

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015KE200
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<b>Name of Service:</b>	Ternuco Ltd T/A Creative Kids
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<b>Address of Service:</b>	Unit 4 & 5, Andrew Square, Dunbrinn, Athy, Co. Kildare
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<b>Eircode:</b>	R14 DA03
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<b>Name of Registered Provider:</b>	Aidan Corless
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date of Inspection:</b>	11/08/2025
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<b>No of pre-school children:</b>	AM	15	PM	10
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Child & Family Agency, Suite 7, Vista Primary Care, Ballymore Eustace road, Naas, Co. Kildare, W91 X38W.
<b>Inspection undertaken by:</b>	F. Maher
<b>Title:</b>	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).

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

This private childcare service provides full day care, part-time and sessional education and care to pre-school children aged 2-6 years of age and opens from 8.00am – 5.00pm Monday to Friday.

The service is located on the ground floor of a small apartment block at the entrance to a housing estate on the outskirts of Athy Co. Kildare. There are four pre-school rooms, a sleep room, nappy change facilities, a kitchen, office, and staff room; set down and parking facilities are available outside the premises.

The Red and Yellow rooms were operational over the summer period.

### Staffing

Eight adults are employed in the service. The registered provider was not present and does not work directly with the children.

There were six adults present in the service on the day of inspection including the persons in charge and the cook; three adults were working directly with the children.

All adults working directly with the children held a major award in Early Childhood Care & Education on the National Framework of Qualifications.

### Methodology

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

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

The findings on inspection are based on:

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

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

The inspection focused on an examination of compliance under the following Regulations:

- Regulation 9 (1)(a)(b), (2)(a)(b)(c)(d), (4) - Management and Recruitment
- Regulation 11(1)(2), (8)(a) - Staffing Levels
- Regulation 20 (1)(b) – Facilities for Rest and Play
- Regulation 21 – Equipment and Materials
- Regulation 23 – Safeguarding Health, Safety and Welfare of child
- Regulation 25 – First Aid
- Regulation 26 – Fire Safety Measures
- Regulation 28 – Insurance
- Regulation 29 – Premises

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

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

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

### Acknowledgments

The inspector wishes to acknowledge the cooperation of the persons in charge, staff and children who were present on the day of the inspection.

### Part III – Management and Staff

#### Regulation 9 – Management and recruitment

*(1) A registered provider shall ensure that-*

- (a) the service has a designated person in charge and a named person who is able to deputise as required,*
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and*

*(2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-*

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,*
- (b) consideration of references from reputable sources in the case of a person who has no past employers,*
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and*
- (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.*

*(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)(a)(b)(d) and (4)

No additional adults were employed since the last inspection carried out on 04 June 2024.

(c) Garda Vetting disclosures were assessed and were available for eight adults including the registered provider. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

### 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 fifteen children attending the service being supervised directly by two adults.

(2)

The minimum ratio of adults to children was adhered to during the day.

(8)(a)

There were at least two adults on the premises at all times for the duration of the 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, and in the case of an overnight pre-school service, during the day and the night.*

#### Compliance Information

(b)

Suitable rest areas with child sized couches provided a cosy, inviting place for children to sit and relax during the day if required in the Yellow and Red rooms.

There was one dedicated sleep room set up with a sufficient number of low-level beds for the children

who slept at a designated time after they had their lunch. The room was available at any time during the day if a child required a period of rest or sleep outside of this time. Individual bed linen was available and stored accordingly in named cubbies.

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

#### Regulation 21 – Equipment and materials

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

#### Compliance Information

There was a variety of age and developmentally appropriate toys, materials and equipment available for the children to use and play with during the day. Low level open shelving units displaying the pre-school materials and equipment ensured the resources were freely available and easily accessible to the children at all times in the pre-school rooms. Child sized tables and chairs were maintained in good condition and ensured the children could sit comfortably for tabletop activities and when eating their meals and snacks.

The outdoor play area had areas of interest such as an outdoor kitchen, planting area where the children had grown tomatoes, a swing set, a seating area and a selection of ride on equipment.

### Part VI - Safety

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

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

#### Compliance Information

##### General Safety:

The main entrance gate to the service was electronically controlled by staff members to prevent children from exiting the service unsupervised and to restrict unauthorised persons from gaining access to the service. The person in charge documented the inspectors visit to the service in the visitor's book on arrival. No hazards were identified in the indoor environment and cleaning items were placed out of reach of children. The person in charge completed daily indoor and outdoor risk assessments to manage any risk identified.

### Infection Control:

Thermostatically controlled hot water, liquid hand soap and paper towels were readily available for hygienic hand washing and drying. Nappy change equipment was available for hygienic nappy changing practices. Staff members supervised children's handwashing and handwashing routines were well established. Foot pedal operated bins were provided for the disposal of used tissues and waste. Written cleaning schedules were maintained for the room environments which were observed to be clean and tidy.

### Administration of Medication:

Medicine was not administered during the inspection.

One child attending the service had a medical care plan in place in the event emergency medication should be required to be administered. Staff were aware of the emergency procedures to be followed and the medication was readily available should it be required.

### Safe Sleep:

Children sleeping in the service were supervised at all times by a staff member and regular 10-minute sleep checks were recorded for each sleeping child, documenting their colour, sleeping position and breathing pattern.

### Fire Safety:

Staff were familiar with the emergency evacuation route taken from their care rooms and the location of the assembly point in the adjacent carpark outside the service. Fire exits were easily recognisable and not obstructed.

### Outing:

Outings do not take place from the service; this was confirmed by a staff member.

## Non-Compliance Information

### General Safety:

1. The following potential trip hazards were observed in the outdoor play area:

- The polythene ground sheet (used as a base for the bark covering) was exposed and had lifted in parts creating a potential trip hazard.

*This was a non-compliance identified on the last inspection 4 June 2024.*

- Three to four shallow holes were observed throughout the garden with one being significantly deep enough that staff had placed a small picnic bench over it as a safety measure; these holes posed potential injury risks to a child or staff member should they inadvertently step into one when using the garden.

## Action submitted by the Registered Provider

### General Safety:

#### Corrective Action

The polythene sheeting has been removed, the shallow holes have been filled

#### Preventive Action

We will monitor the outdoor area through risk assessment and deal with any garden issues, safety hazards, maintenance, repairs and up keeping of the garden when noted.

#### Supporting documentation submitted

### General Safety:

Photographs x 7

## Summary Comment

Following review of the written response and submitted supporting photographic evidence by the inspectorate, 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)  
Persons were trained First Aid Response (FAR) and were immediately available to the children attending the service.

(2)(a)  
The first aid equipment was safely stored, in conspicuous positions in the service.

(b) Suitably equipped first aid boxes for children was 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 fire drills in the service; the last recorded fire drill took place 1 July 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 March 2025 and 8 July 2025 respectively.

(4)

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

## Part VI - Safety

### Regulation 28 - Insurance

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

#### Compliance Information

There was evidence of current insurance cover valid until 27 March 2026. The insurance provided cover for 40 children.

### Part VII - Premises and Space Requirements

#### Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-*

- (b) safe and secure,*
- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

#### Compliance Information

(b)(c)(e)

The premises was secured with a magnetic locking system on the main entrance gate and entrance door to the service which was controlled by staff. The play area was surrounded by a high-level wall with a high metal fence at the front ensuring the safety of the children within.

The premises was bright and airy with large openable windows in each room and supplementary ceiling strip lighting. Wall mounted radiators in each room provided central heating throughout the premises.

There were sufficient sanitary and nappy change facilities in the building.

#### Non-Compliance Information

(d)

The outdoor garden/play area had not been maintained and was not a pleasant space for children to play in as observed by the following condition the area was found in:

- There was no grassed surface as it had worn away to the level of the clay surface and only areas of weeds remained.
- The bark surface had worn away in another area of the garden and had not been replenished exposing the polythene under sheet as the play surface.
- The canopied seating had an overgrowth of weeds both on the inside and around the outside of the structure.
- The wooden bus/train structure had not been maintained; the paint had worn away and some of the seats on the wooden chairs had deteriorated and rotted away. Weeds were also accumulating around the structure.
- The wooden lid for the sand box had not been replaced following its removal due to deterioration; as a result, this was not in use and had no play value for the children.

- There was no evidence that regular garden maintenance had been implemented despite assurances given by the registered provider, following a regulatory compliance meeting held 7 August 2024, that a contract was being put in place for garden maintenance going forward.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective Action

(d)

Weeds have been cleared.

The polythene sheeting has been removed.

Weeds have been removed both in and out of the canopy.

The wooden bus has been maintained.

The wooden sand box lid has been fixed.

### Preventive Action

We are planning to do a complete redesign of the garden and it will be complete by the end of December as we have plans been prepared and then we will go to tender.

### Supporting documentation submitted

Photographs x 7

## Summary Comment

Following review of the written response and submitted supporting photographic evidence by the inspectorate, the requirement for Regulation 29(d) has been met.