

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KK020
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Name of Service:	Cuffesgrange Pre-School
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Address of Service:	Church Hill National School, Cuffesgrange, Co. Kilkenny
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Eircode:	RG5 T253
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Name of Registered Provider:	Mark Bergin
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Service type:	Sessional
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Date(s) of Inspection:	28/05/2025
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No of pre-school children:	AM	13	PM	16
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Address of the Early Years Inspectorate:	Brunel Building, Heuston South Quarter, Dublin 8
Inspection undertaken by:	Shane Faherty and Ide Cronin
Title:	Inspection and Registration Manager and National Inspection Manager

Authority to Inspect

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

Conditions if applicable	Not Applicable
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Description of service

This single room sessional service is located on the premises of Church Hill Primary School in the small village of Cuffesgrange Co. Kilkenny. The service occupies a single room to the rear of the primary school. It has two toilets which lead directly off the main room and has access to ample outdoor space which it shares with the primary school.

The service operates a morning and an afternoon session. The inspectors observed the morning session, at which 13 children were present.

Staffing

The service has three full time staff who were all present on the day of inspection. The registered provider does not work directly with the children, and while they were present in the school, they were not present in 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 area of governance/ health, welfare and development of child/ safety. The inspection may also focus on other areas as required.

A sampling process was used to assess compliance under regulation 15.

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(s) 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

(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
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.

(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)(b)(c) The service had a designated person in charge, and deputy person in charge. The registered provider does not work in the service, but is the principal of the school in which the service is located. When the inspection team arrived, the deputy person in charge was on site, and the person in charge arrived shortly afterwards.

(2)(a)(b) All staff had references from either a previous employer or a reputable source, and these had been checked prior to the commencement of employment.

(2)(c) All staff had been Garda vetted, however, one staff member's vetting had not been renewed within the required three year time frame as per Tusla's Regulatory notice. This is listed as a non-compliance under Regulation 23 below.

(2)(d) No staff member had lived in a state other than the State for a period of longer than 6 consecutive months.

(3) All procedures above had been carried out prior to the staff members commencing employment.

(4) All staff held at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework

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) There were an adequate number of adults working with the children at all times.

(3) On the morning of inspection there were three adults working with 13 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

A sample of the records of six preschool children was reviewed. The requirements of (1)(a) to (i) were met in respect of five of these samples, while one child met the requirements of (1)(a) to (g) and (i).

Non-Compliance Information

(1)(h) There was no immunisation record for one preschool child. The lack of such a record could hamper the ability of the service to effectively mitigate risk in the event of an outbreak of infectious disease.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The parent submitted a copy of their child's immunisation details and is attached as supporting documentation. Pre School will use a checklist when completing children's files in September to ensure all relevant documentation is attached.

Supporting documentation submitted

Copy of child's immunisation record submitted.

Summary Comment

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

Part IV – Information and Records

Regulation 16 – Record in relation to pre-school service

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

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;*
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;*
- (c) details of the adult:child ratios in the service;*
- (f) the opening hours and fees;*
- (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.*

(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.

Compliance Information

1(16)1(a)(b)(c)(f)(h)(i)(j)(k) & (3) Records were available for inspection and met all the requirements outlined above.

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 premises was well maintained with risk effectively mitigated. Doors and windows were secure and there was no unsafe equipment. Children had access to a spacious well maintained outdoor areas which were shared with the school.

Infection Control:

Good infection and prevention and control and handwashing were observed.

Administration of Medication:

Records of administration of medicine were kept but none had been administered in the current year.

Fire Safety:

The children were participating in a fire drill when the inspectors arrived. Fire exits were marked and clear.

Non-Compliance Information

General Safety:

One member of staff had not had their Garda vetting renewed within the required three-year period.

Corrective & Preventive Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

Garda Vetting was applied for on the day of inspection and a copy of staff members vetting is attached as supporting documentation.

Pre School Manager will review all staff vetting every January and make applications to update if required.

Supporting documentation submitted

General Safety:

Copy of staff member's Garda Vetting submitted

Summary Comment

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