

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KK051
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Name of Service:	Little Mischief Day Nursery & Montessori Mooncoin
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Address of Service:	The Hawthorns, Roseleigh, Mooncoin, Co. Kilkenny
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Eircode:	X91 WY43
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Name of Registered Provider:	Michael O'Brien
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Service type:	Full Day
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Date of Inspection:	20/08/2026
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No of pre-school children:	AM	14	PM	12
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Address of the Early Years Inspectorate:	Community Care offices, Cork Road, Waterford City
Inspection undertaken by:	A. Bradshaw
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).

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Description of service

Little Mischief Day Nursery Mooncoin is registered as a full day care service located in Mooncoin, Co Kilkenny. The service operates from converted residential property. It is registered to accommodate 47 children aged 1 to 6 years old. It operates from 7.30am to 5.30pm Monday to Friday for 50 weeks of the year. There are three rooms within the service. On the ground floor, there is the pre-Montessori room, and the adjoining room is divided into the Wobbler room (1 to 2 years) and Toddler room (1 to 3 years). On the first floor, there is a Montessori room (2.5 years to 5 years) catering for two groups of children. This room was not in operation on the day of inspection. The service has a kitchen for the storing, preparation and cooking of food. There is a dedicated sleep room which is adjoining the Baby and Toddler room. The outdoor area is located to the rear of the premises. There are sanitary areas for the children on the ground floor and first floor. The nappy changing area is on the ground floor. The service also operated a school aged service.

Staffing

The registered provider employs eight staff who work directly with the children. On the day of the inspection there were five staff including a relief staff member from a second service operated by the registered provider. The registered provider does not work in the service.

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

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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:

Regulation 9 - Management and recruitment;

Regulation 11 -Staffing Level;

Regulation 19 - Health, Welfare and Development of child;

Regulation 21 – Equipment and Materials;

Regulation 23 - Safeguarding Health, Safety and Welfare of Child;

Regulation 26 – Fire Safety Measures.

These findings are outlined within the relevant regulations within this report.

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)(b)(c)

The service had a designated person in charge and a person to deputise if required. Information regarding the line management structure was displayed in the reception area.

(2) Following a review of previous inspection details, information available on inspection and discussion with the person in charge, the inspector reviewed three staff files which had not been previously reviewed.

(a)(b) Validated references were available to the inspector.

(c) Garda vetting disclosures were available for all staff members. The inspector reviewed an additional five Garda disclosures; the service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every 3 years.

(d) Documents reviewed demonstrated that police vetting was available for two staff who had lived outside the jurisdiction for six months or more.

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(4)

On review of the staff files, evidence was available to demonstrate that staff working with preschool children had achieved 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.

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.

Compliance Information

(2)

The adult/child ratio was maintained during the inspection. There were 3 staff caring for 16 children. The person in charge and an additional relief staff were available for support if required. On review of the staff and children's attendance records, it was evident that the minimum ratio of adults to children was maintained over the previous 4 weeks.

Non-Compliance Information

(1) There were an inadequate number of staff working with the children at some points during the day in the pre-Montessori and Wobbler and Toddler room. This had an impact on supervision as reported under regulation 27.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider stated that a busier time of the day, an additional staff will be allocated to provide help, for example at lunch time, nappy changing and children going home. Going forward a weekly review will be carried out to ensure the rooms are covered effectively

Supporting documentation submitted

No evidence was submitted.

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Summary Comment

The action and plan submitted by the registered provider has addressed the non-compliance identified on inspection.

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)

The following was observed during the day:

The children spent the day between the indoor and outdoor space. The Wobbler space led directly out to a wooden decked covered space which the staff member described as an additional space for the children even in harsh weather. There were two specific areas in the garden which allowed the younger children space to play freely away from the older children. Staff were noted to blow bubbles which engaged the children in chasing and popping the bubbles.

Staff effectively maintained communication while in the garden space, organising nappy changes and new activities. At one point they agreed to swap spaces, so the children had the opportunity to access all the toys in the outdoor area.

Transitions for children were smooth; staff communicated effectively with children. For example, staff indicated there were five minutes left before they needed to tidy before going outside and another was observed to let one child know when they had finished their activity it would be time to go home.

Staff were familiar with children's routines and accommodated their needs by changing planned activities to suit their needs. A staff member was noted to sit with a child on their lap and cuddle them as they rested. This child had not slept that morning, and staff communicated this to the relief staff after lunch.

Staff were caring and responsive to children's needs. A staff member was noted to cuddle a child who was upset and wait for them to tell why they were sad. The staff then encouraged the child to return to play but checked in with them 10 minutes later. They were observed to inform other member of the team about the issue that arose for that child.

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Staff were observed to spend time with parents giving a verbal run down of their child's day at collection time. This child has just joined the service and was attending reduced hours to help settle them in. The staff was noted to use very reassuring language when speaking to the parent.

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.

Non-Compliance Information

1. There were insufficient toys and materials in the Wobbler and Toddler room; this room caters for up to 11 children aged from 1 to 3. The service policy states that the children's physical environment would be stimulating, challenging and interesting for children and would focus on children's active engagement with stimulating equipment for the children. However, the equipment and toys available did not create sufficient varied opportunities to play or develop. The following was noted:

In the Wobbler room, the toys available were a box of push and pull toys, a shape sorter, a play kitchen with no supporting equipment, a shelving unit with miscellaneous toys including some magnetic shapes, a dolls house with no accessories, and an activity cube on the floor.

In The Toddler room the children had access to five push pull floor toys, a box of large foam blocks, a play kitchen with no supporting accessories, three plastic boxes with magnetics, bricks and animals, a farm building, a pirate ship with no accessories, two dolls and two activity frames. A small selection of books was stored on a high shelf out of reach of the children.

This was a non-compliance at the previous inspection on the 14 April 2025.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider stated that the team reviewed the materials and equipment available to the children. Additional furniture was bought and the team sourced developmentally appropriate materials. Toys which were inaccessible to children have been displayed on lower shelving to allow them access.

The service has engaged with Better Start and have an appointment in late September, early October – they plan to work with the specialist to further develop the care rooms.

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Supporting documentation submitted

Photographic evidence was submitted.

Summary Comment

The action and plan submitted by the registered provider has addressed the non-compliance identified on inspection.

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:

On arrival the entrance was secured to prevent unauthorised access or exit from the building.

The outdoor area was secured and side gates locked.

Hazardous cleaning materials were stored out of the children's reach.

First Aid boxes were accessible in each room.

Infection Control:

Bins in the sanitary area and the care rooms were lidded and pedal operated.

Each hand sink had soap dispensers, disposable paper and warm water for effective hand washing.

Each child had a basket for their individual creams and wipes for nappy changing.

Safe Sleep:

The children's sleep room was dimly lit, and each child had their own cot. The room temperature was recorded 20°C at 10.40 with one child over two years asleep there. Sleep checks were carried out every 10 minutes.

Non-Compliance Information

General Safety:

1. Of the 10 accident and incidents reports reviewed on the day, none were completed fully. Nine of the 10 reports did not include the child's date of birth, 4 did not include the manager's signature and 1 did not include the parent signature. This was not in line with the procedures set out in the service's accident and incident policy.

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Infection Control:

2. A child's soother fell on the floor, and a staff member was noted to pick it up and place it in front of the child on the tray of the highchair and the child then put it back in their mouth. This created a risk of cross infection.
3. Handwashing practices were not consistent with the service policy which outlined that children would wash their hands with warm water and soap after using the toilet, after a nappy change, after playing outside and before eating. Staff were noted to wipe children's hands with wipes, and children's hands were not washed after their nappy change.
4. Floor mats in the Wobbler room were noted to be worn and torn and as a result could not be sanitised fully, this created a risk of cross infection.

Administration of Medication:

5. Of the 10 forms for the administration of medication which were reviewed, 6 were not completed as required by the service administration of medication policy. Six did not have a witness signature on the form.

Fire Safety:

6. Records reviewed demonstrated that the firefighting equipment had not been serviced since 2022.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The registered provider stated that the forms have been updated with the required details and staff have been updated on the correct protocols for completing these forms. They were reminded that management and parents must be informed of all accidents and incidents. Staff have been met individually to discuss the procedure.

Infection Control:

2. The registered provider stated that small containers have been labelled for each individual's child's soothers with will be kept in their bags. Soothers will only be used when a child is going to sleep or is upset and needs.
3. Handwashing practices have been reviewed. A staff member has completed a hand hygiene course, and the rest of the team are due to completed it.

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4. The floor mats have been replaced and going forward they will be checked and replaced accordingly.

Administration of Medication:

5. The person in charge has met with each staff member individually to review the administration of medication forms. The services policy regarding the administration of medication with a witness present and the requirement for all the correct information was reiterated.

Fire Safety:

6. The registered provider stated that the fire equipment has since been serviced and a reminder has been set up on the services calendar to ensure the service happens in a timely manner.

Supporting documentation submitted

General Safety:

Photographic evidence was submitted.

Infection Control:

Photographic evidence was submitted.

A copy of the Nappy changing policy was submitted.

Administration of Medication:

Evidence of the completed forms were submitted

Fire Safety:

A copy of the firefighting maintenance certificate was submitted.

Summary Comment

The action and plan submitted by the registered provider has addressed the non-compliance identified on inspection.

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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.*

Compliance Information

- (1) (a) The registered provider ensured that regular fire drills were carried out and recorded in the service. The drills were carried out monthly, the last three fire drills recorded were the 22 June 2026, 28 May 2026, and the 27 April 2026.
- (b) The fire alarm system was maintained recently with records showing the last fire alarm service was on the 11 August 2026. While there was a record of maintenance for the firefighting equipment it was not in date. See regulation 23.
- (4) Evacuation notices were displayed throughout the service.

Part VI - Safety

Regulation 27 – Supervision

A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Non-Compliance Information

The registered provider did not ensure that children were supervised at all times. The inspector noted the following:

- The staff member in the pre- Montessori room left the room to go to the hallway leaving the children unsupervised on three occasions between 10.30 and 10.45. At one point this staff was noted to ask staff in the Wobbler/ Toddler room for support which they were unable to give as they were already supervising both groups of children.
- A staff member in the Wobbler and Toddler room was observed to have to stand outside the low divider of both spaces to monitor both groups of children while the second staff member had to leave the room during various times over the course of the day, for example to prepare snacks, to chat to a parent whose child was just starting in the service, or if children's nappies were being changed.

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- At 12.45pm one child was upset, lying on a mat with a soother and a teddy and the staff member was not in a position to offer comfort as they were in the room alone supervising both groups of children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider stated that the staff member was spoken to regarding leaving the care room and the daily roster had been adjusted to have an additional staff member available at busy times.

Supporting documentation submitted

No documentation was submitted.

Summary Comment

The action and plan submitted by the registered provider has addressed the non-compliance identified on inspection.