

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2025DL002

Name of Service: First Five Early Years Education Ltd T/A Wonderyears Pergola

Address of Service: Rossbracken, Letterkenny, Co. Donegal

Eircode: F92 TX99

Name of Registered Provider: Marcella McNamee

Service type: Full Day, Part Time, Sessional

Date of Inspection: 27/01/2026

No of pre-school children:	AM	50	PM	41
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Address of the Early Years Inspectorate:	Early Years Inspectorate, TUSLA Child & Family Agency, Markievicz House, Barrack St, Sligo, F91 XC84
Inspection undertaken by:	L Costello
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

The premises consists of six cabins each located on approximately one acre of land. The space provides an outdoor based learning approach, with outdoor storage and toilets accessible to each cabin. The area is surrounded by secure fencing and a secure keypad access gate. The service is based on a site shared with two early years services operated by the same company.

Staffing

There was twelve adults working directly with the preschool children on the day. The person in charge provided break cover as required. Two adults working in the kitchen on the main building have regular access to the service providing meals. The registered provider works in the office in the main building on the site.

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/ health, welfare and development of child. The inspection 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.

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*
- (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.

Compliance Information

(1) (a)

There was a person in charge and a person available to deputise as required.

(1) (b)

The person in charge remained on site for the duration of the inspection.

(1) (c)

There is a clear line of accountability in the service, where adults' are aware of their roles and responsibilities. These include room leader, child care worker, deputy person in charge and person in charge.

(2) (a) (b)

The records of all 19 adults employed in the service were reviewed. This included the Registered provider, Person in charge, deputy person in charge, relief staff and Kitchen staff.

31 written and verified past employer references and 7 written and verified references from a reputable source in the absence of a past employer, were available in respect of all 19 adults employed in the service.

(2) (c)

Garda vetting disclosures had been obtained for 19 staff members.

The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(2) (d)

International police vetting was available for the three adults who had resided outside the state for a period of six months or more as an adult.

(3)

The registered provider demonstrated that all vetting procedures had been carried out prior to an adult having access to a preschool child.

(4)
Documentary evidence was presented to demonstrate that 17 staff members had obtained 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.

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)
There were an adequate number of adults working directly with children attending the preschool service. There were 12 adults working directly with 50 children in the morning of the unannounced inspection and 11 adults working directly with 41 children in the afternoon. The person in charge and a designated staff member was available to cover breaks throughout the day.

(2)
The minimum ratio of adults to children ratio were provided on the day of the inspection in accordance with the required ratio considering the ages of the children and the length of time each child spent in the service as follows:

On the morning of the inspection the following ratios were observed:

- Rainbow Cottage 1: Three adults cared for 10 children aged from 3 to 4 years of age.
- Rainbow cottage 2: One adult cared for 8 children aged from 4 to 5 years of age.
- Sliabh Beag 1: Two adult cared for 7 children aged from 3 years to 5 years of age.
- Tir na nog 1: Two adults cared for 8 children aged from 4 years to 5 years of age.
- Sliabh beag 2: Two adults cared for 9 children aged 4 ears to 5 years of age.
- Tir na nog 2: Two adults cared for 8 children aged from 3 years to 4 years of age.

On the afternoon of the inspection the following ratios were observed:

- Rainbow Cottage 1: Two adults cared for 6 children aged from 3 to 4 years of age.
- Rainbow cottage 2: One adult cared for 8 children aged from 4 to 5 years of age.
- Sliabh Beag 1: Two adult cared for 7 children aged from 3 years to 5 years of age.
- Tir na nog 1: Two adults cared for 7 children aged from 4 years to 5 years of age.
- Sliabh beag 2: Two adults cared for 7 children aged 4 ears to 5 years of age.
- Tir na nog 2: Two adults cared for 6 children aged from 3 years to 4 years of age.

(8) (a)

The registered provider ensured that there were always at least two adults on the premises when children were present in the service as evidenced in a sample of attendance records reviewed.

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
- (b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.

Compliance Information

(1) (a) (b)

The service operates largely outdoors with a focus on nature and outdoor play. Each garden room has a warm sheltered garden room offering an alternative space for the preschool children to avail of various activities and resources indoors.

Basic Needs:

All food is prepared on site and delivered to each of the rooms in thermal flasks. Morning snack included a variety of fruit and crackers. The main meal of the day was mexican mince with rice. For those children who don't like rice, alternatives of pasta and mashed potato were provided. Children with additional needs, intolerances or allergies were served an alternative meal. Mealtimes were observed to be a relaxed calm experience, where the educators sat alongside children engaged in conversation and supervising the children as they ate.

The children in the service were toilet trained or in 'pull ups. Independence was promoted in toileting and staff members were observed to supervise from a distance promoting independence. Dignity was maintained throughout with educators, prompting children to clean their hands and faces after mealtimes with the warm face cloths provided. Children were aware of cough etiquette and noses were wiped and cleaned in a timely manner. Cosy rest areas were provided in all rooms, where the children could relax and look at books. Stackable beds were available for sleep time if required.

All children have the appropriate waterproof clothing, wellingtons, hats and gloves for outdoor play. Extra clothing is provided for any child that needs to change throughout the day. The day of inspection had periods of heavy rain, and some children chose to continue to play in the outdoors with staff supervision dressed in their waterproofs, content in their environment.

Physical and Material Environment:

The care rooms offer a unique environment for children to explore and learn in nature. The areas are designed to offer adventure and capture the imagination of the preschool child, while offering a safe environment for the children to learn and grow. Outdoors in all six rooms consist of mud kitchens where children have real vegetables to prepare, cut and play with. Construction areas with gravel, sand, tractors, diggers and cars create opportunities for role play. Tyres, tunnels and wooden planks support gross motor skill development. Sand trays and tuff trays support sensory awareness.

Indoor rooms are well laid out with ample space for movement. Low level accessible shelving stocked with tabletop activities, puzzles, jig saws and materials for artwork to support creativity and fine motor skill development. A fully stocked library allows for language development. On the day children were observed to be

engaged in one-to-one work with their educators, learning about colours and numbers. Other children were happy to play with friends in various group activities.

Supporting Relationships:

Children were observed to be happy and content in the company of educators and peers. The educators were observed to be knowledgeable of the needs of the children they were supporting. Educators had clear plans in place, which included long and short-term goals. Educators explained to the inspector that activities can change on the day, dependent on the emerging needs of the preschool children. One activity observed to be completed on the day of inspection involved a tuff table with a variety of materials including rice, lentils and cooked spaghetti and plastic spiders. This was created to mimic the worms and spiders in the ground that children had found the previous days while playing in the outdoors.

Educators explained to the inspector that communication with parent is completed each morning and evening with verbal handovers. Parents collect their child from the door of the garden room and are informed of the child's day. Family pictures are displayed on the family trees in all care rooms maintaining the link to home and family. All children have a designated key worker in place whose role it is to complete observations and record learnings in the children's learning journal. On a review of observations, it was noted that all observations were individual where key workers recognised their child's strengths and areas that required development. Where development was required, steps were put in place to meet this need.

Programme of Activities:

All children were noted to have playful opportunities to enhance their learning needs across all developmental areas. Physical development was enhanced by fine motor activities such as building blocks, magnets, and colouring. The outdoors created ample opportunity for gross motor skill development with climbing through tyres, balance beams and ride on toys. Cognitive development was promoted through imaginative play and role play, this was observed by the inspector as a group of young girls were washing vegetables in the outdoor mud kitchen preparing dinner for other children. A variety of books supported language development and educators promoted language development engaging in storytelling and social conversation.

Activities were child led and children had the opportunity to express their views, take the lead and exercise choice in relation to their engagement in activities and in accessing play equipment. In all rooms children were observed to move freely between indoors and outdoors as they wished supervised by their educators.