

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2021CE003
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Name of Service:	Play & Learn Preschool
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Address of Service:	Broadford Community Hall, Coolagh, Broadford, Co. Clare
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Eircode:	V94 PY54
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Name of Registered Provider:	Michelle McNamara
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Service type:	Full Day
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Date of Inspection:	24/03/2026
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No of pre-school children:	AM	25	PM	9
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Address of the Early Years Inspectorate:	Early Years Inspectorate Tusla Child and Family Agency Primary Care Centre Station Road Ennis County Clare.
Inspection undertaken by:	A. McCarthy
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

Play & Learn Preschool was established in 2021, as an independently owned service in a renovated, single storey, 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 full day care and sessional basis. The two care rooms are called the Cubs room and the Tiger room. 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 building, and a playground is located on the grounds of the adjoining primary school. The children have access to a large hall adjacent to the care rooms.

Staffing

The registered provider and nine adults are employed in the service. On the 24 March 2026 five adults cared for the twenty-five pre-school children in attendance in the morning and four adults cared for the nine pre-school children in the afternoon. The registered provider 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

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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)(b)(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

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

Regulation 28 – Insurance

These findings are outlined within the relevant regulations within 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 provider, staff and children who were present on the day of the inspection.

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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 was the person in charge, and an adult was available to deputise in their absence.

(b)

The registered provider was available during the inspection.

(2)

Ten files were available in respect of the registered provider and the nine adults working in the service. The findings included the following:

(a)

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Fifteen written and validated references from past employers in respect of the adults employed by the service were available.

(b)

Four written and validated references were available from a source other than a past employer in respect of adults employed by in the service.

(c)

Garda vetting disclosures had been obtained for ten adults employed by the service. However, the service did not adhere to the re-vetting timeframes in relation to one adult as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.

(d)

International police vetting was available in respect of one adult working in the service who had lived in another state for a period longer than six months.

(4)

The adults working directly with the children held Early Childhood Care and Education qualifications ranging from Level 5 to Level 7 on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent.

Non-Compliance Information

(2)(a)

A written reference in respect of one adult was deemed unsuitable, as the employee had three past employer referees detailed on their employment history record and the available reference was not provided by any of the three identified referees.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a)

Upon being informed that the original written reference was not suitable, management immediately sought and obtained an additional written reference from a previous employee of the service provider, confirming the staff member's employment history. This was then followed by a telephone validation of the reference to verify its authenticity and content. Copies of the written reference and record of the telephone validation are being submitted to Tusla.

From now on, management will check all of the staff references before a file is marked complete, using a recruitment checklist to confirm that each reference meets Tusla requirements and has been validated where

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necessary. This check will be carried out immediately upon receipt of references and recorded on the staff file to prevent recurrence of the issue.

Supporting documentation submitted

(2)(a)

Copy of the reference and validation form.

Summary Comment

Based on the registered provider's corrective and preventive actions and supporting evidence the area of non-compliance is addressed under Regulation (2)(a).

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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.

(2)

On the 24 March 2026 the ratio of adults caring for children was maintained. Five adults cared for the twenty-five children in attendance in the morning and four adults cared for the nine children in attendance in the afternoon.

(8)(a)

During the inspection more than two adults were available in the service 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:

(i) details of staff rosters on a daily basis;

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Compliance Information

(1) (i)

A staff roster was available and accurately recorded all the adults currently employed by the service and their rostered hours.

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

(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.

Supporting Relationships Around Children:

The adults interacted with the children in a kind and respectful manner. The adults listened attentively and conversed with the children at their level and responded promptly to their cues for assistance. Positive behavioural strategies were used during interactions, and the children were offered praise and encouragement. The adults demonstrated an awareness of the children's personal preferences, interests and capabilities. The adults supported the children in individual and group play based activities throughout the session and engaged in open ended discussions.

The children were encouraged to be independent while caring for their belongings, their play materials and equipment, at mealtime and whilst using the toilet. The children were encouraged and supported to manage their own personal care appropriate to their age and level of development. The play-based programme of care was child

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focused, and the children were notified in advance of transitions in activities and prior to transition to the outdoor area and the hall. An individual learning journal was available for each child demonstrating the children's progress and creative work. The adults discuss the children's day and observations with the parent/guardians during drop off and collection times.

Physical and Material Environment:

The programme of care was facilitated in two open plan care rooms and in the outdoor play area. The children engaged in open ended tabletop and floor-based activities in the indoor environment. The care rooms were bright and spacious and adequately resourced for the age range and the development needs of the children. Designated areas of interest were accessible and were appropriately equipped with supporting materials and equipment for the children. The defined interest areas in both care rooms included a home corner, rails with a large range of dress up costumes, a rest and reading area, low level shelving units were equipped with a large quantity of imaginative, constructive and manipulative equipment and materials. The walls in both rooms were illustrated with the children's spring themed artwork, learning activities, birthday displays, numerical and literacy learning aids.

The area to the rear of the service offered a space for the children to engage in outdoor play-based activities. The outdoor play area was enclosed by a wall and gate. This area was partially covered to promote play in all weather conditions. The children have access to water and sand play. The children accessed the hall to engage in chasing games, running exercises and yoga. The children attending both care rooms appeared to thoroughly enjoy their time in both the indoor, outdoor and hall environments.

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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:

- A bell operated system was in place at the entrance door to monitor the safe entry and exit of the children to and from the childcare facility.
- The outdoor play area and hall that is used for play by the children were secured. The outdoor surrounding perimeter was secured with a concrete wall and the hall was secured to protect the children within.
- Protective covers were in place over the radiators.

Infection Control:

- The service was maintained in a clean condition.
- The sanitary facility was equipped with running water, liquid soap, hand paper towels and lidded, lined pedal operated bins. Photographic illustrations of hand hygiene techniques were displayed over the wash hand basins to prompt children to wash their hands.
- The children washed their hands at appropriate intervals after activities, after using the toilet and on return from outdoor play and before mealtime.
- The children's personal belongings were stored individually.

Fire Safety:

- The fire exits and routes were clear from obstruction throughout the service.
- Written records of completed monthly fire drills were available.
- The fire assembly point was readily identifiable and identified by the adults working in the service.

Non-Compliance Information

General Safety:

1. Garda vetting was available for ten adults employed by the service. However, one of the ten Garda vetting disclosures was not dated within the previous three years in adherence with the Early Years Inspectorate Regulatory Notice.

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Infection Control:

- The perishable food items belonging to the pre-school children attending on a sessional and full day care basis were not stored in the available refrigerators. The children's perishable food items that included ham, cooked chicken, cheese and yoghurts were stored in the children's bags in the care rooms and on top of the fridges. This posed a risk of food borne illness.

The practice observed is at variance with the service's healthy eating policy that references *"that staff will ensure that any perishable foodstuffs are refrigerated in a safe manner"*. The corrective and preventive actions provided by the registered provider following the last inspection 05 March 2026 had not been implemented.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

- Upon identifying that one staff member's Garda vetting had expired, management immediately checked the staff file and confirmed that the expiry date had been recorded incorrectly on the Garda vetting tracking record, with the date entered inversely. A new Garda vetting application was submitted without delay and has been with the National Vetting Bureau since 2 April 2026. Evidence of the garda vetting disclosure was submitted to Tusla as supporting documentation. Management has also reviewed the staff member's file and Garda vetting records to ensure the current status is clearly documented pending receipt of the updated disclosure.

With immediate effect, management will implement a double-check system for all Garda vetting dates entered on the tracking record. The expiry date on each disclosure will be verified against the original document by management before entry and again before the file is signed off as complete. The tracking file will also be reviewed monthly to identify vetting due to expire within the following 3 months, so that renewal applications can be made in advance and no vetting will lapse due to administrative error.

Infection Control:

- Following this inspection finding, the service immediately reviewed its lunch storage arrangements. While measures had been introduced after the previous inspection, these were not maintained in a way that ensured consistent ongoing compliance in practice. The service has now implemented a revised and more robust system. Access to the kitchen has been removed, the service has registered with Environmental Health, and the recommended catering pack has been purchased following Environmental Health guidance.

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In addition, two new fridges have been purchased and installed in the rooms so that children's lunches can be stored safely at the correct temperature. Evidence of these actions is available and will be submitted in support of the response.

With immediate effect, all lunches requiring chilled storage will be placed in the designated room fridge on arrival and stored in line with the service's food safety procedures. Management will carry out daily checks on lunch storage arrangements to ensure compliance is maintained. All staff are currently completing HACCP Level 2 training, and updated food storage and handling procedures will be reinforced through induction, supervision, and regular review. This revised system has been introduced to ensure that safe food storage arrangements are maintained consistently in practice at all times.

Supporting documentation submitted

General Safety:

1. Evidence of the required garda vetting disclosure.

Infection Control:

2. Photographs of refrigerators in service.

Photographs of lunches stored in refrigerators.

Copy of HACCP Training and communication with Environmental Health Officer and registration of food business.

Summary Comment

Based on the corrective and preventive actions and supporting evidence the area of non-compliance is addressed under Regulation 23 subsections General Safety and Infection Control.

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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.

Compliance Information

(1)
Three adults had a record of up to date First Aid Responder (FAR) training and the staff roster indicated that an adult with First Aid Responder (FAR) training was available in the service at all times.

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)
A record of completed monthly fire drills was available. A fire drill took place on the 06 March 2026.

(b)
Up-to-date records of the number, type and maintenance service were available for the firefighting equipment and the smoke alarm system. The most recent service of the firefighting equipment and the smoke alarm system maintenance service took place respectively in August and September 2025.

(4)
Fire action notices demonstrating the procedures to be followed in the event of a fire were displayed at both entry/exit points in the building.

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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 pre-school children attending on a full day care basis. The policy is valid until 28 March 2026.