

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2015LK188

Name of Service: Tree Top Pre School

Address of Service: Castlequarter, Kilbehenny, Co. Limerick

Eircode: P67 V402

Name of Registered Provider: Mairead Fitzgerald

Service type: Sessional

Date of Inspection: 29/01/2025

No of pre-school children:	AM	10	PM	No.

Address of the Early Years Inspectorate:	Tusla Early Years Inspectorate Office, Estuary House, Henry St, Limerick
Inspection undertaken by:	E Browne
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 Not applicable

Description of service

Treetops Preschool is a sessional service located a short distance from the village of Kilbehenny, Co. Limerick. The service is open from Monday to Friday 9.15am to 12.15md.

The service operates from the providers own dwelling house where the children have access to 2 interconnecting playrooms, children's sanitary facilities and an enclosed outdoor play area to the rear of the premises.

Staffing

The registered provider and one other staff member work directly with the children each day. Each adult holds a recognised qualification 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, 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 registered provider, 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 was the designated person in charge and there was a named person who was able to deputise if required.

(b) The registered provider was available on the premises throughout the inspection.

(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 the registered provider and the staff member.

(2) The following documents were available on file for the registered provider and the staff member employed in the service.

(a) References from the person's past employers and in particular the most recent employer.

(b) References from other sources in the case of a person who had no past employers were not required.

(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 one staff 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 not required as no staff member had lived in another state for a period of longer than 6 months.

(3) All vetting procedures were carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(4) The registered provider and the staff member had the appropriate childcare qualifications

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 that the correct number of adults was rostered to work at the service. On the day of the inspection there were 2 adults present with 10 preschool children for the session.

(3) The adult/child ratio was correct throughout the duration of the sessional service.

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)- (i) The records for 10 preschool children were examined and all the information required from (a)- (i) was maintained on each record.

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 service ensured that each child's learning and development was facilitated within the daily life of the service. A healthy eating policy was in place and children brought a healthy snack each day with them to the preschool. Children's drinks were stored in the door of the fridge in the preschool room and were accessible to the children when needed.

All children were toilet trained and were independently using the bathroom facilities. Help was offered if required. Nappy changing facilities were available if needed. Hot water, liquid soap and paper hand towels were accessible in the bathrooms to ensure hygienic washing of hands.

An adult couch with soft cushions was located in the library corner of the room. This provided the children with a rest space if they needed quiet time away from the general play areas. Where children presented with additional needs, individual care plans were developed. Individual goals and progress reports were documented and evidence of regular communication with parents and other professionals were noted in writing.

Children had daily access to the enclosed garden area containing lots of natural play materials and an all-weather surface for play on the ride on toys and equipment.

The staff were positive in their communication with the children, using soft tones of voice and listening to the children in a caring and gentle way.

PHYSICAL AND MATERIAL ENVIRONMENT:

The indoor environment was well laid out with a good range of developmentally appropriate and challenging experiences for the children. Low level tables and chairs provided a space for the children for tabletop activities and for dining at mealtimes.

Play equipment and materials were displayed on open low-level shelving and were grouped to provide specific interest spaces. Some of the areas included a construction area, a home corner equipped with a play kitchen, food props, dolls and prams, an imagination play area with dress up clothes, a rest /relaxation reading corner with a soft couch located next to a book stand, an art/craft area and a sensorial and messy play area. Children’s family photographs and educational posters were displayed on the walls of the room at children’s eye level. The outdoor areas of the service offered the children space for physical play, for movement and for exploration.

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. Garda vetting was available for the registered provider and the staff members. However, the garda vetting disclosures for 1 staff member was not 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.

Action submitted by the Registered Provider

Corrective & Preventive Action: The registered provider has stated the following:

General Safety:

1. A copy of the renewed garda vetting for the one staff member was submitted to the Early Years Inspectorate on the 3rd of February 2025.

A reminder is in place to ensure all Garda vetting disclosures are renewed with the 3-year timeframe.

Supporting documentation submitted:

A copy of the renewed Garda vetting was submitted to the Inspectorate office.

Summary Comment

The evidence submitted was assessed and deemed to meet the regulatory requirement of Regulation 23 General Safety.

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) All pre-school child who attended the service on the day were recorded on the attendance register and it included their time of arrival and their time of departure.

(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) The registered provider had up to date first aid responder training.
- (2)(a) The registered provider ensured that a suitable equipped first aid box for children was safely stored in an easily accessible and conspicuous position on the premises.
- (b) The first aid box was available to the children attending the preschool.

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 were fire drill records available on file for September and October 2024.
- (b) A record of the maintenance of the firefighting equipment in the service was available for review by the Inspectorate. The firefighting equipment were serviced in October 2024.
- (4) A fire action notice was clearly displayed in the service

Non-Compliance Information

- (1)(a) The last recorded fire drill was in October 2024. There were no fire drills carried out for November and December 2024. This posed a risk to the safety of the children and staff in the service in the event of an emergency.
- (b)The smoke alarm was last serviced in October 2023. This posed a risk to the safety of the children and staff in the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action: The registered provider has stated the following:

(1)(a) Fire drills have commenced and the most recent was dated the 19th of February 2025.

(b) The smoke alarm system was serviced on the 18th of Feb 2025.

Reminders are in place to ensure fire drills are practised each month and the firefighting equipment including the smoke alarm system are serviced yearly.

Supporting documentation submitted

A copy of the fire alarm certificate and a copy of the most recent fire drill were submitted to the Early Years Inspectorate.

Summary Comment

The evidence submitted was assessed and deemed to meet the regulatory requirement of Regulation 26 Fire Safety Measures.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

An insurance certificate was available on the day of the inspection which stated that 11 children were covered for sessional care by the policy. The commencement date of insurance was the 28th of March 2024 and the expiry date of insurance was the 27th of March 2025.