

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015WW100
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<b>Name of Service:</b>	The Cave Preschool
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<b>Address of Service:</b>	High Street, Wicklow Town, Co. Wicklow
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<b>Eircode:</b>	A67 AE95
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<b>Name of Registered Provider:</b>	Claire Fitzgerald
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<b>Service type:</b>	Part Time, Sessional
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<b>Date of Inspection:</b>	08/05/2025
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<b>No of pre-school children:</b>	AM	21	PM	12
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<b>Address of the Early Years Inspectorate:</b>	Tusla Child and Family Agency First Floor Trinity Building IDA Business Park Southern Cross Road Bray Co. Wicklow
<b>Inspection undertaken by:</b>	H. Bourke
<b>Title:</b>	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).

<b>Conditions if applicable</b>	NA
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### Description of service

This part-time and sessional service was first established in 1999. It is located in the town centre of Wicklow town and is registered to provide care and education to children from two years to six years of age. The pre-school is open from Monday to Friday from 9.30 to 13.30. The service operates from a purpose-built prefabricated building that comprises of one large pre-school room, a kitchen and sanitary accommodation. The outdoor area is located at the front and side of the premises.

### Staffing

The registered provider works in the service and employs two additional adults. All three adults were present on the day of 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/ 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.*

*(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.*

*(6A) Paragraph (4) shall not apply to an employee of a registered provider where - (a) the registered provider receives funding for the employment of the employee pursuant to a scheme funded by the Minister and known as the Access and Inclusion Model, and (b) the employment of the employee is for the purpose of providing support, pursuant to the scheme referred to in subparagraph (a), for a child attending the service to enable the child to participate in the programme known as the Early Childhood Care and Education (ECCE) funding Programme.*

### Compliance Information

Following a discussion with the registered provider and inspecting the staff roster it was confirmed that three adults work in the service, these files were reviewed.

(1)(a)

The registered provider was present and there was a named person who was able to deputise as required.

(b)

The registered provider was on the premises at the time of the arrival of the inspector and remained on the premises for the duration of the inspection.

(c)

There was a clear management structure within the service.

(2)(a)(b)

Written validated references were available in respect of three adults.

(c)

The required three-year Garda Vetting Disclosures were available for three adults.

(d)

International police vetting was available for one adult working in the service who had lived outside the jurisdiction for more than six consecutive months as an adult.

(4)

Three staff members held a major award in Early Childhood Care and Education at Level 5 or higher on the National Framework of Qualifications.

(6A)

One adult was employed under the Access and Inclusion Model.

### 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.*

*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)  
Throughout the inspection there were an adequate number of adults working directly with the children attending the pre-school service.

(2)  
The correct adult/child ratio was maintained at all times. There were three adults employed to work directly with 21 children on the day of inspection.

(8)(a)  
The registered provider ensured that there were two adults on the premises at all times. This was confirmed by reviewing the staff roster.

### 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

(1)(a)-(i)

The registered provider ensured that a record in writing of the above particulars, were kept in respect of each child attending the pre-school service.

(3)(c)

The registered provider ensured that these records were available for inspection to an authorised person.

## 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;*
- (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.*

*(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.*

#### Compliance Information

(1)(a), (h)-(k).

The registered provider made sure that a record in writing was kept of the above information in relation to the service.

(3)

The registered provider ensured that these records were available for inspection to an authorised person.

### 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)

The registered provider ensured that there were appropriate and suitable care practices in place within the pre-school. Children's emergent interests were encouraged, observed, recorded and discussed by the adults and included, where possible.

The pre-school has projects that involve all the children who attend the service. The current projects are hatching a brood of chickens in an incubator, and following the development of caterpillars to butterflies and that the children will then release in the garden.

Children were given the opportunity for free play during the morning, and children's participation was encouraged in all activities throughout the day.

All children have the opportunity to access the outdoor area at least twice a day. The children have suitable outdoor clothes, provided by the registered provider, so they can use the outdoor facilities during all types of weather.

The transition between one activity and the next was smooth and unhurried, aided by the language used by the adults to the children. Positive reinforcement of children's behaviour contributed to a pleasant environment for the children in the service. One to one attention was given to a child when required. In addition, support was given to children so that they remained included in activities they maybe have been unsure or unfamiliar with.

A strong ethos of teamwork was evident from observing how staff members worked together.

The relationships between the adults and children reflected a sense of belonging, inclusion, connectedness and diversity.

There was a large cosy area in the pre-school room, with rugs, soft furnishings, cushions and books for children to use should they require it during their day.

Children's parents are spoken to on an individual basis at collection time.

Parents are encouraged to make direct contact with the pre-school, should they have any concerns or issues.

### 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*

#### Compliance Information

(1)(a)

The registered provider ensured that there were adequate and suitable rest and play facilities for the number of children attending the service, both indoors and outdoors.

There was a large cosy area within the pre-school room that consisted of a sofa, large mat, and assorted soft furnishings. Should a child require sleep, a low-level bed, with sheets and blankets, was available. The outdoor area was also supplied with a large amount of suitable and age-appropriate toys and equipment for the children to use during their day.

### 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 registered provider ensured that all children attending the pre-school were checked in and out on the service register.
- (3)(a)(i-iv)  
The registered provider ensured that no other person other than the agreed list of people had access to the pre-school.
- (b)  
The registered provider had a record in writing in the form of a visitors' book of all such persons who accessed the pre-school.
- (4)  
The registered provider was able to demonstrate that the visitors' book was kept for a period of one year from the dates to which it relates.

### Non-Compliance Information

- (1)  
On the day of inspection all the children attending the service had been signed out on the service register before the end of their day. Accurate recording of arrival and departure times of a child in a service is essential in case of an emergency, that all children can be accounted for on and off the premises.

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

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

- (1)  
A new and updated Sign in & out (Attendance records) policy has been written and shared with staff. Management and staff will ensure children are only signed out after they leave the premises. If children are collected early, the time will be noted on the attendance sheet. Staff and management will familiarise themselves with the new policy, enforce it and ensure children will only be signed out & the time recorded when they leave for the day.

#### **Supporting documentation submitted**

- (1)  
A revised Signing in and out policy was submitted with the CAPA response

### Summary Comment

The above actions will address the non-compliance found on the day of inspection in relation to Regulation 24 (1). This will be reviewed 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)

The registered provider was trained in FAR first aid and available to the children throughout the inspection.

(2)(a)

A suitably equipped first aid box was located in an accessible place within the pre-school room.

(b)

The first aid box was available to the children attending the service at all times.

### 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.*

*(2) The record referred to in paragraph (1) shall be open to inspection by-*

*(c) an authorised person.*

*(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 was a record of monthly fire drills taking place in the pre-school. The last recorded fire drill was the 25<sup>h</sup> of March 2025.

(b)

There was a maintenance record for firefighting equipment and smoke detectors on the premises dated 23<sup>rd</sup> of May 2024.

(2)(c)

The above records referred to in paragraph (1) were open to inspection by an authorised person.