

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2016TY009
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<b>Name of Service:</b>	Rosegreen Rascals Limited
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<b>Address of Service:</b>	Community Hall, Rosegreen, Cashel, Co Tipperary
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<b>Eircode:</b>	E25 RD34
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<b>Name of Registered Provider:</b>	Marie Cummins
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<b>Service type:</b>	Full Day
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<b>Date of Inspection:</b>	03/11/2025
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<b>No of pre-school children:</b>	AM	19	PM	10
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<b>Address of the Early Years Inspectorate:</b>	13 Market Square, Mallow, Co Cork
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<b>Inspection undertaken by:</b>	Bridgette Fraher
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<b>Title:</b>	Early Years Inspector
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### 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

This full day care services operated from the community hall building in the rural area of Rosegreen, Tipperary. The service caters for children from 2 to 6 years and operates 8:00 to 17:00, Monday to Friday 38 weeks of the year. The Early Childhood Care and Education (ECCE) scheme operated from 9:30 to 12:30 and they offer a school age service also. The service had access to a shared all-weather pitch and have an outdoor play area to the rear of the building which was not accessible on the day of inspection due to construction work.

### Staffing

There were seven staff attached to the service, two of which were working in school age care and one is the registered provider. A total of four staff were working directly with the children on the day of inspection. The registered provider is not service based.

### 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.

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

A referral was made to the Fire Officer to assess fire safety in the service. Further information is available under Regulation 23 of the report.

### Acknowledgments

The inspector wishes to acknowledge the cooperation of the children, person in charge and staff 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 on the day of inspection and a named deputy in the service that could deputise as required.

(b) The person in charge and deputy were on duty at the service when the inspector arrived. The staff roster indicated that either the person in charge or the deputy was on duty at all times during the hours of operation.

(c) There was clear evidence on inspection of the management structure in place and the specific roles of each staff member.

(2) The recruitment records in relation to seven adults, six of whom were employed in the service and the registered provider were the subject of inspection.

(a) Of the 14 required references, 8 were from previous employers with required records of validation on file.

(b) Of the 14 required references, 6 were from a source other than a past employer with required records of validation on file.

(c) Garda vetting disclosures were obtained and were on file for the seven staff. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) Police vetting was required for one of the seven adults as they lived outside of the state for longer than six consecutive months.

(4) The four adults who worked directly with the children held a relevant qualification in Early Childhood Care and Education from level 5 to level 6 on the National Framework of Qualifications. The registered provider and the school age staff did not require qualifications.

### 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.*

#### Non-Compliance Information

The following policies did not meet the regulatory requirements:

1. The infection control policy does not outline the following:

- Respiratory hygiene practices and procedures for children.
- Reporting notifiable infectious diseases to Tusla.

2. The healthy eating policy does not outline the following:

- Inclusion of specific dietary, cultural or religious requirements.
- How children are supervised while eating and drinking.

3. The outdoor play policy does not outline the following:

- Descriptions of outdoor play opportunities available.
- How children are supervised during outdoor play.

Therefore, the above policies and procedures may not adequately guide the staff in their care practices.

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

The following statement was received from the registered provider:

#### Corrective and Preventive Action

1. The infection control policy was amended to include the required information. A staff meeting was held to outline the amended policy, and a respiratory hygiene poster was put in place.
2. The healthy eating policy was amended to include the required information. A staff meeting was held to outline the amended policy.

3. The outdoor play policy was amended to include the required information. A staff meeting was held to outline the amended policy.

### **Supporting documentation submitted**

1. A copy of the infection control policy was received and the respiratory hygiene poster.
2. A copy of the healthy eating policy was received.
3. A copy of the outdoor policy was received.

### **Summary Comment**

The corrective action submitted by the registered provider has addressed the non-compliances identified under Regulation 10.

## **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) At the time of inspection, there was an adequate number of adults responsible for the direct care of the children in attendance at all times.

(2) The adult to child ratios were observed to meet the minimum requirement over the duration of the inspection. The ratio was as follows:

There were 4 adults directly caring for 19 children in the morning and 3 adults directly caring for 10 children in the afternoon.

(8)

(a) The service operated with at least two adults present at all times. This was observed on the day of inspection and was evident through examination of the staff roster.

### 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,

#### Compliance Information

On the day of inspection, the following information was obtained through direct observation and discussion with the staff and examination of the relevant documents.

#### Basic needs:

- Drinking water was accessible to the children throughout the day.
- Food was prepared by parents and guardians and consisted of yogurts, fruit, crackers, cheese and pasta, sausages cut up and ham sandwiches. The food was observed to be healthy and nutritious. Food was heated in a microwave as required.
- During snack time and lunch time, children independently obtained their own lunch boxes.
- The children were observed to access the sanitary area independently with the staff available to assist if required.
- Children were observed washing their hands before snack time and after using the toilet.
- The layout of the care room supported the children to move freely within their environment and to engage in their chosen tasks.
- A quiet space was incorporated into the care room which allowed children to rest if needed. Children who wished to rest while they attended the service could avail of a soft floor mat or a low soft chair.
- There was an outdoor play area, which the person in charge informed the inspector that children usually had access to daily but construction work was being carried out. The service can also avail of the use of a shared astroturf area.
- The service kept a set of spare clothing for children if required.

### Supporting relationships:

- The adults were observed to show positive regard for the children on the day of inspection, along with encouragement and praise for specific tasks. Examples of this were observed by the inspector when children built with blocks or treaded items, both staff and other children clapped and praised them for their achievements.
- Staff informed the inspector that the service operated in partnership with the parents and they communicated in person with parents or guardians at collection or drop off, via telephone or text messages and also facilitated a time to meet if requested.
- The atmosphere was observed to be relaxed in the care room at all times during the inspection and teamwork was evident between the staff and the children.
- The inspector observed an upset child to be comforted by a staff member who responded positively to the child.
- Staff engaged with the children in both group and individual activities by getting down to their level and maintaining eye contact while discussing, questioning and helping children with their chosen task. This was observed on numerous occasions for example when staff played duck duck goose with children, in circle time, during building puzzles and colouring.

### 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:

- On the day of inspection, the door was appropriately secured on arrival to the premises and entry was gained by the use of a doorbell. This restricted unauthorised access into the building and helped to prevent the risk of children exiting unsupervised.
- During the inspection, toys and play equipment assessed were observed to be in good condition.
- All cleaning agents were stored out of reach of the children on inspection.
- The astroturf outdoor area currently available was secured with metal fencing and a gate. No access was currently available to the designated outdoor play area due to construction work being carried out.

- The windows in the care room were adequately secured to ensure the safety of the children.
- The blind cords were in restrictor devices.

### Infection control:

- Handwashing facilities were accessible to the children with warm running water, liquid soap and paper towels.
- Children were observed to wash their hands before meals and after using the sanitary facilities.
- Children's coats were stored off the ground.

### Administration of medication:

- The person in charge informed the inspector that no regular medicine was being administered to a child currently in the service. A medication administration form was available if this was required.

### Safe sleep:

- The designated sleep area was located in the corner of the room if needed and one stackable bed was available for use.
- The air temperature of the care room was recorded at 18.3°C.
- The person in charge informed the inspector that no child availed of sleep in the last year and that in the event of sleep, records were maintained in relation to the children's colour, breathing and position at 10-minute intervals.

### Fire safety:

- There were three potential exits from the care room in the event of fire. One exit door was blocked. A referral was sent to the Fire Officer to assess the safety in the service.
- Fire extinguishers were secured to the walls.

## Non-Compliance Information

### General safety:

1. There were unanchored shelving units in the care room. These were accessible to the children posing a safety risk to the children should they fall over on top of a child.

### Infection control:

2. On the day of inspection, children's perishable food was observed to be stored in their bags. A refrigerator was available in the care room but was not in use by the children on the day. This posed a risk of food spoilage.
3. The inspector noted that the bin used in the children's toilets was not pedal operated. A child was observed touching the lid to open it after handwashing. This increased the risk of cross infection and contamination.
4. The inspector observed a staff member assist a child to wipe their nose and disposed of the tissue without washing her hand afterwards. This poses a risk of cross contamination and infection.
5. The inspector noted that the children's bags were stored on the ground in the care room. This poses an infection control risk.

### Action submitted by the Registered Provider

The following statement was received from the registered provider:

#### Corrective & Preventive Action

##### General safety:

1. All shelving has now been anchored.

##### Infection control:

2. Children's perishable foods are stored in the refrigerator. One staff member will place the food in the refrigerator on a daily basis.
3. The bins used in the children's toilets are pedal operated.
4. A staff meeting was held. Staff are aware of the importance of good respiratory hygiene practices. Policies will be reviewed and good respiratory hygiene practices will be promoted.
5. The children's bags are now stored on shelves.

#### Supporting documentation submitted

##### General safety:

1. Photographic evidence received.
2. Photographic evidence received.
3. Photographic evidence received.
4. A copy of the policy received.
5. Photographic evidence received.

## Summary Comment

The response from the registered provider was deemed to meet regulatory compliance under Regulation 23.

## 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-*

*(b) a daily record in writing is kept of the entry on the premises of any such person.*

### Compliance Information

(1) The attendance sheet was available in which the inspector observed that all of the children present on the day had their check in and out times completed for the duration of the inspection.

(3)

(b) A daily record of visitors to the premises was kept in a notebook in the reception area. The inspectors were requested to signed in and out from the service

## 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)

Up to date records of First Aid Responder (FAR) certification were in place for two of the adults working in the service.

(2)

(a) There was one sufficiently stocked first aid box and a small first aid bag available in the service, which was safely stored out of reach of children.

(b) The first aid supplies were always accessible, should they be required.

### 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 fire fighting 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) The inspector was provided with a list of monthly fire drills which were recorded in writing. The most recent fire drill was dated the 6 October 2025.

(b) The certificate of servicing for the firefighting equipment indicated that it was carried out on the 22 September 2025 and the certification of testing for the smoke alarms was dated the 14 October 2025.

(2)

(c) Both the firefighting equipment and the smoke alarm certificates were available to review on the day of the inspection.

(4) The fire evacuation procedures to be followed in the event of a fire were located on the wall of the care room.