

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CC310
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Name of Service:	Nurture Childcare Fairylawn
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Address of Service:	Fairy Lawn, Western Road, Cork
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Eircode:	T12 KP94
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Name of Registered Provider:	Ciara Gallagher
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Service type:	Full Day, Part Time, Sessional
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Date(s) of Inspection:	19/03/2025
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No of pre-school children:	AM	73	PM	N/A
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Address of the Early Years Inspectorate:	13 Market Square Mallow Co Cork P51 DD5Y
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Inspection undertaken by:	J Dennehy & J Russell
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Title:	Inspection and Registration Managers
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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	N/A
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Description of service

Nurture Childcare Fairylawn is a privately owned full day care service that also provides part time and sessional care. It is registered to accommodate children aged 0 to 6 years. It also provides the Early Childhood Care and Education (ECCE) scheme. Daily opening hours are from 8:00 to 18:00 each day, Monday to Friday. There is also a school age service onsite. The service is located in close proximity to Cork city centre. The large three-story building offers seven care rooms that cater for children attending the early learning and care service. There is also an entrance hall with a reception desk, two separate sleep rooms, nappy and changing facilities, lobbies, staff room, a catering kitchen and laundry. Some of the playrooms have direct access to one of the three outdoor areas available. There is parking available at the front of the building to facilitate collection and drop off.

Staffing

There are 26 adults employed in this service of whom 24 work directly with the early years children and hold relevant awards in Early Childhood Care and Education. The registered provider is not involved in the direct care of the children. The service has named two designated persons in charge, a named deputy and a cook.

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.

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 inspectors wish to acknowledge the cooperation of the registered provider, persons 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.

(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

(1)

(a) The service had two designated persons in charge and a named person who was able to deputise if needed.

(b) The designated persons in charge and the named person were on the premises for the duration of the inspection. The registered provider arrived during the inspection.

(c) There was a clear management structure in the service and all staff were aware of their roles and responsibilities.

(2) The staff files for 12 adults employed in the service were the subject of inspection, along with reviewing 6 staff files for Garda Vetting only. The remainder of the staff files were reviewed on the last inspection.

(a) Of the 24 required references, 17 were from the previous employers with the required validations on file.

(b) Of the 24 required references, 7 were from a reputable source with the required validations on file.

(c) Garda vetting disclosures had been obtained and were on file for each of the 12 adults whose file was assessed and had been updated for 6 further staff within the service. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years.

(d) For the 12 staff whose files were assessed, 7 required police vetting from a state outside of Ireland and this was available and translated as required.

(4) Records demonstrated that the adults involved in the direct care and supervision of the children had achieved at least a major award in Early Childhood Care and Education, Level 5.

Non-Compliance Information

(3) The service did not complete the required checks before appointing two people. References were considered only after they had commenced duties, posing a potential safeguarding risk to children by possibly allowing unsuitable adults access to children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider updated the recruitment risk assessment form to ensure that all required documentation required in staff files is reviewed by two members of the management team.

Supporting documentation submitted

Recruitment risk assessment form.

Summary Comment

The inspectors have reviewed the actions and documentation submitted. The non-compliance identified under Regulation 9(3) has been adequately addressed.

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 reviewed and found to contain the necessary requirements.:

- Inclusion Policy,
- Policy on Healthy Eating
- Recruitment Policy

Non-Compliance Information

The policy on outdoor play did not outline procedures for carrying out risk assessments or set the safety requirements when children are engaging in outdoor play. This posed a possible safety risk to children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The service updated their policy on outdoor play to include reference to the completion of a daily risk assessment to be completed before children engaged in outdoor play.

Supporting documentation submitted

Supervision of children – indoors and outdoors policy.

Risk assessment- Outdoor area daily checklist.

Summary Comment

The inspectors have reviewed the actions and documentation submitted. The non-compliance identified under Regulation 10 has been adequately addressed.

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.

(4) Subject to paragraph (5), where a registered provider contemporaneously provides-

(b) a full day care service or a part-time day care service, or both, the minimum ratio of adults to children applicable for the duration of the sessional pre-school service in respect of the children attending that service shall be the ratio specified in paragraph (3).

(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) At the time of inspection, there was always an adequate number of adults responsible for the direct care and supervision of the children in attendance.

(2) The adult to child ratios were reviewed in the morning and were maintained appropriately throughout the service. The ratios were as follows:

- There were 3 staff in the Baby Room with 6 children aged between 8 months and 15 months.
- There were 3 staff in Wobbler Room with 2 children aged between 13 months and 2 years.
- There were 2 staff in Pre-Toddler Room with 8 children aged between 2 years and 2 years 7 months.
- There were 3 staff in Toddler Room/ Classroom 1 with 14 children aged between 2 years 8 months and 3 5 years.
- There were 3 staff in Classroom 2 with 16 children aged 2 years 8 months to 5.5 years.
- There was 1 staff in Classroom 3 with 9 children aged 2 years 8 months to 5.5 years.
- There were 2 staff in Classroom 4 with 18 children aged 2 years 8 months to 5.5 years.

- (4)
- (b) The service maintained the required adult to child ratios of 1:8 for children aged 3 to 6 years and 1:6 for children aged 2 to 3 years where applicable when the sessional service finished.
- (8)
- (a) The service had at least two staff present at all times while the service was in the operation as was determined by reviewing the previous rosters available within the service.

Part IV – Information and Records

Regulation 15 – Record of pre-school child

(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:

- (a) the name and date of birth of the child;*
- (b) the date on which the child first attended the service;*
- (c) the date on which the child ceased to attend the service;*
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
- (e) authorisation for the collection of the child;*
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
- (g) the name and telephone number of the child's registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.*

Compliance Information

A sample of 10 registration forms of the children enrolled at the service were reviewed, as part of the inspection process.

(1) The required information, as detailed under parts (a) to (i) of this regulation, were maintained in writing in respect of each child attending the service.

Part IV – Information and Records

Regulation 17 – Information for parents

A registered provider shall ensure that a parent or guardian of a child proposing to attend the service is provided with the information referred to in subparagraphs (a) to (g) of Regulation 16(1).

Compliance Information

The service shared all information as referred to in subparagraphs (a) to (g) of Regulation 16(1). Staff stated the service shared information in a variety of different ways with parents from the provision of a parent’s handbook, website, internal displays within the setting and through an electronic application specifically designed for childcare. The parents handbook gave a brief overview of all required policies within the service as well as providing information of how additional information could be obtained.

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 care rooms within the service were spacious and gave children room to move around freely and explore their environment. In the Pre-Toddler Room and Toddler/Classroom 1, children were facilitated to move freely from the indoor to the outdoor environment as they wanted.
- The service promoted healthy eating, regular food and snacks were provided throughout the day. The food provided was varied and nutritious. Additional food was available if required. All food was prepared onsite by the cook.
- Children’s dietary requirements were adhered to and this was clearly communicated to staff members.
- Nappy changing was carried out at regular intervals and as required. Interactions during this process were observed to be warm and caring towards the children.
- Children’s toilets were accessible from each care room, this allowed the children to use the toilet as they needed and seek assistance if required.

- The children's need for sleep and rest was facilitated at set periods within the care routine. Children were accommodated in cots and floor beds dependant on their age.

Supporting relationships:

- Staff members demonstrated fondness and sensitivity in their interactions with the children. The staff were responsive to the needs of the children and spoke to them in soft tones and at their level. This respectful approach towards children was observed with all staff members.
- During mealtimes staff sat with the children and engaged them in conversation and supported them with feeding as required. Mealtimes were relaxing and gave children enough time to enjoy their meals. The staff supported the children to lay the table with cutlery, placements and cups which supported the children with the transition and contributed to the relaxed atmosphere.
- There was a key worker system in place within the service. Staff communicated with parents daily via an electronic application. They frequently shared pictures and provided updates in relation to each child.

Physical and material environment:

- The physical environment was well planned out to utilise space and there was a wide range of varied materials available to the children. There was a range of different interest areas present both inside and outside of the care rooms such as in the hallways and the landing area of the first floor.
- Materials were available on low level shelves and could be accessed independently by the children. Appropriate child sized tables and chairs were provided.
- A variety of multi-sensory experiences were provided including sand and shredded paper which supported the children to engage in meaningful play experiences and engage in open ended discovery.
- A range of books were provided in all care rooms which supported children's language development.
- Each room was uniquely different for example in the Toddler/Classroom Room 1 there had an extensively developed home area with a variety of real-life materials for the children to engage with. In Classroom 4 there was a large armchair present with soft lighting and a wide selection of books available to allow children to rest and engage in storytelling.

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 internal and external doors were secured as required and this prevented any children exiting unsupervised or unauthorised persons gaining access to the service.
- The electrical cables observed were in good condition and out of the reach of children.
- All blind cords were appropriately secured on the day of inspection.
- The highchairs in use within the service were in good condition and had the appropriate safety harnesses.
- Cleaning products and other harmful materials were stored out of the reach of children.
- The hot water was temperature controlled below 43°C and available throughout the service.

Infection control:

- Cleaning schedules were available and completed as required within the service.
- Disposable aprons and gloves were available for nappy changing.
- Children's handwashing was observed throughout the service for example in Toddler Room/Classroom 1 prior to morning snack, in Classroom 2 prior to dinner being served. Hot water, liquid soap and paper towels were available.
- Nappy changing was observed in one instance and it was carried out in line with infection control procedures.
- The service has a process in place to remove all mouthed toys from use. This was observed in the practice in the Pre-Toddler Room.
- The cots and beds were placed 50cm apart to prevent a risk of cross infection.
- The mattresses in the cots had the appropriate waterproof mattress protectors. Each child had their own allocation of bed linen.

Administration of medication:

- The administration of medication was not observed on the day. In the Pre-Toddler Room one child was on medication and the staff member had ensured the medication was labelled and stored correctly and the required forms had been completed by the parents.

Safe sleep:

- Ten-minute sleep checks were completed on an electronic application for children who slept. These checks included children's sleep position, colour and breathing.
- The sleep rooms were at the appropriate temperatures for the age ranges of the children.

Fire safety:

- Firefighting equipment was accessible and was mounted to the walls.
- The fire exits were free from obstruction on the day of inspection.

Non-Compliance Information

General safety:

1. The wooden fencing in the outdoor areas on the ground floor to the front and the rear of the building, had fencing poles that were splintered, with one containing an exposed nail. This posed a possible safety risk as it could have caused injury to a child.
2. In the outdoor area to the front of the building on the ground floor, stagnant water had pooled in play equipment. The water was not removed from the area but it is acknowledged that children's access was blocked. Stagnant water poses a possible infection risk to children.
3. Some of the bikes in the outdoor area were not in good repair. The protective rubber on the handlebars had worn away and this posed a possible injury risk to the children.

Infection control:

4. The service used a bottle preparation machine in the Baby Room. The Food Safety Authority Ireland (FSAI) does not recommend the use of automatic machines to prepare bottles of powdered infant formula due to the risk of possible infection.
5. The nappy changing areas required cleaning as there was dirt visible underneath changing mats.
6. The flooring in the baby room was ripped and was secured with tape. This posed an infection risk to the children as it could not be adequately cleaned.
7. The tablecloths in the wobbler room were ripped so could not be cleaned properly.
8. Not all bins within the service were foot operated pedal bins. All bins should be food operated to reduce the risk of cross contamination.

Action submitted by the Registered Provider

Corrective & Preventive Action

General safety:

1. The registered provider has stated that the fence post has been repaired in the outdoor area and there will be a regular assessment of the condition of fence posts in the future.
2. The stagnant water was removed and procedures put in place to deal with a re-occurrence if required.
3. Bikes in need of repair have been replaced.

Infection control:

4. The registered provider has stated that the bottle preparation machine has been removed.
5. The required cleaning has been conducted in relation to changing mats.
6. The service is planning for the replacement of the flooring in the baby room and has covered the area with furniture while they are waiting for the work to be undertaken.
7. Tablecloths have been replaced.
8. foot operated pedal bins have been purchased as required.

Supporting documentation submitted

General safety:

General managers checklist and risk assessment.

Photographic evidence submitted.

Infection control:

General managers checklist and risk assessment.

Photographic evidence submitted.

Summary Comment

The inspectors have reviewed the actions and documentation submitted. The non-compliances identified under Regulation 23 have been adequately addressed.

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) Evidence was available to demonstrated that four of the adults held current first aid responder (FAR) certification and at least one of these adults was on duty for the hours of operation.

- (2)
- (a) There were sufficiently stocked first aid boxes available in the service, which were safely stored out of reach of children.
- (b) During the inspection the first aid supplies were available to the adults to use for the children if needed.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-

- (a) of sound and stable structure*
- (b) safe and secure,*
- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

Compliance Information

- (a) From a visual assessment, the building appeared to be of a sound and stable structure.
- (b) From a visual inspection the premises appeared safe and secure. This included the three outdoor areas.
- (e) The service was equipped with suitable sanitary accommodation for both children and adults.

Non-Compliance Information

(c) The sleep room located next to the wobbler room contained a musty odour. This was noted on the previous inspection on the 16 April 2024. There was no obvious reason for the source of the odour as the room appeared well maintained.

(d) The wobbler room was not cleaned and maintained as required.

1. The paint was chipped on the walls of the room.
2. There was dirt and stains on the rugs and carpets in this room.
3. The floor covering was not maintained in a clean condition.
4. The windows in this room were smudged and not in a clean condition

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(c) The service will continue to monitor the sleep room located next to the wobbler room and have put in a dehumidifier to support with ventilation.

(d) The wobbler room has been fully painted, carpets were cleaned and replaced where required. Cleaning was carried out on the floors and windows.

Supporting documentation submitted

General managers checklist and risk assessment.

Photographic evidence submitted.

Summary Comment

The inspectors have reviewed the actions and documentation submitted. The non-compliances identified under Regulation 29(c)(d) have been adequately addressed.