

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KK057
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Name of Service:	Marbles Creche
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Address of Service:	7 Marble Crest, Ardnore, Kilkenny, Co. Kilkenny
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Eircode:	R95 P234
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Name of Registered Provider:	Lorna McCormack
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Service type:	Full Day, Sessional
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Date of Inspection:	14/08/2025
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No of pre-school children:	AM	19	PM	16
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Address of the Early Years Inspectorate:	Tusla Child and Family Agency, Early Years Inspectorate, Ely Hospital, Ferrybank, Wexford.
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Inspection undertaken by:	E Mc Garry
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Title:	Early Years Inspector
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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).

Conditions if applicable	Not applicable
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Description of service

This full day service is located in a housing estate in Kilkenny city. A service is provided to children aged 6 months to 6 years of age. The service is open from Monday to Friday 08:00 to 18:00 hours. The premises is a detached two storey building with five early years rooms, two sleep rooms, toilets, nappy changing facilities, on site kitchen and a safe, suitable and secure outdoor area to the rear of the building.

Staffing

There are 8 staff employed in the service including the manager who also works directly with the children. All staff working directly with the preschool children, held a major award in Early Childhood Care and Education at Level 5 and above on the National Qualifications 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.

Regulation 9 Management and Recruitment (1) (2) (a) (b) (c) (d) (4),

Regulation 11 Staffing levels (1) (2),

Regulation 15 Record of a preschool child

Regulation 17 Information for parents

Regulation 21 Equipment and Materials

Regulation 22 Food

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

Regulation 25 First aid (1) (2) (a) (b),

Regulation 26 Fire Safety (1) (a) (b) (4).

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 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*

(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)(b)

The manager was in service on the day of the inspection. There was a person available to deputise when the manager was absent. The roster demonstrated there was a person in charge on all days the service was in operation.

(2)(a)(b)

Following a discussion with the manager and on review of documentation, it was established that there were 8 staff employed in the service. All written and validated references were available on file for staff working in the service.

(c)

There was Garda vetting available on file in the service for all staff members. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice to renew Garda vetting every 3 years for all staff.

(d)
Police vetting was available on file for three staff members who had lived in a state other than Ireland for a period of longer than six consecutive months.

(4)
There were qualifications on file for all staff working directly with the children. These staff held an award in Early Childhood Care and Education at Level 5 and above 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 was an adequate number of staff working with the children for the duration of the inspection.

(3)
During the morning, there were 19 children being directly cared for by 6 staff.
During the afternoon, there were 16 children being directly cared for by 3 staff.
The manager was also present on the premises, and available to assist across the rooms as needed during the day.

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

There was a registration form available in respect of each child enrolled in the service. A sample of 10 forms completed by the parents were reviewed as part of the inspection process and were found to contain all the information required under parts (a) – (i) of this regulation.

Part IV – Information and Records

Regulation 17 – Information for parents

A registered provider shall ensure that a parent or guardian of a child proposing to attend the service is provided with the information referred to in subparagraphs (a) to (g) of Regulation 16(1).

Compliance Information

The parents of children attending were sent the policies and procedures prior to their children attending the service. The inspector reviewed the information given to them. The service provided parents with information as required under regulation 17. The information provided for parents contained an outline of the child protection policy, the hours of operation, curriculum development policy, contact details and the facilities available within the service. There was also information included on funding schemes available for parents to avail of.

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

All the preschool rooms were equipped with suitable play materials for the enjoyment and education of the children attending the service. There was a supply of art equipment in all preschool rooms. The toddler room was resourced with books, jigsaws and toys stored on the shelves in labelled boxes which were easily accessible to the children. There was a large tray with rice and beans for children to play with. The Montessori room had a cosy couch for children to sit and read on. There was a supply of books, plastic bricks and small world figures for children to play with.

Non-Compliance Information

The toys and equipment in the outdoor area needed to be renewed and updated to provide a stimulating environment for the children. The inspector noted there was a lack of areas of interest where children could develop their gross motor and fine motor development. The limited number of ride on toys were worn and needed to be replaced.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The outdoor area has been updated since the inspection. The worn ride on toys have been removed and new toys and areas of interest have been added to the area.

Supporting documentation submitted

A photograph of updates to the outdoor area was received by the inspector.

Summary Comment

The response and evidence submitted is satisfactory to meet the requirements of The Child Care Act 1991 (Early Years Services) Regulations 2016.

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 4-week rotating menu in place in the service. Children were served a freshly cooked dinner served from the onsite kitchen. The dinner was served at mid-day from the onsite kitchen in the service. The children had beef stroganoff and had yogurt for dessert. Parents provided morning snacks for children attending the Montessori and pre-Montessori rooms. The service provides all main meals and afternoon snacks for all children attending the full day care service. The children were also given a dessert of yogurt and fresh fruit following their dinner. At 15:00hrs children were served pizza and fresh fruit. Children had water to drink from their water bottles and cups. Children who asked for extra portions were provided with them. Children were given water to drink throughout the day of the inspection.

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:

Access to the service was gained through the front door by ringing a bell. Staff were required to see the person through the door prior to allowing them access to the service. The fire doors were not obstructed. The main stairway was well lit. There was a banister in place for the safety of staff and children. The outdoor area was observed to be safe, and secure. Cleaning products were stored on shelves that were inaccessible to the children.

Infection Control:

The service was observed to be clean on the day of inspection. Daily cleaning schedules were on display in all the preschool rooms. Children were observed washing their hands prior to snack and mealtimes and after using the toilet. Warm water, liquid soap and disposable hand towels were available.

Safe sleep

The sleeping children's colour, breathing and position were observed and recorded every 10 minutes as outlined in the services safe sleep policy. Children over two slept on low level beds in the sleep room on the ground floor in the service. A staff member was observed to stay and supervise the children in the room.

Administration of medication

The service had an administration of medication policy. The policy was reviewed by the inspector. Previous records of medication that had been administered in the service were reviewed. It was clearly documented; the consent was signed by the parent and the document of the administration procedure was verified and signed by two staff members.

Outings

The service did not facilitate outings.

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 was a person trained in a first aid responder course immediately available to the children attending the preschool service. There were three staff working directly with the children who were trained in a first aid responder course.

(2)(a)(b)
There was a suitably equipped first aid box stored in an easily accessible position on the premises and was available to the children attending the preschool 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) There was a template in place in the service to record any fire drill that takes place in the service. The last fire drill took place in the service in July 2025.
 - (b) There was a record in place to demonstrate the number, type of and maintenance of firefighting equipment and smoke alarms in the service. This was last carried out in August 2025.
- (4)
- There was a notice of the procedures to be followed in the event of fire displayed in a conspicuous position in the main entrance of 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 adequate insurance in place to cover the number of children the service was registered to accommodate.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

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

(c) kept adequately lit, heated and ventilated

(d) cleaned, maintained and repaired, as required, and

Non-Compliance Information

1(c)

The Montessori room was on the first floor of the service. One of the openable windows in the room was kept closed on the day of inspection. Staff who spoke to the inspector said it was kept closed as there were no restrictive openings on the window and if opened would pose a risk to the children in the room. The room was observed to be stuffy on the day of inspection while the children were present in the room.

The temperature of preschool rooms was required to be maintained between 18°C and 22°C. The temperature in the Montessori room was recorded as consistently high on the afternoon of the inspection.

13:00 24.9°C

14:40 27.4°C

16:00 25.6°C

It is acknowledged staff were taking all reasonable measures to reduce the temperature in the room by opening available windows and bringing the children outside to play in a shaded tent in the outdoor play area.

1(d)

The laminate wood around the nappy changing unit was chipped worn and needed to be replaced.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1(c)

The staff will continue to monitor the room temperatures in the service especially during warm weather. The window has been repaired and can be opened to allow for ventilation.

1(d)

The laminate wood surrounding the nappy changing unit has been replaced to allow for efficient cleaning of the nappy changing unit.

Supporting documentation submitted

1(c)

A photo / video of the repaired window was received by the inspector.

1(d)

A photo / video of the repaired laminate surrounding the nappy changing unit was received by the inspector.

Summary Comment

The response and evidence submitted is satisfactory to meet the requirements of The Child Care Act 1991 (Early Years Services) Regulations 2016.