

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015LS006
<b>Name of Service:</b>	Bernie Tynan's Preschool
<b>Address of Service:</b>	24 Beechlawn, Portlaoise, Co. Laois
<b>Eircode:</b>	R32 HE2R
<b>Name of Registered Provider:</b>	Bernie Tynan
<b>Service type:</b>	Sessional
<b>Dates of Inspection:</b>	21/05/2025

<b>No of pre-school children:</b>	AM	32	PM	N/A
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Tusla, Child and Family Agency, Primary Care Centre, Church Avenue, Tullamore Co. Offaly
<b>Inspection undertaken by:</b>	R. Flynn and C. O'Connor Hughes
<b>Titles:</b>	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).

<b>Conditions if applicable</b>	Not applicable.
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### Description of service

Bernie Tynan's Pre-school is a private sessional service for children from 2-6 years of age. The service operates 2 sessions daily Monday to Friday, participating in the Early Childhood Care and Education (ECCE) Scheme for 38 weeks of the pre-school year. The morning session operates from 08:45-12:00 and the afternoon session operates from 12:30-15:30. The service is located in an urban area based at the back of the registered provider's domestic dwelling. A secure area for outdoor play is available to the back of the premises.

### Staffing

The registered provider employs nine adults in the service. The registered provider and six adults were working directly with children on 21 May 2025. One adult was present in a support role and an adult engaged in ancillary duties were also present. The registered provider facilitated the inspection.

### 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 carried out during the morning session. The inspection focused on the area of governance/ health, welfare and development of child, safety and premises. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations  
Regulation 9 Management and Recruitment (1)(a)(b), (2)(a)(b)(c)(d), (3) (4)  
Regulation 11 Staffing Levels (1) (3)

Regulation 15 Record of pre-school child (1) (a) to (j)  
Regulation 16 Record in relation to pre-school service (1)  
Regulation 19 Health, welfare and development of child (1) (a)  
Regulation 20 Facilities for Rest and Play (1) (a) (b) (4)  
Regulation 23 Safeguarding the health, safety and welfare of child  
Regulation 25 First aid (1) (2) (a) (b)  
Regulation 26 Fire safety measures (1) (4)  
Regulation 28 Insurance

However, on inspection additional non-compliance which posed a risk was identified under;

Regulation 29 Premises (d).

These findings are outlined within the relevant regulations 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.

### Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, deputy 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*

*(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)

A designated person in charge and a named person to deputise were available as required.

(b)

The registered provider was present for the duration of the inspection.

Ten staff files including the registered providers were reviewed and the following was noted:

(2)(a)(b)

The required number of written validated references were available from past employers or from a source other than a previous employer in respect of the nine staff members.

Two written references were available in respect of the registered provider.

(c)

Garda vetting disclosures were available in respect of the ten staff 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 not required as no adult had lived outside the state for a period of longer than six consecutive months.

(3)

Documentation reviewed indicated that the registered provider ensured correct recruitment procedures were carried out prior to the employment of staff in the service.

(4)

The registered provider and eight staff members working directly with children attending the service held a major award in Early Childhood Care and Education at Levels 5 and 8 on the National Framework of Qualifications or a qualification deemed to be the equivalent.

### 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)

An adequate number of adults were working directly with the children.

(3)

The ratio of adults to children was maintained.

There were thirty-two children attending the service being supervised directly by five adults including the registered provider.

There were three adults providing direct care to nineteen children aged from four to six years in the blue room.

There were two adults providing direct care to thirteen children aged from three to five years in the red room.

### 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)

In a review of a sample twelve child enrolment records information relating to (a)(b)(c)(d)(e)(f)(g)(h)(i) was available in respect of 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;*
- (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)

Correct procedures were in place for the administration of medication in the service. One administration of medication form with signed parental consent was available and reviewed.

(k)

Seven accident and incident records were reviewed. Each accident and incident record had details of the accident/incident and were signed by the children's parents or guardians.

### 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,*

#### Compliance Information

(1)(a)

There was a calm and happy atmosphere in the service. The children were observed to be engaged, active and involved throughout the morning as they chose between indoor and outdoor activities.

Children were observed eating a packed lunch provided by their parents. Lunches consisted of a variety of sandwiches, yoghurts and fruit with water to drink.

Children's drinks were available in their lunch bags stored in the preschool room within their reach throughout the session, should they feel thirsty at any stage. The children sat at low level tables while eating their lunches and engaged in conversations with each other.

Staff members were observed to be warm, kind and respectful towards the children in their care. Children were spoken to using their first names, appropriate eye contact was made, and soft vocal tones were used during interactions. Access and Inclusion plans were in place for children requiring extra support and supervision. Staff members worked with children on a one-to-one basis and in small group work activities with children in the red room. Minor behavior management issues were handled in a positive caring manner by staff members.

Children's language development was supported through one to one and group discussions, songs and storytelling which were observed during the session. A range of books were available in the reading area in both pre-school rooms. The children in the blue room demonstrated a dance routine they had been learning for their end of year performance. Children demonstrated a sense of pride and accomplishment in their performance. Children had the opportunity to express their views, take the lead and exercise choice in relation to their engagement in activities. Children who did not want to play outside were supervised inside. Children were observed requesting Irish dancing music to practice their Irish dancing.

Children from the red room were observed to enjoy outdoor play supervised by the staff. A range of developmentally appropriate equipment was provided in the outdoor play area. Opportunities were provided for challenge and safe risk for example, monkey bars and a climbing wall. A variety of multi-sensory experiences were

provided including a sand box, slides, a basketball hoop and an outdoor play kitchen. Part of the outdoor area was covered over with a roof to facilitate year-round play.

Children's artwork and seasonal art was displayed. The service was laid out to accommodate the needs of the children attending the service. Low level tables and chairs were provided. A variety of equipment and play materials included a puzzles, books, arts and crafts materials, cars, animals and construction toys were available in both pre-school rooms.

The service worked in partnership with parents in the following ways. The service maintained learning journals for each child which contained pictures of their play and work activities. The journals and child development observations are shared with parents at the end of the pre-school year. Parents are invited to an open day to introduce new children into the early years setting. The staff advised the inspectors that information and updates regarding the service are given to parents at drop off and collection times and via an electronic messaging application.

### 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.*

*(4) Where outdoor space to which the pre-school children attending the service have access is provided on the premises of a sessional pre-school service other than such a service to which paragraph (2) applies, a temporary pre-school service or a pre-school service in a drop-in centre, the registered provider shall ensure that such outdoor space is suitable, safe and secure.*

### Compliance Information

(1) (a)

Suitable play equipment was provided which included toys and equipment for construction, tabletop activities, arts and crafts and home corners in the pre-school rooms.

(b)

Soft furnishings provided facilities for rest and relaxation in the pre-school rooms.

(4)

The outdoor play area was safe and secured by a high-level fence and gate surrounding the perimeter.

### 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 entrance to the service was via a secure gate to the side of the property and was controlled by the staff to prevent children from exiting the service unsupervised. The service met the necessary safety requirements in respect of the indoor environment, toys and equipment and safe storage of cleaning agents. Cleaning products were stored in the kitchen area out of reach of the children.

#### Infection Control:

Staff were observed to encourage and prompt the children to wash their hands before snack time.

#### Administration of Medication:

Medication was not required to be administered to any child on the day of inspection. Written parental consent was available should medication be required to be administered to a child. Staff were aware of the procedures to be followed to administer medicine safely to a child if required while attending the service.

### Non-Compliance Information

### General Safety:

1. Two children were observed to have popcorn for their lunch in the blue and red rooms presenting a potential choking hazard to a child. This is at variance with the service's healthy eating policy that stated "Lunches will be healthy containing no junk food, fizzy drinks, no nuts or popcorn."
2. A hanging cable from a television unit was noted in the red room which posed a potential risk of injury to a child.

### Infection Control:

1. Thermostatically controlled warm water was not provided to encourage handwashing. Children were observed to wash their hands in cold water in the sanitary accommodation of the red and blue room. It is acknowledged that the upon request of the inspector the registered provider took a corrective action and put on the immersion to heat the water.
2. The child height hand towel dispenser in the sanitary accommodation was not in use. Staff assistance was required for some children to reach the paper towels after hand washing which were hanging on a roller on the back of the door in the sanitary accommodation. Staff were observed taking paper towels from the dispenser and handing them to the children. This posed a potential risk of cross contamination.
3. The corner of a nappy changing mat in the sanitary accommodation in the red room was torn and therefore could not be effectively cleaned which increases the risk of cross contamination.
4. Craft felt materials and children's high vis jackets were stored in the sanitary accommodation in the red room which posed a risk of potential cross contamination.
5. Persishible items such as yoghurts and ham sandwiches contained within the children's lunchboxes were not refrigerated.

### Outing:

1. Documented risk assessments relating to outings from the service that had previously occurred were not in place to support practice and ensure the safety of the children. The inspectors were informed that the children are brought on outings weekly to the local pitch which is located at the end of the Cul de sac where the service is located.

Action submitted by the Registered Provider

### Corrective & Preventive Action

#### General Safety:

1. The healthy eating policy and risk management policies were reviewed and updated. All staff were trained in the new policies.
2. The cable was removed. A weekly risk assessment checklist has been implemented. Hazard checks will be conducted regularly using the new checklists. All staff received training.

#### Infection Control:

1. A sign was put in place at the immersion to remind staff to turn the immersion on daily.
2. Paper hand towels were ordered.
3. A new nappy changing mat was ordered.
4. The items stored above the toilet were removed.
5. A fridge was purchased for use in the preschool and perishable lunches are now stored in the fridge.

#### Outing:

1. The outing policy was reviewed and updated. Weekly outdoor risk assessments are being conducted, and a checklist is in place. All staff were trained in the new policies.

### Supporting documentation submitted

#### General Safety:

1. A copy of the updated healthy eating policy.
2. Photograph of the cable no longer in place.

#### Infection Control:

1. Photograph of sign on wall below immersion.
- 2 & 3. Copy of invoice for paper towels and nappy mat.
4. Photograph of shelves above toilet showing that items were removed.

#### Outing:

1. The new outings policy and risk assessment.

### Summary Comment

In respect of the corrective action taken photographic evidence was submitted to the office of the Early Years Inspectorate, reviewed by the Early Years Inspector and deemed to meet the regulatory requirements.

## 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 was qualified in First Aid response (FAR) and available on the premises during the hours of operation.

(2)(a)  
A first aid box was located in both pre-school rooms in the service.

(b)  
A first aid box was accessible to adults caring for children in the service.

### Non-Compliance Information

(2)(a)  
The first aid boxes were not stocked in line with TUSLA requirements as outlined in the Quality Regulatory Framework document. Checklists were not in place.

The following was noted in the first aid box in the red room.

- The burns dressing had an expiry date of December 2014.
- The normal saline had an expiry date of August 2020.
- The bandages had an expiry date of September 2013.
- There were no paramedic shears in the first aid box.

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

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

Two new first aid boxes were purchased for the Blue room and Red room.

The registered provider will check all first aid boxes monthly.

#### **Supporting documentation submitted**

Photographs of first aid boxes.

### Summary Comment

In respect of the corrective action taken photographic 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 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

(1)(a)

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 12 May 2025.

(4)

Fire evacuation procedures were noted in a conspicuous location in the premises.

#### Non-Compliance Information

(1)(b)

There was no maintenance record of firefighting equipment and smoke alarms for the service.

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

##### Corrective and Preventive Action

Maintenance record obtained for fire extinguishers and fire blankets dated 31/03/2025.

Smoke alarms were tested on 06/06/25.

##### Supporting documentation submitted

The maintenance record dated 31/03/2025.

Smoke alarm maintenance record.

#### Summary Comment

In respect of the corrective action taken photographic 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 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 39 children per session attending the service and the expiry date noted was 27 March 2026.

### Additional risk identified

#### Part VII - Premises and Space Requirements

#### Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-*

*(d) cleaned, maintained and repaired, as required,*

#### Non-Compliance Information

- (d)
1. A toilet in the sanitary accommodation in the blue room had a large hole on the right-hand side of the cistern.
  2. A light fitting was not in place and an exposed bulb was noted in the sanitary accommodation of the blue room which posed potential risk of harm if a bulb shattered.
  3. The carpet on two steps of the stairs of the play unit in the red room was ripped and required repair.
  4. The surface layer of the children's couch in the red room was worn and required replacement.
  5. The large table in the red room had worn edges and required repair and painting.
  6. The play units in the red room had missing surface strips and required replacement and painting.
  7. The wooden "buddy bench" in the outdoor play area required painting.

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

#### Corrective and Preventive Action

1. The cistern was repaired.
2. The bulb was covered with a light fitting in the sanitary accommodation of the blue room.
3. The carpet on the stairs has been replaced.
4. A new cover for the couch in the rest area in the red room was purchased.
5. A new table for the red room was purchased.
6. Surface strips were replaced on shelving on the red room play units.
7. The 'buddy bench' in the outdoor area was repainted.

### **Supporting documentation submitted**

Photographs in respect of 1-7 received.

### **Summary Comment**

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