

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2016MN003

Name of Service: Tree Tops

Address of Service: 46 Park Road, Monaghan, Co. Monaghan

Eircode: H18 RF78

Name of Registered Provider: Michelle Woods, Nicola Myers

Service type: Full Day, Part Time, Sessional

Date of Inspection: 27/01/2026

No of pre-school children:	AM	20	PM	8

Address of the Early Years Inspectorate:	Early Years Inspectorate, Hampton Court, Cootehill Road, Drumalee, Co Cavan. H12 YY84
Inspection undertaken by:	S Mc Kenna
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
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Description of service

Tree Tops is a private-run childcare service since 2016. They provide full-day care, part-time and sessional care to pre-school children aged from 2 to 6 years of age. The service is open from 8.30am to 6.00pm each weekday and partakes in the ECCE scheme Monday – Friday from 9am to 12 midday. The service is registered to cater for a maximum of 56 preschool children and operates from a two-storey purpose-built building located in the town of Monaghan. The service has 2 care rooms in operation for preschool children, namely The Oak (upstairs) and Acorn (downstairs) Preschool Rooms. There are nappy changing and sanitary accommodations, a kitchen, a school-aged childcare room and an office available. The service has an outdoor area to the rear of the service.

Staffing

There are 13 members of staff employed in the service, 9 of whom, including the 2 registered providers, work directly with the preschool children, which includes 3 staff who are employed under the Access and Inclusion Model (AIM). One staff member is employed as a cook, and 2 staff members work directly with the school-age children. An additional staff member works with school-age children and also provides relief cover for preschool.

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 Management & Recruitment, Regulation 11 Staffing Levels, Regulation 19 Health, Welfare & Development of Child, Regulation 20 Facilities for rest and play, Regulation 23 Safeguarding Health, Safety and Welfare of Child, Regulation 25 First Aid, Regulation 26 Fire Safety Measures and Regulation 28 Insurance.

However, on inspection, additional non-compliances which posed a risk were identified under Regulation 16 Record in relation to Pre-school Service and Regulation 29 Premises. These findings are outlined within the relevant regulation in this report.

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 providers, 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) The service had a designated person in charge, who were both the registered providers.

(b) Following discussion with the registered providers, it was confirmed that when the preschool service was in operation, a designated person in charge was on the premises.

(c) A management structure was in place, which was identifiable through review of the staff roster and discussion with the staff team.

(2) The files for 13 staff were reviewed.

(a) (b) A total of 23 written and validated references was available on file for 12 adults.

One written reference was on file for 1 adult.

(c) Garda vetting disclosures had been obtained for all 13 staff. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years for all employed staff.

(d) A review of the employment history for 13 staff demonstrated that two adults had lived outside the State for a period of longer than 6 consecutive months. The required police vetting for the two staff members was available on file.

(4) Documentary evidence was available to confirm that the 9 staff employed to work with preschool children held an appropriate childcare qualification at Level 5 or above on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent. A qualification for the two school-age staff and cook was not required.

Non-Compliance Information

Following review of the staff files, the following was not available;

(2) (a) (b) There were no written, validated references on file for one staff member.

One written reference available on file for one staff member was not validated.

(4) There was no qualification on file for one staff member who the registered providers advised works with preschool children in a relief capacity.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2) (a) Reference's received, printed and validated.

(b) Reference printed and validated.

(4) Qualifications are pending from the governing body. This relief staff member will continue to work in afterschool and will not be used as a relief preschool staff member until qualifications have been received.

Supporting documentation submitted

2 (a) (b) Staff folder to be checked regularly to ensure all required documents are in place.

(4) Ensure all documents are in place before staff members begin employment.

Summary Comment

The response from the registered provider and supporting documentation submitted has adequately addressed the non-compliances in Regulation 9 (2) (a) (b) and (4).

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.

(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) On the day of inspection, there was an adequate number of adults working directly with the children attending the pre-school service.

(2) The adult to child ratios were correct in the service when the inspector arrived unannounced, as follows;

- Three adults cared for 9 children aged 2 years 8 months to 3 years 6 months in the Acorn Preschool room.
- Three adults cared for 11 children aged 3 years 7 months to 4 years 5 months in the Oak Preschool room.

In the afternoon, following the end of the ECCE session at 12 midday, the children joined together in the Acorn preschool room for the remainder of the day. Two adults cared for 8 children aged 2 years 8 months to 3 years 7 months, attending on part time and full-time basis.

In addition to the above, a staff member who is usually present in the Oak Preschool room was carrying out paperwork and curriculum tasks in the morning and covered in the preschool room as needed.

(8) A review of the staff roster demonstrated that the registered providers ensured that 2 adults were present on the premises at all times.

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:

(h) details of attendance by each pre-school child on a daily basis;

Non-Compliance Information

(1) (h)

The details of the arrival of children attending the Acorn Room each morning were being recorded by a “tick” instead of actual arrival times being recorded. It is acknowledged that the times of the children’s departure from the service were recorded.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Times children arrive and leave are now recorded on the sheet. Ensure staff are using both arrival and departure times when children are entering and leaving the premises.

Supporting documentation submitted

Photographic evidence of the children’s daily arrival and departure times in the Acorn room.

Summary Comment

The response from the registered provider and supporting documentation submitted has adequately addressed the non-compliance in Regulation 16 (1) (h).

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

(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

The following examples demonstrate how children's learning, development and well-being were facilitated in the service:

Basic Needs

The children were observed to eat their morning snack in an unrushed and relaxed manner. Staff were observed to sit with and support children where needed. Healthy eating is promoted within the service and snacks to include sandwiches, cheese, yogurts and fruits were observed to be enjoyed by the children at morning snack time. The children's water bottles were available to them throughout the day. A hot meal of potatoes, fish fingers and beans was planned for 1.15pm.

The children were observed to use the toilet independently, and staff were observed to go with the children from the Acorn preschool room, as the toilets were located in the hallway outside the preschool room. The staff were observed asking the children in the Oak preschool room if they needed to use the toilet before going outside. Children who did not use the toilet had their nappies changed in line with their individual routines.

The children were observed to experience a change of environment on the day of inspection and were dressed appropriately for the weather in the outdoors.

Rest areas to include soft mats, a sofa, cushions and teddies were provided in areas where children could relax during their time in preschool.

Supporting Relationships

The atmosphere upon the inspectors' arrival in both preschool rooms was warm and inviting. The children appeared familiar with those who cared for them and were observed to call out for staff if and where supports were needed. The staff were observed to act as positive role models for the children and spoke warmly and

softly in their interactions with the children and among each other. At circle time, each child was given adequate time to speak and sing, and children who appeared upset were nursed and comforted by staff.

Conversations between staff and children about the children's home life, for example their birthday celebrations and their "daddies office" were observed and demonstrated strong links to the child's home life.

The staff team were observed to work well together ensuring smooth transitions for the children.

Communication with parents is in person at arrival and collection times.

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

Compliance Information

(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 outdoors. Designated interest areas were set up in each preschool room with an adequate number of resources available for the number of children registered to attend the service. The outdoor area had a sufficient number of ride-on and push-along toys and materials for the number of children in attendance.

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 entrance door was secured upon the inspector's arrival. The entrance door remained locked at all times during the inspection, ensuring no unauthorised person could enter the building or no child could leave the building unsupervised. Ground surfacing indoors was maintained in a good state of repair with no trip hazards observed. Stairways were maintained in good condition with appropriate handrails in place. Storage areas were inaccessible

to children. Cleaning products were stored safely out of the reach of children. Play equipment and resources in the preschool rooms were observed to be maintained in good condition. The staff were observed to adequately supervise the children throughout the inspection process. The outdoor area was surrounded by wooden and metal fencing, and gates were secured to prevent a pre-school child from gaining unsupervised access to a roadway or other source of danger and to prevent unauthorised access to the garden or external play area. Risk assessments were completed up to date. Fire exits remained free from obstruction during the inspection.

Infection Control:

Handwashing was observed to take place after the children used the toilet and following messy play activities. Warm water, hand soap, bins, and paper towels were available at each wash hand basin. The sanitary areas were ventilated by mechanical ventilation. The care rooms and sanitary areas were observed to be maintained in a clean and hygienic manner. Cleaning schedules were in place, up to date and completed by the relevant staff in line with their cleaning roster on display. Tables were observed to be cleaned following messy activities and before snack time. The children's snack items taken in from home, which contained perishable items, were stored in the fridge until snack time. External waste bins were stored securely in an area inaccessible to the children.

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 providers ensured that a person who held in-date First Aid Response (FAR) training was available to the children attending the pre-school service. One of the registered providers and one part-time staff member who held in-date FAR training certificates were rostered to work on the day of inspection.

Non-Compliance Information

(2) (a) (b)

- The first aid materials available on site between both preschool rooms did not contain an adequate supply of materials for the number of children registered to attend the preschool.

- Temperature-reducing medications, sunscreen and antiseptic creams were stored in the first aid boxes, which are at risk of leaking and contaminating the contents of the first aid box. This is a recurring non-compliance from the last inspection, where the registered provider's response detailed that *“medicines and ointments have been removed and are stored in a separate box and to ensure medicines and ointments are always labelled and stored in a separate box to other first aid items”*. The corrective and preventive actions taken by the registered providers did not prevent the non-compliance from recurring.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

First aid boxes have now been updated and restocked in both preschool rooms. Medication, sun creams and other creams are now stored in a separate box. Ensure all staff are aware of items not being mixed and that these items remain in separate boxes moving forward.

Supporting documentation submitted

Evidence of new materials ordered. Photograph of new storage procedures in place.

Summary Comment

The response from the registered provider and supporting documentation submitted has adequately addressed the non-compliance in Regulation 25 (2) (a) (b). This will be reviewed upon the next inspection.

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) A record of the fire drills that take place was available. The most recent fire drill was recorded on 11 December 2025
- (b) The annual maintenance certificate for the fire extinguishers was dated September 2025, and the smoke alarms were dated 16 December 2025.

(4) The fire evacuation procedures were displayed on walls throughout the preschool service, which contained written and photographic details in relation to the procedure to be followed in the event of a fire.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The registered providers had insurance cover in place for 40 pre-school children attending the service on a full-day care basis. Records reviewed and confirmed by the registered providers demonstrated that the service currently caters for a maximum of 37 children. The policy showed that the service had insurance in place from 28 March 2025 to 27 March 2026.

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) In the outdoor area, the tarmacked surface around the manhole was uneven and posed a potential trip hazard. This was a non-compliance upon the last inspection, and the registered providers advised the inspector that the surface area around the manhole had been repaired in line with their corrective and preventive actions at the time, and the uneven surface has reappeared.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Area is currently managed by a staff member when outdoors to ensure children are not using the toys near the area. We are awaiting a large tractor tyre to cover this area and will continue to use items like this to cover the area moving forward until a permanent solution is found.

Supporting documentation submitted

Photographic evidence of the uneven surface area, where the registered providers have placed play equipment to reduce the risk in the interim until a permanent solution is in place.

Summary Comment

The response from the registered provider and supporting documentation submitted has demonstrated that an interim measure has been put in place to prevent children from having access to this area. Assurances have been given that a permanent solution will be put in place. This matter will be reviewed upon the next inspection.