

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KY041
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Name of Service:	Duagh Community Development Ltd.
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Address of Service:	Duagh Village, Listowel, Co Kerry
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Eircode:	V31 FH67
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Name of Registered Provider:	Bernie Keane
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	08/06/2026
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No of pre-school children:	AM	67	PM	62
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Address of the Early Years Inspectorate:	13 Market Square Mallow Co Cork P51DD5Y
Inspection undertaken by:	B Fraher and M Burke
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

Duagh Community Development Ltd is a service registered for full day care, part time and sessional care. The service operates from a 2-storey detached building that is located in the village of Duagh in Kerry. The service caters for children aged 0 to 6 years, with the Early Childhood Care and Education Scheme (ECCE) operating from 9:15 to 12:15. A school age care service is also available. The opening times are between 8:00 and 18:00 Monday to Thursday, and 8:00 to 17:00 on Friday. The service operated from two floors, with three care rooms and sanitary facilities upstairs and one large room downstairs which is divided into three care areas. One of the care areas extends into an additional room. A kitchen, two sleep rooms and sanitary facilities are also available downstairs. The children have access to an outdoor play area located near the carpark of the premises. The Baby Room has a separate outdoor area.

Staffing

There are 22 staff employed by the service, including the register provider, who is service based. On the day of inspection, 19 were present in the service, including 2 administrative staff and the cook. Sixteen staff were working directly with the children on the day of 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/ safety/ premises and facilities. 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 inspectors wish to acknowledge the cooperation of the children, person in charge and staff 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,*

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- (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) The registered provider had appointed a person in charge and a deputy.
 - (b) The person in charge and the deputy were on duty at the service when the inspectors arrived and facilitated the inspection process.
- (2) Following a review of previous inspection information, information available on inspection and discussion with the person in charge, it was determined that three new staff members had been employed since the previous inspection. Two of these new staff members worked directly with the children. A total of three files were reviewed. It was also determined that two staff members Garda vetting's were due for renewal and required review.
 - (a) Of the six required written and validated references, three had been provided by past employers.
 - (b) Of the six required written and validated references, one had been provided from a source other than previous employers.
 - (c) Garda vetting disclosures had been obtained for all five staff. 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 not required for any of the three new staff Members.

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(4) Three staff members qualifications were reviewed; each held at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework.

Non-Compliance Information

(2) The registered provider was unable to demonstrate that they had taken all the required measures during the recruitment of one staff member to ensure that they were suitable and competent as follows:

(a) Two references and validations were not available for one staff member, who did not have access to children.

(3) The procedures specified in paragraph (2) were not completed in full prior to the same staff member commencing employment in the service.

Corrective & Preventive Action submitted by the Registered Provider

The following statement was made by the registered provider:

Corrective and Preventive Action

(2)(a) Two references and validations received. Any new staff will provide suitable references going forward.

(3) References are obtained and validated. In future the service will ensure that all validated references and garda vetting are completed prior to commencing employment.

Supporting documentation submitted

(2)(a) Two references and validations received.

(3) The response from the registered provider is accepted.

Summary Comment

The corrective action submitted by the registered provider have addressed the non-compliances identified under Regulation 9.

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

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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) At the time of inspection, there was an adequate number of adults responsible for the direct care of the children in attendance at all times.

(2) The service maintained the minimum ratio required as per regulation in the care rooms. The ratio was as follows:

Morning:

Room Name	Age range of children	Number of children present	Number of adults present
Junior Preschool 1B	3-5 years	10	2
Senior Preschool	4-5 years	20	3
Junior Preschool A	3-4 years	14	3
Baby Room 2	1 year 6 months to 1 year 10 months	4	2
Baby Room 1	1 year to 1 year 9 months	4	2
Wobbler 1 and 2	2-3 years	15	4

Afternoon:

Room Name	Age range of children	Number of children present	Number of adults present
Junior Preschool 1B	School age care for the afternoon		
Senior Preschool	4-5 years	19	3
Junior Preschool A	3-4 years	18	2

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Baby Room 2	Temporarily not on use at the time of the afternoon count		
Baby Room 1	1 year to 1 year 10 months	8	2
Wobbler 1 and 2	2-3 years	17	3

8 (a) The service operated with at least two adults present at all times. This was observed on the day of inspection and was evident through examination of the staff roster.

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

On the day of inspection, the following information was obtained through direct observation and discussion with the staff and examination of relevant documents.

Basic needs:

- The main hot meal was provided by the service and snacks were provided by the parents and guardians. These were observed to be healthy and nutritious. A dinner menu was posted on the reception wall outlining the variety of menu options.
- Staff stated there was no dietary requirements for the children in the pre-school rooms.
- Children were observed eating a hot meal which consisted of potatoes, pasta, a variety of mixed vegetables, mince meat and gravy. Children were offered extra food if they wished. The service had alternative food to offer to children if needed on the day of the inspection.
- Cutlery and crockery were available in the kitchen area and provided to the children.
- Staff interacted with the children during snack time and were observed helping and assisting the children where necessary. Children in the baby room were encouraged to self-feed and assisted as needed.

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- Drinking water was accessible to the children throughout the day and were offered a choice of milk or water to drink with their hot meals.
- A relaxed unhurried atmosphere was evident at snack time, as the children chatted and interacted with one another. At lunchtime in the pre-school rooms, children were observed sitting in groups of three and four happily singing songs in one room and playing a game of 'I-Spy', while waiting for their lunch.
- On the day of inspection, all care rooms had access to play outside, and staff stated they encouraged outdoor play as much as possible depending on the weather.
- While outdoors, the children were noted to be dressed appropriately with coats and hats and appeared to be enjoying the facilities in the playground. Children were observed climbing ladders, using the slides; playing hide and seek; catching bubbles and running around playing tag.
- Children's independence was promoted by staff in the care room. Examples of this were when children put on their own coats, as seen in the Preschool rooms and tidied up after play, as seen in the wobbler room.
- Each of the care rooms were well resourced to cater for a variety of age-appropriate activities. Examples of toy items available were a large dollhouse with play stations of household appliances; an area for construction; reading area and tables set for group activities. Stored boxes of categorised art equipment, miniature blocks, toys and puzzles to support sensory and fine motor skills were available for use.
- Nappy changing was carried out at regular intervals and as required. Each child's dignity and privacy were observed to be respected with one child being changed at a time. Supervision and assistance were provided for the children who accessed the sanitary facilities.
- Children had the opportunity to rest or relax with soft seating in the form of a couch, cushions and mats in each care room. There was a quiet corner that was equipped with age-appropriate books to read in each of the pre-school rooms.

Supporting relationship:

- The staff were observed to show positive regard for the children in all the care rooms on the day of inspection. The children were encouraged and praised during tasks in a warm and caring manner, for example when children played with magnetic bricks, completed artwork and played with toy cars in the Baby and Wobbler Rooms.
- The staff were observed to sit with the children at their level and interact with them. This was observed when children were playing with farm toys, in the ball pit and staff reading to the children.

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- In the Wobbler room, staff were observed to partake in group activity with the children through playing music and singing along to songs and rhymes requested by children.
- The care rooms had low-level open shelving units which displayed materials and resources which children could freely access. Children were observed to choose what to play with, which promoted independence and decision making.
- Parents or guardians were communicated with at pick up and drop off and with phone contact. Policies and photographs were sent through a digital application. A learning journal was kept by a key worker for each child in the service. Children's progress throughout the day was logged by staff using a digital application that was shared with parents.
- The atmosphere was observed to be relaxed in the care rooms at all times during the inspection and teamwork was evident between the staff and the children. A good relationship between the staff was seen in each of the care rooms, when staff members seamlessly assisted with tasks without needing instruction and were very clear about what needed to be done and how.
- The inspector observed upset children in the Baby and Wobbler room to be comforted by a staff member who responded positively to the children. In the playground, the senior pre-school children were playing bubbles with the staff and were comforted when children were looking for reassurances.
- Positive behaviour management was observed in the playground, when a staff member re-directed, encouraged and listened to the children effectively supporting the child to express their emotions.
- Family photos and birthday calendars for the children were displayed on the walls in all the care rooms. An inclusion area was designated in each of the pre-school rooms showcasing pictures of the children; their homes and the local community, encouraging a sense of belonging and identity.
- Staff supported children verbally and with their physical presence throughout the 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:

- The entrance to the service was secured by an entrance gate with a control buzzer from the carpark along a tall wired fenced pathway into the reception area. This restricted unauthorised access to the building and prevented the risk of children exiting unsupervised.
- The window was adequately secured to ensure the safety of the children in the care rooms.
- Cleaning agents were stored out of reach of the children on the shelves.
- The toys and play equipment assessed were in good condition and were stored safely on the shelves. There were no sharp edges on the toy stations observed. Toys were tidied away by both staff and children in the pre-school rooms after each activity.
- The outdoor area was a safe and secure space for the children with timber fence, metal surround and a timber gate with a lock mechanism. This prevented children gaining unsupervised access to an unsafe area.

Infection Control:

- Handwashing facilities were accessible to the children, and they were observed to wash their hands before eating, after using the sanitary facilities and after outdoor play.
- Windows in the pre-school rooms and the upper bathroom were open and the rooms were well-ventilated at the time of inspection.
- Staff regularly cleaned the tables and swept the floors in each of the care rooms after snack and lunch time.
- Children's coats and bags were stored off the ground on hooks or on a shelf with a picture and name for identification.
- A refrigerator was available in each care room and for the storage of perishable foods. On the day of inspection, perishable items were stored in the fridge before snack time in all the care rooms.
- During nappy changing processes observed, staff ensured that gloves and aprons were worn during the nappy changing process and both child and staff hands were washed after nappy changing had taken place.
- A container for sterilising mouthed toys was available in each of the Baby and Wobbler rooms.
- All children's cot mattresses had waterproof covers and were kept at over 50 Centimetres apart.
- Children's soothers were stored in individual containers.

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Administration of Medication:

- The staff present on the day informed the inspector that one child had prescribed medication to be administered in the case of an emergency in the service. The medication and the detailed care plan were safely stored but accessible to the staff in the child's room. Staff in the child's room were clear of the emergence response protocol.
- Temperature reducing medicines were observed to be in date and stored out of reach of the children in the refrigerator in the Wobbler room and the Senior Preschool room.

Safe Sleep:

- The air temperature of the two designated sleep rooms were recorded between 18.6°C and 21.0°C while children were sleeping at the time. The room temperatures were maintained at the required temperature of between 18°C and 22°C for children above 12 months.
- Staff were noted to maintain sleep records in relation to the children's colour, breathing and position at 10-minute intervals. The inspector reviewed 10 sleep records, and these were recorded correctly.

Fire Safety:

- Fire exits were noted to be free from obstruction.
- Fire extinguishers and fire blankets were secured to the walls.
- The fire assembly point was visible in the outdoor area.

Non-Compliance Information

General Safety:

1. There was a large, unanchored, shelving unit in Junior Preschool 1B room. This was accessible to the children and was unsteady to touch, posing a safety risk to the children should it fall over.
2. In the Junior Preschool 1B room, the inspectors observed wiring lying underneath the children's coat hangers accessible to children, posing a tripping hazard. An extension cord hanging from the T.V. sockets and charging cable from a device were not tethered to the wall and were hanging down. These posed a safety risk.

Infection Control:

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3. There was unpainted timber area with adhesive evident on the corner of a unit where foam pads had been removed in Baby Room 2. This timber area could not be adequately cleaned due to the adhesive in place. This posed an infection control risk.

Action submitted by the Registered Provider

The following response was received from the registered provider:

Corrective & Preventive Action

General Safety:

1. The unit has been anchored and turned against the wall. Any further shelving units purchased will be low and anchored against the wall.
2. All wiring has now been removed. All extensions and cords will be secured to the wall to prevent access.

Infection Control:

3. A local contractor has been contacted to remove padding, sand areas and repaint. This is expected to be completed in four weeks. Foam padding will be removed, and alternatives will be reviewed for the new building.

Supporting documentation submitted

General Safety:

1. Photographic evidence received.
2. Photographic evidence received.

Infection Control:

3. The statement from the registered provider has been accepted.

Summary Comment

The corrective action submitted by the registered provider have addressed the non-compliance identified under Regulation 23.

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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) Current First Aid Responder (FAR) certification was available for 11 staff members, who worked at the service, and on the day of inspection, three staff members rostered had a FAR certification.

(2)

(a) Three sufficiently stocked first aid boxes were available in the service to cater for the upstairs, downstairs care rooms and outdoor area. They had regular inventory checklists, signed and dated by staff. All First Aid boxes were accessible to staff and safely stored out of reach of children.

(b) The first aid supplies were available to the children, should they be required.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-

(d) cleaned, maintained and repaired, as required, and

(e) equipped with adequate and suitable sanitary facilities.

Compliance Information

(d) A cleaning schedule was in place at the service for the care rooms and sanitary facilities. The service appeared clean. Staff also informed the inspector that cleaners carry out an additional clean at the end of each day.

(e) There were adequate sanitary facilities in the premises for the number of children present in the service on the day of inspection. The children had access to 7 toilets, 2 nappy changing units and 7 sinks which provided sanitary facilities for 77 children and 24 adults. The inspector highlighted to the service that the sinks available to the children were not all directly accessible in the sanitary area of use. Adults had access to three sanitary areas. The requirement is 1 toilet and 1 sink for every 11 children and 1 nappy changing unit and 1 sink for every 11 children. The requirement for adults is one toilet and one sink for every eight adults.