

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KK099
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Name of Service:	Little Mischief Day Nursery & Montessori Piltown
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Address of Service:	Banagher Court, Piltown, Co. Kilkenny
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Eircode:	E32 AY90
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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:	09/06/2026
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No of pre-school children:	AM	36	PM	24
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Address of the Early Years Inspectorate:	Community Care Building 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 Mischiefs is located in south Kilkenny on the outskirts of the village of Piltown. It is a purpose-built childcare facility located in a residential area. The service is registered as a full day care for children aged 1 to 6 years of age. The operating hours are from 08:00 to 17:30 hours, Monday to Friday. There are three care rooms in the main building with a wooden cabin in the garden for children aged 4 to 5 years. There is a dedicated sleep room, a fully equipped catering kitchen, nappy changing room, sanitary accommodation, cleaning store and storage rooms. The outdoor play space is adjacent to the premises and wraps around two sides of the building.

Staffing

The registered provider employs a manager who is part of the staff compliment and seven childcare staff to work directly with the children. The registered provider does not work directly 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

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;

Regulation 11 – Staffing Levels;

Regulation 15 – Record of a Pre-School Child;

Regulation 16 – Record in Relation to Pre-school Service;

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Regulation 19 – Health, Welfare and Development of Child;

Regulation 21 – Equipment and Materials;

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

Regulation 25 – First Aid;

Regulation 26 – Fire Safety;

A sampling process was used to assess compliance under Regulation 15 – Record of a Pre-School Child and Regulation 16 – Record in Relation to a Pre-School Service. The scope of the inspection included the Wobbler room, Toddler Room and Preschool 1 room and did not include the Preschool 2 room.

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.

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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
- (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.

(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

(9)

(1)

(a)(b)(c) The service had a designated person in charge and a person to deputise if required. There was a clear management structure with a notice with the name of the person in charge and the deputy person in charge available to the inspector.

(2) Following a review of information available on the day and a discussion with the person in charge, it was determined that the registered provider employs eight staff members. The registered provider's file and the staff files were reviewed.

(a)(b) The required references for nine adults were available to the inspector.

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(c) Garda vetting was available. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every 3 years.

(d) On a review of documentation available police vetting was not required for staff members.

(4)

Documents available demonstrated that all staff working directly with the children had achieved at least a major award in Early childhood Care and Education at Level 5 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 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

(1)(2)

During the inspection, there was an adequate number of staff working directly with the children. There were 36 children being cared for by 6 staff in the morning and 24 children being cared for by 6 staff in the afternoon. The person in charge was available for support if required.

Part IV – Information and Records

Regulation 15 – Record of pre-school child

(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:

(a) the name and date of birth of the child;

(b) the date on which the child first attended the service;

(c) the date on which the child ceased to attend the service;

(d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;

(e) authorisation for the collection of the child;

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- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
- (g) the name and telephone number of the child's registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency*

Compliance Information

- (1) A sample of 12 children's enrolment forms completed by the parents was reviewed as part of the inspection process. These were found to contain all the information required under parts (a) – (i) of this regulation.

Part IV – Information and Records

Regulation 16 – Record in relation to pre-school service

- (1) A registered provider shall ensure that a record in writing is kept of the following information in relation to the service:*
- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;*
 - (b) details of the class of service and the age profile of children for which the service is registered to provide services;*
 - (c) details of the adult:child ratios in the service;*
 - (d) the type of care or programme provided in the service;*
 - (e) the facilities available;*
 - (f) the opening hours and fees;*
 - (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*
 - (h) details of attendance by each pre-school child on a daily basis;*
 - (i) details of staff rosters on a daily basis.*

Compliance Information

Information required under parts (a) to (i) were available on the day of the inspection. This information was included in the staff files, the services statement of purpose and function, attendance record and the service policy and procedure document.

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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.

(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

Compliance Information

The inspector noted the following:

(1) Children's independence and decision making was fostered, for example, in the Preschool room 1, children were seated at the table with the staff member, enjoying the snacks they bought in from home. Once finished the staff encouraged them to tidy the table and return the empty containers to their bags and hang them on their named hooks in the hallway. Children's identity and belonging was fostered through the display, at children's level, of works of art and personalised touches such as individual named hooks for their coats and bags.

Low-level open shelving units were used throughout the rooms, so children could freely access materials and resources from the labelled shelves, promoting independence and choice making. The Preschool 1 room and the Wobbler room were well laid out and had interest areas that were thought out and resourced. There were home corners/kitchens, activity trays, dress up clothes, art materials, wooden and plastic blocks, birthday walls, family walls, dolls and car toys for the children. Staff in the Preschool 1 room described how they move equipment around depending on the needs and interest of the children. The interactive, push pull toys in the Wobbler room were appropriate for the age and stage of the children. In the Preschool 1 room the activity try has been set up with blue rice and crushed rice Krispies to prepare for an activity to support the 'Under the Sea' theme.

Staff demonstrated awareness to milestones in children lives and offered supportive activities. For example, a child's mothers had just had a baby, and the staff member got a book about a 'Big Brother' and

read it with them. When Granny collected the child, the staff showed the book to Granny, and they talked about it with the child who appeared to be very enthusiastic.

- (3) During the course of the day children in the Toddler and Preschool 1 room were observed to move freely between the indoor and outdoor areas. The outdoor areas lead directly from these rooms which allowed the free movement of play. The staff team were observed to be supportive in the children's play and to interact in a positive manner. A staff member in the Toddler room was observed to sit on the ground outdoor with children on their lap as they read a story. Children from Preschool 1 room were noted to bring their toys outside to continue their play. The staff in the room offered help to bring books outside and checking in the children to see if they had what they needed. A small shower of rain started, and they encouraged the children to return under the sheltered part of the play area to continue their games.

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

While it is acknowledged that the furniture, play and work equipment in the Wobbler room and Preschool 1 room was adequate and suitable, the Toddler rooms was sparsely furnished and had little equipment and toys for the children. This room had no areas of interest and toys were stored on shelving which was too high for this age of children to access easily.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider stated that action was taken to correct this non-compliance. The rooms were defined with extra furniture and additional equipment. The toys are now accessible to the children. They will ensure that area is kept defined and add to the materials and equipment available.

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

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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:

- On arrival, the entrance to the premises was locked to prevent unauthorised access or exit from the building.
- The garden to the front and rear of the building was secure with the main gate to the premises locked and operated with a magnetic locking system and keypad.
- Children's arrival and departure was recorded in a timely manner.
- Cleaning products were stored on high shelving and away from children's reach.

Infection Control:

- Cots and low beds were placed 50cm apart to reduce the risk of cross infection.
- Warm water, liquid soap and disposable paper towels were available for children and staff when washing their hands. Children were encouraged to wash their hands before eating and after playing in the garden.
- Creams, wipes, and packets of nappies were all labelled for each individual child.

Safe Sleep:

- The sleep room temperature was maintained between 16°C and 22°C while children were sleeping.

Non-Compliance Information

General Safety:

1. On review of a sample of 10 accident and incident records, the inspector could not be assured that 6 parents had been informed of an accident or incident which had occurred during the day as there was no parental signature on the forms.

Infection Control:

2. The surface areas of the doors and the frames of the cubicles in the children bathroom were not wipeable this created a risk of cross infection.
3. The covering of the floor mats and soft shaped cushions in the Wobbler and Toddler room were worn with the internal foam visible. This prevented them from being cleaned effectively posing a risk of cross infection.

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- The tiling on the walls and floor of the children bathroom was dirty with a build-up of dust and dirt.

Administration of Medication:

- The administration of medication records did not include the required signatures. The inspector reviewed 10 forms, none of which included the parental signature to evidence that they had been informed that their child had received medication during the day. This procedure is required by the services Medication policy.

Safe Sleep:

- The 10-minute sleep checks in the Wobbler room were not followed correctly. The staff member was observed not to leave the care room between 11:45 and 12:10 to complete the sleep checks however the written sleep record for two sleeping children during this time were completed, recording the sleep room temperature, their breathing as normal, and their sleeping position.

Fire Safety:

- The firefighting equipment had not been serviced within the last 12 months.

Action submitted by the Registered Provider

Corrective & Preventive Action

The registered provider stated that:

General Safety:

- Parents have completed the forms with the required signatures and going forward the person in charge will ensure all forms are signed as required.

Infection Control:

- The doors and frames of the cubicles have been repainted with washable paint.
- All worn matting and soft shapes have been removed and replacements purchased.
- The areas have been cleaned and disinfected.

Going forward better care and attention will be given to the cleaning and all areas will be checked and worn toys will be removed in future.

Administration of Medication:

- Parents have signed the required forms, and staff were reminded of the policy and the importance of the completion of all forms. The person in charge will ensure going forward that these are completed.

Safe Sleep:

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6. Staff were reminded of the seriousness of following the correct procedure. In future if support is required another staff member will do the sleep checks

Fire Safety:

7. The firefighting equipment was serviced on the 18 June, and the company have agreed to complete and annual maintenance call.

Supporting documentation submitted

General Safety:

Photographic evidence was submitted.

Infection Control:

Photographic evidence was submitted.

Administration of Medication:

No evidence was submitted.

Safe Sleep:

No evidence was submitted.

Fire Safety:

Photographic evidence 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 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) The registered provider has ensured that a person trained as a first aid responder was available to the children at all times. Two staff members had up to date First Aid Responder training.

(2) (a)(b) A suitably equipped first aid box was available and was safely stored in an easily accessible and conspicuous position in the kitchen.