

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CC042
--------------------------	-------------

Name of Service:	Ballyhea Childcare Ltd.
-------------------------	-------------------------

Address of Service:	Ballycoskery, Ballyhea, Co. Cork
----------------------------	----------------------------------

Eircode:	P56 WR50
-----------------	----------

Name of Registered Provider:	Lorraine Fitzgibbon
-------------------------------------	---------------------

Service type:	Sessional
----------------------	-----------

Date(s) of Inspection:	19/09/2025
-------------------------------	------------

No of pre-school children:	AM	18	PM	6
-----------------------------------	----	----	----	---

Address of the Early Years Inspectorate:	Second Floor, Estuary House, Henry Street, Limerick.
---	--

Inspection undertaken by:	F Collins
----------------------------------	-----------

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).

Conditions if applicable	Not applicable
---------------------------------	----------------

Description of service

Ballyhea Childcare Ltd. is a sessional service located in a purpose-built unit which is situated on the grounds of Ballyhea National School in the rural area of Ballyhea in County Cork.

The service operates two sessional services daily to children between the ages of two and six years and the service is open for 38 weeks of the year.

The premises consists of two care rooms, a large room and quiet room. In addition to this there is a large lobby area that is used for storing coats and for the fridge. There are adult and children's toilet facilities, a storeroom a kitchenette and an office.

The outdoor areas are located at both sides of the service and car parking is provided to the front of the service. The service is secured by high fencing with a keypad electromagnetic lock on the external gate to ensure the safety of the children.

Staffing

There were four staff present on the day of inspection working with the children. Three staff working in the morning and two staff in the afternoon. The registered provider is not a member of the staff and is a member of the voluntary committee that operates 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/ premises and facilities. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under the following regulations:

Regulation 9 (1) (2) (4)

Regulation 10,

Regulation 11 (1) (2)

Regulation 16 (1) (k)

Regulation 19 (1)(a)

Regulation 23,

Regulation 25 (1),

Regulation 26 (1) (2) (4)

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

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

Acknowledgments

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

Part III – Management and Staff

Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

- (a) the service has a designated person in charge and a named person who is able to deputise as required,
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and
- (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.

(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) There was a person in charge and a named deputy person in charge in the service. Both staff were named and a notice on the parent notice board was also visible to all identifying the roles of the staff. The person in charge was in the service when the inspector arrived and remained in the service for the duration of the inspection.
- (b) The person in charge was on the premises at all times throughout the inspection and was in charge during the operation of both sessions.
- (c) There was a clear structure of each staff members role within the service and staff knew their roles.
- (2) There were four staff employed in the service. All four staff files were assessed.

(a) Eight references were required and seven of these references were available from past employers and were appropriately validated as required.

(b) No reference was available from any other source.

(c) Garda Vetting was available for all four staff; these vetting's had been updated within the last three years in keeping with the Tusla regulatory notice requiring services to renew Garda vetting every three years.

(d) Not applicable as no staff member had resided outside of Ireland in any one country for longer than six consecutive months.

(4) All four staff were appropriately qualified between Level 5 and Level 6 on the National Qualifications Framework. Additionally, one staff member had obtained the Leadership for Inclusion Level 6 special award.

Non-Compliance Information

(2) (a) / (b) A reference for one staff member was not available on file. This was not in adherence with the services policy on the recruitment of staff to the service which stated staff would be reference checked prior to starting in the service. Not adequately referencing staff may allow staff that have are not suitable have access to children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2) (a) A reference from a past employer has been received and has been validated. The person in charge has committed to ensuring that all staff will be appropriately vetted inclusive of references before they commence in the service.

Supporting documentation submitted

(2) (a) A copy of the reference has been received.

Summary Comment

The requirements for this regulation have been met following the corrective and preventive action process.

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 were available and reviewed:

The recruitment policy,

The accidents and incidents policy which was part of the Safety and Fire prevention policy.

Non-Compliance Information

1. The accidents and incidents policy did not indicate what measures would be taken in the service to prevent accidents and incidents. The policy also did not indicate what information would be recorded, documented and stored regarding any accident or incident that occurred in the service.
2. The recruitment policy was incomplete and did not indicate best practice when obtaining references or processing them to ensure the service is satisfied that the person being recruited is suitable. The policy also did not outline that all reference checking and Garda/police vetting would be completed before the staff members commenced in the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. The accidents and incidents policy has been updated.
2. The recruitment policy has been updated.

Supporting documentation submitted

A copy of both policies has been received.

Summary Comment

Following the corrective and preventive action process the requirements for this regulation have been met.

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.

Compliance Information

- (1) The person in charge ensured that there were adequate staff working in the service at all times to meet the needs of the children in attendance.
- (3) The registered provider ensured that the minimum ratio of adults to children was maintained. There were three adults working directly with eighteen children attending the sessional service on the morning of inspection and two staff working directly with the six children attending the afternoon session.

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:
- (k) details of any accident, injury or incident involving a pre-school child attending the service.

Compliance Information

- (1) (k) The accident and incident forms completed since the last inspection were reviewed. There were three forms to review. Of the three forms assessed one was completed fully with the names and dates, the description of the incident, and the signatures of the parents/guardians and the staff.

Non-Compliance Information

- (1) (k) Two of the three accident and incident reports reviewed were not completed fully with no parent/guardian signature indicating that the report had been reviewed by them. There was a written note to state the parent/guardian had been informed. Accurate records are required to ensure parents are informed of any incident or accident that occurs in the service to enable them to provide continuous care at home.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1) (k) The accident and incident reports have been updated, and both have been signed by parents/guardians. A commitment has been received that all paperwork will be completed in a timely manner.

Supporting documentation submitted

(1) (k) A copy of both forms has been received, and parent/guardian signatures are included.

Summary Comment

The requirements for this regulation have been met.

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

Compliance Information

Basic Needs:

- The service promoted healthy eating, and the children ate their snack together. Staff assisted the children with opening the packaging and lunch boxes as needed.
- No child in the service required nappy changing on the day of inspection. Children were able to go to the toilet independently, and any child who required assistance with hand washing was supported with same.
- Sleep was not provided for in the service and children were not observed to ask for a rest. A rest area was available to the children who required time away from the busy playroom in the quiet room in the tent.
- Children were allowed to choose their activities inclusive of art activities, tabletop activities and activities that allowed for imaginary play by using the kitchen and having access to water play activities and painting activities. The staff moved about to support the children but allowed them to choose and play with whom and what they wished.
- The children's mobility was not hindered, and the children could move about freely.
- A child who required additional assistance was provided with support as needed and an access and inclusion plan was in place to guide the staff as required.

Supporting Relationships Around Children

- The children were noted to be familiar with the adults who worked in the service daily and the children were comfortable with them and sought out their assistance as required.
- The adults were relaxed when speaking with the children and there were no raised voices noted during the inspection.
- The staff team appeared to work well together.
- Staff operated in partnership with parents as demonstrated with the conversation at drop off and collection and when scheduling meetings with them as needed.

Physical And Material Environment:

- The indoor environment consisted of two care rooms, the larger playroom and the quieter play area. The playroom had child height tables and chairs where the children were observed to eat and do their arts and crafts and other tabletop activities. There were open shelving units that were accessible to the children and at their height which allowed the children to be independent in their activities. Benches where toys were set up circled the room and this afforded each child to play while standing if that was their choice.
- There was a supply of varied equipment such as arts and crafts, Montessori equipment and shape sorters as an example for fine motor development, imaginary games with kitchens and dress up clothes.
- In the room the children had access to the quieter area, a couch and to books should they require a rest or wish to opt out of activities.
- The service demonstrated a language rich environment with stories being told, and children being spoken to in small groups and individually.
- The materials and equipment were easily accessible to the children and the artwork previously completed by the children was displayed in the service.

The Outdoor Environment:

The outdoor environment was developed at both ends of the premises and was secured by a gate and fence. The area nearest the school was concrete and used for water and sand play. There were waist height trays accessible to the children. The area to the back was partially covered and allowed for outdoor play in wet weather. The surface was soft matting and there was opportunity to ride bikes and sit in cars, use slides and sit at tables and chairs.

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 service was secured by a high gate to the front which was secured by electromagnetic lock. This prevented children accessing the road and prevented unauthorised access to the service.
- The main door into the service was secured with an appropriate lock. This prevented unauthorised exit by any of the children to the yard which may not be supervised.
- The windows were at a height that could not be reached by the children.
- There was no staircase in the service.
- All toys and equipment observed on the day of inspection were in good condition and free from any pinch or crush points.
- There was no heavy furniture at a height that could tip over on to the children observed.
- The storage facilities were inaccessible to the children.
- There were no hot drinks consumed in the service.

Infection Control:

- The children were observed to wash their hands after playing with paint, water play activities, before snack time and after using the toilet.
- The paper towels used following hand washing were disposed of in lidded bins that were pedal operated.
- There was hot water accessible in all of the sinks that was thermostatically controlled. The hot water in the children's toilets was recorded at 34.9°C. in the care room was recorded at 30.1°C. There was liquid hand soap and paper towels available at all sinks.
- The snacks provided to the service were stored in the fridge following arrival and before snack time preventing the growth of bacteria on perishable items.
- The tables where the children were eating were cleaned with appropriate disinfectant prior to the children having their snack.
- School bags were stored off the ground on hooks in the lobby area.

Administration of Medication:

- No medication was administered on the day of inspection.

Fire Safety:

- The fire exit doors were unobstructed throughout the inspection. Tables were an adequate distance away from the doors so as not to block it.
- The firefighting equipment was safely tethered to the wall.

Non-Compliance Information

General Safety:

1. The electric flexes observed behind the desk area and attached to the printer were accessible to the children and posed a safety risk should the children access them and pull down the printer or entangle themselves in the wires.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The electric flexes have been secured behind the printer and are no longer accessible.

Supporting documentation submitted

General Safety:

1. A photograph of the flexes secured behind the printer has been received.

Summary Comment

The requirement for this regulation has been met.

Part VI - Safety

Regulation 25 - First aid

(1) A registered provider shall ensure that a person trained in first aid for children is, at all times, immediately available to the children attending the pre-school service.

(2) A registered provider shall ensure that a suitably equipped first aid box for children-
(a) is safely stored in an easily accessible and conspicuous position on the premises, and
(b) is available to the children attending the pre-school service at all times.

Compliance Information

- (1) There were three staff trained in first aid responder (FAR) who were immediately available to the children should the need arise.
- (2) (a) The first aid box was on the shelving unit in the main care room; there were sufficient supplies available.

(b) The first aid box was immediately accessible to the staff in the event it was required.

Part VI - Safety

Regulation 26 - Fire safety measures

(1) A registered provider shall ensure that a record in writing is kept of-

(a) any fire drill that takes place in the premises, and

(b) the number, type and maintenance record of fire fighting equipment and smoke alarms in the premises.

(4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.

Compliance Information

(1) (a) The fire drills that took place in the service were all recorded, and the last fire drill took place on the 06.05.2024.

(b) The smoke detection system was last serviced in 10/07/2025.

(4) The procedure to follow in the event of a fire was displayed near the exit door.

Non-Compliance Information

(1) (a) The fire drills were not completed monthly; no evidence of a fire drill being completed in the month of June 2025 was available. Not completing fire drills monthly may allow children not to be familiar with the process and not be able to evacuate effectively in the event of a fire.

(b) The firefighting equipment (Fire extinguishers) were last serviced in July 2023. The firefighting equipment were not serviced on an annual basis as required. This may hinder their function in the event of a fire.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(a) Fire drills are completed monthly and evidence of the drills completed in September and October have been received. A plan is in place to complete fire drills monthly.

(b) The firefighting equipment has been serviced (October 2025) and the service has entered into a contract with the service company to ensure the equipment is serviced annually.

Supporting documentation submitted

(1) (a) A copy of the fire drills completed has been received.

(b) A copy of the certificate for the servicing of the fire fighting equipment has been received.

Early Years Inspectorate Regulatory Report Pre School

Summary Comment

The requirements for this regulation have been met following the corrective and preventive action process.