

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2022TY003
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<b>Name of Service:</b>	Kate's Kinder
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<b>Address of Service:</b>	6 Pallas Derg, Newtown, Nenagh, Co. Tipperary
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<b>Eircode:</b>	E45 ED29
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<b>Name of Registered Provider:</b>	Kathleen Winhausen
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<b>Service type:</b>	Sessional
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<b>Date of Inspection:</b>	21/11/2024
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<b>No of pre-school children:</b>	AM	6	PM	-
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<b>Address of the Early Years Inspectorate:</b>	North Tipperary Civic Offices, Limerick Road, Nenagh, Co. Tipperary
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<b>Inspection undertaken by:</b>	L McGeeney
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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>	Not applicable
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### Description of service

This sessional service was established in 2022 to provide care and education to children aged between 2 and 6 years old. The service operates Monday – Friday, 9.15am – 12.15pm, for 38 weeks of the year. Places are funded under the early childhood care and education scheme (ECCE) for eligible children.

The service is operated from a converted garage beside the registered provider’s home in a residential area in the village of Newtown, near Nenagh in north Tipperary.

The premises is a detached, single storey building with an activity room and sanitary accommodation areas. The children also have access to the garden of the residence for outdoor play.

### Staffing

The registered provider works directly with the children in the service on a daily basis. A second member of staff employed under the access and inclusion model (AIM) also works directly with the children in the service.

Both staff hold recognised qualifications in early childhood care and education.

### 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/ premises and facilities. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9(2)(4), 11(1)(3)(8), 20(1)(2), 21, 22, 25, 26(1)(4) and 28.

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 and children who were present on the day of the inspection.

### Part III – Management and Staff

#### Regulation 9 – Management and recruitment

*(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

The staff files of both members of staff were reviewed as part of the inspection process:

(2)(a) Written references from past employers, with validations where required, were available in respect of both members of staff.

(b) Not applicable as all available references were from past employers.

(c) Garda vetting had been carried out in respect of both members of staff and relevant documents were held on file. There was a process in place to ensure that all staff were re-vetted on a three-yearly basis.

(d) Police vetting had been carried out in respect of staff who had lived outside the state for a period exceeding six consecutive months. Relevant documents were held on file.

(4) Staff who worked with the children held recognised qualifications in early childhood care and education at levels 5 or 6 on the national framework of qualifications.

### 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.*

*(8) Without prejudice to paragraphs (2) to (7)-*

*(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) The registered provider worked directly with 6 children aged between 3 and 5 years old on the morning of the inspection.

(3) The adult to child ratio was maintained at greater than the minimum requirement of 1 adult to 11 children.

(8)(c) On days, such as the day of inspection, when there was only one adult present in the service, a second person, familiar with the operation of the service, was available to call on in an emergency.

### Part V - Care of Child in Pre-school Service

#### Regulation 20 – Facilities for rest and play

(1) Subject to this regulation, a registered provider shall ensure that-

(a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child to play indoors and, where required by these Regulations, outdoors, during the day, and

(b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

(2) A registered provider-

(a) of a full day care service, a part-time day care service, a sessional preschool service or a childminding service that is registered for the first time on or after 30 June 2016, shall ensure that a suitable, safe and secure outdoor space to which the preschool children attending the service have access on a daily basis is provided on the premises.

#### Compliance Information

(1)(a) The children were given opportunities to play and explore both indoors and outdoors on the day of inspection.

The indoor environment consisted of a comfortable rectangular shaped activity room that was set up in a variety of interest areas including: art and mark making area with wall mounted easel, a cosy area and library, small world areas, sensory play areas, home corner and dress up, puzzles and manipulative play area.

The outdoor play area was available to the children in all weathers as there was an open and a covered area. On the day of inspection there had been a light fall of snow which the children were delighted to explore and experience.

(b) Sleep facilities were not required as all of the children were aged over 3 years old and attended for a maximum of 3 hours each day. There was a cosy area in one corner with soft toys, cushions and a toy box with seats where the children could rest and relax away from other activities when they wanted to.

(2)(a) The outdoor play area was directly accessible from the side door of the activity room. The outdoor area was a large rectangular garden with a combination of grass and paved surfaces with concrete paths around the perimeter. The area was enclosed by concrete walls and high gates. Some of the walls were painted with flowers

and butterflies. The paved area was covered with a roof which provided shelter. This space was also used for the storage of equipment such as the balance bikes.

### Part V - Care of Child in Pre-school Service

#### Regulation 21 – Equipment and materials

*A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.*

#### Compliance Information

The service was well equipped with furniture, toys and materials suitable to the number of children who attended the service, their ages and stages of development. There were floor mats for floor play activities, child sized chairs and tables for dining and table-top activities and a cosy seating area beside the library with cushions and soft toys. Toys and equipment were stored on child height open shelving units or in specific purpose furniture such as the clothes rail for dress-up clothes, wall mounted book racks or the kitchen in the home corner. Other indoor equipment included a wall mounted SMART TV that was used for specific activities such as learning new songs during circle time. On the day of inspection it was used to learn a song linked to the current theme of the week called 'zoom, zoom, zoom we're going to the moon.'

The outdoor area was also well resourced with furniture and equipment including swings, slide and climbing frame, goal net and rebounder, ride-on toys, sand tables, dolls house, picnic table and bench seats, planting areas, construction toys,

### 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

The service had a healthy eating policy and healthy eating was actively promoted in the service. The registered provider stated that reminders were sent out periodically regarding the importance of healthy eating and that she worked with parents of children who were fussy eaters to try to find the healthy foods they liked to eat.

Children brought a packed lunch from home that was eaten during the morning at snack time. The foods eaten on the day of inspection included: overnight oats with fruit and yoghurt, an avocado and egg wrap, cooked chicken pieces, crackers, fromage frais, carrots and apple pieces, strawberries, cashews, mandarins and sultanas. Each child brought a drink bottle of water or squash and there was a water station beside the door to the garden where children could access a drink throughout the morning when they wanted one.

### 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) The registered provider held current certification in first aid response (FAR) valid until 19 August 2026.

(2)(a) There was a suitably equipped first aid kit on a shelf in the activity room.

(b) The first aid box was available if required by a child attending the service.

### 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 firefighting 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) There was a written record of the fire drills that took place in the service.
- (b) There was a written record of the number type and maintenance of the firefighting equipment and smoke alarms in the service. The firefighting equipment and smoke alarms were serviced on a yearly basis, most recently in January 2024.
- (4) There was a notice of the procedures to be followed in the event of a fire displayed on the wall in the service.

### Part VI - Safety

#### Regulation 28 - Insurance

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

#### Compliance Information

The service had current insurance for up to 11 children attending at any one time valid until 27 March 2025.