

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KY064
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Name of Service:	Listowel Family Resource Centre
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Address of Service:	Ballygologue, John B Keane Road, Listowel, Co. Kerry
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Eircode:	V31 EC62
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Name of Registered Provider:	Sean McCarthy
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Service type:	Full Day
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Date(s) of Inspection:	25/05/2026
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No of pre-school children:	AM	36	PM	24
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Address of the Early Years Inspectorate:	Áras an Phobail, Deans Lane, Tralee, Co. Kerry.
Inspection undertaken by:	N. Reidy
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

Listowel Family resource Centre is a purpose-built community based early years service that is registered to provide full day care to children aged between 0 and 6 years. The service is registered to operate between the hours of 8.45 am and 6.00 pm Monday to Friday. There are 3 playrooms in operation, namely the Creche, Junior Pre-school and the Pre-school rooms located on the ground floor and designated enclosed outdoor play areas directly accessible to each of the playrooms.

Staffing

There are 15 adults attached to the service including the registered provider who is not service based. There are 4 adults employed under the Access and Inclusion Model (AIM) Support Scheme and 2 adults employed under the Community Employment Scheme (C.E). The person in charge is office based and provides cover in the care rooms and the deputy in charge works in the playrooms. There was an adult who was assigned solely to the kitchen duties.

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

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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.*

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(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 has ensured that there was a designated person in charge and a named person who was able to deputise as required.

(b) The person in charge as well as the deputy person in charge were on the premises for the duration of the inspection. The roster for the service demonstrated that at least one of these adults were on site at all times.

(2)

There were 16 staff attached to the service and all staff files were inspected.

(a) Eighteen of the thirty-two required references were available from a past employer with records of validation.

(b) Thirteen of the thirty-two required references were available from a source other than a past employer with records of validation.

(c) Garda vetting disclosures had been obtained for the 15 adults who had direct access to children.

(d) Police vetting was required and available for two members of staff as they had resided outside of the state for a period of longer than six months.

(4) The adults working directly with children held relevant qualifications in Early Childhood Care and Education at least 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.

(8) Without prejudice to paragraphs (2) to (7)-

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(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, it was observed that there was an adequate number of staff working directly with children.

(2) The minimum ratios were maintained at all times throughout the day.

The required adult to child ratios were observed in each of the care rooms as follows:

Creche

There were 2 staff caring for 9 children aged between 1 and 3 years attending on a part-time and full day care basis. In addition, there was 1 adult on a community employment scheme, on a work placement who was not counted in the adult child ratios.

Junior pre-school

There were 2 staff caring for 10 children aged between 3 years and 4 years, 4 children were attending on a sessional basis and 6 children were attending on a part-time and full day care basis. This room closed in the afternoon and the children transferred to the pre-school room.

Pre-school

There were 3 staff caring for 17 children aged between 3 years and 6 years attending on a part-time and full day care basis.

(8)(a) The registered provider did ensure that 2 adults are on the premises during the hours of operation.

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

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Compliance Information

(1)(a)

Basic Needs:

- The playrooms within the service were spacious and provided children the opportunity to move about freely and explore their environment.
- The toys and play materials supplied were stored on low level open shelving in the rooms. This supported children to readily and independently access them, offering continuous choice.
- Rest areas were provided in each of the playrooms to facilitate children to rest/relax or opt out of an activity. The areas were furnished with low level soft seating, cushions and matting.
- The rooms were bright, with a display of children's artwork and family photographs for example.
- The rooms were ventilated by means of the openable windows during the inspection.
- The service promoted healthy eating, providing regular food and snacks during the day.
- The main meal of the day was displayed on the notice board for parents in the entrance reception hall.
- The inspector observed the food provided for snacks included cereal served with milk and the main meal consisted of Spaghetti Bolognese.
- The food for the main meal and for snacks is prepared and cooked on the premise each day by an allocated staff member.
- In conversation with the staff, they stated that children are offered breakfast consisting of cereals and milk for example.
- The children's individual food needs were accommodated as was evidenced with a vegetarian option for the main meal, a hot option or ham sandwiches, grated cheese and a selection of fruit for one afternoon snack.
- Children had access to drinks throughout the day. The inspector observed drinks were encouraged throughout the day, both indoors and outdoors.
- A child bottle feeding in the creche was fed by a staff member sitting down, in a relaxed and unhurried way.
- The children were observed to be dressed appropriately whilst playing in the outdoor areas, with sunhats and sunscreen applied. The staff did ensure that children took shelter under the canopy areas provided during outdoor play time.
- The children's toilets were accessible from each of the care rooms, this allowed the children to use the toilet as they needed with assistance provided by the staff as required.

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- In conversation with the staff in the creche and observed on inspection, nappy changing was carried out at regular intervals and as required.

Supporting relationships:

- During the mealtimes the staff sat with the children, promoting social interactions and assisting with feeding as was required.
- In conversation with the staff, they communicated with parents/guardians each day verbally providing feedback at the collection time regarding the time the children spent in the service.
- The inspector observed the staff providing the feedback to parents in a professional, calm, unhurried and caring manner and addressing any queries the parents/ guardians had.
- The staff were observed to be kind, caring and sensitive to the children's individual needs.

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 internal doors leading to the playrooms and each of the three playroom doors were maintained secure, preventing children leaving unsupervised and to restrict unauthorised access in.
- The cables observed were out of reach of the children.
- The cleaning agents observed were stored out of the reach of the children.
- Medicines were stored within secured designated wall mounted cupboards as observed in the crèche and pre-school rooms.
- The outdoor play areas were fenced, and the gates were secured to prevent a child gaining unsupervised access to a roadway and to prevent unauthorised access in.
- The children's toiletries observed in the nappy changing rooms were stored out of the reach of the children.

Infection Control:

- The children's toiletries were individually labelled.
- The sinks observed in use by the adults and children had a supply of thermostatically controlled warm water, liquid hand soap and disposable paper hand towels.

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- The linen used for the cots observed on inspection was noted to be clean, dry and individual to each child.
- In conversation with the staff, the inspector was informed that linen is laundered after each use on site.
- There were protective waterproof covers for the cot mattresses available for use.
- Children were observed to wash their hands with assistance provided by the staff, for example after using the toilet and before mealtimes.

Safe Sleep:

- In conversation with staff in the creche, they stated that sleeping children's breathing, colour and position was physically checked every 10 minutes as was evidenced in the allocated sleep record book.
- There were 3 standard cots provided for the children's use and low-level beds for the older children.
- On inspection the cots in the sleep rooms used were noted to have the required 50cm spacing between each.

Non-Compliance Information

General Safety:

1. Emergency medication for a child attending was stored in the medicine box in the pre-school room. The labelled medication had an expiry date of 02/2026, posing a risk of illness as the medication may be ineffective in treating the child's medical needs, in the event it was required.
2. There was an unlabelled inhaler stored in the medicine box in the pre-school room, posing a risk of injury to a child should the incorrect medication be administered to a child.
3. There was an unlabelled inhaler with an expiry date of 04/2025 stored in the medicine box in the creche, posing a risk of illness to a child should the medication be required.
4. The equipped first aid box in the pre-school room was stored on the low-level worktop unit, posing a risk of injury to children.
5. The vinyl covering on the soft couch in the junior pre-school room was torn; the foam underlay was exposed posing a risk of injury to children.
6. There was a piece of the timber that was detached from the wall, it enclosed the low-level pipes under one sink in the sanitary accommodation in the pre-school room posing a risk of injury to children.
7. The following items were stored within the reach of the children in the sleep room in the creche posing a risk of injury to children:
 - open plastic bags with children's spare clothes
 - children's coats hanging on low level hooks
 - child sized chairs

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-a push bike

- the panel of one drawer on a storage unit was falling off

8. Garda vetting disclosures had been obtained for fifteen adults that required it attached to the service. However, two vetting disclosures were not dated within the previous three years in adherence with the Early Years Inspectorate Regulatory Notice 'EY-RN12.3 Renewal of Garda Vetting'.

Infection Control:

9. In the playrooms, in the nappy changing room serving the creche and in the 2 identified adult sanitary areas, a number of the pedal opening devices on the bins were broken. When used, the lids were manually opened posing a risk of cross infection.
10. The nappy changing practices observed on inspection were inconsistent and at variance with the nappy changing procedure displayed on the wall, posing a risk of cross contamination as follows;
- The staff member returned children with the children through the door to the playroom while wearing the used gloves and plastic apron.
 - The plastic aprons were not changed for each individual nappy change.
 - The nappy changing mat and its surrounds was not sanitized down after each nappy change.
11. The fabric on the large couch in the rest area located in the pre-school room was unclean posing a risk of the cross of infection.
12. The 2 mechanical ceiling vents in the children's sanitary accommodation in the junior pre-school room were unclean increasing the risk of poor ventilation and posing a risk of the spread of infection.
13. In the junior pre-school, the vinyl covering on the outer arms of the 2 single chairs were torn. This impacted on the ability to clean the surfaces adequately to reduce the risk of cross infection.
14. There was no supply of warm water at the sink in the adult sanitary accommodation located in the building with the laundry room, posing a risk of the spread of infection.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

- 1.& 2. All the medicines have been re-checked, and any out-of-date medicines have been removed. All the educators have been advised to check the medicine expiry dates as part of checking the first aid boxes routine. The parents have also been asked to put a reminder in their devices as to when medicines are due to expire so as they can replace them.
3. The inhaler was removed; it was the property of a staff member.

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4. The couch was removed. The service has applied for funding to purchase a new couch. All educators have been advised to discard anything that is torn or broken and bring it to the attention of management if resources are required to be replaced.
5. The educators were advised to replace the first box on the medicine cabinet shelf after use.
6. The piece of timber has been re-attached. All the educators and the cleaners have been advised to bring any such items to the attention of the maintenance as needed.
7. The room has been cleared. The educators have been advised to keep it clear. A storage area for the coats and chairs will be provided and any donations received in plastic bags will be stored kept in the office.
8. The Garda vetting in respect of the two staff members that required it was received. The service will organise a calendar as a reminder when vetting is out of date.

Infection Control:

9. All the bins have been replaced. Management will check the resources weekly. All educators were advised to inform management when resources are broken or damaged.
10. The nappy changing procedures have been updated and placed beside each of the nappy changing areas. The educators were advised on the nappy changing procedure, and this will be included for staff meetings and informally as a reminder to all educators.
11. The couch was cleaned with a new cleaning device purchased. Washable covers are on order for the couch.
12. All the vents in the service were cleaned, the cleaners were advised to clean them frequently and the vents will be added to the cleaning list.
13. The vinyl covered armchairs have been discarded. The educators were advised to remove any torn or broken items and to inform management of same.
14. A new adult toilet has been allocated in the main reception area in the service. The adult sanitary accommodation that had no warm water was closed off until warm water is provided.

Supporting documentation submitted

General Safety:

1. The statement is accepted as evidence.
- 2.& 3. The statement is accepted as evidence.
4. The statement is accepted as evidence.
5. A photograph of the first aid box stored out of reach of the children.
6. A photograph of the repaired timber piece under the sink.

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7. A photograph of the sleep room demonstrating that the items in question were removed from the room. A photograph of the fixed drawer panel.
8. The garda vetting disclosures for the two adults who required it was received.

Infection Control:

9. A photograph of pedal bins.
10. The updated nappy changing procedure and proof of the educator's review of the procedure.
11. The statement is accepted as evidence.
12. The statement is accepted as evidence.
13. The statement is accepted as evidence.
14. A photograph of the signage on the door of the adult toilet. A photograph of the 2 allocated adult toilets located in the main entrance reception area.

Summary Comment

All documentation has been examined. The requirement for the regulation has been met.

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 certifications on file demonstrating that 9 staff members attached to the service had current First Aid Responder (FAR) training completed.
- (2)
 - (a) The sufficiently equipped first aid boxes in the creche and the junior pre-school room were wall mounted and out of the reach of children.

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(b) At all times when the service is in operation, the first aid box was accessible to the adults in the event that children required them.

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) The service had maintained in writing a record of the following: -
- (a) A template to record each fire drill that had taken place in the service. The last recorded fire drill took place on 10/04/2026 for the morning and afternoon sessions.
 - (b) A record of the number, type, and maintenance checks of the firefighting equipment and the smoke alarm. The records on file demonstrated the last check for the smoke alarm was 05.01.2026 and for the firefighting equipment was March 2026.
- (4) A notice of the procedures to be followed in the event of fire was displayed in the service.