

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2023KE004
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Name of Service:	The Learning Tree
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Address of Service:	Willouise Estate, Sallins, Co. Kildare
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Eircode:	W91 TXF6
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Name of Registered Provider:	Paulina Zurawska-Cina
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	22/07/2026
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No of pre-school children:	AM	22	PM	22
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Suite 7, Vista Primary Care, Ballymore Eustace Rd, Naas, Co Kildare
Inspection undertaken by:	R. Brien & J. Mayock
Title:	Early Years Inspectors

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

The Learning Tree opened in 2023 and is one of three private services operated by the registered provider. The service provides full day, part time and sessional care for children from 1 to 6 years. The service is registered to operate from 07:30 to 18:00, Monday to Friday. On the day of inspection, the service was operating from 07:30 to 17:30. Sessional care is provided from 09:00 to 12:00 during term time.

The service operates from a purpose-built single storey premises situated in a residential area in Sallins, Co Kildare. There are three care rooms in the service. The Birch room caters for children aged 2 years. The Magnolia room caters for children aged 3 years, and the Oak room caters for children aged 3 to 4 years. The service also has a separate sleep room. There is a fully enclosed outdoor play area to the side of the premises.

Staffing

The service currently employs seven staff including a manager. There were five staff working directly with the children during the inspection who were supported by the deputy person in charge. The registered provider does not work directly in the service on a daily basis but arrived following the inspectors' arrival and was present for the remainder of the inspection.

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 and safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under the following regulations:

9 (1)(a)(b),(2)(a)(b)(c)(d),(3),(4) – Management and recruitment,

11 (1),(2),(8)(a) – Staffing levels,

19 (1)(a)(b) – Health, welfare and development of child,

23 – Safeguarding, health, safety and welfare of child,

25 – First aid,

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 inspectors wish to acknowledge the cooperation of the registered provider, person in charge, staff and children who were 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,*
- (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.*

(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.

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Compliance Information

(1)

(a)(b)

The service had a designated person in charge and a named person to deputise as required who were on the premises throughout the inspection.

(2)

The inspection focused on the full recruitment records for five adults employed since the last inspection on 29 November 2023. Regulation 9(2)(c) was reviewed in respect of these five adults and three other adults who were present during the inspection. Documentation was reviewed in respect of these adults and met regulatory requirements as follows.

(a)(b)

Of the 10 validated, written references that were required, 8 were available from a past employer and 2 were available from a reputable source.

(c)

Garda vetting disclosures from the National Vetting Bureau of An Garda Síochána were available for the eight adults. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d)

Police vetting was required for five staff members and was available for four staff members who had lived outside the State for a period exceeding 6 months as an adult.

(4)

Evidence of completion of a major award in Early Childhood Care and Education at level 5 or above on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent was on file for five staff members. Two of these staff members held a letter of qualification recognition, and one of these staff members held a letter of eligibility to practice from the Department of Children, Disability and Equality.

Non-Compliance Information

(2)(d)

Police vetting for one adult could not be determined as there was no evidence to demonstrate that it had been translated.

(3)

Documentation reviewed evidenced that the procedures specified above under 9(2) had not been carried out for all adults prior to commencing employment in the service, as follows.

- Garda vetting available for two adults was dated after the adults commenced employment. One adult commenced employment on 17 November 2025 and Garda vetting was obtained on 20 November 2025. One adult commenced employment on 07 April 2026 and Garda vetting was obtained on 27 April 2026.
- A review of documentation and discussion with the registered provider evidenced that four written references from a past employer in respect of three adults had not been validated by the registered provider prior to the adults commencing in their roles.
- A certified translation of police vetting for one adult had not been sought prior to the adult commencing employment as detailed under (2)(d) above.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(d)

The foreign police vetting document was sent for a sworn translation and the translated document was obtained. The Manager was informed that the requirement to provide a translated document also applies to foreign police vetting documentation. The Manager has been made aware of this requirement and will ensure that all foreign vetting documentation is translated before the employee commences employment.

(3)

We identified an issue in the communication between the service provider and the Manager regarding the Garda vetting process, which contributed to the situation. The Garda vetting has since been obtained.

As an additional preventative measure, we have reviewed our recruitment and pre-employment procedures. A new employee who commenced employment on 31 August 2026 had Garda vetting in place before starting employment.

We also identified that, in some cases, employee references had been received by the employees only after the commencement of employment since the former employers didn't issue them until only a few days after the

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employees last day at work. We have now clarified that all required references must be obtained and verified before an employee commences work.

We introduced a new pre-employment checklist covering all required documents, checks and actions that must be completed by the Manager before a new staff member commences employment. This checklist will be used for every new employee to ensure that all pre-employment requirements are completed before the start date.

Supporting documentation submitted

Written evidence was submitted to demonstrate the corrective and preventive actions submitted by the registered provider.

Summary Comment

The corrective and preventive actions as stated by the registered provider have been deemed to address these non-compliances.

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

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Compliance Information

(1)

An adequate number of adults were working directly with the children at all times during the inspection.

(2)

The minimum ratio of adults to children for full day care services were adhered to at all times during the inspection. There were 22 children attending the service being supervised by 6 adults on the day of inspection.

(8)(a)

There were at least two adults on the premises at all times during the 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

(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)

Meals were provided at regular intervals, and drinking water was available and accessible to children throughout the day. Children bring in their morning snack from home, and all other meals are provided by the service. Dinner was provided by an external catering company and was served from 13:30. Children were offered a choice of milk or water with their meal. Younger children were given bibs for dinnertime, and all children were given time to eat their meal.

Children's nappies were changed regularly, and staff were observed engaging warmly with children when providing this care. Children's independence was supported, staff were observed encouraging children to feed themselves, and to clean up after their meals and play.

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An area was provided within the rooms where the children could rest or take a break from activities. There was a designated nap time for the children who attended the Birch room and children from the Magnolia room who required a nap.

Suitable low-level beds were provided appropriate to the children's age and stage of development. All children were made comfortable for sleep; staff removed children's shoes and outer clothing; they provided the children with blankets, and they offered soothers to those who used them. The environments were calm and conducive to sleep, with staff soothing the children as needed.

Staff displayed warmth and sensitivity during all interactions with the children and demonstrated a good awareness of the needs of each child in their care. Children were comforted promptly when they became upset. Children were addressed by their name, and staff interacted with children in a positive manner. Staff were observed to use gentle tones when promoting positive behaviour in line with the service's positive behaviour policy.

Staff provided an appropriate level of supervision whilst supporting the children's independence during play and mealtimes. Transitions were managed well within the care rooms and children appeared to be familiar with the daily routine.

The staff described how they communicate with parents daily about their child at arrival and collection times and how they record daily information on food, sleep and nappy changes for each child using an online application.

The care rooms provided a range of developmentally appropriate play experiences for the children and were adequately resourced with a variety of materials providing children with the freedom to play and explore. The environments were laid out to support the children's independence. Play materials and equipment were positioned at an accessible level which facilitated choice. Low level tables and chairs were available in the care rooms.

The children moved freely, exploring their environment, playing and engaging with each other and the staff throughout the inspection.

A fully enclosed outdoor play area was located to the side of the premises. A range of developmentally appropriate play equipment was provided in the outdoor area. Children from the Magnolia and Birch rooms were

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provided with the opportunity to play outdoors during the inspection. Staff were observed applying sunscreen to children before they used the outdoor area. A canopy was available to provide shelter to the children.

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:

- The entrance door to the service was adequately secured to ensure the safety of the children within and to avoid unauthorised persons accessing the service or children exiting unsupervised.
- The toys and play equipment observed in use by the children on the day of inspection appeared in good working order.
- Cleaning agents and medicines were stored safely out of reach of children.
- All storage facilities were inaccessible to children.

Infection Control:

- Liquid soap, warm water and paper towels were available to facilitate hand washing. Staff and children were observed to carry out hand washing as appropriate.
- Children's nappies were changed in line with the service's nappy changing policy to reduce the risk of the spread of infection.
- Waste was managed appropriately with the use of pedal bins.
- Individual bed linen was provided for children and was laundered regularly.
- Children's soothers were stored separately.

Administration of Medication:

- Staff demonstrated, through discussion, that they were familiar with the procedures and practices in place for the administration of medication in line with the service policy on medication administration.

Safe Sleep:

- Children were physically monitored while sleeping and sleep checks were carried out and documented every 10 minutes. Discussion with staff demonstrated that they were familiar with safe sleep guidelines.
- An adult remained in the room at all times where children were sleeping on low beds.

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Non-Compliance Information

Infection Control:

1. In the Oak and Magnolia rooms, children's lunches were not stored in the fridge posing a risk of the transmission of infection. Lunchboxes were observed stored in direct sunlight on the windowsill in the care rooms.

Action submitted by the Registered Provider

Corrective & Preventive Action

Infection Control:

1. We purchased a dedicated fridge for the safe storage of children's snack boxes. All teachers were informed that children's snack boxes must not be left in direct sunlight or in areas where they may be exposed to excessive heat. They must be stored in the newly purchased fridge.
The fridge provides sufficient storage capacity for all children's snack boxes and will ensure that they can be stored safely and appropriately at all times.

Supporting documentation submitted

Infection Control:

Photographic evidence was submitted to demonstrate the corrective and preventive actions submitted by the registered provider.

Summary Comment

The corrective and preventive actions as stated by the registered provider have been deemed to address this non-compliance.

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.

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Compliance Information

(1)

A person trained in first aid was immediately available to the children at all times on the day of inspection.

(2)

(a) First aid boxes were safely stored in easily accessible and conspicuous locations within the service.

(b) First aid boxes were available to the adults and children in the service at all times.

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)

A written record was available detailing monthly fire drills that had taken place in the service. The last fire drill was carried out on 21 July 2026.

(b)

The number, type and maintenance record of firefighting equipment and smoke alarms on the premises was available. There was a record to show that the firefighting equipment had been serviced on 04 September 2025, and that maintenance of the smoke alarm system had taken place on 24 April 2026.

(4)

The procedures to be followed during a fire drill and in the event of a fire were displayed in conspicuous locations within the service.