

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2015LS043

Name of Service: Kilminchy School House

Address of Service: Dublin Road, Portlaoise, Co. Laois

Eircode: R32 TX33

Name of Registered Provider: Sonya Duggan

Service type: Full Day, Part Time, Sessional

Date of Inspection: 17/07/2025

No of pre-school children:	AM	35	PM	33

Address of the Early Years Inspectorate:	Early Years Inspectorate Child and Family Agency Primary Care Centre Church Avenue Tullamore Co Offaly
Inspection undertaken by:	R. Flynn
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

Kilminchy School House is one of two privately owned services operated by the registered provider. The service offers full day care, part time and sessional care and education to children aged 1-6 years old. Opening hours are from 08:00am-18:00pm, Monday-Friday. The service operates from a two-storey premises located in the town of Portlaoise, Co. Laois. The service comprises of five care room. The toddler/wobbler, Caterpillars and Butterfly room and kitchen are located on the ground floor, and Butterfly room 2, Caterpillar room 2, and two sleep rooms are located on the first floor. The toddler/Wobbler room, Caterpillar room 1 and Butterfly rooms 1 and 2 were in operation on the day of inspection. An outdoor play area is located to the front and side of the premises.

Staffing

The registered provider employs eleven adults in the service. The registered provider works directly with the children however was not present in the service during the inspection on 17 July. The deputy person in charge 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 focused on the area of governance, health, welfare and development of child and safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under:

- Regulation 9(1)(a)(b), (2) (a)(b)(c)(d), (4) – Management and recruitment,
- Regulation 11 (1)(2)(8)(a) – Staffing levels,
- Regulation 19 (1)(a) – Health, welfare and development of child,
- Regulation 20 (1)(a)(b), (3)(a) – Facilities for Rest and Play,
- Regulation 23 – Safeguarding health, safety and welfare of child,
- Regulation 25(1),(2)(a)(b)– First aid,
- Regulation 26(1)(a)(b),(4)– Fire safety measures.

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

An immediate action notice was issued under Regulation 23 to the registered provider following the inspection. A response which mitigated the risk was received and accepted by the inspectorate. See body of report for details.

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.

(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)(b)

The service had a designated person in charge and a named person to deputise. The deputy person in charge was on the premises throughout the inspection.

Twelve staff files including the registered provider's were reviewed and the following was noted;

(2) (a)

Eleven written validated references were available from a previous employer and

(b)

Thirteen written validated references were available from a source other than a previous employer.

(c)
Garda vetting disclosures had been obtained for twelve staff members. In respect of ten of the twelve files reviewed, the service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.

(d)
Police vetting was available for six staff members who had lived outside the state for a period of longer than six consecutive months.

(4)
The registered provider and eleven 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 a letter of equivalence from the minister deemed to be 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.

(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.

(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.

(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)
An adequate number of adults were working directly with the children. In the morning on arrival at the service, there were thirty-five children being supervised directly by seven adults. In the afternoon, there were thirty-three children being supervised by eight adults.

(2)
The minimum ratio of adults to children was maintained on the day of inspection demonstrated by the following observation;

Morning

- There were two adults providing direct care to eight children aged between 1-2.8 months in the Wobbler/Toddler room.
- There were two adults providing direct care to twelve children aged between 2-3 years in the Caterpillar room.
- There was one adult providing direct care to eight children aged between 3-5 years in the Butterfly room.
- There was one adult providing direct care to seven children aged between 4-6 years in the Butterfly 2 room.

The deputy person in charge was available onsite to support in all rooms if required.

Afternoon

- There were two adults providing direct care to eight children aged between 1-2.8 months in the Wobbler/Toddler room.
- There were two adults providing direct care to eleven children aged between 2-3 years in the Caterpillar room.
- There were two adults providing direct care to fourteen children in the Butterfly 1 room, aged between 3-6 years.
- The deputy person in charge and manager were available to cover staff breaks.

(8)(a)
There were at least two adults on the premises duration the operational hours of the service. This was confirmed following review of the staff roster for the service.

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

Parents provide the morning and afternoon snack. The service provides the lunch and tea. The main hot meal served on the day of inspection was pasta with minced meat, sauce and cheese. Staff were familiar with children's dietary requirements, advising that one child did not have meat as they were vegetarian. An alternate meal of pasta in tomato sauce was provided to the child. Children in the Butterfly room were provided with additional portions of dinner if they wished. Water was freely available in each room throughout the day. Children in the toddler/wobbler room wore bibs to protect their clothing during mealtimes. Younger children's hands and faces were cleaned with individual wash cloths following snack time and hand washing routines were observed to be well established in each care room.

Children enjoyed freedom of movement within the care rooms. Children in Butterfly room 1 were engaged in activities such as reading in a tent with staff, a tabletop activity of cutting and sticking and free play with plastic bricks. Children in the toddler and wobbler room played with blocks on a soft mat. The children were provided with the opportunity for outdoor play throughout the day.

Nappy changing procedures were carried out on a routine basis and more frequently if required. Children from the Caterpillar room were observed washing their hands under supervision of a staff member following outdoor play and prior to eating their lunch.

Adequate cots for children requiring sleep were available and children were accommodated to sleep according to their individual need. Low level beds with appropriate bed linen were available for children aged 2 years and above who were observed to go to sleep after lunchtime.

Children's behaviour was managed positively with an emphasis on praise and encouragement. Staff in the toddler/wobbler room were observed encouraging and supporting a child to share the toys the children were playing with on the low-level table.

Supporting Relationships

On the day of inspection 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 observed. A child who was transitioning from the toddler/wobbler room to the Caterpillar room was observed spending a short period of time in the Caterpillar room to assist the child become familiar with this change of environment, before the full-time transition to the new care room. Staff were observed supporting the child adjust to this change.

Babies and younger children were observed being held and cuddled by staff and any child that became upset or unsettled was immediately attended to and reassured. A child in the butterfly room requested a 'cuddle' before their rest, staff sat with the child providing support until they were ready to settle for their nap.

Communication with parents was via an electronic application that enabled parents to receive updates regarding their child's day. Verbal updates were provided at drop off and collection times.

Physical and Material Learning Environment

Low-level shelving in each care room ensured that materials and equipment such as baskets of magnetic tiles, vehicles, wooden puzzles and jars with coloured rice and pasta were freely available to children. This enabled children to choose the toys and equipment they wished to play with. There was art and craft materials such as paper, crayons, paint and playdough available. Other equipment included musical instruments, dolls and prams, trucks and cars and kitchen areas. A post office/shop, kitchen area and a supermarket area with shopping baskets and play food, was provided in the Butterfly and Caterpillar room for imaginative role play. A child in the toddler/wobbler room was observed to take a break from activities and rest on the couch.

Interest areas such as a low wooden climbing frame in the toddler room was available for small children to climb on.

Children's art and family trees were displayed on the walls. This supported the children's identify and belonging and provided a link to home.

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)

The pre-school rooms were bright and spacious for the children to move about, work and play during their time spent in the service.

(b)

Suitable comfortable rest areas were available in each of the pre-school rooms should a child wish to take a break from activities for some quiet time, rest or read a book. Cushioned child sized couches were provided in the Caterpillar and Butterfly rooms in designated spaces adjacent to the library areas. The wobbler/toddler room had an adult size couch with cushions providing a space for children to sit comfortable with staff to read books or to drink bottles of milk.

Two sleep rooms with seven cots were provided for the sleep needs of children who required a cot to sleep in.

Low level beds were in place for children in the caterpillar and butterfly rooms who required a sleep.

(3) (a)

The outdoor area was fully enclosed with a high-level concrete wall and gates to the front and side of the premises. Equipment in the outdoor area included balls, basketball hoops, climbing frames and an outdoor kitchen with props. Plenty of ride on equipment was available such as balance bikes and toy cars. A variety of natural materials such as a bug hotel, plants, trees, a mud kitchen and bird houses were provided throughout the outdoor area which supports children's holistic development and wellbeing.

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 outside gate and entry to the service was secured and controlled with an electromagnetic lock and keypad entry system. This was controlled by staff by a video monitor whereby staff could release the gate lock from inside the service. This system prevented children from exiting the service unsupervised and restricted unauthorised persons from gaining access to the pre-school. The handle on the external gate was positioned high up out of reach of children.

Cleaning products were stored safely on high shelves out of reach of children.

The toys and play equipment observed in use by the children on the day of inspection were safe and in good working order.

Infection Control:

Children's hands were observed to be routinely washed before eating, following toilet use and after outdoor play. Liquid hand soap and paper towels were provided at sinks to support hygienic hand washing.

Bed linen for cots and low-level beds were stored in baskets individually labelled for each child who required a sleep.

A fridge was available in the entrance hall and the kitchen for the safe storage of perishable foods provided from home contained within lunch boxes.

Administration of Medication:

Care plans were in place for children who required specific medication. Medication was not given at the time of the inspection and in conversation with staff members, they were aware of the procedures to be followed to administer medicine safely to a child if required while attending the service.

Safe Sleep:

A log was maintained where the temperature of the room, the colour, breathing and position of sleeping children was checked every 10 minutes. Staff were observed to conduct checks on the children sleeping every 10 minutes.

Fire Safety:

Staff advised that regular fire drills take place and staff were able to advise of fire drill procedure. Fire exits in the premises were easily recognisable and unobstructed. A fire exit route was provided from the sleep room located

on the second floor. An external staircase led to the garden from this room. All fire exits were clear from obstruction. A notice showing the fire assembly point at the back of the service was on display.

Outing:

Staff advised the inspector that outings occur with the older children in the service each year. Children from the Butterfly room and Caterpillar room went on outings to a local farm and the Castlecomer Discovery Park. A risk assessment, check list and parental consent forms were completed prior to the outing to the Discovery Park.

Non-Compliance Information

Safe Sleep:

1. The temperature of the back sleep room was not maintained between 16^o-20^o Celsius when children aged between 1-2 were sleeping. The ambient room temperature was recorded at 24.2^o Celsius at 14.00 hours whilst three children slept. This is a safety risk to sleeping children. It is acknowledged that a window in the sleep room was open at this time. An immediate action notice was issued to the registered provider following the inspection and it is acknowledged that the registered provider responded with action taken to mitigate the risk.

Infection Control:

2. Foot operated pedal bins were not available for the hygienic disposal of used paper hand towel, tissues and soiled nappies in the sanitary areas.
3. The mattresses in the cot rooms upstairs did not have washable or wipeable mattress covers on seven mattresses.

General Safety:

4. Garda vetting was available for twelve staff members. However, the most recent Garda vetting disclosure presented in respect of two staff members was not dated within the previous three years in adherence with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

Action submitted by the Registered Provider

Corrective & Preventive Action

Safe Sleep:

1. Air conditioning units and fans were placed in both sleep rooms to reduce the temperature when required. They will be set up on days when the temperature is above 20°C.

Infection Control:

2. A foot operated pedal bin was purchased. Bins will be replaced with new foot operated bins when required.

3. Mattresses in the sleep rooms have been fitted with protective waterproof mattress protectors and will be checked regularly.

General Safety:

4. Garda Vetting for two staff members who's Garda Vetting had expired, have been renewed and updated.

Supporting documentation submitted

Safe Sleep:

Photograph evidence received.

Infection Control:

Photograph of new bin and mattress protectors received.

General Safety:

Copies of updated garda vetting disclosures received.

Summary Comment

The inspector has reviewed the corrective and preventive actions taken and evidence submitted. The non-compliances identified under Regulation 23 have been adequately addressed.

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)
There were five staff members trained in first aid response (FAR) training and available to the children attending the pre-school service during the hours of operation.
- (2)
(a)(b) The first aid boxes were readily available in the service and stored out of the reach of children on shelves in each pre-school room.

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)
A written record was available of monthly fire drills completed in the service; the last recorded fire drill was 03 July 2025.
- (b)
A maintenance record was kept of the firefighting and smoke alarm system in the premises. The firefighting equipment was serviced 05 May 2025, and the smoke/fire detection system was serviced 23 May 2025.
- (4)

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A notice of the procedures to be followed in the event of a fire was conspicuously displayed in the service at doorways.