

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2016KY001
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Name of Service:	The Willow Tree Children's Centre
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Address of Service:	Ground Floor Unit, 96 Carraigbeag, Clogher Faili, Tralee, Co. Kerry
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Eircode:	V92 Y510
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Name of Registered Provider:	Jessica Hastings
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Service type:	Full Day, Sessional
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Date(s) of Inspection:	08/06/2026
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No of pre-school children:	AM	39	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

The Willow Tree Children's Centre is a purpose-built community based early years service that is registered to provide full day care and sessional care to children aged between 1 and 6 years. The service is registered to operate between the hours of 8.15 am and 5.30 pm Monday to Friday. There are 2 playrooms in operation, namely the Catkins and the Acorns, located on the ground floor of the building. There is a designated enclosed outdoor play area available to the children each day.

Staffing

There are 15 adults attached to the service including the registered provider who is not service based. Of the 15 adults, currently, there are 12 adults employed to work directly with the children 4 of whom are employed under the Access and Inclusion Model (AIM) Support Scheme and 2 adults are on leave.

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.

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

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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.

Statutory Notices

Notice	Date Served	Detail
Improvement Notice IN 1121	08/06/2026	On review of the staff files, it was noted that International Police vetting had not been translated for one adult working with the children.
Status	The registered provider submitted a written response with detailed corrective and preventive actions which were accepted by the Inspectorate.	

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) 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 inspection. The roster for the service demonstrated that at least one of these adults were on site at all times.

(2)

There were 15 staff attached to the service and all staff files were inspected.

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

(b) Thirteen of the thirty 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. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

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(d) Police vetting was required and available for five 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.

Non-Compliance Information

(2)

(d) See the statutory notice section in relation to Improvement Notice IN1121 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.

(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) The registered provider did ensure that an adequate number of adults were working directly with the children at all times. At the time of inspection, it was observed that there was an adequate number of staff working directly with children.

(2)

Catkins room

There were 2 staff caring for 10 children aged between 1 year and 3 years, attending the service on a part-time and full day care basis in the morning.

In the afternoon there were 17 children reducing to 12 children aged between 2 years and 5 years with 4 staff caring for them.

Acorns room

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There were 6 staff caring for 29 children, aged between 3 and 4 years attending the service on a sessional, part-time and full day care basis.

The Acorns room cared for 19 school aged children in the afternoon with 3 staff members caring for them.

The adult child ratio was correct.

(8)(a) The registered provider did ensure that a minimum of 2 adults are on the premises at all times during the hours of operation as was evidenced in 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

(7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training

Compliance Information

(1)(a)

Basic Needs:

- The children attending the service had opportunities to move about freely and explore their environment in the playrooms and in the designated outdoor play area.
- The children in the Acorns room were in two groups of 15 and 14 children with allocated staff members to care for each group. Both groups of children transitioned between the outdoor area and the playroom at alternate times and they come together at the mealtimes in the playroom.
- The Catkins room had a variety of soft matting and various sizes and shaped cushions to enable the younger children to lie, roll and pull themselves up.
- The children had plenty of opportunities to move about themselves, to practice and improve their emerging skills, such as co-ordination and balance as was observed with children in the Catkins room.
- Both playrooms had low level open shelving units with a section of toys and play materials that children could independently access as they so wished.

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- The staff interacted with the children in a warm and caring manner, coming down to the children's level using low soft tones of voice.
- The staff hugged the children to comfort and nurture them as seen in the Catkins room.
- The staff enabled, supported and encouraged children with the various play activities they took part in during the inspection. These included for example tabletop activities in the Acorns room and story time in the Catkins room.
- The staff supported children's comfortable and seamless transition into the service as observed in the Acorns room.
- During the inspection the staff facilitated photograph's taken of the children dressed in graduation gowns and caps singly, with their younger siblings and with the large group. The photographs were taken in the outdoor play area in preparation for the end of year graduation.
- On hearing the sound of a lawn motor working near the premise, children asked the staff in the Catkins room to look out the windows to find where it was working. The staff held children in their arms so as to out the window to watch the mowing of the grass.
- There was a designated "reading space" with seating and cushions in both playrooms.
- The children in the Acorns room had unrestricted access to the toilets located in the playroom, enabling them to use the toilet independently.
- Nappy changing was carried out for children who required it, as observed in the Catkins room.
- The children attending the Catkins room had a designated area separate from the older children in the outdoor play.
- The outdoor area had a variety of surfaces underfoot including paving and soft matting and an area with a roof overhead to provide shelter from the elements.
- There was a selection of play materials and toys provided for the children outdoors that included for example chalk boards and chinks, sand and water tables, ride on toys, blocks and kitchens.
- The food observed at the snack times was provided by the parents.
- The food served was nutritious and healthy and included for example yogurts, crackers and a selection of fruit.
- The children had access to their individual water bottles during the session.
- The entrance /reception area and the playrooms were beautifully decorated with a selection of the children's artwork and photographs of the various activities the children took part in whilst attending the service.

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(7)

- Evidence on file demonstrated that staff members had undertaken online and in person training with the certifications on file.
- The training included for example First Aid Responder training (FAR), and the Children First e-learning programme.

Non-Compliance Information

1. The inspector observed the door leading into the toilet in the Catkins room was secured on occasions during the session. This restricted the 5 children who were toilet trained to use the toilet independently as they needed to.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. Staff were informed at a staff meeting held in July of the importance of keeping the door leading to the toilets unlocked, so that children can access the toilets as they need to. Signage has been placed on the door leading to the toilets as a reminder for staff to keep the door unlocked.

Supporting documentation submitted

The statement is accepted as evidence.

Summary Comment

The requirement for the regulation has been met.

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:

- All visitors to the service used a buzzer system at the entrance doors to the playrooms to reduce the risk of unauthorised access.
- Exit from both playrooms was by means of a high-level fob system, preventing the children exiting unsupervised.

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- Cleaning agents seen on inspection were stored high out of the reach of the children.

Infection Control:

- There was a lidded, sealed pedal operated bin used for the hygienic disposal of used nappies in the nappy changing facilities.
- An adequate supply of single use plastic aprons and gloves were available for nappy changing.
- There was warm water, liquid hand soap and disposable paper hand towels and some pedal operated bins provided at the sinks for effective handwashing.
- Children's soothers were stored in individually labelled lidded containers.
- The waterproof mattress covers, sheets and blankets in the Catkins rooms were clean and dry. They were stored in individually labelled baskets.

Administration of Medication:

- The staff informed the inspector when asked that no children present on inspection were in receipt of medication.

Safe Sleep:

- The inspector observed the staff conducted physical sleep checks on the children who slept in the sleep room.
- The inspector reviewed the electronic sleep records that demonstrated that the children's breathing, colour and position were assessed at 10-minute intervals.

Non-Compliance Information

General Safety:

1. In the Catkins room, there were 5 feeding chairs stacked on top of each other, with the tables for attaching to the chairs stored loosely on the floor beneath them, posing a risk of injury to the children.

Acorns room

2. There was a large container of glue on the floor in the playroom posing a risk of injury to children.
3. There was storage boxes stacked on top of a 4-drawer storage unit in the lobby of the sanitary accommodation posing a risk of injury to children.
4. There was an unsecured cable attached to a fan placed on the floor and there was a fan with an unsecured cable attached accessible on low level shelving, both posing a risk of injury to children.
5. In the outdoor area designated for the children in the Catkins room, the wheels on the red sand/water container were broken, it was unsteady posing a risk of injury to the children.
6. The office door was not secured on occasions when not in use posing a risk of injury to children.

Infection Control:

7. The children in the Catkins room did not wash their hands before the morning snack posing a risk of cross infection.
8. The nappy changing practice observed on inspection in the Catkins room demonstrated that a child did not wash their hands after nappy changing posing a risk of cross contamination.
9. There was no pedal bin provided in the adult sanitary accommodation and in the outdoor play area posing a risk of cross infection as the lid of the bin was touched each time when disposing of waste.
10. There was an open bag of clothes that included for example hats and gloves for children stored in the nappy changing room in the Catkins room, posing a risk of cross infection.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The highchairs and tables were removed from the playroom into a designated space in the kitchen located beside the playroom. The staff were informed the chairs and tables will be stored in the kitchen and returned to the kitchen storage when not in use.

Acorns room

2. The glue has been placed up high on the arts and crafts wall unit in the playroom. The staff were reminded of the dangers of glue being accessible to the children and reminded to keep it up high out of the reach of the children.
3. The box has been removed and relocated to the kitchen. The provision of a new unit with lockable doors is currently under review.
4. The fans have been removed from the room. An air conditioning unit has been approved by the board of management, it will eliminate the need for use of fans during the warm weather.
5. The sand/water tray has been replaced. There will be regular checks of the equipment and materials carried out to ensure they are safe and in working order. A checklist is provided for the staff members to inform of any issues with toys and equipment.
6. A hook has been installed up high to store the key to the door when the office is not in use. Signage has been placed on the door as a reminder to staff and management to lock the door.

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Infection Control:

7. Staff have been reminded of the importance of handwashing before eating. Reminder handwashing signage has been placed in the room.
8. The staff have been reminded of the importance of washing the children's hands and their own hands after nappy changing. Signage has been displayed in the nappy changing area as a reminder to staff. The staff were asked to read the illness prevention and infection control policy.
9. Pedal bins were purchased and put into the staff bathroom and in the outdoor area. Regular checks of the equipment and materials will be carried out to ensure they are suitable, safe and in working order.
10. The bag has been removed while awaiting a new secure unit with lockable doors.

Supporting documentation submitted

General Safety:

1. A photograph of the chairs removed from the playroom.

Acorns room

2. A photograph of a container of glue stored on a high-level shelving unit.
3. The statement is accepted as evidence.
4. Photographs of air conditioning units in place with the cables secured.
5. A photograph of a new sand/water table.
6. A photograph of the key to the office door stored on a high-level hook and the signage on the door as a reminder to lock the door.

Infection Control:

7. & 8. The statements have been accepted as evidence.
9. Photographs of the 2 replacement pedal bins.
10. The statement is accepted as evidence.

Summary Comment

The requirement for the regulation has been met.

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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 in-date certifications for First Aid Responder (FAR) training were furnished to the inspector to evidence that 9 adults attached to the service had completed (FAR) training.
- There was an adult with FAR training available at all times during the opening times in the service .

(2)

(a) The sufficiently equipped first aid boxes was stored at a high level out of the reach of children in each of the playrooms.

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

Part VII - Premises and Space Requirements

Regulation 30 - Minimum space requirements

(1) Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.

(4) Where a registered provider contemporaneously provides-

(a) a sessional pre-school service, and

(b) a full day care service or a part-time day care service, or both,

the minimum clear floor space applicable for the duration of the sessional preschool service in respect of the children attending that service shall be the floor space specified in paragraph (3).

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Compliance Information

(4) The children attending the Acorns room did have adequate clear floor space provided on the day of the inspection.

Non-Compliance Information

- (1)
- Adequate floor space was not provided for children's free movement and play in the Catkins room in the afternoon.
 - There were 17 children ranging in age from 2 years to 5 years attending the service on a part-time and full day care basis. Some of the children present had moved from the Acorns room. For the 17 children present in the room, the total floor space required at any one time is 39.95 square metres for children's free movement and play.
 - The room measurements on file were 30.7 square metres. Allowing 2.35 square metres free floor space for children aged 2 years to 5 years on a full day care basis, the room can accommodate 13 children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

A staff ratio and room spacing calculator was completed and templates completed to ensure that the service adheres to the room space requirements and staff ratios at all times throughout the day.

Supporting documentation submitted

The statement is accepted as evidence.

Summary Comment

The requirement for the regulation has been met.