

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KK025
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Name of Service:	Fairy Folk
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Address of Service:	60 Richview, Castlecomer Road, Kilkenny, Co. Kilkenny
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Eircode:	R95 A8P2
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Name of Registered Provider:	Marie Hitchcock
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Service type:	Sessional
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Date of Inspection:	12/02/2025
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No of pre-school children:	AM	19	PM	N/A
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Tusla Child & Family Agency, Athy Road, Carlow.
Inspection undertaken by:	Norma Thornton
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	Not applicable
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Description of service

Fairy Folk is a registered sessional early childhood care and education (ECCE) service that is in the Richview residential estate on the Castlecomer road in Kilkenny City. The service provides an ECCE service for children aged 2 to 6 years between the hours of 09:00 to 12:30, Monday to Friday for 38 weeks as per the ECCE scheme. The service operates from a purposely built classroom at the side of the registered provider's private residence which contains two child sized bathrooms, a kitchenette area and has a secure outdoor play area for the children, which can be directly accessed through the door at the back of the classroom. There is also an outdoor wooden classroom located within the outdoor space.

Staffing

There were five staff members employed in the service, including the registered provider, all of whom worked directly with the children and held qualifications in early childhood care and education ranging from Level 5 to Level 8 on the national Quality and Qualifications Ireland (QQI) framework.

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/ 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, 9, 11, 15, 16, 21, 22, 23, 25, 26, 28, 30.

A sampling process was used to assess compliance under regulation 15, 16, 21, 22, and 23.

As a result, the scope of the inspection included the classroom and the outdoor area.

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 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.

(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) The registered provider was the designated person in charge on the day of inspection and there was a named person who was able to deputise as required.

(b) Both the designated person in charge and deputy designated person in charge were onsite during the inspection.

(c) The inspector observed that there was a clear management structure in place in the service and each staff member was aware of their roles and responsibilities.

- (2) Staff files for the five staff members employed to work directly with the children as part of their role in the service were reviewed by the inspector and the following observations found.
- (a)(b) There were two validated references available in each of the staff member's files from either a past employer or reputable source in the case of a person who had no past employers.
- (c) Garda Vetting certificates were available on file for each staff member working directly with the children. The registered provider demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d) Police vetting was available for one staff member had lived outside of the State for a period of six months or longer.
- (4) Certificates of accredited qualifications were available in each of the five staff members' files demonstrating that each staff member held a qualification ranging from Level 5 to Level 8 on the national framework of qualifications.

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) The inspector observed that there was always an adequate number of adults working directly with the children in attendance.
- (3) There were 3 qualified staff members present with the 19 preschool children attending the ECCE session between the hours of 09:00 to 12:30 hours.

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) to (i) On review of a sample of 12 preschool records available for children registered to attend the service, the inspector was assured that all particulars (a) to (i) were recorded in detail by the registered provider.

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;*
- (d) the type of care or programme provided in the service;*

- (e) the facilities available;*
- (f) the opening hours and fees;*
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*
- (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

The registered provider ensured that all written records in relation to particulars of information (a) to (k) were maintained.

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

The service was suitably planned with a variety of interest areas which contained suitable furniture, play materials and resources, which clearly defined a rest and reading area, table activities area, home area, dress-up area, Montessori section, construction and art areas.

Play materials and resources including Montessori equipment, appropriate reading materials, connective and manipulative toys, writing materials, dress up costumes and associated props and accessories provided the children with many resources to invite and stimulate creativity and imaginative play.

Children had access to many materials to create their own restaurant, ice cream parlour or supermarket, with cooking equipment, toy food, menus and chef outfits. Children were observed playing with various toy medical equipment such as stethoscopes and injections, imagining playing vets and treating the furry toys' ailments.

The children and staff were planning an imaginary wedding in the service, so were making lists of what they needed and who would play the various wedding roles. Many of the materials and equipment required were already present in the service.

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

There was a drinking station available in the service where children could always access fresh drinking water. The inspector observed that the service had a kitchenette area with a large refrigerator where the staff stored the children’s lunches.

Each child was provided with a specific shaped lunch box upon registration with the service, in which to place their food for their main snack. This ensured that all lunch boxes could fit in the refrigerator provided in the service.

The registered provider and staff explained to the inspector that the service provided the children with a light snack of toast /brown bread and some fruit at 09:30 hours, as they found children were often hungry at this time and then concentrated on and benefitted more from the curriculum.

The children and staff had their main snack at 11:40 hours, when children took turns to hand out each child’s individually labelled lunch box, appropriate cutlery and plates.

The children’s lunches were observed to be healthy and in line with the service’s healthy eating policy containing a variety of healthy foods from three food groups, with staff providing the children with milk or water to drink.

The staff sat with the children during snack times chatting and planning the rest of their morning.

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 service was secured with a high concrete wall and a call bell system at the main entrance. This assisted in ensuring that no person could enter the premises unauthorised and helped prevent any child from exiting the service unsupervised. A high wall and fence secured the perimeter of the outdoor play area.

Infection Control:

The children and staff were observed washing their hands post toileting, messy play, outdoor play and prior to snack times.

Liquid hand soap and paper towelling were available in the two child sized toilets and handwash basins available to the children attending the service.

Children had access to face tissues for nose -blowing and were observed to be supported by staff to blow their noses into the tissues, disposing of the soiled tissue in a pedal operated bin, and to wash their hands afterwards.

Administration of Medication:

In general staff informed the inspector that medications were not required to be administered in the service. However, staff were well informed of the service's administration of medication policy and the procedures to be followed if a child required anti-febrile medication or a prescribed medication while attending the service.

Safe Sleep:

There was a quiet rest area in the service where the staff were able to place a suitable sleep mat with appropriate bed linen for children to rest while attending the service.

Outing:

A suitable outings policy was available in the service for staff to follow if they decided to take an outing away from the service.

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.

(3) A registered provider shall ensure that-

(a) no person other than-

(i) pre-school child attending the service,

(ii) a person dropping or collecting such a child,

(iii) an employee, or

(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and

(b) a daily record in writing is kept of the entry on the premises of any such person.

Compliance Information

(1) The registered provider ensured that staff checked all children in and out of the service with the individual child's name time of arrival and departure recorded daily.

(3) The registered provider ensured that-

(a) No other person other than a preschool child attending the service, person or guardian dropping or collecting a child attending the service, an employee of the service, or an unpaid worker could enter the premises without that person's entry being approved by a staff member or the registered provider.

(b) A visitors book was maintained recording the entry of any persons other than those referred to in paragraph 3. The inspector was requested to complete the written record upon arrival at the service, detailing the date, name, contact number, reason for entry, name of person who approved access and check in and exit times.

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) There were three staff members employed in the service with current First Aid Responder (FAR) training. The registered provider ensured that there were at least two staff members accredited with FAR training, present in the service for the ECCE session while the preschool children were in attendance.
- (2) (a)(b) A first aid box was available in the service, stored in clear view on a high shelf in the kitchenette area. The first aid box was observed to be adequately supplied and was always available to the staff for the children in 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 firefighting 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) The registered provider demonstrated that a record of any fire drills carried out in the service was maintained. The last fire drill was recorded as having taken place on the 30 January 2025.

(b) Records of the maintenance of fire-fighting equipment and smoke alarms were maintained in the service. The last date of the annual service for the firefighting equipment and for the smoke alarms were recorded as having taken place on the 01 February 2025.

(4) a notice of the procedures to be followed in the event of a fire was displayed in the entrance hall of the service.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The service's insurance certificate was displayed on the parent's notice board in the entrance hall. The certificate detailed insurance cover for a sessional childcare service for up to 22 preschool children. The date of renewal for the insurance certificate was the 27 March 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.

(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).

Compliance Information

(1) There was 53.7 square metres of clear floor space available in the service, for the work, play and movement of the preschool children in attendance.

(4)(a) There was 1.818 square metres available for each of the 22 early years children to attend the early childhood care and education (ECCE) service.

(b) The registered provider has submitted a change in circumstance to register as a part time service. There was 2.25 square metres available for each of the 22 early years children to avail of a part-time service.