

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015LK084
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<b>Name of Service:</b>	Herbertstown Community Childcare
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<b>Address of Service:</b>	Ballinard, Herbertstown, Kilmallock, Limerick
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<b>Eircode:</b>	V35 WY80
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<b>Name of Registered Provider:</b>	John Collins
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<b>Service type:</b>	Sessional
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<b>Date(s) of Inspection:</b>	16/10/2025
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<b>No of pre-school children:</b>	AM	22	PM	0
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<b>Address of the Early Years Inspectorate:</b>	Tusla, Early Years Inspectorate, Estuary house, Henry St, Limerick
<b>Inspection undertaken by:</b>	E Browne
<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

This community based preschool service opened in 2008 and it operates from a modular unit located on the grounds of Herbertstown National school. It provides a sessional service for children aged between 2 and 6 years of age from 09.00 to 12.00hrs for 38 weeks of the year. The modular unit consists of 2 playrooms, bathroom facilities for the children and adults, main entrance hall, an office and outdoor facilities for the children.

The service is registered to provide care for 24 preschool children.

The service offers a breakfast club and a school aged service to the school aged children from Herberstown National school.

### Staffing

There are 6 staff members including the person in charge employed to work in the service each day. On the day of the inspection there were 4 staff members working directly with the children and these staff had an appropriate qualification in Early Childhood Care and Education. The person in charge was also available on site if required.

The registered provider does not work in the service.

### Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Child Care Act 1991 (Early Years Services) Regulations 2016 define the duty of a registered provider to ensure the safety and well-being of children and to comply with these regulations. This Act also gives Tusla the authority to assess compliance with the regulations. The purpose of regulation in relation to early years services is to ensure that the care, safety, and well-being of children attending such services is upheld. Inspections of early years services are planned based on the following:

- Previous inspection history
- Any information received in relation to the service

The findings on inspection are based on:

- Information obtained through examination of documentation
- Direct observation
- Discussion with relevant staff

This inspection was unannounced and focused on the area of governance, health, welfare and development of child, safety, premises and facilities. The inspection may also focus on other areas as required.

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*
- (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.*

### Compliance Information

(1)(a) The registered provider ensured that there was a designated person in charge and a named person who was able to deputise as required.

(b) The designated deputy was available on the premises throughout the inspection. The registered provider was not present initially but returned shortly after the arrival of the inspector.

(c) There was 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.

(2) The following documents were available on file for the six staff members employed in the service.

(a) There were nine verified and written references from the person's past employers on file.

(b) There were three verified and written references from other sources on file in the case of persons where two or no past employers' references were not available.

(c) Vetting disclosures received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 were available for all the staff. Garda vetting for the five of the six staff members was dated within the last three years as per the regulatory notice, EYI-RN12.3 renewal of garda vetting, published by the inspectorate in September 2023 and effective from 1<sup>st</sup> of January 2024. Please refer to Regulation 23 for further information.

(d) Police vetting was not required as no staff member had lived in another state for a period of longer than 6 months.

(3) All of the above documentation was furnished to the registered provider prior to each staff member taking up employment at the facility.

(4). All the staff members working directly with children held an appropriate qualification in Early Childhood Care and Education or an equivalent such qualification.

### 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 policies, and procedures for the service were updated in August 2024 and were available in the service, accessible to the staff and parents to view and refer to as required.

### 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.*

#### Compliance Information

(1) The registered provider ensured that at all times the number of staff present in the service met the requirements of the regulations.

On the day of the inspection there were 4 staff members present with 22 preschool children for the morning session. The adult/child ratios were correct.

The person in charge was also available on site if required.

### 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) A sample of 12 records for preschool children were examined and each record contained the required information from (1) (a) – (i).

### 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 NEED:**

Parents provided snacks for the children who attended in line with the healthy eating policy of the service, these included a wide variety of fruits, sandwiches, bagels crackers and yogurts. There was a fridge available for the storage of perishable foods and drinks prior to their consumption. The service provided the children with water at their break time and throughout the morning. The staff sat with the children at break time and actively encouraged break time to be a social occasion.

Most of the preschool children were toilet trained and toileted independently with assistance given where it was required. The children who required additional assistance with toileting the staff were observed giving one to one attention and responded to their communication cues - verbally and nonverbal.

Children were observed to wash their hands at appropriate times during the sessions such as after toileting and before eating. Hand washing took place using hot water, liquid soap and paper towels.

The children could rest as desired throughout the morning in the smaller playroom with a couch and cushion in place adjacent to the library area. The children enjoyed freedom of movement inside and outside but were observed to play mainly in outdoors areas for most of the preschool morning session. Children were supported and encouraged to behave appropriately for their age and stage of development through having simple rules to follow and a wide level of choice of activities. The adult modelled positive behaviour for the children and they were praised for their good behaviour.

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

#### Regulation 21 – Equipment and materials

*A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.*

#### Non-Compliance Information

There was a child size couch in the outdoor areas that was not in a good condition as it was torn and damaged.

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

**Corrective and Preventive Action:** The person in charge has stated in their Corrective and Preventive Response (CAPA) form that:

The couch was removed immediately from the outdoor area following the inspection.

The service will ensure that all equipment and materials are to a proper standard for use.

#### Supporting documentation submitted

No evidence submitted

#### Summary Comment

The non-compliance identified has been met.

### 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.*

#### Non-Compliance Information

#### General Safety:

Garda vetting was available for the six staff members employed in the service. However, the vetting disclosure for one staff member was not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

#### Action submitted by the Registered Provider

**Corrective & Preventive Action:** The person in charge has stated in the CAPA response form that

#### General Safety:

The Garda vetting renewal process for the one member of staff has been completed.

#### Supporting documentation submitted

#### General Safety:

A copy of the Garda vetting renewal document was received into the inspectorate office with the CAPA document.

### Summary Comment

The evidence submitted was assessed and deemed to meet the regulatory requirement of Regulation 23 Safety-Garda vetting renewal.

## 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) The person in charge ensured that all children were checked in and out of the service each day by an employee. The attendance records accurately recorded the checking in and out of each child.

(3)(a) No persons could enter the premises without his or her entry being approved by an employee other than the following:

(i) A pre-school child.

(ii) A person dropping or collecting a child.

(iii) An employee.

(iv) An unpaid worker.

(b) A daily record in writing was kept of the entry on the premises of any such person on the visitors' book

### 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 current certification in first aid responder training for children and was rostered to work with the children at all times.

(2)(a) A first aid box was stored in the playroom.

(b) The first aid box was available to the staff if required by a child.

### 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) The fire drills were practiced monthly up until the preschool closed in June 2025. The fire drills will commence in mid-September for the new school year.

(b) The firefighting equipment was serviced on the 17<sup>th</sup> of June 2025 and mains powered smoke alarms was serviced on the 6<sup>th</sup> of June 2025. A record was maintained of the number, type and maintenance of the firefighting equipment and the smoke alarm system.

(4) A fire action notice was clearly displayed in the service.

### 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) There were no obvious defects noted of the building on inspection.
- (b) The outdoor area was surrounded by fencing, walls and gates. Staff were outdoors at all times supervising the children while playing outside.
- (c) The playroom and sanitary areas were well lit by natural light and artificial light when needed. There was no evidence of mould, mildew, stale smells, stuffiness or condensation.
- (d) Evidence was available that routine cleaning schedules were in place for the internal areas of the building.
- (e) There were an adequate number of toilets and wash hand basins available to the preschool children in attendance and the staff members working in the service.

#### Non-Compliance Information

- (d) There were areas on the premises that were not adequately cleaned, maintained and repaired.
  - The outdoors ground matting was unclean with dirt under and around the climbing frame and other permanent play fixtures.
  - The timber play fixtures appeared unkempt and in need of maintenance.
  - The all-weather ground surface matting was noted to have wide cracks starting from the playroom exit door down to the end of the outdoor play area.
  - There were areas on the wall of the bathroom lobby where it was not painted and maintained.

Poorly maintained premises can pose a risk to the wellbeing and safety of the children and staff.

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

**Corrective and Preventive Action:** The person in charge stated in the CAPA response form that:

The service has contacted a local group to work on the maintenance and cleaning of the outdoor areas including the play and work equipment and materials. This work will be in progress over the coming months to get the identified areas to a better standard or replaced.

## **Supporting documentation submitted**

No photographic evidence submitted that the power hosing of the ground matting and maintenance work has commenced.

## **Summary Comment**

The registered provider has stated that the long-term plan is to build a new purpose facility for the service. Work to fill in the large crack in the outdoor area and maintenance work on the timber play equipment will be completed over the holiday period. This will remain non-compliant until evidence that all works have been completed is submitted.