

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2024WW001
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Name of Service:	R.O.S Early Years Ltd
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Address of Service:	1 Emporium, Lower Tinahask, Arklow, Co. Wicklow
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Eircode:	Y14 AD60
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Name of Registered Provider:	Amanda Spiteri
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	18/06/2026
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No of pre-school children:	AM	45	PM	42
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Address of the Early Years Inspectorate:	Tusla Child and Family Agency First Floor Trinity Building IDA Business Park Southern Cross Road Bray Co. Wicklow
Inspection undertaken by:	H. Bourke and S. Early O'Brien
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

This private childcare facility opened in 2024 and provides full day care for children aged one year to six years of age. The service consists of a purpose built two storey premises in the urban town of Arklow Co. Wicklow. There are four care rooms available between the ground floor and first floor of the service. A dedicated sleep room located in the Creche room; a staff room, office, washroom and a kitchen are also provided. There is small enclosed outdoor space to the side of premises.

Staffing

There are 17 full time members of staff, and 12 staff members were present on the day of inspection. Nine adults were working directly with the children. The manager was supernumerary and covered for break times and when extra help is required. The registered provider does not work directly with the children and was 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
- Discussion with relevant staff

This inspection was unannounced and focused on the area of governance/ health, welfare and development of child/ safety/ premises and facilities. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under

Regulation 9 Management and Recruitment.

Regulation 11 Staffing Levels.

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Regulation 19 Health, Welfare and Development of Child. (1)(b)

Regulation 23 Safeguarding Health, Safety and Welfare of child General Safety, Infection Control, Administration of Medication and Safe Sleep

Regulation 24 Checking in and out and Record of Attendance.

Regulation 25 First Aid.

Regulation 26 Fire Safety

However, on inspection additional non-compliance which posed a risk was identified under

Regulation 16 (i) -Record in relation to Pre-school service detail of staff rosters on a daily basis.

These findings are outlined within the relevant regulation within this report.

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.

Additional Information

An Immediate Action Notice was issued on the 18 June 2026 in relation to regulation 9 (2)(c) no Garda Vetting for two adults working in the service. The manager responded on the 19 June 2026 and the response was accepted by the inspectors.

Acknowledgments

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

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Part III – Management and Staff

Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

- (a) the service has a designated person in charge and a named person who is able to deputise as required,*
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and*
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.*

(2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,*
- (b) consideration of references from reputable sources in the case of a person who has no past employers,*
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and*
- (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.*

(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

Following a discussion with the deputy manager and inspecting the staff roster it was confirmed that 17 adults are employed in the service. The adults employed include the manager, deputy manager, and an afterschool adult who acted in a support role in all rooms. These files were reviewed.

(1)(a)

The deputy manager was present when the inspectors arrived and the manager arrived a short time later.

(b)

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The deputy manager was on the premises at the time of the arrival of the inspectors and remained on the premises for the duration of the inspection.

(2)(a)(b)

Written references were available in respect of 17 adults.

(c)

The required three-year Garda Vetting Disclosures were available for 15 adults.

(d)

International police vetting was available for four adults working in the service who had lived outside the jurisdiction for more than six consecutive months as an adult.

(4)

Sixteen staff members held a major award in Early Childhood Care and Education at Level 5 or higher on the National Framework of Qualifications.

Non-Compliance Information

(9)(1)(a)

While the deputy manager was present when the inspectors arrived at the service there was no adult to deputise if required.

(c)

At 11.15 am, upon arrival of the inspectors at the service there was no obvious clear management structure in place.

(2)(a)(b)

Of the 34 available references, only 33 were validated.

(c)

Of the 17 required Garda Vetting disclosures only 15 were available on the day of inspection. An immediate action notice was issued on the day.

(3)

- Five of the required 34 references referred to in paragraph (2) were validated after the adults had commenced working the service.
- Seven of the required Garda Vetting referred to in paragraph (2) were not acquired prior to the adult being appointed to the pre-school service.

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Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(9)(1) (a), (c)

All staff and persons in charge communicated throughout the building. We will use the rota and signage to communicate where all management staff are at all times during the day.

Photos of manager on duty will be clearly displayed. A designated manager is onsite at all times. The manager on duty is clearly identified on the staff rota, and their names and photos are displayed on the notice board for both parents and staff to ensure they can easily be identified if assistance is required. A new rota has been introduced to clearly identify which manager is on duty. Their photograph is displayed on the notice board for parents, staff and any authorised personnel.

(9) (2)(a), (b),

All References were also audited, action was taken and all validations were recorded signed and dated.

9 (2) (c), An Immediate Action Notice was issued, accepted and addressed by management. All Garda Vetting will be acquired before any employment commences.

(9) (3) points 1 and 2

An Immediate action notice was issued by the inspector onsite regarding the lack of vetting evidence provided and action was taken immediately. References were also audited, action was taken and all validations were recorded signed and dated. All new staff hired will require full complete vetting evidence before entering onsite where children are cared for, reference checks, validation and evidence provided upon the interview process and recorded as such.

Supporting documentation submitted

Photographic evidence of required Garda vetting's were submitted with the CAPA response.

Summary Comment

The above actions when implemented will address the non-compliances on the day of inspection in relation to regulation (9) (1),(2) & (3) and these will be reviewed on next inspection.

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Part III – Management and Staff

Regulation 11 - Staffing levels

(1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.

(2) Subject to paragraphs (4) and (5), a registered provider of a full day care service or a part-time day care service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 1 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) thereof at that reference number is satisfied.

Compliance Information

- (1)
Throughout the inspection there were an adequate number of adults working directly with the children attending the pre-school service.
- (2)
The correct adult/child ratio was maintained at all times. There were 12 adults employed to work directly with 45 children on the day of inspection.

Part IV – Information and Records

Regulation 16 – Record in relation to pre-school service

- (1) A registered provider shall ensure that a record in writing is kept of the following information in relation to the service:*
- (i) details of staff rosters on a daily basis;*

Non-Compliance Information

- (1)(i)
On the day of inspection, the staff roster did not reflect basic requirements as follows.
- There were no surnames of the adults working in the service.
 - No identification of the roles of each staff member.
 - No identification of how breaks and lunches were to be covered
 - No identification of who was trained in First Aid Response.

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Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1)(i)

We have implemented a new roster to communicate the following, staff members full name, role in their room, the manager in charge and also to indicate who has FAR and first aid training. This will be updated daily and weekly to ensure it is clearly understood by all staff.

Supporting documentation submitted

(1)(i)

Photographic evidence of a new staff rota, identifying all adults and roles within the service was submitted with the CAPA response.

Summary Comment

The non-compliance found on the day of inspection in relation to Regulation 16 (1) (i) has been addressed and will be reviewed on the next inspection

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)

The manager ensured that there were appropriate and suitable care practices in place within the pre-school. Children were given the opportunity for free play during the morning, and children's participation was encouraged in all activities throughout the day.

All the children have to opportunity to access the outdoor area during their day.

The transition between one activity and the next was smooth and unhurried, aided by the language used by the adults to the children. Positive reinforcement of children's behaviour contributed to a pleasant environment for the children in the service. One to one attention was given to a child when required, in addition, support was given to children so that they remained included in activities.

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The relationships between the adults and children reflected a sense of belonging, inclusion, connectedness and diversity.

There was a suitable cosy area in each pre-school room, with rugs, soft furnishings, cushions and books for children to use should they require it during their day.

Children's parents are spoken to on an individual basis at collection time.

Parents are encouraged to make direct contact with the pre-school, should they have any concerns or issues.

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 main door to the service was securely locked on arrival of the inspectors to the service.
- All toys examined were in good condition and equipment was suitable, age appropriate and in good working order.
- All cleaning products were stored safely out of the reach of children.
- The emergency exit route in each pre-school room was free from obstruction and clearly marked.

Infection Control:

- There were sanitary areas located in the pre-school service. There was warm running water at 30°C, liquid soap and paper towels available.
- A foot pedal bin was available in each sanitary area and in the pre-school rooms for the safe disposal of used paper towels and other waste matter.
- Table cleaning was observed before and after snack time.
- Hand washing by the adults and children was observed before snacks, after using the toilet and outdoor play.

Administration of Medication:

While no medication was administered on the day of inspection, there were records in place to demonstrate that medication has been correctly administered and recorded by staff in the pre-school.

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Safe Sleep:

The sleep needs of the children in the age group 1 to 2 years of age were child led but there was also a designated time for sleep after lunch. The older children slept in their care rooms and children requiring cots slept in the designated sleep room in the Creche room.

The service had an adequate number of cots to accommodate the age profile of the children who required cots for safe sleep and low-level beds to accommodate the children who no longer slept in cots.

All children were offered the opportunity to sleep during the day but were accommodated in their care room if they did not want to sleep. All shoes and heavy clothing were removed before children were put into their cots. Each care room had a cosy area for children to use who did not sleep during their day. Sleeping children's breathing, colour and position, were recorded and charted at 10-minute intervals was recorded in the Pre-Ecce room on the day of inspection.

Non-Compliance Information

General Safety:

1. On the day of inspection, the handle of the door to the Creche room was broken. There was a risk that children could exit the room as the door could not be closed properly.

Infection Control:

2. On the day of inspection, the cleaning sheet in the Creche room sanitary area had not been completed for the previous two days.
3. Extra beds and cots were being stored in Creche room sanitary area.
4. The general condition of the Pre-Ecce room, Creche room and the sleep room needed upgrading as they could not be effectively cleaned for infection control purposes.
5. There were residual tape marks on the tables of the Pre-Ecce room which prevented tables being cleaned effectively for infection control purposes.

Safe Sleep:

6. On the day of inspection, in the Creche sleep room, there was no recorded evidence of sleep checks being carried out between 12.10pm and 12.35pm.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety

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1. The door in the Creche room is fixed to ensure it is closing correctly. Risk assessments will be carried out daily and regular maintenance checks will be carried out throughout the building to ensure all areas remain safe. Any maintenance issues identified will be recorded and addressed properly.

Infection Control:

2. Further staff training was carried out with all staff to ensure they understand and consistently implement the services policies and procedures. Staff training will be implemented for new and existing staff and will be carried out regularly.
3. All beds have been moved to a secure storage room. All beds will remain in this designated hygienic area.
4. All rooms have been freshly painted. Painting will be carried out regularly by our maintenance team to ensure the upkeep of the service.
5. Residual tape has been removed from the table in the pre-ecce room. Ensuring that cleaning is carried out to the highest standard throughout the day.

Safe Sleep:

6. Ensuring all staff are aware of the safe sleep policy and procedures. Sleep policy will be displayed in all rooms where children sleep.

Supporting documentation submitted

General Safety:

1. photographic evidence of a repaired door handle was submitted with the CAPA response

Infection Control:

2. Click or tap here to enter text. A copy of the staff training policy was submitted with the CAPA response.
3. Photographic evidence of the new storage area for cots and cots stored in it was submitted with the CAPA response.
4. Photographic evidence of repainted rooms was submitted with the CAPA response.
5. Photographic evidence of cleaned surfaces with no residual marks present was submitted with the CAPA response.

Safe Sleep:

6. Photographic evidence of a sleep policy was submitted with the CAPA response.

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Summary Comment

The actions taken by the service, with the addition of the evidence submitted should address the non-compliances found on the day of inspection in relation to regulation 23, General Safety, Infection Control and Safe Sleep, and will be reviewed on next inspection

Part VI - Safety

Regulation 24 - Checking in and out and record of attendance

(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.

(3) A registered provider shall ensure that-

(a) no person other than-

(i) pre-school child attending the service,

(ii) a person dropping or collecting such a child,

(iii) an employee, or

(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and

(b) a daily record in writing is kept of the entry on the premises of any such person.

(4) A registered provider shall ensure that a record in writing referred to in paragraph (3)(b) is retained for a period of one year from the date to which it relates.

Compliance Information

(1)

The manager ensured that all children attending the pre-school were checked in and out on the service register.

(3)(a)(i-iv)

The manager ensured that no other person other than the agreed list of people had access to the pre-school.

(b)

The manager had a record in writing in the form of a visitors' book of all such persons who accessed the pre-school.

(4)

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The manager was able to demonstrate that the visitors' book was kept for a period of one year from the dates to which it relates.

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

(2)(a)

A suitably equipped first aid box was located in an accessible place within each pre-school room.

(b)

The first aid box was available to the children attending the service at all times

Non-Compliance Information

(1)

While it is acknowledged that on the day of inspection, during part of the day, a person trained in FAR (First Aid Response) was present in the service, there was no suitably trained FAR (First Aid Response) adult available at all times to the children attending the service on that day.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

FAR training was carried out with three adults in the service. All staff files were reviewed and training was booked. FAR training was completed. Trained staff are on roster at all times opening and closing the service.

Supporting documentation submitted

Photographic evidence of completed FAR training was submitted with the CAPA response

Summary Comment

The evidence received has addressed the non-compliance found on the day of inspection in relation to Regulation 25 (1) and will be reviewed on next inspection.

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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 firefighting equipment and smoke alarms in the premises.
- (2) The record referred to in paragraph (1) shall be open to inspection by-
- (c) an authorised person.
- (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)(a)

There was a record of fire drills having taken place in the pre-school service. The last recorded fire drill was the 24 April 2026.

(b)

There was a maintenance record for firefighting equipment and smoke detectors on the premises dated May 2026.

(2)(c)

The above records referred to in paragraph (1) were open to inspection by an authorised person.

(4)

There was a notice of what procedures should be followed in the event of an emergency, displayed in each pre-school room.