

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2024KK001
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Name of Service:	Little Shamrocks
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Address of Service:	Main Street, Ballyhale, Kilkenny, Co. Kilkenny
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Eircode:	R95 X2X8
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Name of Registered Provider:	John Whittle, Anne Whittle
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	23/06/2026
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No of pre-school children:	AM	22	PM	20
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Address of the Early Years Inspectorate:	Tusla Child and Family Agency, Early Years Inspectorate, Ely Hospital, Wexford.
Inspection undertaken by:	E Mc Garry
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

This service is operated from a terraced house which has been adapted to provide a preschool service. The premises is situated in the village of Ballyhale Co Kilkenny. The service is registered to provide a full day care service to children aged from 1 to 6 years. It is also registered to provide a sessional Early Years Care and Education programme (ECCE) from 09:00 to 12:00 daily. The service is open from 08:00 to 18:00 daily. The service consists of two preschool rooms, toilets, nappy changing facilities, an office and kitchenette, a sleep room and an outdoor area to the rear of the service.

Staffing

There are eight staff employed in the service. The two registered providers do not work directly with the children. All staff held a major award in Early Childhood Care and Education at Level 5 and above on the National Qualifications Framework.

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 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.

Regulation 9 Management and Recruitment (1) (2) (a) (b) (c) (d) (4),

Regulation 11 Staffing levels,

Regulation 20 Facilities for rest and play,

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Regulation 21 Equipment and materials,
Regulation 23 Safeguarding Health, Safety, and Welfare of the Child,
Regulation 25 First aid (1) (2) (a) (b),
Regulation 26 First Aid,
Regulation 28 Insurance.
Regulation 29 Premises,

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.

Additional Information

The inspector made a referral to the fire officer on the day of the inspection to assess the fire safety work carried out on the fire box since the last inspection on 27 November 2025.

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.

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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.*

(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)

There was a designated person on duty on the day of the inspection and a deputy available if required.

(2)(a)(b)

Following a discussion with the designated person in charge and on review of documentation, it was established that there were eight staff employed in the service. There was one staff member employed since the last inspection and this file was reviewed on the day of the inspection. All required written and validated references were available on file in the service.

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- (c)
There was evidence of Garda vetting available on file in the service for all staff members. The service demonstrated partial compliance (see regulation 23) with the Early Years Inspectorate Regulatory Notice to renew Garda vetting every 3 years for 8 staff.
- (d)
Police vetting was available for two staff who had lived in a state other than Ireland for a period of longer than six consecutive months.
- (4)
All staff who were working directly with the children held a major award in Early Childhood Care and Education at Level 5 or above on the National Qualifications Framework.

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.*

Compliance Information

- (1)
There was an adequate number of staff working with the children during the day of inspection.
- (2)
Day 1
11:00
There were 22 children aged from 1 to 6 years in the care of 4 staff.
15:00
There were 20 children in the care of 5 staff.
- (2)
The minimum ratio of adults to children was always maintained for the duration of the inspection.

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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.

Compliance Information

(1)(a)

The outdoor area had been developed since the last inspection. The mud kitchen was in use in the morning of the inspection. A partition made of tyres had been built in front of the kitchen which provided children with another area of interest in the area. There was a sand box with sand and play equipment for children to enjoy. The large playhouse in the middle of the play area had a bench with seating. This gave the children shelter from the sun on hot days. There was a large wooden boat with blocks for children to play with.

Both preschool rooms were resourced with thought and care to the children attending the service. The mini shamrocks room was resourced to accommodate the younger children. There was a ball pool, a kitchen, wooden jigsaws, a selection of dolls and buggies and a supply of story books for the children to read.

The mighty shamrocks room was resourced to accommodate the older children. There was a supply of arts and craft materials, cars, diggers, and templates for the children to complete on the afternoon of the inspection.

(b)

Younger children were observed sleeping in the cots in the sleep room on the afternoon of the inspection. They were kept cool in the mechanically ventilated room. Older children slept on beds in the mini shamrocks room. There were rest areas provided in both rooms consisting of mini armchairs and soft matts for children to lie on.

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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:

Access to the service was gained through the door which was secured on arrival and remained secure for the duration of the inspection. The outdoor area in the service was safe, suitable and secure.

Infection Control

The service was clean. The service had an infection control policy. Staff were attentive to children's personal hygiene during the day. The staff were observed to support the children in washing their hands before meals, after using the toilet and after messy play. There was warm water to support hand washing, liquid soap, disposable hand towels and foot pedal operated bins provided across the service. The nappy changing area was well organised and situated beside an openable window to provide ventilation in the area.

Safe Sleep

The service had one designated sleep room. Individual bed linen was available. Staff who spoke with the inspector were aware of safe sleep practices. For example, they were knowledgeable on how often a sleeping child is physically checked, recording the observations such as colour, position and breathing rate and temperature of the sleep room. Observations on the sleeping children's colour, position and breathing were carried out and recorded every 10 minutes on the services mobile tablet. The temperature of the sleep room was maintained below 20 °C when checked at intervals when the children were sleeping on the day of the inspection.

Administration of medication:

The service had an administration of medication policy. The policy was reviewed by the inspector and was found to contain the elements required aspects for the safe administration of medication in a preschool setting.

Outings

The service did not facilitate outings.

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Non-Compliance Information

1.

Fire Safety

Much of the work required to be completed under direction of the local authority fire officer following a fire in 2023 had been completed since the service was referred to the fire service in 2025. Confirmation of suitability of one remaining aspect is awaited by the fire officer.

2.

General Safety

The Garda vetting for one of the registered providers had not been renewed in the past 3 years as required in compliance with the Early Years Inspectorate Regulatory Notice to renew Garda vetting every 3 years for all staff and registered providers. This non-compliance was found on the last inspection 27 November 2025.

Action submitted by the Registered Provider

Corrective & Preventive Action

1.

The fire officer has confirmed all remaining fire safety works have been completed in the service.

2

The Garda vetting for the registered provider has now been renewed and is available on file in the service. The service will ensure going forward all required Garda vetting will be renewed every three years as required.

Supporting documentation submitted

1.

An e mail from the fire officer confirming all required fire safety works have been completed in the service was received by the inspector.

2.

Renewed Garda vetting for the registered provider was received by the inspector.

Summary Comment

The response and evidence submitted is satisfactory to meet the requirements of The Child Care Act 1991 (Early Years Services) Regulations 2016.

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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.

Compliance Information

(1)

There were four staff trained in a first aid responder course and were available to cover the roster in the service.

(2)(a)(b)

There was a suitably equipped first aid box stored in an easily accessible position on the premises and was available to the children attending the preschool service.

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 firefighting 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)

There were three staff trained in a first aid responder course who were available to cover the roster in the service.

(2)(a)(b)

There was a suitably equipped first aid box stored in an easily accessible position on the premises and was available to the children attending the preschool service.

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Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

There was insurance in place to cover the number of children the service was registered to accommodate.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-
(c) kept adequately lit, heated and ventilated.

Non-Compliance Information

The day of inspection was particularly warm with high temperatures recorded throughout the county.

The temperatures recorded in both preschool rooms were over the recommended temperature of between 18°C and 22°C on the afternoon of the inspection.

Please see below range of temperatures recorded on the day of inspection.

Room	14:15	14:30	14:50
Mighty shamrocks	31.8°C	31.5°C	28.1 °C
Mini shamrocks	27.8°C	28.2°C	28.2°C

It is acknowledged that staff were vigilant in encouraging children to keep hydrated. Staff were observed refilling jugs of water which were stored in the fridges and dispensing it to the children. Children were lightly dressed in shorts and tee-shirts. They were kept out of the very hot weather in the afternoon and entertained with tabletop activities by the staff to help keep them cool.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The staff will continue to be vigilant in caring for children during warm weather periods. The service has purchased a fan for the mighty shamrocks room. Two new room thermometers have been installed for both preschool rooms. These will be used to double check with the room thermometers which are currently in place. The service has developed a high temperature policy which has been discussed with staff and is now in place in

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the service. The policy includes further measures which may need to be taken to keep the children cool during particularly hot weather. Such as bringing children to the mini shamrocks room to keep them cool and allowing free flow to the garden while ensuring adult child ratios are always maintained.

Supporting documentation submitted

The high temperature policy now in place in the service was received by the inspector.

Summary Comment

The response and evidence submitted is satisfactory to meet the requirements of The Child Care Act 1991 (Early Years Services) Regulations 2016.