

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015CC037
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<b>Name of Service:</b>	Ballyellis Childcare T/A Quality Childcare
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<b>Address of Service:</b>	Valley Walk, College Wood, Mallow, Co Cork
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<b>Eircode:</b>	P51 YK72
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<b>Name of Registered Provider:</b>	Sandra Relihan
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date of Inspection:</b>	03/07/2025
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<b>No of pre-school children:</b>	AM	40	PM	42
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<b>Address of the Early Years Inspectorate:</b>	Tusla Early Years Inspectorate, 13 Market Square, Mallow, Co Cork, P51 DD5Y
<b>Inspection undertaken by:</b>	N O'Donoghue & J Dennehy
<b>Title:</b>	Early Years Inspector & Inspection Registration Manager

### 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).

<b>Conditions if applicable</b>	N/A
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### Description of service

Ballyellis Childcare T/A Quality Childcare offers early years care and education to children on a full-time, part-time and sessional basis. While registered to accommodate children from 0 to 6 years of age, the service is currently catering for children aged 12 months to 6 years. The service is registered to operate from 07:30 to 18:30, however is currently operating from 07:30 to 18:00. A breakfast club is available in the morning from 07:30 until 09:00 and the afterschool club is open from 13:00 to 18:00. The outdoor play areas are located at the back of the service and are accessible from the ground floor care rooms. There are six care rooms in total in the service, however during the summer months, five care rooms were in operation which included school age care.

The service is located in a residential housing estate on the outskirts of the urban area of Mallow town in Co Cork. There is an office, professional kitchen, staff room, adult and children's toilets, two nappy changing rooms and three dedicated sleep rooms.

### Staffing

There were 24 staff employed on day of inspection including the person in charge, deputy person in charge, one cook and one cleaner. The registered provider does not work directly in the service.

### 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 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

This information was triggered by information received by the Early Years Inspectorate.

### Acknowledgments

The inspectors wish to acknowledge the cooperation of the person in charge, deputy manager, 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*
- (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.*

*(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, including in relation to the following:*

- (a) the policies, procedures and statements of the service specified in Schedule 5;*

### Compliance Information

- (1)
- (a) The service had a designated person in charge and a deputy person in charge on the premises. In the event the person in charge or deputy person in charge were not on the premises a named person able to deputise was available. This information was outlined on staff rosters.
  - (b) A person in charge or named deputy person in charge were on the premises at all times during the operation of the service. This was evident from reviewing the staff roster from the previous four weeks.
  - (c) There was a clearly identified management structure in the service. This included person in charge, deputy person in charge, room leaders and early years educators.
- (2) Four adults had commenced employment at the service since the previous inspection on 4<sup>th</sup> February 2025. Recruitment records in respect of these adults were therefore examined.

- (a) Of the eight written and validated references, eight were available from previous employers.
- (b) Of the eight written and validated references, none were required from a source other than a previous employer.
- (c) Garda vetting disclosures were in place for the four 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 deemed to be required for one of the adults working in the service and copies of the relevant documents were maintained on file.
- (3) The person in charge ensured all necessary requirements under paragraph 2 were completed in relation to the four adults before being assigned to work directly with the children.
- (4) All four staff held relevant qualifications 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.
- (7)
- (a) During discussion with the person in charge, deputy person in charge and early years educators, the inspector was assured that each staff member obtained a copy of all policies, procedures and statements prior to their employment. The person in charge also stated that policies, procedures and statements were updated and discussed at team meetings and at staff support and supervision sessions. Staff team meetings were held quarterly after the working day. Staff support and supervision sessions were carried out every few weeks. This was an individual session and an appraisal, where staff members could discuss their work updates in a safe environment with management.

### Part III – Management and Staff

#### Regulation 10 - Policies, procedures etc. of pre-school service

*A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.*

#### Compliance Information

The following policies, procedures and statements were reviewed and contained all necessary information.

- Statement of purpose and function
- Complaints policy
- Policy on managing behaviour
- Accident and incidents policy
- Outdoor play policy
- Risk management policy
- Staff training policy

#### Non-Compliance Information

The staff recruitment policy did not outline how recruitment records would be stored and how long the records would be retained. This posed a potential risk that the appropriate recruitment records may not have been available to review when required.

#### Corrective & Preventive Action submitted by the Registered Provider

##### Corrective and Preventive Action

Person in charge ensured the recruitment policy was updated and contained the relevant and updated information to include retention periods of records. This will be reviewed regularly by management.

##### Supporting documentation submitted

Person in charge submitted the updated policy to the Early Years Inspectorate.

#### Summary Comment

The corrective actions implemented by the registered provider has addressed the non-compliances identified under Regulation 10.

### 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.*

*(3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 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) therefore 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) There was an adequate number of adults working directly with the children at all times.

(3) On the day of inspection, the adult to child ratios were in adherence to the requirements of the regulation.

- In the Baby room in the morning, there were 2 staff working with 5 babies aged between 12 months and 18 months of age, all attending full day care. In the afternoon, there were 2 staff working with 5 babies.
- In the Toddler room in the morning, there were 3 staff working with 12 children aged between 18 months and 2 years and 8 months, all attending full day care. In the afternoon there were 3 staff working with 13 children.
- In the Pre-Montessori 1 room in the morning, there were 2 staff working with 10 children aged between 2 years and 8 months to 5 years, all attending full day care. In the afternoon, there were 2 staff working with 5 children.
- In the Pre-Montessori 2 room in the morning, there were 2 staff working with 13 children aged between 3 years and 5 years, all attending full day care. In the afternoon, there were 2 staff working with 13 children.
- The Preschool room operated with school age children in the morning on the day of inspection. In the afternoon, a mix of early years children and school age children were in the Preschool room. In the

afternoon, there were 2 staff working with 11 children in total, 5 of these were school age children and 6 of these were early years children aged between 3 years and 5 years, all attending full day care.

(8)

(a) Review of the staff roster from the four weeks preceding the inspection and observation on the day demonstrated that the service was consistently operated with at least two adults present.

### 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:*

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;*
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;*
- (c) details of the adult:child ratios in the service;*
- (d) the type of care or programme provided in the service;*
- (e) the facilities available;*
- (f) the opening hours and fees;*
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*
- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

*(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.*

### Compliance Information

- (1)
- (a) The name, position, qualifications and experience of the registered provider, person in charge, deputy person in charge, room leaders and early years educators were observed to be kept in the staff recruitment files.
- (b) Details of the class of service and age profile of the children for which the service was registered to provide for were available in the statement of purpose and function.
- (c) (d) (e) (f) The details of the adult child ratios, type of care available, facilities available and opening hours and fees were kept in the statement of purpose and function.
- (g) The services policies, procedures and statements for Regulation 10 were stored in the office. Staff members also held an electronic copy.
- (h) The details of attendance of each pre-school child were recorded on the services mobile application device in each room.
- (i) The staff rosters were stored in the office and detailed any changes/absences/sickness.
- (j) A sample of five medication forms were reviewed in the Baby room, all were fully completed with the staff member, witness and parent/guardian signatures.
- (3) All records required by the department were furnished by the person in charge and deputy person in charge to the early years inspectors.

### Non-Compliance Information

- (k) In Pre-Montessori 1 there were 26 incident and accident records reviewed from the 14<sup>th</sup> of February 2025 and 4 were not signed by a parent or guardian. This poses a potential safety risk that parents or guardians were not made aware that an incident or accident had taken place within the service to ensure adequate follow up care was provided to the child.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

The service ensured the four accident and incident forms were signed by parents. Staff were reminded to ensure parents signatures were received and the accident and incident policy was reviewed by staff.

#### Supporting documentation submitted

The four accident and incident forms were forwarded to the Early Years Inspectorate.

### Summary Comment

The corrective actions implemented by the registered provider has addressed the non-compliances identified under Regulation 16.

## 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

(2) A registered provider shall ensure that no corporal punishment is inflicted on a pre-school child whilst attending the service.

(3) A registered provider shall ensure that no practices that are disrespectful, degrading, exploitive, intimidating, emotionally or physically harmful or neglectful are carried out in respect of a pre-school child whilst attending the service.

#### Compliance Information

(1)(a) On the day of inspection, the following information was obtained through:

- Direct observation and discussion with staff
- Examination of relevant documentation.

#### Basic needs:

- Staff were observed sitting on the floor with the babies, engaging with play using wooden blocks and shapes.
- Staff were observant of children's needs and would identify quickly what was required to support children's wellbeing. This was observed when a baby was upset, and the staff member knew the baby wanted a specific toy. In Pre-Montessori 1 staff were attentive and sensitive when responding to a child who did not want to participate in snack time. The staff members explored the child's feelings with them and offered the child alternative solutions in line with their behaviour management policy.
- Staff applied suncream to children regularly throughout the day and ensured children were wearing appropriate clothing such as sun hats.

- Children had access to their individual, labelled water bottles throughout the day. These were also brought outdoors during outdoor play.
- The service provided hot meals to children attending full day care. Breakfast, dinner and afternoon snacks were prepared onsite by the chef. Additional snacks were also available if children required it.
- Nappy changes were completed at regular intervals and as required. Staff engaged in meaningful conversation during nappy changes, singing songs and giving the child their one-to-one attention.
- Each room had a rest area which children availed of. This consisted of cushions and couches.
- The staff ensured that all children were brought outdoors twice daily, and this was recorded by each room.

### Supporting relationships:

- The service operates a key-worker system. The staff in the Baby room advised that named staff members were assigned the responsibility of creating close relationships with a designated group of children and their parents. This was identified through discussion with the staff and observations shown to the inspector.
- Settling in and transitions were made as smooth as possible within the service. The staff in the Baby room were settling in a new baby and communicated positively with the baby using soft and gentle tones, offering reassurance by sitting near them on the floor as they explored.
- Staff and parents worked in partnership within the service. The service used a software mobile application to provide information to parents in relation to updates on eating, nappy changing, activities and sleep.

(2) The person in charge ensured that no corporal punishment was inflicted on a child whilst attending the service. The staff spoke gently to the children, coming down to their level and comforting them as was needed. The staff spoke of promoting children's positive behaviour, sitting with the children, talking about their feelings, use of kind words and assisting them in resolving conflicts suitable for their age and stage of development.

(3) The inspectors did not observe any practices that were disrespectful, degrading, exploitive, intimidating, emotionally or physically harmful or neglectful towards the children in the service. The staff spoke of practices in the service that were prohibited and positive behaviour management strategies.

### Part VI - Safety

#### Regulation 23 - Safeguarding health, safety and welfare of child

*A registered provider shall ensure that all reasonable measures are taken to safeguard the health, safety and welfare of a pre-school child attending the service and that the environment of the service is safe.*

#### Compliance Information

##### General safety:

- The entrance door to the service was secured to prevent unauthorised access by a person or the unsupervised exit of a child.
- The stairs were fitted with safety gates at both the top and bottom of the stairs.
- The stairs were adequately lit and were fitted with handrails at both the child's height and the adults.
- Flexes and cables were stored out of reach of the children in all care rooms and sleep rooms.
- All six highchairs in use in the Baby room were fitted with safety harnesses.
- Storage rooms upstairs were all fitted with a sliding lock up high out of reach of children, preventing access by children.
- Toys and equipment were observed to be in good condition.
- The outdoor area was maintained in a good and safe condition.
- The outdoor play areas were secured by concrete block walls, fencing and gates ensuring that unauthorised persons could not access or enter the area or that the children could not exit the areas unsupervised.

##### Infection control:

- Staff wore shoe covers when gaining access to the Baby room.
- Handwashing routines were observed frequently throughout the day of inspection.
- Children's hands were observed to be washed after nappy changing.
- In the Baby room, staff wiped down surfaces after play time, prior and after mealtimes.

##### Administration of medication:

- Medication is stored in each room. Staff were aware of medication available and how to administer the medication in the event of emergency.
- Staff advised the inspector on the process of filling in administration of medication forms and where they are stored on the mobile application device.

##### Safe sleep:

- Staff in the Baby room were observed conducting 10 minute sleep checks on their mobile application device. Staff checked for position, colour and breathing.
- There were eight cots in the Baby sleep room, each child was allocated an individual cot. In the Toddler room there was a designated sleep room that contained eight cots. Four children were accommodated on floor beds in the main care room during the toddlers designated sleep time.
- All cots were fitted with waterproof mattress protectors.

### Fire safety:

- Fire exits were clear of obstruction.
- Fire equipment was observed on both the ground floor and the upper floor of the service.

### Non-Compliance Information

#### General safety:

1. It was observed on day of inspection that four wooden panels were missing off the steps in the stairway. This posed a risk of tripping or falling to adults and children in the service.
2. There was a tall unstable pile of toys in the hallway adjacent to the sleep room near the Baby room on the upper floor. This posed a risk of injury to children using the hallway as items could have toppled over.
3. There was a high press not securely anchored to the wall in the Baby room. Babies were observed playing alongside this press and pulling themselves up to a standing position using the support of the press. This posed a risk of injury to the babies if the press were to topple over.

#### Infection control:

4. The staff did not support the children to wash their hands prior to dinner time in the Toddler room. This posed a risk of cross infection for the children and was also not in line with the service's handwashing policy.
5. The changing mat in the nappy changing area located near the toddler room was ripped and therefore could not be effectively cleaned which posed a risk of infection to the children.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### General safety:

1. The service has ensured the wooden panels would be replaced by the maintenance worker and daily risk assessments would be completed.
2. The pile of toys have been removed and placed into additional storage in the service. Daily risk assessment to include hallways remain clear in the future.

3. The maintenance worker will secure the press to the wall. Staff will ensure to check all high shelving is secured to the wall.

**Infection control:**

4. Staff have reviewed the infection control policy and ensure handwashing is in the daily routine of the service.
5. New changing mats have been purchased, and regular staff checks on the mat will be conducted.

**Supporting documentation submitted**

**General safety:**

1. Photographic evidence of the receipt for materials purchased to replace panels was submitted.
2. Photographic evidence of the cleared hallway was received by the Early Years Inspectorate.
3. Photographic evidence of receipt for equipment to secure unit to wall was submitted.

**Infection control:**

4. The infection control policy was received by the Early Years Inspectorate.
5. Photographic evidence of receipt of purchase of new changing mats was submitted.

**Summary Comment**

The corrective actions implemented by the registered provider has addressed the non-compliances identified under Regulation 23.

**Part VIII - Notifications and Complaints**

**Regulation 32 – Complaints**

- (1) A registered provider shall ensure that the complaints policy of the service specifies-
- (a) the procedure to be followed by a person for the purposes of making a complaint in relation to the service,
  - (b) the manner in which such a complaint shall be dealt with, and
  - (c) the procedures for keeping a person who makes such a complaint informed of the manner in which it is being dealt with.
- (2) A registered provider shall ensure that-
- (a) a record in writing is kept of a complaint made to the provider in respect of the pre-school service, and
  - (b) the complaint is duly dealt with in accordance with the provider's complaints policy.
- (3) A record in writing referred to in paragraph (2)(a) shall-
- (a) include the nature of the complaint and the manner in which the complaint was dealt with, and

*(b) be open to inspection on the premises by an authorised person.*

*(4) A registered provider shall ensure that a record in writing referred to in paragraph (2)(a) is retained for a period of 2 years from the date on which the complaint has been dealt with.*

## Compliance Information

(1) The complaints policy was reviewed on day of inspection.

- (a) The service's complaints policy included the procedure for reporting a complaint informally and formally.
- (b) The policy also included the procedure in which complaints are dealt with. This included an appeals process.
- (c) The complaints policy detailed how the person making the complaint is kept up to date with the procedure.

(2)

- (a) The service ensured that historical complaints are stored on site.
- (b) The service ensured that the complaints policy and procedure was adhered to.

(3)

- (a) Information and investigations on the complaint outcome is securely stored on site.
- (b) Records in relation to previous complaints were furnished to the inspectors.

(4) Records of historical complaints were stored from the past two years.

## Part IX - Inspection and Enforcement

### Regulation 33 – Furnishing of information to agency

*A registered provider shall furnish the Agency with such information as the Agency may reasonably require for the purpose of enforcing and executing these Regulations and the information shall be in such form, if any, as may be specified by the Agency.*

#### Compliance Information

The service furnished the inspectors with any information that was deemed relevant to assess compliance with regulations during the inspection.