

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015KY029				
<b>Name of Service:</b>	Childsplay Creche Limited				
<b>Address of Service:</b>	Sackville, Ardfert, Co. Kerry				
<b>Eircode:</b>	V92 EN12				
<b>Name of Registered Provider:</b>	Donald Sheehan				
<b>Service type:</b>	Full Day, Part Time, Sessional				
<b>Date(s) of Inspection:</b>	20/08/2025				
<b>No of pre-school children:</b>	<table border="1"> <tr> <td>AM</td> <td>23</td> <td>PM</td> <td>23</td> </tr> </table>	AM	23	PM	23
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<b>Address of the Early Years Inspectorate:</b>	Áras an Phobail, Deans Lane, Tralee, Co. Kerry.				
<b>Inspection undertaken by:</b>	N. Reidy				
<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>	N/A
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### Description of service

Childsplay Creche Limited is a privately owned early years service that is registered to provide full day care, part-time and sessional care for children aged between 0 and 6 years. The service is currently operating between the hours of 08.00am and 6:00 pm. The premise has of 2 playrooms namely the Creche downstairs and the Pre-school room located upstairs. The children's sanitary accommodation/nappy changing is located within the care rooms, there is adult sanitary facilities, an office, a sleep room in the creche and 2s designated enclosed outdoor play areas available and accessible each day to the children attending

### Staffing

There were 10 adults attached to the service including the registered provider, 8 adults are employed to work directly with the children and 1 adult to work with the school aged children. The registered provider does not work with the children.

### 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 inspections may also focus on other areas as required.

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.

### Additional Information

An Immediate Action Notice (IAN) was issued to the designated person in charge during the onsite inspection in relation to elevated water temperatures exceeding 50 degrees Celsius at 2 wash hand basins. A response to the IAN issued was received after the inspection on 20.8.'25, it was deemed adequate in mitigating the risk.

A referral was sent to the Fire Officer in respect of the stair gates in place on the stairs.

### 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) There is a designated person in charge and a named deputy. Both adults were on the premises to facilitate the inspection process.
- (b) The person in charge and the named deputy person in charge were on the premises at all times during the operation of the service.
- (2) The staff files for each of the 10 adults attached to the service were inspected.
- (a) Of the 20 references required, 14 validated references were available from past employers.
- (b) Of the 20 references required, 6 validated references were available from a reputable source other than a past employer.
- (c) Garda vetting disclosures has been obtained for all 10 adults. The service did adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years.
- (d) Police vetting was on file for 1 adult who lived outside the jurisdiction for a period of longer than 6 consecutive months.
- (4) The adults working directly with children held relevant qualifications in Early Childhood Care and Education at least 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.

## 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) At the time of inspection, it was observed that there was an adequate number of staff working directly with children.

(2) The required adult to child ratios were observed on the day of the inspection.

In the Creche there were 5 adults caring for 17 children aged between 1 year – 3 years attending on a part-time and full day care basis.

In the Pre-school room there was 1 adult caring for 7 school aged children taking part in a summer camp.

(8) (a) The registered provider did ensure that a minimum of two adults were always on the premises during the hours of operation.

## 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;*
- (i) details of staff rosters on a daily basis;*

#### Compliance Information

(1)

A record in writing was maintained of the following:

- (a) the name, position, qualifications and experience of the person in charge and of every other employee attached to the service.

#### Non-Compliance Information

- (1) The staff rosters maintained did not record the times and cover for meal breaks.

#### Corrective & Preventive Action submitted by the Registered Provider

##### **Corrective and Preventive Action**

To correct this, a new sign in roster for staff is in place. The staff complete their start time, meal break times and finish times. All staff have been shown the new sign in roster.

##### **Supporting documentation submitted**

Pictures of the completed staff roster.

#### Summary Comment

The requirement for this regulation has been met.

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

#### Regulation 19 - Health, welfare and development of child

(1) A registered provider shall, in providing a pre-school service, ensure that-

(a) each child's learning, development and well-being is facilitated within the daily life of the pre-school service through the provision of the appropriate activities, interaction, materials and equipment, having regard to the age and stage of development of the child, and

#### Compliance Information

(1)(a)

#### BASIC NEEDS:

- The mealtimes observed were relaxed with conversations between the children and staff taking place.
- The morning snack was taken in the outdoor play area for the children in attendance.
- The younger children had the use of high- level and low-level feeding chairs.
- The children were observed to have ample time to eat their food, the staff were on hand to supervise and assist them as needed.
- The younger children who required assistance with feeding was provided.
- The service provided drinking water for the children during the day during play time indoors and outdoors, should they become thirsty.
- The food observed at the mealtimes included for example sandwiches, a selection of chicken, pasta and vegetables, fruit, yogurts, minced beef, mashed potatoes and noodles.
- The main meal was taken indoors in both care rooms.
- The children washed their hands with staff assistance and supervision on returning from playing outdoors prior to lunch time.
- The staff sang "I love dinner" with the children during meal preparation time and played soft music in the background during the mealtime.
- The care rooms were spacious, bright and airy affording children the opportunity to move about freely and explore the environment.
- The creche was divided by a secure wooden divider in place. Area 1 had a variety of low-level shelving with toys, low level tables and chairs and a quiet area located under the stairs with soft toys, cushions, a toy kitchen and lighting on the walls. Area 2 had a variety of the soft matting, a large couch, a variety of various shaped cushions and toys on low level open shelving.

- The area 2 section of the creche was used during the inspection to facilitate children's need for sleep/rest on low level stacking beds.
- The children were assisted and supervised in preparing for the rest/sleep time by a designated staff member who remained with the children during the rest time.
- During the inspection, the younger children's need for rest/sleep was facilitated in the standard cots in the designated sleep room.
- The inspector observed that nappy changing was carried out at regular intervals and as required.
- The children had access to the toilets located in the rooms enabling children to use the toilet as they needed to and seek assistance if required.
- The children attending the service have access to 2 designated outdoor areas, 1 enclosed area with an overhead canopy at the rear of the building and the 2<sup>nd</sup> area located at the side of the service.
- The person in charge advised the inspector that the service have plans to renovate the grassed area at the rear of the premise is currently not used by the children.
- The staff caring for the children were observed to be kind, caring and attentive to the children's needs.

### 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 T.V cables observed in the creche were secure and out of the reach of the children.
- Cleaning products observed were stored out of the reach of the children.
- The first aid box downstairs was stored in the entrance reception area on a high-level shelf.
- The staff conducted and recorded 10-minute sleep checks on all children who slept/rested on the day of the inspection. The checks included the children's position, colour and breathing.

##### Infection Control:

- There was a supply of disposable plastic aprons and gloves available for nappy changing.
- The children's milk bottles were labelled and stored in an allocated fridge in the kitchen.

#### Non-Compliance Information

##### General Safety:

1. On arrival to the service the entrance to the outdoor play area and to the service entrance door was not secured to restrict unsupervised access. The inspector proceeded through the gate to the outdoor area

where the children were playing at the time. It was acknowledged the person in charge secured the gate with a high-level number lock thereafter.

2. The temperature of the warm water exceeded 50 degrees Celsius at the sink in the disabled/adult toilet in the creche and at the sink alongside the nappy changing unit in the creche. Once the staff were informed of this finding the children/staff had access to another sink for handwashing. An IAN was issued onsite on 20.8.'25 in response to this non-compliance founded.
3. Some of the books accessible to the children on the low-level shelving in the creche were torn, the small pieces posed a choking risk to children.
4. The 2 high feeding chairs observed in use on inspection for 2 children aged over 1 year had a waist harness only in place. The person in charge informed the inspector the service would cease using these chairs and would use the low-level feeding chairs that had both waist and shoulder harnesses in place.
5. There was 1 cot in the sleep room that has a nail protruding on 1 exterior corner posing an injury risk to children.
6. There was a stair gate in place at the top and 1 at the bottom of the stairs leading to the upstairs care room and office spaces. The gate at the top of the stairs was secured with a closure device on both sides posing a risk of obstruction in the event of fire evacuation. This matter was referred to the Fire Officer.
7. The First aid box in the pre-school room upstairs was accessible to children on a low-level ledge posing a risk of injury to children.
8. There was a hole in the tarmac surface in the outdoor play area posing a risk of injury to children.

### Infection Control:

9. There were 2 cots with scuffed areas, making it difficult to clean them effectively posing a risk of cross infection.
10. The surface of the blue nappy changing mat in use in the nappy changing area was ripped therefore it could not be cleaned effectively posing a risk of cross infection.
11. The cover on the low-level baby bouncer chair was unclean posing a risk of cross infection.
12. The bin in use for used paper hand towels in the creche sanitary accommodation was not pedal operated posing a risk of cross infection when children and staff touching the lid.
13. The disabled toilet in the creche stored floor mops and buckets and a floor brush and dustpan posing a risk of cross infection.
14. There was no lid on the non-pedal bin in use in the disabled toilet in the creche posing a risk of cross infection.

15. Not all the children's drinks bottles in use on inspection were labelled posing a risk of cross infection.
16. There was no warm water supply at the wash hand basin to facilitate effective hand washing in the girl's toilet in the pre-school room.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

##### General Safety:

1. The staff have each been assigned to go outside before the children do and lock the gate. Staff will take their turns to lock the gate if the children are outside.
2. The plumber came to the premises on the day of the day of the inspection to test the water. The thermostat was set to a high temperature; the plumber changed the temperature thermostat to 40 degrees Celsius. The staff will check the water temperature on a weekly basis.
3. The torn books have been removed from the bookshelf and replaced with new books. A checklist has been added to the daily cleaning list so that staff will check the books each day to prevent any harm to children.
4. The 2 high feeding chairs were removed and 4 new low- level feeding chairs were purchased.
5. The protruding nail was fixed. Checks on the cots have been added to the daily staff cleaning list.
6. A risk assessment is in place for the stair gate. The risk assessments will continue until the Fire officer visits the service.
7. Any materials that would impose danger to the children have been removed from the first aid box. It has been added to the other Doctor play materials for the children to play with. The staff in the room will do more checks daily to ensure there are no posing risks to children.
8. The hole has been filled. It will be checked each day before the children go outside.

##### Infection Control:

9. The cots were sanded down to where they are smooth.
10. The nappy changing mat was removed and replaced. The mat will be checked each day when cleaning it.
11. The cover was removed and washed. The cover will be washed every second day.
12. The bin without the lid was removed and it was replaced with a pedal operated bin.
13. The items were removed from the bathroom, and the staff were informed of this.
14. The bin was removed and replaced with a pedal bin.
15. The importance of labelling the children's bottles was explained to the staff. A message was sent to parents to request them to label the children's belongings to prevent a risk of cross infection.

16. The plumber fixed the temperature of the water.

### **Supporting documentation submitted**

#### **General Safety:**

1. The statement is accepted as evidence.
2. The photographs and recording of the water temperature below 43 degrees Celsius.
3. The statement is accepted as evidence.
4. A photograph of the 4 new feeding chairs.
5. A photograph of the cot with no nails protruding.
6. The statement and a copy of a risk assessment carried out on the stair gate is accepted as evidence.
7. The statement is accepted as evidence.
8. Photographs demonstrating the hole was filled in.

#### **Infection Control:**

9. A photograph of the cots with areas that were sanded down.
10. A photograph of the replacement nappy changing mat.
11. The statement is accepted as evidence.
12. A photograph of 2 new pedal bins.
13. A photograph of the bathroom without the mops, buckets, floor brush and dustpan stored within.
14. A photograph of the pedal bin in place.
15. The statement is accepted as evidence.
16. Photographs and video evidence of warm water at the sink.

### **Summary Comment**

All documentation received was examined. The requirement for this regulation has been met with the exception of point 6.

Regarding point 6, the staff will continue to manage this risk until the Fire officer visits the service regarding the stair gate at the top of the stairs.

## 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) It was evident from the staff rota that there was at least 1 staff member trained in First Aid Responder (FAR).

A total of 2 adults had up to date FAR training.

(2)(a) The first aid box downstairs was stored in the entrance reception area up high, out of reach of children and clearly identifiable.

(b) The first aid box was suitably stocked for the number of children attending the service and available for staff to attend to the children if required.

## Part VII - Premises and Space Requirements

### Regulation 29 - Premises

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

*(a) of sound and stable structure,*

*(e) equipped with adequate and suitable sanitary facilities.*

#### Compliance Information

(a) Visually the premises appeared to be sound and stable.

#### Non-Compliance Information

(e)

- There was no water supply at the wash hand basin in the upstairs allocated adult toilet located in the pre-school room.

#### Corrective & Preventive Action submitted by the Registered Provider

##### Corrective and Preventive Action

(e) The plumber fixed the water.

**Supporting documentation submitted**

Video footage of the water supply provided.

**Summary Comment**

The requirement has been met.