

Early Years Inspectorate Regulatory Report

Pre School

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| TUSLA Identifier: | TU2021KY003 |
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| Name of Service: | Naíonra Naomh Séamas |
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| Address of Service: | Gaelscoil Naomh Séamas, Douglas, Killorglin, Co. Kerry |
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| Eircode: | V93 PH28 |
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| Name of Registered Provider: | Sean O'Mahony |
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| Service type: | Sessional |
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| Date(s) of Inspection: | 17/11/2025 |
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|-----------------------------------|--|----|------|----|------|
| No of pre-school children: | <table border="1"> <tr> <td>AM</td> <td>16</td> <td>PM</td> <td>None</td> </tr> </table> | AM | 16 | PM | None |
| AM | 16 | PM | None | | |

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| Address of the Early Years Inspectorate: | Áras an Phobail, Deans Lane, Tralee, Co. Kerry. |
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| Inspection undertaken by: | N. Reidy & N. O'Donoghue |
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| Title: | Early Years Inspectors |
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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).

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| Conditions if applicable | N/A |
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Description of service

Naíonra Naomh Séamas is registered as a privately operated early years service, catering for children aged between 2 years and 6 years on a sessional basis. The service is open between the hours of 9 am and 12.30 pm Monday to Friday.

The service is located within the Gaelscoil Naomh Seamas national school in the rural area of Douglas, Killorglin Co. Kerry. The service operates from 1 spacious playroom with the children's sanitary accommodation in the playroom. There is a designated enclosed outdoor play area that is available to the children each day.

Staffing

There are 10 adults attached to the service. This includes the registered provider who is not service based, six adults who work directly with the children and three auxiliary staff.

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. The inspections 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

The inspection was a triggered inspection following information received by the Early Years Inspectorate.

The service self-referred and registered to work with Better Start, the National Early Years Quality Development service. The inspectors were informed the work with Better Start commenced in the service on 13.11.'25.

Acknowledgments

The inspectors wish to acknowledge the cooperation of 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*
- (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.

(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.

(7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:

(a) the policies, procedures and statements of the service specified in Schedule 5;

(b) Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act, and

(c) these Regulations.

Compliance Information

(1)

(a) The service had a designated person in charge and deputy person in charge on the premises on the day of inspection.

(b) A person in charge or named deputy person in charge were on the premises at all times during the operation of the service.

(c) There was a clearly identified management structure in the service. This included person in charge and deputy person in charge.

(2) There are 10 adults attached to the service; all ten staff files were open to inspection.

(a) Of the 20 references required, 18 validated references were available from past employers.

(b) Of the 20 references required, 1 validated reference was available from a source other than a past employer.

(c) Garda vetting disclosures has been obtained for all 10 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 deemed to be required for 4 of the 10 adults working in the service and copies of the relevant documents were maintained on file for 2 of the adults.

(4) The six adults working directly with children held relevant qualifications in Early Childhood Care and Education at least at Level 5 on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent.

(7) The registered provider and person in charge ensured that adults attached to the service received information and necessary training around the following:

(a) policies and procedures of the service.

(b) Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act, and

(c) these Regulations.

The service self-referred and registered to work with Better Start, the National Early Years Quality Development. The inspectors were informed the work with Better Start commenced in the service on 13.11.'25. The adults attached to the service have completed various Continuous Professional Development courses including Children's First training, Aistear Outdoor Learning and Handling Violence and Aggression. On discussion with the person in charge, training needs were identified through supervision sessions with management. The management of the services also identified the supports available to their staff for upskilling. Yearly appraisals were completed by the service and records were stored onsite.

Following management assessment, it has been identified that staff require further training and support in relation to behaviour management.

Non-Compliance Information

- (2)
- (a)&(b) One validated reference was not available for one adult attached to the service.
- (d) Police vetting was not available for two adults attached to the service. This poses a risk to the safety of children.
- (3) The registered provider did not ensure to carry out all required validations and checks prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service. This poses a risk to the safety of the care of children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2) (a) & (b)

One validated reference was obtained for the one staff member. A second staff member will check all the staff files to ensure compliance prior to employment commencing.

(d) The two adults attached to the service were requested to provide their Police vetting as soon as possible One Police vetting was provided by 4/12/'25 and confirmation for the Police vetting request for the second adult was provided on 6/12/'25.

A table for all adults attached to the service has been implemented with Police vetting as a separate column to garda vetting. A second member of management will also check the staff files prior to employment commencing.

(3) The table implemented table for all the adults attached to the service has been added to the hiring process for all adults, not just staff members. This is to be completed prior to employment beginning.

Supporting documentation submitted

(a)& (b) The one validated reference required for one staff member.

(d) One completed Police vetting. Evidence of the Police vetting application in respect of the second adult.

(3) The employee records table referred to.

Summary Comment

The requirement for the regulation (2) (a) & (b) has been met.

The requirement for regulation (2)(d) & (3) has been partially met.

Evidence of an application for one staff member for international Police vetting was received however, a copy of the completed International Police vetting has not been submitted for the one staff member to date. The registered provider is required to furnish the required documentation to the Inspectorate upon receipt. The non-compliance in relation to Regulation 9(2)(d) remains outstanding

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.

Compliance Information

The following written policies were reviewed and deemed to meet the minimum regulatory requirements:

- Behaviour management policy.
- Supervision of staff policy
- Staff training policy
- Risk management policy

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.

(3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 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) therefore at that reference number is satisfied.

(c) a registered provider of a sessional pre-school service shall ensure that, where the person in charge operates the service single-handedly, a second person familiar with the operation of the service and in a position to provide assistance to the person in charge in operating the service is, at all times, within close distance of the service and available to attend the service to assist the person in charge in the event of an emergency.

Compliance Information

(1) Throughout the period of inspection, the registered provider did ensure that there was an adequate number of adults caring for the children attending the service.

(3) There were 4 adults caring for 16 children aged between 3 years to 5 years attending the service on a sessional basis. The adult child ratio was correct and maintained.

(8)(c) Not applicable as the service does not operate single-handedly.

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

(2) A registered provider shall ensure that no corporal punishment is inflicted on a pre-school child whilst attending the service.

(3) A registered provider shall ensure that no practices that are disrespectful, degrading, exploitive, intimidating, emotionally or physically harmful or neglectful are carried out in respect of a pre-school child whilst attending the service.

Compliance Information

(1)(a)

Basic Needs: -

- The service promotes healthy eating with the food for snacks provided by the parents.
- On the day of the inspection, the children had sandwiches, a variety of fruit, crackers and hummus to eat at the snack time.
- The service offers a rolling snack system. There was an allocated table with low level chairs used for the snack time.
- On inspection the children were observed to choose the time they wanted to eat. Under supervision they helped themselves to their individual placemats, their lunch bags stored on their individual hooks in the room and to their drink's bottles accessible on a low- level unit.
- There was a staff member designated to supervise and assist the children eating throughout the period of the rolling snack system. The other staff members assisted as needed.
- The children were observed to have plenty of time to eat their food, with relaxed pleasant social interaction among the children and the adult.
- Children's individual needs in respect to seating used in the service during the session was met. This was evidenced on inspection whereby specialized seating was supplied and used for the snack time.
- The children not eating were observed to have a variety of activities available to them. These included for example tabletop, building blocks, magnetic tablets, arts and crafts and science experiments to observe the mould growth on pancakes stored in sealed plastic bags, that had been previously exposed on the floor and on the countertop for example.
- The proximity of the sanitary accommodation in the pre-school room ensured that staff were available to supervise and help the children at all times as observed on inspection.
- The children's individual toiletry needs were accommodated as informed by the staff. The staff had placed visual aids to show the steps for using the toilet.
- Children's individual toileting needs were met as observed on inspection.
- There were separate nappy changing facilities with an electric height adjustable changing table available to the children that required it.

- There was a rest area furnished with soft seating provided in the room with a selection of books nearby. This space was observed in use during the inspection included for example, children who took a break from activities, a staff member that accompanied a child who became upset, sat with the child, comforted and re-assured the child and looked at a story book until the child settled and returned to play.
- The children were observed to move about the spacious playroom freely and explore the environment.
- The children were observed to practice and improve their emerging skills such as co-ordination and balance as observed on the balancing blocks.
- Children’s individual mobility requirements were met as evidenced on inspection by the provision of rotation of motorized and manual specialized seating.

Supporting Relationships: -

- There was a keyworker system in place in the service with named staff responsible for a designated group of children with a list demonstrating this displayed in the playroom.
- The staff informed that various forms of communication as being used including speaking to parents/guardians at drop off and collection time and “sceil beag” communicated electronically, describing activities the children engage in with associated photographs.
- On inspection, the staff were observed to use soft tones of voice, calling the children by their individual names and getting down to their level making eye contact.
- There was a wall display near the pre-school entrance door with the names and individual photographs of the service’s staff members.

Physical and Material Environment:

- The playroom was resourced with a range of equipment and materials displayed on low level open shelving units and within easy reach for the children to independently access them as they so wished.
- There were defined interest areas with materials and resources which enhanced all the children’s developmental areas.
- There were tuff trays in use during the inspection, for example the children enjoyed playing with the playdough with porridge oats in line with the children’s emerging interest documented on the records displayed in the playroom.
- The room was colourfully decorated with various educational posters, children’s artwork and family photographs for example.

- The outdoor area was used by the children on inspection before departing the service. The area had a mix of soft square matting and tarmac surfaces underfoot. The children had access to bikes, cars, a wooden kitchen, Hola hoops and sand play for example.

(2)
The registered provider ensured that no corporal punishment was inflicted on a child whilst attending the service. The staff were observed to speak to the children in low soft tones, coming down to their level and comforting them as was needed.

(3)
On the day of the inspection the inspectors did not observe any practices that were disrespectful, degrading, exploitive, intimidating, emotionally or physically harmful or neglectful towards the children in the service. In conversation with the staff, they demonstrated an awareness of the practices in the service that were prohibited and positive behaviour management strategies that they used in practice.

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 fire extinguisher was mounted securely to the wall in the playroom.
- The cleaning agents observed in use on inspection were stored out of the reach of the children in secured cupboards.
- The temperature of the warm water for children's use at the wash hand basins was recorded below the required 43 degrees Celsius.
- The outdoor area was enclosed with fencing and a gate.
- Entrance to the building was directly through an open door and to the secured playschool entrance door.

Infection Control:

- The children's perishable food items were labelled and stored in the fridge in the playroom.
- The wash hand basins in the children's sanitary accommodation were equipped with a supply of liquid hand soap, paper hand towels, and foot operated lidded bins to facilitate effective hand washing.
- The children were observed to wash their hands prior to eating and after using the toilet.

- The carpet floor covering in the playroom was removed and replaced with lino since the last inspection took place.

Non-Compliance Information

General Safety:

- There was a loose cable attached to the fridge accessible to the children posing a risk of injury to children.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

- Cable clips were bought and the wire secured to the wall. All wires secured has been added to the weekly maintenance checklist.

Supporting documentation submitted

General Safety:

A photograph of the cable attached to the wall with cable clips.

Summary Comment

The requirement for this regulation has been met.

Part VI - Safety

Regulation 27 – Supervision

A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Compliance Information

It was evident throughout the day of inspection that children are supervised at all times, this was observed by staff engaging in supervision by sight and sound. Staff supported children when required. This was observed both indoors and outdoors.