

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015WX087
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Name of Service:	Maple Tree Nursery
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Address of Service:	Ballyanne, New Ross, Co. Wexford
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Eircode:	Y34 Y866
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Name of Registered Provider:	Catriona Brennan, John Brennan
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Service type:	Full Day
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Dates of Inspection:	09/06/2025
	10/06/2025

No of pre-school children Day 1:	AM	61	PM	44
No of pre-school children Day 2:	AM	64	PM	PM

Address of the Early Years Inspectorate:	Tusla Child and Family Agency, Early Years Inspectorate, Ely Hospital, Ferrybank, Wexford
Inspection undertaken by:	E. Mc Garry C. Ryan
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
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Description of service

This full day care service is in a rural setting just outside the town of New Ross. The service caters for children aged from 6 months to 6 years and is open from Monday to Friday between 08:00 and 18:00. An Early Childhood Care and Education program (ECCE) is also provided. The premises is situated on the ground floor of the registered provider's home. The service consists of 5 preschool rooms, a nursery room for children aged from 6 months to 2 years, a playgroup room for children aged from 1 to 2 years, a preschool room for children aged from 2 to 3 years, junior ECCE room for children aged from 3 to 6, and a senior ECCE room also for children aged from 3 to 6 years of age. There are toilets, nappy changing facilities, a kitchen, one sleep room, a large hallway and access to a safe and secure outdoor play area to the rear of the service.

Staffing

There are 18 staff employed in the service including the registered providers. All staff working directly with the children are qualified in Early Childhood Care and Education at Level 5 and above on the National Qualifications Framework on the day.

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.

The inspection focused on the following regulations:

- Regulation 9 Management and recruitment
- Regulation 10 Policies and procedures
- Regulation 11 Staffing levels
- Regulation 19 Health and Welfare and Development of the child
- Regulation 23 Safeguarding health, safety, and welfare of child,
- Regulation 25 First aid,
- Regulation 26 Fire Safety,
- 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.

Additional Information

This inspection was triggered following receipt of information by the inspectorate.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered providers, 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.

(7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:

- (a) the policies, procedures and statements of the service specified in Schedule 5;
- (b) Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act, and
- (c) these Regulations.

Compliance Information

(1)(a)(b)

There were two managers employed in the service. There was a manager in the service on each day of the inspection who was the designated person in charge and remained in the service for the duration of the inspection on both days. The registered providers were present on both days of the inspection.

(2)(a)(b)

Following a discussion with the manager and on review of documentation, it was established that there were 18 staff employed in the service including the registered providers. Written and validated references were available on file for all staff working in the service.

(c)

There was Garda vetting available on file in the service for all staff members. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice to renew Garda vetting every 3 years for all staff.

(d)

Police vetting was available on file for four staff members who had lived in a state other than Ireland for a period of longer than six consecutive months.

(4)

There were qualifications on file for all staff working directly with the children. These staff held awards in Early Childhood Care and Education at Level 5 and above on the National Qualifications Framework.

(9)(7)

Staff who started working in the service said they had an induction process which was supervised by the managers. New staff stated they were aware of the policies and procedures in place in the service. There was evidence to confirm a staff meeting had been held since the last inspection and the findings were shared with the staff. Staff who spoke to the inspector were aware of the behavior management plan and the prohibited practices in the service. There was evidence of one-to-one meetings with the managers where staff were given the opportunity to discuss their professional responsibilities in the service. There were also certificates confirming staff had attended training on Children First, an online course which details childcare staff responsibilities in relation to the safeguarding of children in their care.

Non-Compliance Information

(9)(7)

Childcare staff are deemed mandated persons under the Children First Act 2015 meaning all childcare staff are mandated to make direct referrals to the social work department if they have any child welfare concerns about the children in their care. Four staff who spoke to the inspector were not aware they were mandated to make direct referrals to the social work department if they had concerns in relation to any child in their care. It was acknowledged that all staff had attended children first courses online however many of the staff did not understand their responsibilities as mandated persons under the Act.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

All staff working directly with the children have now completed children's first training in the service. The service has included mandatory children's first training for all staff who are working in the service. The managers will include the topic of the role of mandated persons working in the service in the planned staff meetings.

Supporting documentation submitted

Certificates of children first training for all staff were received by the inspector.

Summary Comment

The response and evidence submitted are satisfactory to meet the requirements of The Child Care Act 1991 (Early Years Services) Regulations 2016.

Part III – Management and Staff

Regulation 10 - Policies, procedures etc. of pre-school service

A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.

Compliance Information

There were policies and procedures in place in the service specified in Schedule 5 of these regulations. The policies reviewed for this inspection were the policy on healthy eating and the policy on the management of accidents and incidents in the service.

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

(2)

Day 1

At 10:45 there were 61 children aged from 1 to 6 years of age in the care of 10 staff.

At 15:30 there were 44 children aged from 1 to 6 years of age in the care of 8 staff.

Day 2

At 10:00 there were 64 children aged from 1 to 6 years of age in the care of 10 staff.

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

(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)(a)(b)

The service had a healthy eating policy in place. The morning and afternoon snacks served to the children were provided by the parents. All snacks were stored in fridges in the individual rooms. Examples of the food eaten by children on the day included fruit, sandwiches, carrot sticks and rice cakes. A catering company supplied the main hot meal which was served at midday. Children were observed to enjoy a meal consisting of pasta in a tomato sauce with burgers. Children had access to their water drinks throughout the day. Drinks were also provided for the children in the outdoor area.

The materials and resources in the nursery room and playgroup rooms were appropriate for the ages and stages of development of the children.

There were soft floor mats and treasure baskets in the nursery room and chairs for the adults to sit and hold young children. In the play group room there were sensory corners, cosy hide outs and home corner with supporting materials for role play.

Children were observed to enjoy painting in the senior ECCE room and children in the junior ECCE room enjoyed some dancing and circle time before their snacks.

The outdoor play areas had been further developed since the last inspection. There were three designated play areas. The first area was situated to the right of the main gate. This area is designed for the younger children from the nursery and the play group rooms. There was a mixture of ground covering, almost half the area was grass and the rest bark chippings. There were swings, a small bench, a jungle gym and a small house for children to play in. The second was situated on this level beside the senior ECCE room. This area extended to the field which was fenced all around. Staff had set up a large piece of material where children could play and shelter under. Staff had also set up an obstacle course for children to challenge themselves during their outdoor play.

The third was accessed directly from the senior and junior ECCE rooms. This area had been further developed since the last inspection. There was a roofed area where children could avail of outdoor play even if it was raining. There were tables and chairs for children to sit on. There was a large sand pit which could be covered when not in use and a large concrete area where older children could enjoy the extensive range of ride on toys, tractors and diggers. The inspectors observed that the play area had been developed to meet the developmental needs of the various age groups of the children attending the service.

The children from all the rooms were facilitated to play outdoors for long periods of time. Younger children had warm waterproof clothes on to keep them dry and extend the amount of time they could play outside. Nappy changing was attended to regularly on the day of inspection. The nappy changing policy was on display in the nappy changing areas. Children were given help if required when toileting.

Non-Compliance Information

(1)(a)(b)

The inspectors noted improvements in the play facilities in the outdoor areas on both days of the inspection. However, the rooms in the service particularly the playgroup room, the junior ECCE room and the senior ECCE room needed further development to meet the children's learning, wellbeing and development through the provision of appropriate activities, interactions, materials and equipment. Examples of these developments needed were as follows:

Approaches to promoting positive behaviour management

1. The transitions between the daily activities were observed to be chaotic. For example, children were observed to ignore staff due to the noise level and activity in room. This resulted in incidents over sharing of toys and squabbling between children. Staff were heard to shout over the noise to gain the children's attention.

Physical and material environment:

2. In the nursery room there was insufficient seating to accommodate the feeding of young children. Staff were observed to feed young children who were sitting on the floor mats while being fed by staff.
3. Two children in the nursery room who were in the pre-walker development stage had no equipment or furniture available to them to facilitate them to pull to stand.
4. Books in some rooms were torn and worn.
5. The dolls were soiled and worn with an absence of clothes for the children to dress them up.
6. The construction bench in the senior ECCE room was bare, with broken parts.

7. There was no evidence of curriculum planning in the preschool room, junior ECCE and senior room. There was an absence of evidence of prior planning to inform how the children's day would flow. Staff were observed to react to events rather than facilitating planned enriching activities to engage the children's imaginations.
8. The inspectors observed the lack of enriching environments contributed to the behaviours observed. For example, there were limited areas of interest. Toys were stored and presented in a disorganised fashion and not easily accessible to the children. It is acknowledged the service continues to engage with the service of the National Quality Development Organisation Better Start and the County Childcare Committee.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Approaches to promoting positive behaviour management

1. Routines and environments have been amended in the service. Large pieces of fitted furniture have been removed to make way for the development of areas of interest. Staff have been made aware of the need to manage transitions more effectively by talking to the children and letting them know in advance of the changes in their daily routine.

Physical and material environment:

2. New highchairs have been purchased for the baby room.
3. Equipment for children to pull to stand are now in place in the baby room.
4. Worn books have been removed, and new books have been purchased for all rooms in the service.
5. The dolls clothes have been washed, and clothes reorganised to make them accessible to the children.
6. A new construction bench is in place and is now resourced with the required toys.
7. Aistear planning books are in place in all preschool rooms. Staff use these books to plan activities in the rooms. Parents are sent messages weekly on the emerging interests in the preschool rooms.
8. The environments in all preschool rooms will continue to be reviewed and updated in consultation with the staff.

Supporting documentation submitted

1. No evidence.
2. Photographs of the new high chairs were received by the inspector.
3. Photographs of equipment for children to pull to stand were received by the inspector.
4. Photographs of new books received by the inspector.

5. Photographs of the dolls and clothes organisation was received by the inspector.
6. A photograph of the new work bench and toys now in place was received by the inspector.
7. A copy of the plans and routine was received by the inspector.
8. Photographs of all the rooms which have been updated and further resourced since the inspection was received by the inspector.

Summary Comment

The response and evidence submitted are satisfactory to meet the requirements of The Child Care Act 1991 (Early Years Services) Regulations 2016.

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:

Access to the service was gained through the gate in the outdoor play area. It was secure on arrival and remained secure for the duration of the inspection. The outdoor areas in the service were safe and secure.

The service has a risk management policy and a complaints policy. Documents were reviewed which supported service compliance with these policies. The managers were aware of their responsibilities in adhering to their policies and the referral pathway required to escalate any child welfare concerns they had.

Infection Control

There were daily and weekly cleaning schedules maintained. The service had an infection control policy. There was warm water to support hand washing, liquid soap, disposable hand towels and foot pedal operated bins provided across the service.

Safe Sleep

The service had one designated sleep room. Individual bed linen was available. Staff who spoke to the inspector were knowledgeable in the importance of adhering to safe sleep guidelines. For example, they were knowledgeable on how often a sleeping child is physically checked, recording the observations such as colour,

position and breathing rate and temperature of the sleep room. Observations on the sleeping children's colour, position and breathing were carried out and recorded every 10 minutes.

Accident and Incidents

Fourteen accident and incident forms from a two-month period were reviewed. All were correctly filled in by staff, dated and signed by staff and parents. The service had an accident and incident policy in place in the service. The accidents and incidents which had taken place in the service were reviewed by the inspector. Staff who spoke to the inspector were aware of their responsibilities in relation to the policy in place. Accident and incident reports reviewed by the inspector were signed by the parents as per the services policy.

Non-Compliance Information

General Safety:

1. Two staff were observed on their mobile phones in the outdoor area when supervising children. This posed a risk to the safety of the children as staff are required to supervise the children at all times when in their care. One staff member was observed looking down at her phone for 5 minutes without looking up at the children in her care.
2. The placement of furniture posed a risk of injury to children. Staff members stacked the children's chairs during the morning and afternoon free play time. This posed an increased risk of injury to a child in the event that they attempted to climb or pull them down.

Infection control:

3. A staff member was observed to wash children's hands after nappy changing while still wearing the gloves used during the nappy changing. This posed as an increased risk to cross infection.
4. A soother that was dropped on the floor by a child was not cleaned or sterilised before being given back to the child.
5. The two nurturing chairs in the nursery room were not cleaned and maintained. One chair was torn and frayed, and the second chair was visibly stained.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. Staff have been reminded of the policy in the service which requests staff not to use their mobile phone when on duty in the service. Staff are now requested to sign they have read and understood this policy which is in place in the service.
2. All staff have been instructed not to stack chairs unless it is for an organised activity or cleaning.

Infection control:

3. This practice is not part of the nappy changing policy in place in the service. Staff have been reminded of this policy which is on display throughout the service.
4. The steriliser has been reinstated into the nursery room and is used daily.
5. The torn and frayed chair has been removed; the other chair has been steam cleaned.

Supporting documentation submitted

General Safety:

1. The policy in place in the service was received by the inspector.
2. A photograph of the chairs and tables placed in the preschool rooms was received by the inspector.

Infection control:

3. The nappy changing policy was received by the inspector.
4. A photograph of the steriliser was received by the inspector.
5. A photograph of the upgraded chairs was received by the inspector.

Summary Comment

The response and evidence submitted are satisfactory to meet the requirements of The Child Care Act 1991 (Early Years Services) Regulations 2016.

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 was a person trained in a first aid responder course immediately available to the children at all times. There were three staff trained in a first aid responder course working in the service.

(2)(a)(b)
There was a suitably equipped first aid box stored in an easily accessible position to the staff on the premises and was available to the children attending the preschool 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

(1)(a)
There was a record of fire drills which had taken place in the service. The last fire drill was carried out in May 2025.

(1)(b)

A record was maintained of when the firefighting equipment was last serviced including smoke alarms in May 2025.

(4)

There was a notice of the procedures to be followed in the event of fire displayed in a conspicuous position in the hallway of 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 insurance in place to cover the number of children who were present on the day of inspection.

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, and

Non-Compliance Information

- (d)
- The service required some work to be completed including painting and general maintenance. For example:
1. There was plaster chipped off the wall in the junior ECCE room.
 2. Doors were marked and stained.
 3. The sofa in the senior ECCE room was worn and stained.
 4. The sofa in the junior ECCE room was visibly stained and marked.
 5. The straps on the three highchairs in the nursery room were visibly stained and had ingrained food debris.
 6. There was masking tape that appeared to be holding together the legs of the highchairs in the nursery room.
 7. The soft play mats on the floor in the nursery room were frayed and torn at the edges.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- 1.2. Maintenance will be carried out more frequently as required.
- 3.4. Sofas will be steam cleaned more frequently as required.
5. Straps on the highchairs will be washed weekly.
6. A washable rug is now in place in the baby room which can be laundered as required.
7. The highchairs have been replaced.

Supporting documentation submitted

- 1.2. A photograph of the repainting of surfaces in the service was received by the inspector.
- 3.4. Photographs of the refreshed sofas were received by the inspector.
5. No evidence received.
6. A photograph of the new rug received.
7. A photograph of the new highchairs was received.

Summary Comment

The response and evidence submitted are satisfactory to meet the requirements of The Child Care Act 1991 (Early Years Services) Regulations 2016.