

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2025CE001
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Name of Service:	Curious Minds Kilmurry McMahon FDC
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Address of Service:	Kilmurry McMahon Community Centre, Drumdigus, Co. Clare
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Eircode:	V15 F409
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Name of Registered Provider:	Marie Sheehy
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Service type:	Full Day, Part Time, Sessional
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Dates of Inspection:	28/01/2026
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No of pre-school children:	AM	5	PM	N/A
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Address of the Early Years Inspectorate:	Quality and Regulation Directorate Tusla Child and Family Agency Ennis Primary Care Centre Station Road Ennis County Clare
Inspection undertaken by:	J Hayes
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

Curious Minds Kilmurry McMahon FDC is operated by an independent provider and is located in a rural area in Drumdigus, County Clare. The service facilitates a programme of care and education Monday to Friday from 07:00 to 18:00 for children ranging in age from two to six years on a sessional, part time and full day care basis.

The service is located in part of a community building. The care of the children takes place predominantly in one large open plan care room on the ground floor. Sanitary facilities for the children and adults are located adjacent to the care room. The outdoor area is located at the side of the childcare facility.

Staffing

On the 28 January 2026 the person in charge and an adult worked alongside five pre-school children who are currently attending the service in the mornings only. The registered provider does not work in the service on a daily basis.

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 announced and focused on the area of governance and health, welfare and development of child.

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) (2) (8)(a)

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

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 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 person in charge, and a person was available to deputise in their absence.

(b)

The person in charge and a named person to deputise were available at all times during the inspection.

(2)

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

(a)

Eight written and validated references from past employers in respect of the adults working in the service were available.

(b)
Four written and validated references from sources other than past employers in respect of the adults working in the service were available.

(c)
Garda vetting disclosures were available in respect of the registered provider and adults working in the service. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(4)
The adults working directly with the pre-school children held a qualification in Early Childhood Care and Education qualification at levels five and six on the National Qualifications Framework.

Non-Compliance Information

(2)(d)
International police vetting was not available in respect of one adult working in the service who had lived in another state for a period longer than six months.

Corrective & Preventive Action submitted by the Registered Provider

(2)(d)
Corrective and Preventive Action
The Police Clearance Certificate was located and obtained. The certificate has now been placed in the staff member's personnel file.
All current staff files have been reviewed to ensure compliance.
Management has been reminded of regulatory requirements relating to Garda Vetting and International Vetting.

Supporting documentation submitted

The International police vetting in respect of one adult was submitted to the early years inspectorate.

Summary Comment

The non-compliance in relation to Regulation 9(2)(d) has been addressed.

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)
An adequate number of adults worked directly with the children in attendance.
- (2)
On the 28 January 2026, the ratio of adults caring for children was maintained in the care room. Two adults cared for the five children currently attending the service on a sessional basis.
- (8)(a)
During the inspection two adults were available on the premises 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)

Basic Needs of Children:

The adults treated the children in a caring and respectful manner. Positive behavioural strategies were used during interactions. The adults conversed with the children in a sensitive manner, used soft tones of voice, acknowledged the children by their individual names and responded promptly to their cues for assistance. The children were encouraged to be independent in play and learning, whilst caring for their belongings and using the toilet. The adults offered praise and encouragement. The children were respected and supported in their choice of individual and group engagement in activities. The adults worked effectively together to facilitate the programme of care and education in the playroom. The transitions in the children's activities were completed with ease in a calm manner and the children were notified in advance of these changes.

The children sat together during mealtime and conversed amicably with their peers and the adults. This was observed to be a relaxed and sociable occasion. The parents/guardians provided the children's snacks in line with the service Healthy eating policy.

Physical and Material Environment:

The care room was bright, spacious and well-resourced and was laid out to enable the children to freely move and play. On the inspector's arrival, the children were engaged in sensory play with playdough, rice and pasta, imaginative play and tabletop activities. The children were offered a range of developmentally challenging play and educational activities and observed to be fully engaged throughout the morning.

Learning aids and creative work were displayed on the walls in the care room. A variety of opportunities for play and learning activities were available and accessible in the indoor environment on low level shelving which contained a range of manipulative, imaginative and constructive toys and learning materials for the age and level of development of the children. The care room was appropriately resourced with defined interest areas including a home corner, library area, construction area and small world area. Arts and craft materials were available to children

throughout the morning. A soft seating area accompanied with reading materials was provided and children were observed to rest and relax in this space. Physical play was evident through song and dance which supported the development of strength, co-ordination and motor skills. The outdoor play area was located to the side of the service and was accessed by the children during the inspection. This area had a concrete surface and was safe and secured. The children wore all weather clothing and footwear and had access to a slide, a climbing frame, a sensory table and ride on toys The children were observed to thoroughly enjoy their time in the indoor and outdoor environment.