagnetic lock was not engaged on the main gate at this time; immediate corrective action was taken by the registered provider once it was brought to their attention and the locking mechanism was immediately engaged on the gate.
3. It is acknowledged daily indoor and outdoor risk assessment documentation was available and were completed by staff, however, these risk assessments did not identify the security risk to the service as outlined above.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1/2. New keypads replaced and the gates are now fully restored and are part of the electrician scheduled maintenance to avoid this happening in the future.

3. The gates are now part of the risk assessment for the carpark and our administrator will ensure the risk assessments are filled correctly.

Supporting documentation submitted

General Safety:

Document x 1

Summary Comment

Following a fit for purpose inspection due to a proposed change in circumstances application, completed by the inspector 23 June 2025, the electronic security system with new keypads were in place and both entrance gates were secure at all times throughout the time of inspection.

The requirement for Regulation 23 has been met.

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)
A staff member was trained in First Aid Response (FAR) and was immediately available to the children attending the service.

Further staff members were trained in first aid and also available to the children.

(2)(a)

The first aid equipment was safely stored, in conspicuous positions in each pre-school room.

(b) Suitably equipped first aid boxes for children were available at all times to the adults caring for the children attending 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.

(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 of all fire drills having taken place in the service, the last recorded fire drill took place 18 April 2025.

(b)

A record was kept of the number, type and maintenance of the firefighting equipment and fire detection system in the premises and were last serviced February 2025 and 6 May 2025 respectively.

(4)

Notices of the procedures to be followed in the event of a fire were conspicuously displayed in the service