

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015LK069
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<b>Name of Service:</b>	Family Tree Creche
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<b>Address of Service:</b>	Limerick Enterprise Development Partnership, Roxboro Road, Limerick, Co Limerick
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<b>Eircode:</b>	V94 VK19
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<b>Name of Registered Provider:</b>	Niall O Callaghan
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<b>Service type:</b>	Full Day, Sessional
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<b>Date of Inspection:</b>	30/04/2025
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<b>No of pre-school children:</b>	AM	44	PM	41
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<b>Address of the Early Years Inspectorate:</b>	Tusla Early Years Inspectorate, 2nd Floor, Estuary House, Henry St. Limerick.
<b>Inspection undertaken by:</b>	M Riordan
<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>	Not applicable
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### Description of service

The Family Tree Creche is a community childcare service located on the outskirts of Limerick City. Open Monday to Friday from 8.00am to 6.00pm, it currently has 54 registered children. The purpose-built, single-story building includes rooms for babies, wobblers/toddlers, junior pre-schoolers, and senior pre-schoolers, as well as a manager's office, kitchen, staff room, sanitary facilities, nappy changing areas, and sleep rooms. Outdoor play areas are situated at the side and back of the premises. The service caters for children in the age range of 0 to 6 years.

### Staffing

The registered provider has appointed a manager to oversee the operation of the service. An assistant manager is also available. There are 17 staff in total employed to work with pre-school children at the facility. All staff hold the required qualifications in Early Childhood Care and Education.

### 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/premises and facilities. The inspection may also focus on other areas as required.

The inspection focused on examination of compliance under regulations 9, 11, 16, 19, 23, 28 and 29.

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 was issued on the day of inspection in relation to Regulation 23 General Safety. The water temperature in the hot tap, at the sink located next to the nappy changing area in the Junior pre-school room, measured 79°C. The water temperature in the hot tap at the sink located next to the toilets in the Junior pre-school room measured 80°C. A response from the registered provider on the following day stated the issue was resolved and the water temperature was corrected to measure a temperature no greater than 43°C.

### 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
- (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.

(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.

(7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:

- (a) the policies, procedures and statements of the service specified in Schedule 5;

### Compliance Information

(1)(a) The registered provider has appointed a designated manager to oversee the day-to-day running of the service. An assistant manager was also available.

(b) During the period of the inspection, the service manager was present, and the staff roster indicated that the manager or their deputy were always available on the premises.

(c) There was a clear management structure in place that identified the lines of authority and accountability in the service and the specific roles and responsibilities of each member of the management team.

(2)(a) All staff files were reviewed. There were two written and validated references available for three new staff members who had taken up employment since the service was last inspected.

(b) References were submitted by staff from either their past employers or from other reputable sources.

(c) Garda vetting disclosures received from the National Vetting Bureau of An Garda Síochána were available for all staff working at the service. All vetting disclosures were dated within the last three years.

(d) Police vetting was not required for any of the new staff member as none of them had resided outside of Ireland for longer than six consecutive months.

(4) All adults working directly with children held an appropriate qualification in Early Childhood Care and Education.

### Non-Compliance Information

(7)(a) The staff induction and training policy stated all staff members had detailed induction training. Regular reviews were carried out during the probation period and at the end of the probation term.

On reviewing the documentation in relation to this policy, it was noted that there was no documented evidence available of these procedures being followed in relation to the most recently employed new staff members at the service. This issue was highlighted previously in the report following inspection of the service on 4 October 2024.

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

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

The registered provider has created a template document with written evidence recorded of all induction training completed by each staff member. The new document is signed by all new staff and saved in their HR file by the manager of the service.

#### **Supporting documentation submitted**

Copies of the above document was forwarded to the office of the Early Years Inspectorate.

## Summary Comment

The inspector has reviewed the actions, and the evidence submitted. The noncompliance identified has been adequately addressed.

## 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) The manager at the service ensured that there were an adequate number of adults working directly with the children at the pre-school service.

(2) On the day of the inspection, there were 44 pre-school children and 9 adults on the premises working directly with the children. The adult child ratio was correct overall in the facility.

There were 3 pre-school children and 1 staff in the Baby Room.

There were 6 pre-school children and 2 staff in the Wobbler/Toddler Room.

There were 10 pre-school children and 2 staff in the Junior Preschool Room.

There were 11 pre-school children and 2 staff in the Preschool Room 1.

There were 14 pre-school children and 2 staff in the Preschool Room 2.

There were relief staff available to replace staff while taking meal breaks. A designated person was available to prepare, cook and serve food to all children attending the service.

### 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;*
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;*
- (c) details of the adult:child ratios in the service;*
- (d) the type of care or programme provided in the service;*
- (e) the facilities available;*
- (f) the opening hours and fees;*
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*
- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

#### Compliance Information

(1) The registered provider ensured that a record in writing was kept of the following information in relation to the service:

- (a) The name, position, qualifications and experience of the person in charge and each staff working at the facility.
- (b) Details of the type of service in operation and the age profile of children for which the facility is registered to provide services.
- (c) Details of the adult: child ratios in the service.
- (d) The type of care or programme provided in the service.
- (e) The facilities available.
- (f) The opening hours and fees.
- (g) A record in writing was maintained of policies and procedures required in accordance with Regulation 10.
- (h) Details of attendance by each pre-school child daily.

- (j) The service had a medication administration recording template book available that was completed in the event of a child requiring medication to be administered.
- (k) Details of any accident, injury or incident involving a pre-school child attending the service were recorded.

### Non-Compliance Information

- (i) Staff rosters were documented on a monthly basis. The roster in place on the day of the inspection was inaccurate with staff named on the document to work in certain rooms but were not working at the service on the day of the inspection.

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

#### Corrective and Preventive Action

The staff roster has been updated to reflect the staff currently employed in the service on a daily basis including the staff that cover break and lunch times each day. The new roster is uploaded each morning by the manager, and all changes are recorded digitally.

#### Supporting documentation submitted

A copy of the new staff roster was submitted to the Office of the Early years inspectorate

### Summary Comment

The inspector has reviewed the actions and evidence submitted. The noncompliance identified under the regulation has been adequately addressed.

## 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**

A healthy eating policy ensured that freshly prepared meals and snacks were served each day at the facility. The weekly menu included nutritious options for breakfast, dinner, and afternoon snacks. Breakfast cereals were available on arrival, followed by a 10.30am snack of yogurt, fruit, ligas and rusks. Lunch at 12.00pm featured Shepherd's pie. Mid-afternoon snacks included vegetable soup, bread rolls, wraps, spaghetti, sandwiches, scrambled eggs, and fruit. Additional snacks were accessible throughout the day.

Babies and toddlers used highchairs, while older children sat at low tables. Mealtimes were relaxed with drinking water and cups readily available. Each child had access to their own drink container. Refrigerators in all rooms stored perishable items safely.

Sanitary facilities and nappy changing stations were beside each room. Staff followed infection control procedures, and children's toiletries were well organised. Each child had spare clothes if needed, and tissues and wipes were easily accessible. Foot pedal, lidded bins were used for waste disposal.

Separate sleep rooms with cots were next to the Baby and Wobbler/Toddler rooms, providing easy access for staff. Older children slept on low beds with pillows and blankets. Blackout blinds dimmed light during rest times, and sleep monitoring was documented electronically.

Parents received updates on their child's food intake, nappy changes, sleep times, and activities via an electronic app.

### PHYSICAL AND MATERIAL ENVIRONMENT:

The atmosphere in all rooms was relaxed and encouraging, with children actively engaged in various activities both in the internal and the external areas of the service.

**The Baby room** was spacious and bright with large windows allowing lots of natural light into the room. Soft carpets and mats covered most of the floor area, facilitating lots of comfortable floor play in the room. Available toys included soft, sound-making, and sensory items. A comfortable couch allowed adults to sit and hold children as needed. The adjacent room provided nappy changing facilities and a designated sleep room with six cots. Each child had access to their own cot and could sleep whenever required. A new designated outdoor area was recently opened, directly adjacent to the Baby room. Here, children had access throughout the day to a safe and sheltered outdoor play space with lots of ride on toys, cars, swing sets, water play trays and low level climbing frames.

**The Wobbler room** offered ample clear floor space for movement and play, featuring climbing areas, soft mats, pillows, cushions, and a quiet area under a canopy. Highchairs and low-level tables and chairs accommodated mealtime needs and tabletop activities. A sleep room was located next to the Wobbler room to facilitate rest time for all children when tired. Nappy changing areas were located near the room with a waist-high changing unit accessible. Adjacent outdoor play areas were accessible, with children having a designated space for climbing, balancing, using ride on toys, art and craft areas, and a large boat structure for imaginative play.

**The Junior and Senior preschool rooms** were divided into interest areas with accessible, age-appropriate play materials. Children's artwork decorated the walls. Home corners encouraged imaginative play, and low-level tables and chairs supported dining and activities. Children used low-level beds for afternoon naps while staff supervised them. The rooms were situated adjacent to toilet facilities with steps-up facilities for toilet training.

A new large outdoor play area was constructed next to the senior pre-school room. The area was covered with synthetic grass. A large play gym with swings, slides, and climbing areas provided opportunities for children to develop and improve their gross motor skills. Lots of large water trays filled with water were open. A large sand tray was open and accessible to children all the time. A picnic bench facilitated dining outdoors in good weather, and a mud kitchen provided an opportunity for imaginative play outside. Balance bikes and tyres were used to enhance children's balancing abilities. Children spend long periods outdoors on 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:

On inspection the following was observed:

All internal doors were appropriately secured where necessary to prevent children accessing unsafe areas. All external doors were appropriately secured to prevent children from exiting the premises unsupervised. All emergency exit fire doors were unobstructed. All outdoor play areas were safely secured with high fences and hedging surrounding each outdoor space. All highchairs were in good condition and fitted with appropriate safety harnesses. All toys and play equipment were safe for the age group using them, in good condition, and free from pinch and crush points or any sharp edges. There were no obvious flexes or cables within reach of children. All highchairs used by the younger children at mealtimes were in good condition and fitted with safety harnesses.

##### Safe Sleep:

A safe sleep policy was in place at the service, and staff were observed following the guidelines detailed in the procedure. Good quality standard cots and beds were used. Safety mattresses were provided. Cot barrier heights were sufficient to prevent a child from falling from a cot. Sleep was child led and access to sleep facilities in a suitable environment was provided when a child showed signs of tiredness and required rest.

### Non-Compliance Information

#### General Safety:

The water temperature in the hot tap, at the sink located next to the nappy changing area in the Junior pre-school room, measured 79°C. The water temperature in the hot tap at the sink located next to the toilets in the Junior pre-school room measured 80°C. This temperature was too high and posed a risk of burns for children or staff using the facility. An immediate action notice was issued to the registered provider and the issue was resolved immediately.

#### Infection Control:

There was no hot water available for hand washing at the sink next to the nappy changing unit in the Wobbler room and in the bathrooms next to Preschool room 1. To ensure adequate infection control in the service, hot water is required at all wash hand basins used by staff and children throughout the service.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### General Safety:

The registered provider stated the following works were completed.

The affected water outlets were immediately shut off upon discovery of the issue to eliminate any risk of accidental exposure to hot water. A licensed plumber was contacted and responded the same day to inspect the hot water system. Necessary adjustments were made to the under-sink heater bringing the water temperature back within the safe range (37 to 43°C) As a precaution, all water outlets throughout the facility were tested to ensure safe temperatures across the board. All others were within the safety range.

The registered provider stated they have since removed all under-sink heaters to a calorifier system, with new Temperature Mixing Valve's (TMV) installed to ensure water temperatures across the board remain within the safe range (37 to 43°C).

#### Supporting documentation submitted

#### General Safety:

Photographic evidence was forwarded of the changes and works completed as stated above.

### Summary Comment

The inspector has reviewed the actions and evidence submitted. The noncompliance identified under the regulation has been adequately addressed.

### 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 pre-school service was adequately insured. An up-to-date insurance certificate was available for inspection. The certificate stated that the service was covered to cater for a maximum of 55 pre-school children. The insurance cover began on the 1 January 2024, and the expiry date on the policy was the 31 December 2025.

### 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,*
- (b) safe and secure,*
- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

#### Compliance Information

- (a) The building appeared to be of sound and stable structure both internally and externally and no obvious defects were noted on inspection.
- (b) The premises indoors and outdoors appeared safe and secured with a high fences and hedges surrounding all outdoor play areas.
- (c) All areas were well lit by natural light and by artificial light when needed. There was no evidence of mould, mildew, stuffiness or condensation on the premises. There were openable windows in all pre-school rooms, and these were opened throughout the day to ensure the circulation of fresh air in all areas. In areas where no windows were present, mechanical ventilation was in use, and all systems were in working order.
- (d) All areas of the service appeared clean and maintained in a proper state of repair. Cleaning programmes were maintained, and tasks completed were signed off when completed.
- (e) There were an adequate number of toilets, nappy changing areas and wash hand basins in the service for the number of children and adults in attendance.