

# Early Years Inspectorate Regulatory Report

## Pre School

**TUSLA Identifier:** TU2021CE003

**Name of Service:** Play & Learn Preschool

**Address of Service:** Broadford Community Hall, Coolagh, Broadford, Co. Clare

**Eircode:** V94 PY54

**Name of Registered Provider:** Michelle McNamara

**Service type:** Full Day

**Date of Inspection:** 05/03/2025

<b>No of pre-school children:</b>	AM	23	PM	8
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate Tusla Child and Family Agency Primary Care Centre Station Road Ennis County Clare.
<b>Inspection undertaken by:</b>	Á. McCarthy
<b>Title:</b>	Early Years Inspector

### Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

**Conditions if applicable** Not applicable

### Description of service

Play & Learn Preschool was established in 2021, as an independently owned childcare facility in a renovated community centre in the village of Broadford, County Clare. The programme of care and learning is facilitated in two care rooms Monday to Friday from 08:00 to 18:00 on a sessional, part-time and full day care basis. A school aged childcare service is facilitated in the Tigers room each afternoon. An enclosed outdoor play area is located to the rear of the childcare facility and a playground is located on the grounds of the adjoining primary school.

### Staffing

The registered provider and seven adults are employed in the childcare facility. On the 06 March 2025 five adults and a student on work placement worked directly with the children in attendance. The registered provider arrived subsequent to the inspector's arrival and worked directly with the children and provided an administrative role.

### 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 focused on an examination of compliance under regulations:

Regulation 9 – Management and recruitment (1)(a)(b), (2)(a)(c)(d) and (4)

Regulation 11 - Staffing levels (1) (3) (8)(a)

Regulation 19 - Health, welfare and development of child (1)(a)

Regulation 23 - Safeguarding health, safety and welfare of child

Regulation 25 - First aid (1) (2)(a)(b)

Regulation 26 - Fire safety measures (1)(a)(b)(4)

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.

## Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, the 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.

#### Compliance Information

(1)(a)

The registered provider and the deputy were available during the inspection.

(b)

A person in charge was available and the registered provider arrived subsequent to the inspector's arrival and remained for the duration of the inspection.

(2)

Eight files were available in respect of the registered provider, the adults and the student working in the childcare facility. The findings included the following:

- (a)  
Five written references from a source other than past employers in respect of adults working in the service were available.
- (b)  
Three written references from past employers in respect of adults working in the service were available
- (c)  
Garda vetting disclosures were available in respect of the adults employed by the service. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d)  
International police vetting was available in respect of one adult working directly with the children and who had lived in another state for a period longer than six months.
- (4)  
Six adults working directly with the preschool children held Early Childhood Care and Education qualifications ranging from Level 5 to Level 7 on the National Framework of Qualifications.

### Non-Compliance Information

- (2)(a)(b)
1. Eight written references were not available in respect of four adults working in the service were available.
  2. Two of the available written references were not validated by the registered provider. This posed a potential risk to the safety of children when vetting procedures are not completed prior to adults commencing in the service.
- (d)  
International police vetting was not available in respect of one adult working in the childcare facility, who had lived in another state for a period longer than six months. This posed a potential risk to the safety of children when vetting procedures are not completed prior to adults commencing in the service.
- (4)  
One adult working directly with the preschool children did not have evidence of Early childhood Care and Education at a minimum of Level 5 on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent. This posed a potential risk to the safety of children when vetting procedures are not completed prior to adults commencing in the service.

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

### Corrective Actions

- (2)
- (a) All references are now on file.
- (b) References have been validated for all employees.
- (d) Person is no longer a member of staff and has been replaced.
- (4) Person is no longer a member of staff and has been replaced.

### Preventive Actions:

A staff file will be completed before a staff member starts in the position including written references, verification of such and qualifications and police vetting where necessary.

### Supporting documentation submitted

Documentary Evidence

### Summary Comment

Based on the registered providers response and supporting documentation the areas of non-compliance are addressed. The regulatory requirements under Regulation 9 are 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.*

*(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)

During the inspection an adequate number of adults worked directly with the children in attendance.

(3)

On the 05 March 2025 the ratio of adults caring for children was maintained. Four adults cared for the twenty-three children in the morning and four adults cared for the eight children in the afternoon.

(8)(a)

During the inspection more than two adults were available in the service at all times.

### 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*

#### Compliance Information

(1)(a)

The children's learning, development and well-being was facilitated within the service through the provision of appropriate activities, interactions, materials and equipment having regard to the age and developmental stage of the children. Two care rooms were in operation during the inspection.

#### Basic Needs of Children:

The adults cared for the children in a respectful and kind manner. Positive behavioural strategies were used during interactions. The adults praised and encouraged the children, conversed with the children at their level, used soft tones of voice and responded promptly to their cues for assistance and comfort. The children were encouraged to be independent in play and learning, whilst caring for their belongings, at mealtime and whilst using the toilet. The adults supervised and treated the children in a sensitive manner during toileting.

The adults supported the children's choice of individual and group engagement in activities. The children were offered a range of developmentally challenging play and learning activities. The children engaged open ended imaginative, sensory, manipulative and constructive play individually and with their peers. The adults sat with the

children and read their chosen stories, and the children thoroughly enjoyed the disco and birthday party. The children transitioned from the indoor to the outdoor area for play based activities and the adults supported the child in individual and group activities. Children's individual artwork was captured in their individual learning journals. Mealtime was observed to be a relaxed and sociable occasion. Parents provided healthy and nutritious food and beverages for the children.

### **Physical and Material Environment:**

The care rooms were bright and decorated with colourful learning numerical and alphabetical aids and the children's artwork. The rooms were adequately resourced with play and educational equipment and materials. The rooms were laid out to enable the children to freely access the equipment and materials.

A variety of stimulating opportunities for play and learning activities were available and accessible in the indoor and outdoor environments with areas of interest. The care rooms were appropriately resourced with a home corner and a large range of supporting equipment, a dolls house, farm area and an art area. Accessible shelving units accommodated a range of games, puzzles, shape sorters, puppets, small figures, animals, blocks, magnetic tiles and stickle bricks. Floor mats and low-level tables and chairs were used by the children for individual and group activities. Seating and soft furnishings with adjacent reading materials were available for use by the children to rest and relax.

The outdoor play area located to the rear of the building was accessible from the Tigers care room. The outdoor area to the rear of the building is underdevelopment at present. During the inspection the children transitioned to the playground. This area was enclosed by fencing and a gate and located on the premises. The children wore all weather clothing and footwear and had access to an activity unit, a climbing frame, slides and swings. The children were observed to thoroughly enjoy their time in the indoor and outdoor environments.

### 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 entrance to the service was secured with a bell operated system to monitor the safe entry and exit of the children to and from the childcare facility.
- The outdoor area to the rear of the service and the playground was secured with fencing, walls and gates to protect the children within.
- The children were signed in and out on arrival and departure to the service on the electronic system and were supervised at all times during the inspection.
- Storage facilities were secured and inaccessible to the children.

##### Infection Control:

- The service was maintained in a clean and hygienic condition.
- The sanitary facilities were equipped with warm running water, liquid soap, hand paper towels and pedal operated bins.
- The children washed their hands at appropriate intervals after activities, after using the toilet and on return from outdoor play and before mealtime.
- The adults promoted effective coughing and nasal care etiquette with the children.
- The children's personal belongings were stored individually on a rail.

##### Administration of Medication:

- Documentation was available for the adults to use should medication be required to be administered to a child.
- An administration of medication policy was available to inform the adults working in the service and parents/guardians of the service's procedures.

##### Fire Safety:

- The fire exit routes and passageways were clear from obstruction.
- The fire assembly point was readily identifiable and known by the adults working in the service. A fire action notice was displayed at the fire exit points in the building.

- The service demonstrated evidence of completing monthly fire drills to prepare the service to respond in the event of fire.

### Non-Compliance Information

#### Infection Control:

- The pedal on the nappy waste disposal system was broken and the adults had to touch the lid to open the bin. This posed a risk of cross infection.
- The perishable food items were not stored in the available refrigerators, children's perishable food was stored in the children's bags. This posed a risk of food borne illness.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### Infection Control:

- A new pedal operated nappy bin has been installed.
- Food is now stored in the fridge. When the children arrive in each morning lunches are taken from the bags and put into the fridge on the way into the classroom.

#### Supporting documentation submitted

#### Infection Control:

Photographic evidence.

### Summary Comment

Based on the registered providers response and supporting documentation the areas of non-compliance are addressed. The regulatory requirements under Regulation 23 are met.

## 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

(2)(a)

Suitably equipped first aid boxes were stored in the childcare facility.

(b)

The first aid boxes were available for use by the adults in the event of an emergency.

## Non-Compliance Information

(1)

Evidence of up to date First Aid Responder (FAR) training was not available for the adults working directly with the children at all times. It acknowledged the registered provider had up to date First Aid Responder (FAR) training, however the registered provider is not present in the childcare facility at all times.

## Corrective & Preventive Action submitted by the Registered Provider

(1)

### Corrective and Preventive Action

The new replacement staff member has a First Aid Responder (FAR) qualification. There are now two staff with FAR Training. Two additional staff members have been booked onto a FAR training course on the April 02, 03, 09 12 2025.

### Supporting documentation submitted

Documentary Evidence.

## Summary Comment

Based on the registered providers response and supporting documentation the area of non-compliance is addressed. The regulatory requirements under Regulation 25 (1)(2)(a)(b) are met.

## 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.

(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)

Records were available to demonstrate that monthly fire drills were carried out by the service. The last fire drill took place on the 12 February 2025.

(b)

An up-to-date record of the number, type and maintenance service was available for the firefighting equipment. The most recent service of the firefighting equipment took place on the 21 August 2024.

(4)

A fire action notice was displayed demonstrating the procedures to be followed in the event of a fire.

## Non-Compliance Information

(1)(b)

Up-to-date records of the maintenance service was not available for the internal mains operated smoke alarm system.

## Corrective & Preventive Action submitted by the Registered Provider

(1)(b)

### **Corrective and Preventive Action**

The service record is in a specialised document holder provided by the Fire alarm company located with the fire alarm. A fire alarm logbook has also been started to ensure that details of service are readily available. A new contract was signed in February which provides for the service of the fire alarm once a quarter. A record of this will be stored in the specialised document holder. At the end of the year a full report of the services for the year is provided.

### **Supporting documentation submitted**

Documentary evidence.

## Summary Comment

Based on the registered providers response and supporting documentation the area of non-compliance is addressed. The regulatory requirements under Regulations 26 (1)(a)(b)(4) are met.

## Part VI – Safety

### Regulation 28 – Insurance

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

#### Compliance Information

Up to date insurance cover was available for thirty-three preschool children. The insurance policy for the full day care service is valid until the 27 March 2025.