

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015LS001		
Name of Service:	Fairbrother Childminding Ltd. T/A Orchard Childminding Service		
Address of Service:	The Orchard Child Minding, Lisduff, Errill, Portlaoise, Co. Laois		
Eircode:	R32 KH70		
Name of Registered Provider:	Rosaleen Fairbrother		
Service type:	Full Day, Part Time, Sessional		
Date of Inspection:	06/08/2025		
No of pre-school children:	AM	45	PM 44
Address of the Early Years Inspectorate:	Early Years Inspectorate, Tusla, Child and Family Agency, Primary Care Centre, Church Avenue, Tullamore, Co Offaly.		
Inspection undertaken by:	K. Murphy & C. O'Connor Hughes		
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

The service offers full time, part time and sessional places. The service operates between the hours of 07:00 and 18:00 on a Monday to Friday basis. The age range of children that the service is registered to accommodate is 0 to 6 years of age. The service is operated by an independent provider as part of a multiple.

The Early Years' Service is located in a purpose-built premises attached to the home of the registered provider. Three pre-school rooms, namely the baby room, wobbler room and pre-school room, a dining room, a sleep room, a sluice room, a kitchen /dining area and an office are provided. A sensory room is co-located in the outdoor play area. Outdoor play areas are attached to the rear of the service. On site set down and parking facilities are available. The service is rurally located in the townland of Lisduff, near the village of Errill, County Laois.

Staffing

There are fourteen adults employed in the service. The designated person in charge, deputy person in charge and nine childcare practitioners were present on the 6 August 2025. A cook was present to prepare and serve meals for the children attending the service. The registered provider was present in the afternoon and remained on site for the closing meeting.

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.

Regulation 9- Management and recruitment - (1)(a)(b) (2)(a)(b)(c)(d) (4)

Regulation 11 -Staffing levels - (1) (3) (8)(a)

Regulation 16 Record of a pre-school service – (1)(a)(b)(c)(d)(e)(f)(h)(i)(j)(k)

Regulation 19- Health, welfare and development of child - (1)(b)

Regulation 20 – Facilities for Rest and Play -- (1)(a)(b) (3)(a)

Regulation 23- Safeguarding health, safety and welfare of child

Regulation 24- Checking in and Out and Record of Attendance

Regulation 25- First aid - (1) (2)(a)(b)

Regulation 26 -Fire safety measures - (1)(a)(b) (4)

Regulation 28 – Insurance

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 inspectors wish to acknowledge the cooperation of the registered provider, persons 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*

(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 person in charge and deputy person in charge were available in the service.

(b)

The person in charge was present for the duration of the inspection.

Fifteen staff files including the file of the registered provider were reviewed and the following was noted:

(2)(a)(b)

The required number of written validated references were available for fifteen adults from past employers and from a source other than a past employer.

(c)

A Garda Vetting disclosure was available in respect of the fifteen files reviewed. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d)
Police vetting was available in respect of two adults who had lived outside the state for a period of longer than six consecutive months.

(4)
Staff members working directly with children attending the service held a major award in Early Childhood Care and Education at levels 5 to 8 on the National Framework of Qualifications or an equivalent deemed by the Minister.

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.

*(8) Without prejudice to paragraphs (2) to (7)-
(a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times,*

Compliance Information

(1)
The minimum ratio of adults to children was maintained during the inspection.

(2)
There were forty-five children attending the service in the morning and forty-four children in the afternoon supervised by ten adults.

(8)(a)

The roster and staff attendance records reviewed indicated that two adults are on the premises during the hours of operation.

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;*
- (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 service kept and maintained written records of information in relation to the service in accordance with Regulation 16 (1) (a)(b)(c)(d)(e)(f)(h)(i)(j) and (k).

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-

(b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.

Compliance Information

(1)(b)

Children were observed to move between the indoor and outdoor environments enjoying physical play and gross motor activities as well as imaginative and sensory play outdoors.

Children who went to the toilet independently were supervised by a staff member. Nappy changing was carried out regularly and as needed. Staff were observed to communicate and interact positively with the child during nappy changing. A familiar event or activity was used as a basis for engagement and interactions between the staff member and the child during the nappy changing procedure. The nappy changing practice observed was carried out in line with the displayed service procedure. Children were observed to wash their hands prior to snacks and meals. Younger children slept on an individual needs' basis in the sleep room and were checked physically by staff every ten minutes. The child's daily routine was displayed in the baby room and staff were familiar with each child's individual care needs.

Meals and snacks are prepared on site by the cook. Dietary requirements are catered for. Additional supplies of food and drink were available. Water stations were available to children to self-serve in the pre-school rooms. The main meal consisted of bacon, carrots, peas, mashed potato with gravy was served in the afternoon.

A key person system was in place in the service. The staff were positive towards children and were familiar with each child, their personalities and their daily routines. Staff were observed to give comfort and reassurance to the children. Staff used individual names, maintained eye contact and conversed with the children during play activities, toileting and mealtimes. Seamless transitions were noted as the children were given a lead in time to change from one activity to another. Staff used a calm approach using soft language tones, giving positive praise and encouragement to children. Good teamwork was observed amongst staff. A daily logbook was completed by

staff detailing an account of each child's day which supported the communication between the service and the parents of 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-

(a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child to play indoors and, where required by these Regulations, outdoors, during the day, and

(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.

(3) A registered provider of a full day care service, a part-time day care service or a childminding service, other than such a service to which paragraph (2) applies, shall ensure that-

(a) a suitable, safe and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises

Compliance Information

(1)(a)

Suitable play equipment was provided indoors and outdoors which included toys and equipment for construction, tabletop activities, arts and crafts, sensory play and home corners.

(b)

A separate sleep room equipped with six standard cots was located adjacent to the baby room. Low level beds were available in the service for any child over the age of two years who required rest or sleep.

(3)(a)

Outdoor play areas were available for children to the rear and side of the service. The toys and equipment included slides, toy kitchen, a tunnel, trikes and bikes, benches, tables and chairs. A separate play area with an all-weather absorbent surface was located outside the baby room. A large green grass area was available for ball games and equipped with goal posts and nets. The perimeter was secured by a wooden fence and foliage.

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 entry to the service was secure to ensure the safety of the children within. The service met the necessary safety requirements in respect of the indoor environment, toys and equipment and the safe storage of cleaning agents. The inspectors signed the visitors book in the service.

Infection Control:

The premises were visually clean. All toys and materials were easily cleanable and cleaning schedules were available and reviewed. Soothers were stored correctly in individual containers in the baby room.

Bottles of baby formula was stored in the refrigerator in the main kitchen. The record of the fridge temperature was recorded daily at the correct level of below 5 degrees Celsius.

The pre-school rooms and the sanitary accommodation were ventilated by means of openable windows. Mechanical ventilation was noted in the nappy changing area. There was an adequate supply of paper hand towel and liquid soap in the sanitary accommodation. Foot operated pedal bins were noted in the pre-school rooms and the sanitary accommodation for the hygienic disposal of waste.

Administration of Medication:

Temperature reducing medication was available if required by a child with a high temperature. The medication book was reviewed and correct procedures were in place for the administration of medication.

Safe Sleep:

A record of the colour, position and breathing of sleeping children was noted on a sleep log for children attending the baby room. Staff were observed to carry out a visual check every ten minutes on sleeping children. The baby sleep room temperature was recorded 20 degrees Celsius. A digital thermometer was noted in the baby sleep room. An air conditioning unit was in place in the baby sleep room if required.

Fire Safety:

The fire exit routes in the premises were unobstructed. An assembly point was located to the back of the premises.

Non-Compliance Information

General Safety:

1. Thermostatically controlled water was not available at the wash hand basins in the nappy changing area for the baby room and the sanitary accommodation for the wobbler and pre-school rooms. The temperatures recorded ranged from 45 – 55° Celsius which presented a potential risk of a scald injury to children.

It is acknowledged that the designated person in charge took an immediate corrective action once the risk was identified by the early year's inspectors. A plumber was contacted and came on site to take remedial action. The risk was eliminated prior to the conclusion of the inspection.

Following the corrective action the temperature at the wash hand basin in the nappy changing area for the baby room was recorded at 34.8° Celsius at 14:25.

Following the corrective action the temperature at the wash hand basins in the sanitary accommodation for the wobbler room was recorded at 39.3° Celsius and 40.7° Celsius at 14:29

Following the corrective action the temperature at the wash hand basins in the sanitary accommodation for the pre-school room was recorded at 37.1° Celsius and 36.1° Celsius at 14:32.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

The registered provider stated in the response that on the day of inspection a plumber arrived once the water was tested and was too hot. The plumber fixed the issue straight away to meet the required temperature to be safe. The plumber was asked to return and change all taps after this inspection and check that there was no chance of this happening again. There will be weekly checks to check the temperature on all taps this will be added to the cleaning/ safety books in each room going forward. (Confirmation of completed works and outcomes from the plumber submitted).

Summary Comment

In respect of the corrective actions taken documentary evidence was submitted to the office of the Early Years Inspectorate, reviewed by the Early Years Inspector and deemed to meet the regulatory requirement.

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.

(4) A registered provider shall ensure that a record in writing referred to in paragraph (3)(b) is retained for a period of one year from the date to which it relates.

Compliance Information

(1)

The records of arrival and departure reviewed verified that each child attending the service was checked in and out of the service by a nominated staff member.

(3)(a)

All entry to the service with the exception of (i), (ii), (iii) and (iv) has to be approved by a staff member.

(b)

A visitor log was in place to record the details and purpose of all visitors to the service.

(4)

The visitor log is retained throughout the annual operation of the service.

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)

Three adults were qualified in First Aid response (FAR) and were available on the premises during the hours of operation on a rostered basis.

(2)(a)

A fully equipped first aid box was readily available in the service.

(b)

A first aid box was accessible to the adults caring for the children in the pre-school service.

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 firefighting 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

A written record for the completed monthly fire drills was available on the premises. The last fire drill was recorded as taking place on the 22 July 2025.

(b)

A record was available demonstrating the number, type and maintenance of the firefighting equipment and

smoke alarms on the premises. The firefighting equipment and the smoke alarms in the premises were serviced in June and July 2025 respectively.

(4)

A notice of the procedures to be followed in the event of a fire was displayed in a conspicuous position in the service.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

There was evidence of current insurance cover for the number of children attending the service. The expiry date noted was 27 March 2026.