

Early Years Inspectorate Regulatory Report

Pre School

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| TUSLA Identifier: | TU2016DS015 |
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| Name of Service: | Nexus ASD Preschool |
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| Address of Service: | Cannon Despard Centre, Chapel Hill, Lucan, Co. Dublin |
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| Eircode: | K78 YD27 |
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| Name of Registered Provider: | Kerrylee Hempenstall |
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| Service type: | Part Time |
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| Date of Inspection: | 11/06/2025 |
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| No of pre-school children: | AM | 15 | PM | 10 |
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| Address of the Early Years Inspectorate: | 1st floor Trinity Building, IDA Business Park, Southern Cross Road, Bray, Co. Wicklow |
| Inspection undertaken by: | Sarah Quigley |
| 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).

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| Conditions if applicable | Not applicable |
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Description of service

Nexus ASD Preschool service is registered as a part-time service and is one of six services privately owned by the registered provider. The specialised early years' service provides care and education to children with Autism Spectrum Disorder (ASD) and implements the Early Start Denver Model (ESDM) to deliver a play based early intervention programme. The service caters for children from three years to six years and operates Monday to Friday from 9:00am to 1:00pm and 1.30pm to 5.30pm. The service operates from a purposely adapted premises located in an urban area in Lucan, South County Dublin on the grounds of the Canon Despard Centre. The service is facilitated across three open plan preschool care rooms and has a fully enclosed outdoor play area located to the front of the premises which has been divided into two separate play spaces. The service also has a designated resourced with equipment for gross motor play and a designated sensory room.

Staffing

The service currently employs seventeen staff members, including a designated person in charge and an area manager who works between the registered providers six services. On the day of inspection all seventeen staff members were present.

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/ information and records. The inspection may also focus on other areas as required. The inspection included an assessment of the following regulations;

Regulation 9 – Management and recruitment

Regulation 11 - Staffing levels

Regulation 15 – Record of pre-school child

Regulation 19 - Health, welfare and development of child

Regulation 23 - Safeguarding health, safety and welfare of child

Regulation 24 - Checking in and out and record of attendance

A sampling process was used to assess compliance under Regulation 15.

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 area manager, 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

(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

(2)

Following a discussion with the appointed person in charge it was confirmed that eleven adults had commenced working in the service since Regulation 9 was last inspected on the 12th December 2022. Documentation required under regulation 9(2)(3)(4) was reviewed in respect of these eleven adults as detailed below. The requirement of regulation 9(2)(c) was assessed for all adults employed to work in the service.

(a) (b) There were two references each available from a past employer or a reputable source for ten of the adults which had been appropriately verified, and one reference available for one of the adults.

(c) Garda vetting disclosures were available for all adults working in the service. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) Four of the new employees required international police vetting, the required documentation was available for the four adults.

- (3) Documentation reviewed evidenced that the procedures specified above under 9(2) had been carried out prior to the eight adults commencing employment in the service.
- (4) Two of the adults held at least a major award in Early Childhood Care and Education at Level 5 on the National Qualifications Framework.

Non-Compliance Information

(4) Nine of the adults did not hold a relevant childcare qualification or a qualification deemed to be equivalent. A qualification recognition letter had not been sought for any of the adults. A number of adults held third level degrees in other disciplines and were registered with the Teaching Council.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider submitted the following response:

Corrective and Preventive Action

The service try to employ staff with an Early Years background but they also need to comply with the Department of Education requirements of holding a Teaching Council Number. Unfortunately, those with an Early Years qualification can only hold a temporary Teaching Council Number as the Teaching Council do not recognise their degree as a relevant teaching qualification. This makes it difficult to recruit staff into the sector and encourage them to stay. While the service do currently have two staff with the relevant qualifications so that one is in each class to meet the 1:6 ratio required by TUSLA, the service recently had a staff member leave with the relevant early years qualification. The service will continue to try and employ staff with a background in Early Years that will qualify for a temp Teaching Council Number. The sector as a collective are trying to enter into discussions with the Teaching Council about a new and specific route for those with Early Years qualifications to hold a Teaching Council number while they are employed in the service's specific area.

Supporting documentation submitted

Supporting documentation was submitted and reviewed by the early years inspector.

Summary Comment

The regulatory requirement has been met.

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) An adequate number of adults were working directly with the pre-school children attending the service during the inspection.

(2) The registered provider ensured that the minimum ratio of adults to children was maintained in the service on the day of inspection. There were 15 children present in the service being supervised by fifteen adults during the inspection.

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)
Records were reviewed for each of the 12 preschool children who are enrolled to attend the service by the inspector to assess compliance. The documentation reviewed evidenced that each of the 12 records detailed all of the required information outlined under Regulation 15(1).

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

Suitable and appropriate care practices were observed throughout the inspection, as evidenced by the following;

The adults interacted with the children in a caring and kind manner and children were observed to be visibly calm, content and engaged in their play throughout the inspection. Children were all given the opportunity to play outdoors, utilise the sensory room, and the gross motor playroom. Adults were observed using soft tones and respectful language during all interactions during the inspection. Staff demonstrated an awareness of each child's individual care needs and were observed to respond promptly to these needs throughout the inspection.

Staff supported children to communicate through verbal and non-verbal cues and utilised a picture exchange communication system (PECS) and individual picture cards to signal transitions to the children. Individual educational plans (IEPs) based on tailored assessments were observed to be documented and in place for each child and the high adult to child ratio in place ensured the children's needs were met in a timely manner on the day of inspection. Evidence was available to indicate that the service adopted a multidisciplinary, collaborative way of working with parents and occupational therapists.

Children's brought lunches in from home and were encouraged to be independent in taking lunch boxes to the table at meal time and cleaning up afterwards. Staff sat with the children during lunch creating a sociable atmosphere. Drinking water was available to the children at all times. The children were all offered time in the sensory room by staff members during the inspection to rest or take a break from other children if desired.

Children were supported to wash their hands at regular intervals during the inspection and nappies were changed as required.

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

The inspector found by observation of practice, review of documentation, discussion with the person in charge, and inspection of the premises that the following steps were taken to safeguard children attending:

General Safety:

The entrance door into the service was adequately secured to ensure the safety of the children within and to avoid unauthorised persons gaining access or children exiting unsupervised. The toys and play equipment observed in use by the children on the day of inspection were safe and in good working order. The registered provider had taken measures to ensure the indoor play environment was safe and free from hazards. Cleaning products and hazardous materials were stored securely out of reach of the children.

Infection Control:

An infection control policy was in place to inform practice. Waste was managed appropriately with the use of pedal-operated, lidded bins throughout the service. The children were supported to wash their hands at regular intervals including after nappy changing and before lunch. Schedules were in place and maintained to ensure the service, equipment and materials are regularly cleaned. Staff members outlined appropriate exclusion periods for adults and children with infectious illnesses were implemented in the service as per the policy.

Administration of Medication:

There was written evidence of prior parental consent for the administration of both temperature reducing and prescribed medications, and there were procedures in place to safely administer and document such medication if required, including in the case of an emergency. Staff members detailed the procedures for administering medication when required during discussions with the inspector and had appropriate documentation available to record such administration if required.

Fire Safety:

The designated fire escape routes were clearly indicated and free from obstruction on the day of inspection. Staff members adequately outlined the evacuation procedures in place in the event of a fire and stated that fire drills are practiced regularly on a monthly basis.

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) Documentation reviewed evidenced that a record was maintained in the service which detailed the children's arrival and departure times each day.

(3)

(a) A system was in place to ensure that visitors to the service could not gain entry without the approval of an employee. The entrance door to the service was secure, and a bell was in place for visitors to request entry.

(b) A record was available in the service which documented the entry of visitors. The person in charge requested the inspector sign this record on arrival which detailed the time of arrival and departure, and the reason for entry.

(4) Documentation reviewed evidenced the record detailed above in paragraph (3) was retained for the specified timeframe.