

# TUSLA PRE- REGISTRATION REGULATORY INSPECTION REPORT

## Initial Inspection of Proposed New Service

**Tusla I.D:** TU2025CE001

**Name of Service:** Curious Minds Kilmurry McMahan FDC

**Address of Service:** Kilmurry McMahan Community Centre, Drumdigus, Clare, V15 F409.

**Email Address:** curiousmindsireland@gmail.com

**Name of Proposed Registered Provider:** Marie Sheehy

<b>Type of Proposed Service:</b>	<b>Full Day Care</b>	✓	<b>Part-Time</b>	✓	<b>Drop-In</b>	
	<b>Sessional</b>	✓	<b>Childminding</b>		<b>Temporary</b>	

**Proposed service type:** Full Day Care, Part-Time, Sessional

**Proposed Number of Children:** 22

**Outcome of the F06 Inspection**  
(e.g., type of service, numbers, age ranges, times,)

Full Day Care, Part-Time, Sessional  
Sessional care:20 children age 2 to 6 years  
Part-Time /Full day care: 15 children aged 2 to 6 years

**Registered service:** Full day care, Part time, Sessional service for 20 children (Max. 15 Full Day Care/Part-Time) aged 2 to 6 years from 07:00-18:00

**Date of Inspection:** 1 1 0 9 2 0 2 5

**Inspection Undertaken by:** J Hayes

**Title:** Early Years Inspector

**Tusla Early Years Inspectorate Address:** Ennis Primary Care Centre, Station Road, Ennis, Co. Clare V95TY4E

### Rationale for Inspection

#### Proposed New Service

**Note: For Office use only, to be completed by Registration Office**

**Registration Status:** Registered Full day care, Part time, Sessional service for 20 children (Max. 15 Full Day Care/Part-Time)

**Date of Registration:** 9<sup>th</sup> October 2025

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### Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(D) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

<b>Description of Service</b>	Curious Minds Kilmurry McMahan service is a proposed privately operated full day care service located in a room in the community centre in the townland of Kilmurry McMahan in west Clare. The service will operate on a full day care basis Monday-Friday from 07.00hrs to 18.00hrs. The space available in the room allows for a maximum of 20 pre-school children to attend the service at any one time on a sessional basis.
<b>Premises</b>	The proposed service will be located in a room in the community centre.
<b>Staffing</b>	The registered provider will not be working on site in this service. A designated person in charge has been appointed by the registered provider to operate the service on a daily basis. A person who can deputise for the person in charge has also been appointed. A third staff member will also be available on a daily basis in the room. All staff members who propose to work in the service will have childcare qualifications.
<b>Methodology</b>	The inspection was an announced inspection to assess compliance with the Childcare Act 1991 (Early Years Services) Regulations 2016 and Childcare Act 1991 (Early Years Services) (Amendment) Regulations 2016. The Inspection focused on regulations under four themes; Governance, Health, Welfare and Development of the Child, Safety and Premises. The findings on inspection based on information obtained through examination of documentation, direct observation, and discussion with relevant staff are documented in the inspection report and taken into consideration when making a decision in relation to the registering application. 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.
<b>Acknowledgement</b>	The Inspector wishes to acknowledge the cooperation of the person in charge who was 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.

#### Requirement met:

(1)(a) The service has appointed a designated person in charge and a named person who is able to deputise as required.

### 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.

#### Requirement met:

(1) The registered provider will ensure that a sufficient number of adults will work directly with the group of children on a daily basis.

Three staff will be available to work in the service on a daily basis.

### 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.

(3) A registered provider of a full day care service, a part-time day care service or a childminding service, other than such a service to which paragraph (2) applies, shall ensure that—

(a) a suitable, safe and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises, or

(b) where no such space is provided, the pre-school children attending the service have access on a daily basis to a suitable outdoor space.

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- (4) Where outdoor space to which the pre-school children attending the service have access is provided on the premises of a sessional pre-school service other than such a service to which paragraph (2) applies, a temporary pre-school service or a pre-school service in a drop-in centre, the registered provider shall ensure that such outdoor space is suitable, safe and secure.
- (5) Where pre-school children attending a sessional pre-school service other than such a service to which paragraph (2) applies, a temporary pre-school service or a pre-school service in a drop-in centre have access to an outdoor space other than such a space specified in paragraph (4), the registered provider shall ensure that such outdoor space is suitable.

<b>Requirement met:</b>	<p>(1)(a) Facilities for children to play indoors and outdoors were suitable as there were clearly defined interest areas in the rooms and sufficient play equipment was evident in both the indoor and the outdoor play areas.</p> <p>(2)(a) A safe secure outdoor space was available on site for outdoor play for the children.</p> <p>(3) Not applicable, as paragraph (2) applies as this service will be registered for the first time after 30 June 2016.</p> <p>(4) Not applicable as this is a proposed full day care service.</p> <p>(5) Not applicable as this is a proposed full day care service.</p>
<b>Requirement not met:</b>	<p>(1)(b) The facilities for the pre-school children to rest during the day were inadequate as only one stackable sleep bed was available for the proposed children attending on a full day care basis. There was no bed linen available within the service.</p>
<b>Response from Provider:</b>	<p>(1)(b) There is one stackable bed and two foldable beds in the service and parents will supply all bed linen for their child if required.</p>
<b>Summary Comment:</b>	<p>The requirements for this regulation have been met.</p>

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### Part V – Care of Children in Pre-School Services

#### 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.*

#### Requirement met:

A healthy eating policy was documented, and this will be shared with parents as it is proposed that all food will be provided from home. Perishable food items will be refrigerated until required and hot food will be reheated in a microwave where required.

### 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.*

#### Requirement met:

The entrance door was secured preventing unauthorised access and preventing a child leaving the service.

Drinking water was readily available to the children.

Storage for cleaning materials and equipment was provided in a secure area in a cupboard out of reach of the children.

All windows were located at a high level that was inaccessible to the children.

Toys and play equipment were safe and suitable for the age of children proposed to attend the service.

#### Requirement not met:

1. Warm water was not provided at the wash hand basins to ensure effective handwashing.
2. The shelving units in the playroom were not secured to the wall and posed a risk of injury to a child if they should fall over.

#### Response from Provider:

1. The warm water setting was adjusted and a letter from the plumbing company dated 23 September 2025 was submitted, stating that all plumbing, water and heating works at the service has been completed.

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	2. Photographic evidence was submitted of the shelving units secured to the wall.
<b>Summary Comment:</b>	The requirements under this regulation have been met.

### 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

<b>Requirement met:</b>	<p>(1) One staff trained in first aid for children (First Aid Responder) will be immediately available to the children proposing to attend the pre-school service.</p> <p>(2)(a) A suitably equipped first aid box for children was available.</p> <p>(b) The first aid box will be available to the children attending the pre-school service at all times.</p>
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### 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.

<b>Requirement met:</b>	<p>(1)(a) Arrangements are in place to record monthly fire drills that will take place in the premises.</p> <p>(b) The number, type and maintenance record of firefighting equipment and smoke alarms in the premises was available. Fire extinguishers were last service on 11 June 2025.</p> <p>(4) A notice of the procedures to be followed in the event of fire was displayed in a conspicuous position in the premises. The fire assembly point was clearly identified and visible in the outdoor play area to the side of the building.</p>
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<b>Requirement not met:</b>	(1)(b) A service record or installation record was not available for the smoke detection and alarm system.
<b>Response from Provider:</b>	(1)(b) The certificate dated 17 April 2025 for the design, installation and commissioning of the smoke/heat alarm system has been submitted.
<b>Summary Comment:</b>	The requirement of this regulation has been met.

### Part VI - Safety

#### Regulation 28 – Insurance

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

<b>Requirement met:</b>	Not applicable.
<b>Requirement not met:</b>	The certificate of insurance for the service has not been provided.
<b>Response from Provider:</b>	An insurance certificate for 22 children attending a full day care service has been submitted. The insurance certificate will expire on 27 March 2026.
<b>Summary Comment:</b>	The requirement of this regulation has been met.  Registration is contingent upon the Registered provider maintaining up-to-date insurance coverage that accurately reflects the number of children attending the service

### 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*

#### Requirement met:

The premises on visual inspection

- (a) Appeared to be of sound and stable structure with no defects evident.
- (b) Was safe and secure.
- (c) Was kept adequately lit with natural and artificial lighting, heated with electric, wall mounted, thermostatically controlled radiators and ventilated with openable windows.
- (e) There was one adult toilet and one wash hand basin available for 3 staff. There were two children’s toilets and two wash hand basins available for a maximum of 20 pre-school children.

#### Requirement not met:

- (b)
  1. There was no barrier between the building entrance, car park and main road to ensure the safety of children at drop off and collection times.
  2. The service proposes to use the main hall in the community centre however a risk assessment was not carried out to ensure the safety of children in this area. Chairs were stacked in high unstable columns, the fire exit door which leads directly out to the car parking area was readily openable. Access to the main stage area was not restricted.
- (d) The premises was not maintained in a clean condition. Dust and cobwebs were evident on surfaces such as the floor in the main hall and the windows and window sills in the sanitary accommodations.

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	<p>The wall inside the entrance door required plastering and painting and the wall in the children’s sanitary accommodation required painting to ensure surfaces are sealed and can be readily and effectively cleaned.</p> <p>The entrance door to the service was in the process of being replaced.</p> <p>There was no system in place for pest control in the service.</p> <p>(e) Facilities for nappy changing were not provided within the service.</p> <p>Warm water was not available at the wash hand basins in the adults and children’s sanitary accommodation to ensure effective handwashing.</p>
<p><b>Response from Provider:</b></p>	<p>(b)</p> <ol style="list-style-type: none"> <li>1. A risk assessment has been carried out by the service and parents will be informed of the controls in place during drop off and collection times.</li> <li>2. The hall in the community centre will not be used by the service.</li> </ol> <p>(d)</p> <p>Only the main playroom of the service will be used. The hall will not be used.</p> <p>There is a new front door to be supplied and fitted and the wall will then be completed.</p> <p>A system for pest control has been put in place.</p> <p>(e) A wall mounted nappy changing unit has been purchased and will be installed by 27 September 2025.</p> <p>Warm water has been provided at the children’s wash hand basins and will be provided at the adults wash hand basin by the end of the week of the 29 September 2025.</p>
<p><b>Summary Comment:</b></p>	<p>The requirement of this regulation will be met when the provision of warm water at the adult’s wash hand basin has been completed.</p>

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### Part VII – Premises and Space Requirements

#### Regulation 30 – Minimum Space Requirements

- (1) Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.
- (2) A registered provider of a full day care service or a part-time day care service shall ensure that the minimum amount of clear floor space specified in column (3) of Schedule 7 opposite a particular reference number specified in column (1) of that Schedule in respect of the age range of children specified in column (2) thereof at that reference number is available for each child in that age range attending the service.
- (3) A registered provider of a sessional pre-school service or a pre-school service in a drop-in centre shall ensure that a minimum of 1.818 square metres of clear floor space is available for each child attending the service.
- (4) Where a registered provider contemporaneously provides—  
 (a) a sessional pre-school service, and  
 (b) a full day care service or a part-time day care service, or both,  
 the minimum clear floor space applicable for the duration of the sessional preschool service in respect of the children attending that service shall be the floor space specified in paragraph (3).
- (5) A registered provider of a temporary pre-school service shall ensure that a minimum of 2 square metres of clear floor space is available for each child attending the service.

#### Requirement met:

- (3) Not applicable as this is not a sessional service.  
 (5) Not applicable as this is not a temporary service.

#### Requirement not met:

- (1) Sufficient clear floor space is not available in the room for the proposed 22 children to attend the pre-school service.
- (2) The measurements of the playroom were recorded at 36.27 sq. meters.  
 For children proposing to attend the sessional service a minimum of 1.818 square metres of clear floor space is required for each child which allows for a maximum of 20 children to attend.  
 For children proposing to attend on a part time or full day care basis a maximum of 15 children can be accommodated.

#### Response from Provider:

- (1) The service will only facilitate a maximum of 20 children to attend.  
 (2) The service will facilitate a maximum of 15 children on a part time or full day care basis.

#### Summary Comment:

The requirements for this regulation have been met.