

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2022RN001
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Name of Service:	The Growing Tree 2
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Address of Service:	Convent Road, Ballaghderreen, Co. Roscommon
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Eircode:	F45 P232
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Name of Registered Provider:	Michael Frain
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Service type:	Part Time, Sessional
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Date of Inspection:	22/05/2026
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No of pre-school children:	AM	31	PM	25
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Address of the Early Years Inspectorate:	Early Year's Inspectorate, Child and Family Agency, Government Buildings, Convent Road, Roscommon, Co. Roscommon
Inspection undertaken by:	A. Kennedy
Title:	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).

Description of service

This service is in operation since September 2022. It is operated by a subcommittee of Roscommon Integrated Development Company and located in a portacabin within close proximity of the town of Ballaghaderreen. It provides a play-based curriculum for children from 2 years 6 months to 5 years. It is registered to provide a part time and sessional service. It caters for ECCE children with the provision of a morning session from 09:30 to 12:30hrs and an afternoon session from 13:30 to 16:30hrs Monday to Friday. The maximum number of children to attend this service is 36.

Staffing

The registered provider does not work directly with the children and has employed a person in charge to operate the service. There are ten staff employed in the service. Eight adults worked in the morning session and six staff worked in the afternoon session. A relief arrangement is in place in event of staff absence.

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 regulations 9,11,22,23,25,26,28 and 29. The inspection may also focus on other areas as required.

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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 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

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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) There was a named person in charge and a named person to deputise as required.
- (b) A sample of staff rosters reviewed found that the person in charge or deputy person in charge were available at all times.
- (2) Through discussion with the designated person in charge, it was advised that six new staff were employed since the last inspection held on the 14th of November 2024 took place.
- (a) &(b) Twelve of the twelve written validated references, on file for the new staff were from a past employer or from a source other than the past employer.
- (c) Garda vetting disclosures had been obtained for all staff members The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d) Three of the staff had worked outside the jurisdiction, for six months or more, while over the age of 18 years of age and had the required police vetting on file.
- (4) The ten staff who were working directly with children, held a Quality and Qualifications Ireland (QQI) award, at a Level from 5 to 7 in Early Childhood Care and Education. Copies of qualifications were on file for the all staff members.

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.*

Compliance Information

- (1) There was a designated person in charge and there was a named person available to deputise in the service. Staff rosters indicated that either the designated person in charge or deputy were available on the premises at all times when the pre-school children were present.
- (3) On the morning of the inspection, there were 31 children present between 2 years 8 months-5 years. There were eight staff directly caring for these children

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In the afternoon, of the inspection, there were 25 children present between 2 years 8 months to 5 years. There were six staff directly caring for the children.

Part V - Care of Child in Pre-school Service

Regulation 22 – Food and drink

A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.

Compliance Information

There was a healthy eating policy in the service. The person in charge advised that healthy eating was promoted within the service by visual aids, and adherence to best practice guidelines.

The service had designated kitchen staff who prepared the snacks. The morning and afternoon snack were provided by the service.

At 11 00hrs the children had their morning snack of brown bread, wraps, crackers, rice cakes, apples, strawberries, grapes, olives, cucumber, peppers, melon and cheese with water to drink.

At 15:10hrs the children attending the afternoon session were offered their afternoon snack of brown bread, wraps, crackers, rice cakes, apples, strawberries, grapes, olives, cucumber, peppers, melon and cheese with water to drink. At each snack the children had the opportunity for second portions and/or an alternative.

Cutlery, plates, and crockery were offered for children's meal/snack times.

Drinking water was available and accessible to children in the playrooms

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 door to the preschool premises and the gates in the external outdoor play area were secured so that children could not leave the area unsupervised and unauthorised persons could not enter the area.
- Fire doors were unobstructed.
- All cleaning agents were stored inaccessible to the children.

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- Leads, cables, and flexes were secured and or inaccessible to prevent any trips or strangulation hazard.
- The playroom temperatures were thermostatically controlled, and maintained between 18°C to 22°C.
- Thermostatically controlled warm water not exceeding 43°C to facilitate hand washing was available to facilitate hygienic hand washing.
- Heavy equipment and furnishings were anchored appropriately.
- The window openings in the playrooms were high and thereby inaccessible to the children.
- All toys and play equipment were observed to be safe and in good condition.
- There were no pits or ponds in the outdoor area to cause any risk of injury to the pre-school child.
- The staff clearly identified to the early year's inspector, the drop off and collection procedures for children.
- A system was in place to ensure that daily records of attendance were kept for all the children, attending the pre-school.

Infection Control:

- The inspector observed that the children washed their hands regularly throughout the inspection to include, prior to consuming snack, after outdoor play and after toileting.
- Suitable hand-washing facilities were provided with supplies of liquid soap.
- The playrooms and sanitary accommodations had foot operated lidded bins.
- The pre-school rooms and sanitary areas were well ventilated with the windows open throughout the inspection.
- Tabletops were cleaned immediately prior to children's snack break.

Administration of Medication:

- There were no medications administered to the children on the day of the inspection.
- The staff demonstrated knowledge of safe practices with regards to the safe storage and administration of medication should it be required.

Fire Safety:

- Monthly fire drills were carried out on the premises to ensure the children were familiar with the procedure in event of an emergency.
- All exit routes from the service were free from obstruction during the inspection.

Outing:

- It was advised by the person in charge that the children go on an annual outing to an adventure farm.
- The service had insurance for outings.

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- The person in charge ensured that parents had provided consent, a risk assessment is carried out prior to the outing, emergency numbers are brought and there was a staff member with first aid / a first aid box on the outing, in the event of an emergency.

Non-Compliance Information

General Safety:

- There were four tricycles and a water play table in the outdoor play area with evidence of rust and flaked paint which could pose a potential safety concern. It is acknowledged that these were removed on the day of inspection and evidence was sent to the office of the early years' inspectorate on 26th of May that these have been sanded and repainted.

Infection Control:

- In the outdoor play area, there were soft shapes with evidence of being frayed and torn thereby preventing effective cleaning. It is acknowledged subsequent to the inspection of the service on 26th of May, the manager submitted evidence that these have been repaired.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety

The person in charge submitted a written response to state

- The tricycles and water play table have been sanded and repainted. These will be checked regularly to ensure they are in good condition.

Infection Control:

- The soft shapes in the outdoor area have been repaired to enable effective cleaning. The soft shapes will be checked regularly to ensure they are in good condition and repaired if required.

Supporting documentation submitted

General Safety:

The person in charge submitted photographic evidence of

- The sanded and resprayed tricycles and sand play table.

Infection Control:

- The repaired soft shapes in the outdoor area.

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Summary Comment

The early years inspectorate has assessed the actions taken and evidence submitted and deems it to address the non-compliances identified under regulation 23.

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) Four adults working in the pre-school service had evidence of a current first aid responder qualification.

(2)(a) The first aid boxes were stored on a high shelf in the playrooms, in an easily accessible, conspicuous position for the staff and inaccessible to the children.

(b) The first aid boxes had content items within date.

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.

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(1)(a) Arrangements were in place to record monthly fire drills. The last documented fire drill was dated 18th of May 2026.

(b) A record of the number, type, and maintenance of firefighting equipment in the service was on file.

Records indicated that the last annual maintenance for the firefighting equipment was dated 7th of November 2025. Records indicated that the last maintenance for the fire detection system was dated 3rd of March 2026.

(4)A notice of the procedures to be followed in the event of a fire was displayed in each room and in the lobby area.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

There was evidence of certification of adequate insurance which had an expiry date 17th of February 2027.

The insurance for 36 pre-school children was for a part time service, included the following: -

- Public liability insurance,
- Insurance against fire and theft,
- Buildings insurance,
- Insurance for outings undertaken as part of the service provision.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-

- (a) of sound and stable structure,*
- (b) safe and secure,*
- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

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Compliance Information

- (a) The service was maintained in an appropriate and adequate state of repair.
- (b) The entrance into the service and the outdoor play area were adequately secured to prevent a child exiting and an unauthorised person entering the premises.
- (c) The playrooms were adequately lit, ventilated, and heated.
- (d) The premises was maintained in a clean and hygienic condition.
- (e) The sanitary facilities were adequate for the needs and requirements of the children attending the service.