

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015TY121				
<b>Name of Service:</b>	Little Orchard Childcare				
<b>Address of Service:</b>	Rossmore Village, Dundrum Road, Tipperary Town, Co Tipperary				
<b>Eircode:</b>	E34 NN23				
<b>Name of Registered Provider:</b>	Michael O'Sullivan				
<b>Service type:</b>	Full Day, Part Time, Sessional				
<b>Date of Inspection:</b>	03/06/2025				
<b>No of pre-school children:</b>	<table border="1"> <tr> <td>AM</td> <td>51</td> <td>PM</td> <td>39</td> </tr> </table>	AM	51	PM	39
AM	51	PM	39		
<b>Address of the Early Years Inspectorate:</b>	Glenmorgan Building, Ferryhouse, Clonmel, Co Tipperary E91RF38				
<b>Inspection undertaken by:</b>	Antoinette McNamara & Mairead Creagh				
<b>Title:</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>	N/A
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### Description of service

Little Orchard Childcare is a privately owned early years service in Tipperary Town. The service provides early learning and care for children aged 0 to 6 years old, on a sessional, part-time and full day care basis. The premises consists of a purpose-built single storey building, comprising of five classrooms, one of which is currently not in use. There were designated outdoor play areas to the rear and side of the building. A school age service is also provided.

### Staffing

There were 15 staff employed in the service. The registered provider does not work directly with children in the service. Staff working directly with children held qualifications at level 5 and above on the National Framework of Qualifications.

### 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 (1)(a)(b)(2)(a)(b)(c)(d)(4) Management and recruitment,

Regulation 11(1)(2) Staffing levels,

Regulation 15 (1) (a-i) (3) Records in relation to a pre-school child,

Regulation 22 Food and drink,  
Regulation 23 Safeguarding health, safety, and welfare of the child,  
Regulation 25 First aid,  
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, 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.

(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) There was a designated person in charge and a named deputy designated person in charge who was able to deputise, as required.

(b) The designated person in charge was present for the inspection.

The files for 15 staff were reviewed on the day.

(2)(a) Two written and validated references were available for each staff member working at the service.

(b) Where past employer references were not available, there were references from sources such as previous schools and colleges.

(c) Garda vetting was available on file for each staff member working in the service. Garda vetting had been renewed, in compliance with the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years.

(4) Certificates of qualifications for the staff working directly with children were available on file demonstrating that they held a qualification at the minimum level 5 and above on the National Framework of Qualifications.

### Non-Compliance Information

(2)(d) Out of state police vetting was not available for three staff members.

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

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

Out of state police vetting was applied for the three staff members.

#### **Supporting documentation submitted**

Copies of police vetting applications sent to Early Years Inspector.

### Summary Comment

Evidence of an application for three of the staff for International Police Vetting was reviewed however, a copy of the completed International Police vetting has not been submitted for three of the staff to the inspector to date. The registered provider is required to furnish the required documentation to the Inspectorate upon receipt. The non-compliance in relation to regulation 9(2)(d) remains out outstanding.

## Part III – Management and Staff

### Regulation 11 - Staffing levels

*(1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.*

*(2) Subject to paragraphs (4) and (5), a registered provider of a full day care service or a part-time day care service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 1 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) thereof at that reference number is satisfied.*

### Compliance Information

(1) At the time of inspection, there was an adequate number of adults responsible for the direct care of the children.

(2) The adult child ratios during the day of inspection met the requirements of the regulations as follows:

- Senior pre-school: 2 staff caring for 15 children.
- Wobbler room: 2 staff caring for 10 children.
- Toddler room: 2 staff caring for 12 children.
- Junior pre-school: 3 staff caring for 14 children.

## 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.*

*(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-*  
*(c) an authorised person.*

### Compliance Information

A sample of 10 completed registration forms were reviewed as part of the inspection process:

- (1) The registration forms contained the required information as detailed under parts (a) to (i) of this regulation.
- (3) The registration forms were available on the premises for inspection by an authorised person.

### Part V - Care of Child in Pre-school Service

#### Regulation 22 – Food and drink

*A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.*

#### Compliance Information

The service had a healthy eating policy. Children in the pre-school rooms brought their own snack. The service provides meals also. Suitable portions of food were served to children during the meal and snack observed. All food provided by parents was refrigerated by staff. Morning snack consisted of a wide variety of foods, including fresh fruit, sandwiches, yogurts and brown bread. The dinner consisted of vegetables, chicken, gravy and mashed potatoes cooked onsite. Meals were provided at regular intervals: breakfast 08:00-08:30, morning snack 10:15, dinner 11:30-12:00, afternoon snack 14:30-15:00. Children brought their own drink bottles which were stored on shelves in their room, where they could be accessed by the children when they wanted them. Bottles were refilled with water as required. Milk or water was provided to drink at meals times also.

### 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 main door to the premises was locked and needed to be opened from the inside, therefore children could not exit the service unsupervised and unsupervised visitors could not enter. The outdoor area was secure to prevent children from leaving. Pinch guards covered the hinges on all doors to prevent injury to children. Radiator covers were present on the radiators. Cleaning agents and hazardous materials were stored inaccessible to children.

##### Infection control:

Designated staff toilets were provided. Staff wore gloves and aprons for nappy changing, in line with the nappy changing policy displayed on the walls in the nappy changing areas. Nappy changing area's were clean and well maintained. Hand washing facilities in the nappy changing area were well stocked with hand soap and paper towels. All hand washing facilities had warm running water. Cots were placed 50cm apart. Food brought to the service by the children was stored in a fridge.

### Safe sleep:

The inspectors observed that children were placed down to sleep according to individual requirements. Each child who required sleep had a dedicated cot to use. Staff were familiar with best practices in safe sleep and carried out physical checks on individual sleeping children, every 10 minutes, recording individual children's sleep positions, colour and breathing. The room temperature was continually monitored by staff and was recorded at 19°C on the morning of inspection.

### Non-Compliance Information

#### General safety:

1. There was a loose blind cord on one of the sleep rooms windows which posed a safety risk to children.

#### Infection control:

2. Foot operated pedal bins were not accessible in all rooms of the service to reduce the risk of cross infection.
3. The paper towels in some hand washing areas were loose and not placed in the dispenser. This was a risk of cross contamination. There were no paper towels in one hand washing area.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### General safety:

1. Blind cord was fixed to the wall.

#### Infection control:

2. Foot operated bins have been placed in all rooms.
3. Paper towels have been placed in the dispensers and are checked each morning.

#### Supporting documentation submitted

#### General safety:

Photographic evidence submitted.

#### Infection control:

Photographic evidence submitted.

### Summary Comment

Corrective actions have been accepted and will be assessed in practice on next inspection.

## 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 staff trained in first aid responder (FAR) available to the children attending the service.

(2)(a) There was a suitably equipped first aid box stored in an easily accessible position.

(b) The first aid box was available to the children attending the service.

## Part VI - Safety

### Regulation 28 - Insurance

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

### Compliance Information

An in-date insurance certificate was available for inspection to demonstrate that valid insurance was in place.