

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015LK152			
Name of Service:	Silver Apples Creche			
Address of Service:	University of Limerick, Castletroy, Co. Limerick			
Eircode:	V94 X920			
Name of Registered Provider:	Oliver Moloney			
Service type:	Full Day, Part Time, Sessional			
Date of Inspection:	16 th of September 2025			
No of pre-school children:	AM	40	PM	38
Address of the Early Years Inspectorate:	Early Years Inspectorate, Tusla, Estuary House, Henry St, Limerick,			
Inspection undertaken by:	E Browne and J Ryan			
Title:	Early Years Inspectors			

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

Not applicable

Description of service

This full day service is located on the grounds of the University of Limerick.

The opening hours are from 08:30 – 18:00 hours, Monday – Friday for 51 weeks of the year.

It caters for children from zero to six years of age. The premises is a single storey purpose built childcare facility. It has 4 playrooms in operation, a multipurpose room, two dedicated sleep rooms, a kitchen, nappy changing and sanitary facilities for children and adults, an office and outdoor play areas to the back of the premises.

Staffing

There were 18 staff members documented on the staff roster. On the day there were 13 staff members present including the registered provider and the supervisor and 11 of these staff members were working directly with the preschool children.

The registered provider works in the service each day and is available to cover for breaks and office work. An additional staff was available to cover for breaks and to assist in the playrooms as required.

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.

The inspection focused on an examination of compliance under regulations 9, 11, 19, 23, and 29; however, on inspection additional non-compliance which posed a risk was identified under Regulation 20. These findings are outlined within the relevant regulation within this report.

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

16th September 2025

An immediate action notice (IAN) was issued on site for a safety risk identified on inspection, the details of which are documented in Regulation 23 - Safeguarding health, safety and welfare of child.

17th September 2025

The registered provider responded that actions had been taken which had addressed the safety risk.

Acknowledgments

The inspectors 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 registered provider was the designated person in charge who was available on the day of the inspection and there was a named person who could deputise as required.

(b) The registered provider was present in the service for the duration of the inspection.

(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) There were two new staff members employed since the last inspection dated the 11th of November 2024. Only these two files were reviewed as the other staff files had been reviewed on previous inspection. The following information was on file for these staff members.

(a) There were three written and verified references from past employers, available in respect of the two staff new members working at the service.

(b) There was one written and verified references from other sources furnished by staff on file as required.

(c) Vetting disclosures from the National Vetting Bureau of the Garda Síochána were available in respect of 18 staff members (staff roster) working in the service. Garda vetting for the 18 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 Jan 01/01/2024.

(d) Police vetting was on file for the 2 new staff members that had lived outside the jurisdiction.

(4) There were 12 staff members working with the children who held an award in Early Childhood Care and Education.

Non-Compliance Information

(4) There was one staff member working with the preschool children on the day of inspection who did not have evidence of an appropriate childcare qualification at a minimum of Level 5 on the National Qualifications Framework.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action: The registered provider has stated in the CAPA 2 document that:

(4)

The staff qualification is awaiting assessment from the National Qualification Authority of Ireland. The latest confirmation email was the 13th of October 2025.

Supporting documentation submitted

Copy of the staff teaching council registration details and the confirmation email from the NQAI.

Summary Comment

The evidence submitted was assessed and the non-compliance remains outstanding as evidence has not been submitted that this staff member has an appropriate qualification to work directly with children.

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) At all times during the period of the inspection the registered provider ensured that an adequate number of staff members were working directly with the children.

(2) On the day of the inspection there were 11 staff working across 4 care rooms with 40 preschool children present in the morning and 10 staff members caring for 38 preschool children present in the afternoon.

During the period of inspection, the minimum ratio of staff to children was maintained and an adequate number of staff were working directly with the children in each care room.

1. Baby room – There were 5 babies (0-18mts) and 2 staff.
2. Toddlers room – There were 7 toddlers (1-2yrs) and 2 staff.
3. Senior preschool room – There were 18 children(3-5yrs) and 4 staff.
4. Junior Preschool room - There were 10 children(3-4yrs) and 3 staff.

The registered provider and the supervisor were available to relief staff for meal breaks, kitchen duties and office management.

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 services objective was to ensure that each child's learning, development and well-being was supported, taking all children's individual interests, needs and stage of development into consideration.

There was a healthy eating policy in place in the service to encourage and educate the children about the importance of good nutrition. The parents supplied healthy snacks and drinks for the pre-school children.

Perishable foods were stored in a refrigerator until required each day. Staff sat with the children at break times and actively encouraged mealtimes to be a social occasion. Children's drinks which were stored out of their bags and were easily accessible to them throughout the day. A hot meal was provided for the children at 12:30 pm who attended the service for part time and full day care. A dinner of beef stew, broccoli and potatoes was offered to the children.

Children had unrestricted access to the toilets which were located next to the playrooms. Foot pedal operated, lidded bins were used for the safe disposal of used tissues and handtowels. Staff were available to assist children if needed. A nappy changing facility was accessible for the younger children who required nappy changing in the Baby and Toddler playrooms. Nappies were changed in a timely manner. Staff were heard using the appropriate language surrounding toileting and nappy changing. Children were encouraged and supported to develop good personal hygiene skills. Hand washing was observed by the children and staff following toileting, outdoor play and before meals times.

Lots of soft seating and rest areas were evident in each room for children to relax and rest, if time away from active play was needed. There were two sleep rooms in use for the younger children who required sleeps throughout the day. Each child's need for sleep and rest in the Baby room was met when they were tired.

The older children slept on low-level beds and linen was changed daily after each sleep. Staff remained in the room while the children were sleeping.

The magic playroom was used for small group activities and children’s play. The facility had well-resourced outdoor play areas where children had an opportunity to play in all weather conditions. Protective clothing was available for messy play, and the availability of rain gear ensured outdoor play regardless of weather.

The outdoor area provided opportunities for fresh air, discovery, movement, exploration and activities exclusive to the outdoors. A planting area was provided, a space for jumping, running, climbing, ball games, balancing were also accessible. The children were observed playing and exploring in the outdoor areas having many moments of fun and laughter. The staff were observed to be actively involved in children’s play where they initiated play and joined in the games when invited by the children.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

- (1) Subject to this regulation, a registered provider shall ensure that-
- (b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

Non-Compliance Information

(1)(b)

The sleeping facilities were not suitable and adequate in the Baby sleep room and posed a potential risk to the wellbeing of the sleeping children for the following reasons:

- Waterproof protectors were not provided on any of the 7 cot mattresses in the Baby sleep room to allow easy cleaning and reduce the risk of cross infection.
- There was no recognised EU safety standard label on four of the 7 mattresses in the Baby sleep room.
- The sponge part of the mattresses was exposed on the 2 of the 7 cots.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action: The registered provider has stated in the CAPA 2 response document that:

(1)(b)

The purchase of new mattresses with the recognised EU safety standard will take place during the month of November and will be finalised before December 1st, 2025. The service will monitor and replace the mattresses when damaged.

Supporting documentation submitted

No

Summary Comment

The evidence submitted was assessed and deemed to meet the regulatory requirement of (1)(b) Regulation 20 Facilities for Rest and Play.

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:

1.

There was a wasp infestation noted in the Baby sleep room.

Wasps were observed on the windows and curtains in the baby sleep room. On further observation many dead wasps were noted on the 2 windowsills and floor areas near the cots. A nest of wasps was noted on the external wall of the sleep room. Two babies were observed sleeping in the cots at this time.

It was acknowledged that the registered provider had notified the maintenance management team on the Friday 12th of September in relation to the wasp infestation.

An immediate action notice was issued on site to the registered provider as there was a potential risk of babies and staff being stung by the wasps. The sleep room was closed and the registered provider contacted the maintenance management team again and the pest control company for the service.

By 15:00 pm the pest control company had arrived in service and dealt with the issue of the wasp infestation.

A response was received on the 17th of September detailing the actions taken by the register provider and that the Baby sleep room was closed for up to 48 hrs following the advice of the pest control company.

2.

The entrance gate at the side of the building used by parents to drop and collect their children from the Baby and Toddler playrooms was unlocked during the hours of operation.

This posed a safety risk to the children as unauthorised persons could access the outdoor play area or a child could potentially exit the area.

Action submitted by the Registered Provider

Corrective & Preventive Action: The registered provider has stated in the CAPA 2 response document that:

General Safety:

1. Action was taken immediately on the day of the inspection. The situation has been monitored and no reoccurrence has taken place.
2. The side gate will be locked daily once all parents have dropped their children to the preschool rooms and will be unlocked in the evening to allow for collection of the preschool children.

Supporting documentation submitted

General Safety:

No

Summary Comment

The requirement of Regulation 23 Safety has now been met.

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 preschool building appeared to be a sound and stable building with no observable indications of defects.
- (b) The entrance and emergency doors to the service were secure and a keypad entry system was in place at the main entrance. All persons entering and leaving the building must be escorted by a staff member. The physical environment was safe and secure for purpose of a preschool service.

(c) The playrooms were inviting bright environments with sufficient windows that provided enough light and comfort for activities. There was a balance between natural and artificial lighting.

The service ensured the playroom and sanitary accommodation were maintained within the following temperature limits of 18 to 22 degrees Celsius. Openable windows were provided in the playrooms and in the sanitary accommodation as a means of air circulation.

(e) The facility has 2 single toilets cubicles and 2 corresponding wash hand basins available for the preschool children attending the Junior and Senior preschool playrooms. Additional wash hand basins were available in each playroom. There were 2 nappy changing facilities available in the area for the Babies and the Toddler preschool children. Pedal operated bins were available for disposing of general waste and a sealed, lidded, and pedal operated bin for nappy disposal. Hand washing and drying facilities were adequate and suitable. The hot water was thermostatically controlled at the recommended temperature of no more than 43°C. There was a supply of liquid soap and a paper towel dispenser/and dryer available to facilitate effective handwashing and drying. Separate adult toilet facilities were available for the staff members working in the service.

Non-Compliance Information

(d)

1. Wooden equipment and fencing in the outdoor area were not adequately maintained in good condition and repaired as required.
 - There was what appeared to be chip board attached to the boundary fence which was broken and deteriorating and needed replacing.
 - A unit made of what appeared to be chip board which was used to divide the outdoor play space was broken in parts and deteriorating and needed repair or replacing.
 - The climbing frame and swing set had peeling paint.
 - The boundary fence had peeling paint and required maintenance.

This issue was highlighted in the previous inspection dated 11th of November 2024. The actions as outlined by the registered provider to address the previous non-compliance had not taken place.
2. Evidence was not available to demonstrate that the Baby sleep room had been adequately cleaned as numerous dead wasps were evident on the windowsill and floor area around the cots.

- The inspectors were informed that the room had been cleaned the previous evening however there were no written records of the routine cleaning schedule/checklist being signed by staff for this area. This was at variance with the cleaning policy for the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action: The registered provider has stated in the CAPA 2 response document that:

1. The service are in the process of negotiating major works to the playground area which will include replacing all fencing, upgrading soft play area and re-painting playhouse. These works will take place within the next 6 months.
2. The cleaning check list within the room has been updated and the service will ensure that they are complete as per the cleaning policy.

Supporting documentation submitted

Summary Comment

(d)

1. This noncompliance remains outstanding until all works have been completed in the outdoor play area and evidence submitted to support that the purposed actions were taken and completed within the 6 months timeframe.
2. This requirement has been met and will be assessed at the next inspection.