

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2016KE009
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Name of Service:	Tender Years Creche
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Address of Service:	Old Caragh Road, Naas, Co. Kildare
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Eircode:	W91 NX77
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Name of Registered Providers:	Claire Doyle, Tracy Smullen
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	09/06/2026
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No of pre-school children:	AM	51	PM	38
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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 & F. Carty
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

Tender Years Creche is one of three privately owned services operated by the registered providers. The service provides full day, part time and sessional care for children aged 0 to 6 years. The service is registered to operate from 07:00 to 18:30, Monday to Friday. On the day of inspection, the service was operating from 07:30 to 18:00.

The service is located in a purposely adapted single storey premises on the outskirts of Naas in Co. Kildare. There are four care rooms in the main building, and a fifth care room is located in a prefabricated unit to the side of the premises. The Wobbler room caters for children aged 1 year. The Toddler room caters for children aged 1 to 2 years. The Preschool 1 room caters for children aged 2 to 4 years. The Preschool 2 room caters for children aged 3 to 5 years, and the Preschool 3 room caters for children aged 4 to 5 years.

There is a dedicated cot room adjacent to the Baby room. A fully enclosed outdoor area is available to the side of the premises.

Staffing

The service currently employs 16 staff including a chef and an administrator. There were nine adults working directly with the children on the day of inspection who were supported by the manager and supervisor.

A manager and an administrator based in another service operated by the registered providers arrived following the inspector's arrival. This manager was working directly with the children during the inspection.

The registered providers do not work directly in the service and were not present 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

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- Discussion with relevant staff

This inspection was announced and focused on the area of governance/ records/ 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),(4) – Management and recruitment,

11 (1),(2),(8)(a) – Staffing levels,

15 (1) – Record of a pre-school child,

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

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

25 – First aid.

A sampling process was used to assess compliance under the following regulations

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

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

As a result, the scope of the inspection included the Wobbler, Toddler and Preschool 3 rooms and the outdoor area.

A sampling process was used to assess compliance under regulation 15 (1) – Record of a pre-school child.

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.

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The contents of the report are compiled by the inspectorate body.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the person in charge, staff and children who were present on the day of the inspection.

Statutory Notices

Notice	Date Served	Detail
Improvement Notice IN0943	09/06/2026	The door of the Preschool 2 room was not adequately secured to prevent a child exiting the room and to prevent unauthorised access to the service. The two gates of the service which lead directly on to a public road were open.
Status	Action was taken immediately by the registered providers following service of the Notice and the registered providers submitted a written response with detailed corrective and preventive actions which were accepted by the Inspectorate.	
Improvement Notice IN0944	09/06/2026	Police vetting in place for one employee who commenced working in the service on 04 September 2025 had not been translated and could not be determined.
Status	Action was taken immediately by the registered providers following service of the Notice and the registered providers submitted a written response with detailed corrective and preventive actions which were accepted by the Inspectorate.	

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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)

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 six adults employed since the last inspection on 10 March 2025. In addition, Garda vetting for one adult whose disclosure was identified as due for renewal was requested for review.

Documentation was reviewed in respect of these adults and met regulatory requirements as follows.

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(a)(b)

Of the 12 validated, written references that were required, 7 were available from a past employer and 5 were available from a reputable source.

(c)

Garda vetting disclosures from the National Vetting Bureau of An Garda Síochána were available for the seven 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 and was available for five 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 eight staff members. One 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)

See Statutory Notice section in relation to Improvement Notice IN0944 served.

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.

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(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)

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 51 children attending the service being supervised by 9 adults on the day of inspection.

(8)(a)

There were at least two adults on the premises at all times during the inspection. The roster indicated that there were two adults present at all times of opening.

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;*
- (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.*

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Compliance Information

- (1)
- A sample of 10 records were available and were reviewed which demonstrated that a record was available in writing which contained the following information.
- (a) the name and date of birth of the child;
 - (b) the date on which the child first attended 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;
 - (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;

Non-Compliance Information

- (c)
- Four records reviewed did not have somewhere to record the date that a child ceased attending the service.
- (i)
- One record reviewed did not have written parental consent for appropriate medical treatment of a child in the event of a medical emergency.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (c)
- The four affected child record forms were updated using the current child record form and the required end dates were added. Staff have been reminded to use only the current child record form and regular checks will be carried out to ensure the correct version is issued. Any last versions have been removed.
- (i)
- The missing parental consent was obtained on the day of the inspection and added to the child's record form. All child record forms were reviewed, and a check will be carried out to ensure parental consent is obtained and recorded for all new registration.

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Supporting documentation submitted

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

Summary Comment

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

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-

(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)(b)

Meals were provided at regular intervals and drinking water was available to children throughout the day. Dinner was served from 12:00. Younger children were given bibs for dinnertime. All children were given water with their meal. Staff sat with children during their dinner, encouraged children to feed themselves and supported children who needed assistance with their meal. Additional servings were available in the care rooms and staff were observed providing additional portions to children who requested more.

Children's care needs were observed to be met promptly. Staff were observed cleaning children's noses as required and children's hands and faces were cleaned after dinner. Children's nappies were changed regularly, and staff were observed engaging warmly with children when providing this care.

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 children attending the service. Suitable cots and 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.

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Staff demonstrated a good awareness of the needs of each child in their care and responded to children's cues promptly. Staff displayed warmth and sensitivity during all interactions with the children. Children were comforted promptly when they became upset. Staff were observed holding children and speaking to them softly. Children were addressed by their name, and staff used gentle tones and praise when interacting with the children.

The children moved freely, exploring their environment, playing and engaging with each other and the staff throughout the inspection. Play materials and equipment were positioned at an accessible level which facilitated choice.

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

A fully enclosed outdoor play area was located to the side of the premises and was separated into three sections. A range of developmentally appropriate play equipment was provided in each of the outdoor play areas. All children were provided with the opportunity to play outdoors and were dressed appropriate to the weather.

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 toys and play equipment observed in use by the children on the day of inspection appeared to be 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.

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- Waste was managed appropriately with the use of pedal bins.
- A system was in place for effective sterilisation of soothers.
- Individual bed linen was provided for children and was laundered weekly or as required.
- All cot mattresses in use had waterproof covers.

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.

Non-Compliance Information

General Safety:

See Statutory Notice section in relation to Improvement Notice IN0943 served.

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)

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 an easily accessible and conspicuous location within the care rooms.

(b) A first aid box was available to the adults and children in the service at all times.