

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015KY123
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<b>Name of Service:</b>	Tír na nÓg Preschool
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<b>Address of Service:</b>	O'Brennan's National School, Kilduff, Tralee, Co. Kerry
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<b>Eircode:</b>	V92 AE73
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<b>Name of Registered Provider:</b>	Noelia Dura Cabrera
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<b>Service type:</b>	Sessional
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<b>Date of Inspection:</b>	06/02/2026
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<b>No of pre-school children:</b>	AM	16	PM	N/A
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<b>Address of the Early Years Inspectorate:</b>	2 <sup>nd</sup> Floor, Estuary House, Henry Street, Limerick, V94 XT5F
<b>Inspection undertaken by:</b>	S O'Brien
<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

Tir na nOg Preschool is an early years service based in O' Brennan's National School, Kilduff, Tralee. The service operates from a care room located on the 2<sup>nd</sup> floor of the building. The service caters for children aged 2 to 6 years. The service offers a sessional service along with the Early Childhood Care and Education (ECCE) programme. The service operates from 8.45am to 11.45am, Monday to Friday. The service consists of one care room with sanitary facilities for children. The outdoor area is located to the side of the building.

### Staffing

There are four staff members employed in the service. The registered provider is based in the service. On the day of inspection, four staff members were present.

### 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 inspection 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 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 service has a designated person in charge and a named person who was able to deputise if required.
  - (b) The designated person in charge and the named deputy was on the premises for the duration of the inspection.
  - (c) There was a clear management structure in the service, and the staff were aware of their roles and responsibilities.
- (2) Four staff files were reviewed including the file of the registered provider.
- (a) Five of the references available were from a past employer and were validated.
  - (b) Three of the references available were from a reputable source and were validated.
  - (c) Garda vetting disclosures had been obtained for all four staff. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
  - (d) Three police vetting disclosures were available in respect of two staff members as they had lived outside of a state for longer than 6 consecutive months.
- (4) All four staff held a qualification in Early Childhood Care and Education at level 5 to level 8 on the National Framework of Qualifications or a qualification deemed equivalent by the minister.

### Non-Compliance Information

- (2)
- (d) A police vetting disclosure was not available in respect of one staff member who had lived outside of a state for longer than 6 consecutive months.

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

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

The registered provider stated in their response:

#### **Corrective Action**

The staff member has applied for the police vetting.

## Preventive Action

To ensure when hiring new staff and if they have been living abroad for more than six months that they have police vetting from that country.

### Supporting documentation submitted

Evidence of an application for police vetting was submitted.

## Summary Comment

Evidence of an application for international police vetting was reviewed; however, a copy of the completed International Police vetting has not been submitted for the one staff member to the inspector to date. The registered provider is required to furnish the required documentation to the Inspectorate upon receipt. The noncompliance in relation to regulation 9(2)(d) remains out outstanding.

## 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

The following policy was reviewed:

- Infection control

This policy contained the relevant information required to support the staff in their care practices.

## 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 registered provider ensured there was an adequate number of staff caring for the children during the inspection.

(3) There were 16 children aged between 3 and 4 years being cared for by 4 staff members, therefore the service was adhering to the minimum adult to child ratios during the inspection.

### 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 were observed to freely move around the care room and outdoor area during the inspection. The children took part in activities of choice. Some children were observed painting with ice for Valentines Day. Others were playing with tabletop materials such as jigsaws.
- The children were encouraged to be independent with the support of the staff. This was observed during hand washing and when the children were putting on their coats to go outside.
- The children's lunches were provided by the parents and guardians. The lunches consisted of sandwiches, fruit, cheese and bread. Each child had an individual water bottle.
- Individual care plans were available for children who required it. The staff were attuned to the needs of the children and adapted activities to ensure that all children were included. For example, the service had cushions for the children support them with sitting on the floor during circle time. The staff also gave the children an opportunity to take some time away from the larger group in the hall in the school.
- There was a reading corner with soft cushions for children to sit and rest if needed.

#### Supporting relationships

- There as a strong sense of teamwork between the staff. This was evident when carrying out activities and staff supported each other with getting materials ready.

- The children were observed chatting to the other children and staff during lunch. It was a relaxed environment for the children to sit and enjoy their lunch.
- The staff ensured they were at the child's level when communicating with them. Soft tones of voice were used, and these interactions were observed to be respectful.
- Transitions were made a comfortable experience for the children as verbal cues were given before activities finished.
- The staff outlined the importance of partnership with parents and communicating to each parent how each child was getting on in the service on a daily basis.

### 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 main door to the care room was secured with a keypad. This prevented a child from exiting the service unsupervised or any unauthorised access to the service.
- The outdoor area was secured with a fence and a gate.
- All medicines were stored in their original containers and stored out of reach to the children on inspection.
- The stairs were observed to be adequately lit and had suitable handrails for both the staff and children. The floor covering was observed to be in good condition on inspection.
- Heavy furniture was observed to be secured to prevent it from tipping over.
- Blind cords were observed to be secured during the inspection.

##### Infection Control:

- The children were observed washing their hands after activities and before snack. Warm water, soap and paper towel was available to the children. Water temperatures were recorded between 36.1°C and 36.6°C which allowed for effective hand washing.

##### Administration of Medication:

- No medication was observed to be administered during the inspection. On discussion, the staff were aware of the procedures to follow in the event of medication being required to be administered.

## Fire Safety:

- The fire exits were observed to be clear and free from obstruction on the day of inspection.

## Non-Compliance Information

### Infection Control:

- Children's lunches were observed to be stored on a shelf in the care room. Perishable items from the lunches were not stored in a refrigerator. This posed a risk to the children due to food spoilage. This was at variance to the services infection control policy which stated that perishable foods items would be stored in a refrigerator.
- During a nappy change, it was observed that the staff did not wear a disposable apron while carrying out the nappy change. This posed a risk of cross infection. This practice was at variance with the services infection control policy which outlined that aprons would be worn during nappy changing.

## Action submitted by the Registered Provider

### Corrective & Preventive Action

#### Infection Control:

The registered provider stated in their response:

#### Corrective Action

- The children's lunches will be stored in a fridge that is downstairs in the school kitchen.
- In a staff meeting, the staff were reminded of the policy in place and to ensure they are wearing an apron at all times when changing nappies.

#### Preventive Action

- It was discussed in a staff meeting to ensure this will not happen again.
- The person in charge will make sure that the policy is being followed.

### Supporting documentation submitted

#### Infection Control:

- No supporting evidence submitted.
- No supporting evidence submitted.

## Summary Comment

The registered providers response was reviewed and has addressed the non-compliances found on inspection. This will be reviewed at next inspection.

### 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) It was observed that all the children in attendance in the service were checked in and out on daily basis on an attendance book.

(3) (a) The inspector was requested by the registered provider to check in and out on arrival and departure to the service.

(b) There was a written record of the entry of persons to the service available for review.

### 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) One staff member held an in-date certification in First Aid Responder (FAR) and was available while the service was in operation.

(2)

- (a) The first aid box was stored in an area that the staff were aware of in the event of it being needed.
- (b) The first aid box was stored out of reach to the children and was available if required.

### 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 fire fighting 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 written record of the fire drills carried out in the service. The fire drills were carried out on a monthly basis, and a fire drill had taken place on 30 January 2026.
  - (b) A written record of maintenance carried out on the smoke alarms in October 2025 was available.
- (4) The fire evacuation procedure was displayed in the care room in the event of an emergency occurring in the service.

#### Non-Compliance Information

- (1)
  - (b) The service had no records available of maintenance carried out on the firefighting equipment since 11 July 2024. This posed a safety risk to the children and staff present in the service in the event of a fire.

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

##### Corrective and Preventive Action

The registered provider stated in their response:

##### **Corrective Action**

The maintenance of the firefighting equipment is carried out through the primary school where the service is based.

##### **Preventive Action**

The service will remind the school to carry out maintenance on an annual basis.

##### Supporting documentation submitted

Documented evidence of servicing carried out on the firefighting equipment was submitted to the inspectorate.

## Summary Comment

The registered providers response was reviewed and has addressed the non-compliance found on inspection. This will be reviewed at next inspection.

## Part VI - Safety

### Regulation 28 - Insurance

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

## Compliance Information

The registered provider ensured that the service was adequately insured. The insurance policy commenced on 28 March 2025 and expired on 27 March 2026.