

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KK080
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Name of Service:	The Learning Garden
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Address of Service:	The Left Bank, Bennettsbridge, Co. Kilkenny
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Eircode:	R95 XK18
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Name of Registered Provider:	Vera Leacy
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	11/02/2026
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No of pre-school children:	AM	28	PM	10
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Address of the Early Years Inspectorate:	Tusla Child and Family Agency, Early Years Inspectorate, Ely Hospital, Ferrybank, Wexford
Inspection undertaken by:	E Mc Garry
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

This full day care service is in a rural setting outside the village of Bennettsbridge in county Kilkenny. A service is provided to children aged 2 to 6 years of age, from Monday to Friday between 08:00 and 18:00 (including a sessional service from 09:00 to 12:00 for 38 weeks of the year). A school age service is also provided. The premises is a detached two single storey premises and consists of 4 preschool rooms, an office, onsite kitchen, toilets, nappy changing facilities and two outdoor play areas. There were three preschool rooms in operation on the day of the inspection.

Staffing

There were six staff employed in the service. Including the manager and the registered provider who also works directly with the children. There was a student in the service also on the day of the inspection. All staff working directly with the preschool children held at least a major award in Early Childhood Care and Education at Level 5 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.

The inspection focused on the following regulations,

Regulation 9 Management and recruitment,

Regulation 10 Policies and procedures,

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Regulation 11 Staffing levels,
Regulation 17 Information for parents,
Regulation 21 equipment and materials,
Regulation 22 Food and Drink,
Regulation 23 Safeguarding health, safety, and welfare of child,
Regulation 25 First aid,
Regulation 26 Fire Safety,
Regulation 28 Insurance.

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.

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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)(b)

The manager was the designated person in charge on the day of the inspection and remained in service for the duration of the inspection. There was also a person available to deputise if required.

(2)(a)(b)

Following a discussion with the manager and on review of documentation, it was established that there were 6 staff employed in the service.

The required written and validated references were available on file for all staff working in the service. The staff file for the student was also reviewed and found to have all required documentation available.

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(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 for one staff member 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 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 10 - Policies, procedures etc. of pre-school service

A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.

Compliance Information

There were policies and procedures in place in the service specified in Schedule 5 of these regulations. The policies reviewed for this inspection were the policy on healthy eating and the policy on infection control in the service.

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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.

Compliance Information

(1)
There was an adequate number of staff working directly with the children during the duration of the inspection.

(2)
At 11:00
There were 28 children aged 2 to 6 years in the care of 4 staff.

At 12:40
There were 10 children aged 2 to 6 years in the care of 3 staff.

There was the registered provider, the manager and a student also available to assist in the rooms when required on the day of the inspection.

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 registered provider had ensured that there was adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service. There were three rooms in operation on the day of the inspection.

The preschool 3 situated on the first floor of the service was resourced with a variety of play equipment and materials for the play and learning of the children attending that room. The children were observed making various shapes with coloured play dough which the staff had made for them. There was a varied supply of reading

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books displayed on a bookshelf which was easily accessible by the children. There were trays at waist level where the children could play with coloured rice. There was original artwork suspended and drying in the room. In preschool room 1 children had made valentine cards for their parents. Staff had taken the time to write observations the children had made on their parents. For example, “. I like when you play with me”. There was original artwork displayed consisting of roses in bowls which the children had completed. The children were observed playing outside on the day of the inspection. They were playing on the hard surface in front of the service as the grassed areas were too wet on the day of the inspection. Children were provided with balls, hoops and ride on toys which were stored in an outdoor shed in the service.

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

There was a parent handbook given to parents when they enrolled their child in 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 ethos, curriculum, the hours of operation, contact details and the facilities available within the service. There was also information included on funding schemes available for parents to apply for.

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 had a healthy eating policy. All meals and snacks were supplied and cooked on the premises from the onsite kitchen in the service. The service had a menu which was available for parents to view in the hallway of the service. The dinner served at mid-day was chicken curry and rice with sweet corn. Many of the children said it was their favourite dinner. Water was served to all the children during mealtimes. Children were served extra portions when they requested additional helpings. Children enjoyed a snack of yogurt, biscuits and water to drink for a mid-afternoon snack.

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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. The door had a glass window so that visitors could be seen before gaining access to the service. The door was secured on arrival and remained secure for the duration of the inspection. Cleaning agents were placed on shelves which could not be reached by the children.

Infection Control

The service was clean. There were daily and weekly cleaning schedules maintained. The service had an infection control policy. The staff were observed to be attentive in supporting the children in washing their hands, before snack time, after using the toilet and after messy play. There was warm water to support hand washing, liquid soap, disposable hand towels and foot pedal operated bins provided throughout the service.

Administration of medication:

The service had an administration of medication policy. The policy was reviewed by the inspector and was found to contain the required aspects for the safe administration of medication in a preschool setting. Previous records of medication that had been administered in the service were reviewed by the inspector. It was clearly documented; the consent was signed by a parent, and the document of the administration procedure was verified and signed by two staff.

Outings

The service did not facilitate outings.

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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 first aid responder course immediately available to the children. There was evidence that there was a total of two staff trained in a first aid responder course working in the service which was sufficient to cover across the rota in the service.

(2)(a)(b)

There was a suitably equipped first aid box stored in an easily accessible position to the staff 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 record of fire drills which had taken place in the service. The last fire drill was carried out in January 2026.

(1)(b)

There was a record available to demonstrate the number, type and maintenance of firefighting equipment and smoke alarms in the service. This maintenance was last carried out in January 2026.

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(4)

There was a notice of the procedures to be followed in the event of fire displayed in a conspicuous position in the hallway 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 who were present on the day of inspection.