

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KY042				
Name of Service:	Listowel Childcare				
Address of Service:	Curraghtosane, Ballybunion Road, Listowel, Co. Kerry				
Eircode:	V31 AD79				
Name of Registered Provider:	Sean O'Mahony				
Service type:	Full Day, Part Time, Sessional				
Date(s) of Inspection:	09/06/2025				
No of pre-school children:	<table border="1"> <tr> <td>AM</td> <td>68</td> <td>PM</td> <td>36</td> </tr> </table>	AM	68	PM	36
AM	68	PM	36		
Address of the Early Years Inspectorate:	Áras an Phobail, Deans Lane, Tralee, Co. Kerry.				
Inspection undertaken by:	N. Reidy				
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	N/A
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Description of service

Listowel Childcare is a privately owned early years service that provides full day care, part-time and sessional care, catering for children between the age of 0 to 6 years. The service operates between the hours of 7:30 am and 6 pm Monday to Friday. The building is a purpose-built facility with a total of 6 playrooms allocated to early years children, 5 in the main building and the 6th in the cabin. The service does not provide school aged care. There are designated enclosed outdoor play areas situated to the rear and to the front of the building that are available and accessible to the children attending the service.

Staffing

There are currently 32 adults attached to the service, 29 who can work directly with the children. The registered provider is not service based. There are 5 adults employed under the Access and Inclusion Model (AIM) Support Scheme.

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 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.

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 was a designated person in charge and there were 2 named persons to deputise in her absence as required.
- (b) When the unannounced inspection commenced, the designated person in charge was on duty to assist with the inspection process and she remained on duty for the duration of the inspection.
- (2) Since the previous inspection on 13 & 14th August 2024, it was established that three adults had commenced working in the service. The recruitment records in respect of these three adults were assessed.
- (a) Of the 6 references required, there were 4 references from previous employers on file with records of validation.
- (b) Of the 6 references required, there were 2 references on file from a source other than a previous employer with records of validation.
- (c) Garda vetting disclosures had been obtained for each of the three adults. It was also noted that Garda vetting disclosures which had expired since the previous inspection, had been renewed in respect of two additional staff members. Evidence in respect of the third adult currently in the process of renewing Garda vetting was furnished to the inspector. This was in compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d) Not applicable, the three adults had not resided outside the jurisdiction of Ireland for greater than six consecutive months.
- (4) The 3 adults employed to work directly with the children since the last inspection had achieved major awards in Early Childhood Care and Education, as listed on the National Framework of Qualifications (NFQ) or a qualification as deemed by the Minister with copies of the relevant qualifications on file.

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 in all six care rooms as follows:

Morning:

Room Name and Age Range of Children	Number of Children Present	Number of Adults Present
Acorn Room (6 months to 2 years)	6	2
Cherry Room (1 to 3 years)	5	2
Blossom Room (2- 3 years)	6	2
Willow Room (3-5 years)	17	3
Maple Room (3- 5 years)	16	3
Oak Room (Cabin)	18	5

(3 to 5 years)

Afternoon

Room Name and Age Range of Children	Number of Children Present	Number of Adults Present
Acorn Room (6 months to 2 years)	4	2
Cherry Room (1 to 3 years)	4	2
Blossom Room (2- 3 years)	5	2
Willow Room (3-5 years)	12	2
Maple Room (3- 5 years)	11	2
Oak Room (Cabin) (3 to 5 years)	0	0

(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 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) There was an enrolment form for each of the children attending the service as follows, 8 for the Acorn room, 20 for the Wobbler room, 21 for the Oak room, 19 for the Maple room, 9 for the Cherry room and 12 for the Blossom room.

A sample of 11 records were inspected and found to have the required detail as per (a) to (i) inclusive

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

Basic Needs

- The children's toileting and hygiene needs were attended to regularly during the day. The staff supported and encouraged the children with self-toileting as was needed.
- The inspector observed children were promptly accommodated to use the toilet whilst playing in the outdoor area located in front of the Cabin.
- Nappy changing was carried out as required during the day. The children were spoken to and interacted with during nappy changing by the staff
- There were feeding chairs provided for children that required them in the Acorn and Cherry rooms.
- The mealtimes observed were relaxed and unhurried. The children who had finished eating before the others played with the toys available.
- The children in each room enjoyed freedom of movement within the rooms and they spent time in the outdoor play areas.
- The children were given the choice of activities in the care rooms and when they wished to opt out of or change the activities or rest/relax in the designated rest areas.
- The rest areas provided in each of the care rooms were furnished with low level seating, a range of matting and cushions.
- The staff were observed to be kind, caring and nurturing to the children that were in their care.

Physical and Material Environment

- The playrooms were bright and ventilated with the windows opened.
- A selection of the children's artwork covered some of the walls in the rooms together with a selection of family photographs.
- The service had painted the Maple room and the attached sanitary accommodation.

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 hot meals and snacks were prepared and plated for the children in the on-site kitchen by the staff member allocated to kitchen duties.
- The hot meals in the service are supplied by a catering company.
- Some of the snacks consumed in the service were from home provided by parents/guardians and some were provided by the service.
- On the day of inspection, the hot meal observed was Mexican Turkey and the vegetarian option was lentil ragout. The food served for the snack times observed included yogurts and a selection of fruit and vegetables.
- The staff were observed asking the children if they had enough to eat.
- Additional servings of the main meal and food for snack times were available to children if they required it.
- Children were encouraged to feed themselves, and the textures of the meals were observed to be appropriate of the age/stage of development of the children observed in the care rooms, for example the meals served in the Acorn room were pureed.
- Water was served at the mealtimes and was available to the children during the day.

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 appeared safe and secured. The internal and external doors were secured as required and the outdoor area was secured with a combination of steel fencing and gates with a number keypad on the gate to the Cabin. This prevented any child gaining access to the car park and prevented unauthorised adults from gaining access to the children.
- The cleaning products seen on inspection were stored out of the reach of the children.
- The medication observed on inspection was stored out of the reach of the children in its original container.

Infection Control:

- At each of the sinks used by the children and the adults there was a supply of warm water, liquid hand soap and disposable paper hand towels to facilitate effective hand washing.
- Lidded pedal operated bins were provided in the service.
- The staff were observed to wear single use disposable gloves, disposable aprons and washed their hands before and after each nappy change. The children's hands were washed after nappy changing.
- The changing mats in on the nappy changing units were clean and intact. The mats were cleaned down after each nappy change.
- Perishable food items were stored in the fridges provided.
- The staff informed the inspector that cooled boiled water is provided to the children aged under 1 year in the Acorn room.
- The staff informed that the linen used for the cots and the stackable beds is individual to each child. It laundered in the service each week and more often as required.
- The standard cots shared by the children were identifiable, some of which had waterproof mattress covers and some had individual waterproof mattress covers that were changed and laundered after each use.
- The linen observed on the day of the inspection was clean and dry.
- The cots and ow level beds observed in use on the day of the inspection were spaced 50cm apart.

- The children in the Acorn had bottles of milk supplied by the parents. The bottles were clearly labelled with the child's name and stored in the fridge in the room.

Safe Sleep:

- The staff were observed conducting physical sleep checks, staff remained in the sleep room serving the Blossom room and on review of the electronic files maintained for children sleeping during the day, 10-minute sleep checks were documented.
- for a child

Non-Compliance Information

General Safety:

1. There was plastic aprons and nappy sacks, gloves and barrier creams accessible to children in an unlocked cupboard under the nappy changing unit and on top of the nappy changing unit in the nappy changing room located in the cabin posing a risk of injury to children.
2. There was a dangling cable attached to a C.D player located over one cot in the sleep room serving the Acorn room posing a risk to children.
3. In the Maple room there was a cable attached to a lamp on a low-level shelving unit posing a risk to children.
4. There were 6 highchairs stored in the Acorn room when not in use during the day, posing a risk of injury to children.
5. There were 4 timber feeding chairs stacked in the Cherry room posing a risk of injury to children.
6. In the outdoor green area, there were exposed nails on a timber pallet on the ground and on the wall mounted chalk board posing a risk of injury to children.
7. There were gaps in some areas of the soft matting in the designated outdoor play area located at the front of the Cabin posing a trip hazard to the children. This was founded at the last inspection of 13th & 14th August 2024. The service responded stating that all the areas of the soft matting with gaps on the premise were filled with a mix of sand and gravel. This was not observed at this inspection.

Infection Control:

8. There was no means of ventilation in the nappy changing room in the Cabin posing a risk of cross infection.
9. All the water bottles in the Maple room were not labelled posing a risk of cross infection.

Fire Safety:

- There were bags and boxes at the bottom of the stairs leading to the fire exit door posing a risk to children of not exiting promptly in the event of a fire.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

- There was a child lock put on the cabinet in the nappy changing room so children cannot access it.
- The cable attached to the C.D player was immediately secured, by attaching the cable to the wall using a secure cable cover to prevent it from hanging loosely, eliminating the risk to children. The area has been checked to ensure all cords are safely managed and staff have been reminded to report and address any potential hazards promptly.
- The cable attached to the lamp was immediately secured. It was attached to the wall using a secure cable cover to prevent it from hanging loosely. The area has been checked to ensure all cords are safely managed and staff have been reminded to report and address any potential hazards promptly.
- The six highchairs have been securely attached to the wall in the playroom, secured with plastic chains and a metal clip to prevent them from falling and posing a risk to children. This measure ensures that the highchairs are stored safely when not in use while remaining accessible for mealtimes. Staff have been reminded of the importance of securing the chairs when not in use.
- A custom-built press with locked doors in the playroom will be used to safely store the 4 timber feeding chairs when not in use. The staff will be instructed to store the chairs in the press after each use as part of the room's daily safety routine.
- The timber pallet was immediately removed. The exposed nail on the wall mounted chalkboard was promptly fixed to ensure the area is safe for the children. Going forward, daily outdoor safety checks will include inspection of all equipment and surfaces to identify and address any potential hazards promptly. Staff have been reminded to report any damage or concerns immediately.
- All gaps have been filled with a mixture of sand and cement to ensure stability and prevent further recurrence of gaps between the matting. This solution was determined to be permanent and the most effective way to address the issue to ensure that the surface of the playground remains consistent and even in the future. The area is now complete and safe for use. Going forward, this area will be monitored regularly as part of the outdoor daily safety checklist. In case gaps reappear, they will be promptly

addressed and repaired to maintain the safety of the playground surface. Regular maintenance and inspections will help prevent any future issues from arising.

Infection Control:

8. To prevent the risk of cross infection, electric ventilation was installed in the nappy changing room in the Cabin. The ventilation automatically turns on when the light is switched on, to maintain a safe and comfortable environment for the children and for the staff.
9. All water bottles in the Maple room have been clearly labelled with each child's name to eliminate the risk of cross infection. The staff have been reminded of the importance of ensuring that all drinks containers are properly identified for use only by the assigned child. Signage has been placed in each playroom to remind staff that all bottles are labelled each day. The staff have been informed to replace the labels on the bottles as needed when they are unclear or become detached.

Fire Safety:

10. All bags and boxes were immediately removed to ensure a clear and safe exit route. The staff have been reminded that all exit routes must always remain completely unobstructed.

Supporting documentation submitted

General Safety:

1. A photograph of the child lock in place on the cupboard under the nappy changing unit and no items stored on top of the unit.
2. A photograph of the secured cable.
3. A photograph of the secured cable attached to the lamp.
4. Photographs of the highchairs secured to the wall in the playroom.
5. A photograph of the storage unit in place in the playroom to store the feeding chairs.
6. Photographs of the green area where the timber pallet was removed and the wall mounted chalk board without exposed nails.
7. Photographs of the soft matting area in front of the Cabin building with the gaps filled in.

Infection Control:

8. A photograph of the ventilation unit in place in the nappy changing room located in the Cabin.
9. Photographs of the labelled water bottles and the reminder signage for bottle labelling on the wall.

Fire Safety:

10. A photograph of the area where the items have been removed to provide a clear and safe passage.

Summary Comment

The actions and all evidence submitted has been reviewed. The non-compliances identified have been addressed. The requirement has been met.

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.

Compliance Information

(1) The registered provider ensured that there were staff available at all times with first aid responder (FAR) training. There were 10 staff members with a completed in date FAR certification.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

A copy of the insurance certification for the service was furnished to the inspector.

The information provided on the insurance certificate included:

- the contact details for the insurance provider
- the name and address of the service insured
- the category of insurance cover for the service.
- the number of children covered by the insurance was for 134 children.
- The expiry date of the current insurance cover was 27/03/'26.