

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CC348
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Name of Service:	Rising Stars Childcare
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Address of Service:	Old Cork Road, Mallow, Co Cork
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Eircode:	P51 DW98
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Name of Registered Provider:	Dusanka Valentic, Niamh O'Leary
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	18/06/2025
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No of pre-school children:	AM	32	PM	34
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Address of the Early Years Inspectorate:	13 Market Place, Mallow, Co Cork P51DD5Y
Inspection undertaken by:	B Fraher
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	N/A
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Description of service

Rising Stars Childcare is a private early years care and education service. It offers full day, part-time and sessional services between the hours of 7:30 and 18:00, Monday to Friday, 51 weeks of the year. The service offers an afterschool service also. The Early Childhood Care and Education (ECCE) service is facilitated between the hours of 9:00 and 12:00. The service is registered to accommodate children aged from 0 to 6 years of age and children currently attending are aged from 1 to 6 years.

The service is located on the outskirts of the urban town of Mallow in North Cork. Upon entry to the service there is a reception area from which six care rooms are accessible namely, Babies, Toddlers, Room one, Room two, pre-school and an afterschool room, two kitchens, adult and child sanitary areas incorporating two children's changing areas. A dedicated sleep room is available for the children in the Baby room and the Toddler room. There are four outdoor areas available at the rear and side of the service, and a car parking area is located to the front of the service.

Staffing

There were 19 adults employed in the service including 1 AIM (Access and Inclusion Model) support worker. The two registered providers are service based but were not present on the day.

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 and safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under Regulations 9 management and recruitment, Regulation 10 policies, procedures of pre-school service, Regulation 11 staffing levels, Regulation 16 records in relation to a pre-school service, Regulation 19 health, welfare and development of child, Regulation 23 safeguarding health, safety and welfare of child, Regulation 24 checking in and out and records of attendance and Regulation 28 insurance; however, on inspection additional non-compliance which posed a risk was identified under Regulation 27 supervision. 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.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the children, person in charge and staff 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) The centre manager was the person in charge and there was a named deputy in the service that could deputise as required.
 - (b) The centre manager and the deputy were on duty at the service when the inspector arrived. The staff roster indicated that either the person in charge or the deputy were on duty at all times during the hours of operation.
 - (c) There was clear evidence on inspection of the management structure in place and the specific roles of each staff member.

(2) The recruitment records in relation to 19 staff who were employed in the service including the two registered providers were the subject of inspection.

(a) Of the 38 required references, 23 were from previous employers with required records of validation on file.

(b) Of the 38 required references, 15 were from another source other than a previous employer with required records of validation on file.

(c) Garda vetting disclosures were obtained and were on file for the 19 staff. The centre manager was aware of the re-vetting timeframes outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda Vetting every three years.

(d) Police vetting was required for 1 of the 19 staff as they lived outside of the state for longer than six consecutive months.

(4) All the 19 staff who worked directly with the children held a relevant qualification in Early Childhood Care and Education from level 5 to level 6 on the National Framework of Qualifications or a qualification deemed equivalent by the Minister.

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 in inspection:

- Policy on administration of medication
- Policy on infection control, which was incorporated in individual policies.
- Policy on safe sleep
- Policy on healthy eating

The policies contained the information required to guide staff in their care practices for children.

Part III – Management and Staff

Regulation 11 - Staffing levels

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

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

(8) Without prejudice to paragraphs (2) to (7)-

(a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times,

Compliance Information

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

(2) The service maintained the minimum adult to child ratio required as per regulation. The ratio was as follows:

- Babies, there were three adults caring for nine children.
- Toddlers, there was one adult caring for five children.
- Room one, there were two adults caring for six children.
- Room two, there were two adults caring for four children.
- Pre-school, there were 2 adults caring for 13 children.
- Afterschool, there was one adult caring for three children in the afternoon.

(8)

(a) The service operated with at least two adults at all times. This was observed on the day of inspection and was evident through examination of the staff roster.

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;

(j) details of any medication administered to a pre-school child attending the service with signed parental consent;

Compliance Information

The following records in writing were reviewed on inspection:

(i) The staff roster was available and clearly outlined the hours of work for each staff member.

(j) A sample of 20 administration of medication records were reviewed and contained all relevant information for children who attended the service.

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

On the day of inspection, the following information was obtained through direct observation and discussion with the staff and examination of the relevant documents.

Basic needs:

- All meals and snacks, which had been prepared by the parents were observed to be healthy and nutritious. Parents were encouraged to provide hot meals for the children who attended full day care. Children were seen to eat snacks of fruit, sandwiches, yogurt and crackers and hot meals of sausage rolls, meat, veg, pasta, potato or rice. An alternative choice was available if required.
- Appropriate seating was used in the form of low-level tables and chairs.
- Drinking water was readily available in all the care rooms and outdoors throughout the day.
- Children using the sanitary facilities were observed to do so independently with the supervision of the staff.
- Nappy changing was observed to be carried out on a regular basis or as required.

- Children's independence was promoted by staff in all the care rooms. Examples included children self-feeding in the Baby room and being encouraged to tidy up in other rooms.
- All care rooms had a rest / quiet area with suitable soft furnishing. The cosy area was furnished with a couch or mats and books were stored within access.
- Outdoor games and activities were promoted and observed at the time of inspection, with each care room accessing the outdoor areas on the day. Staff were observed to assist children during play building sandcastles playing shop and on the slides.
- The individual sleep needs of the younger children were met, and this was observed on the day by children sleeping at various intervals in the Baby room. Older children had a planned sleep time which was facilitated in the Toddler room.

Supporting relationships:

- During mealtimes, the staff sat with the children in a relaxed environment, affording sufficient time for children to enjoy their food. Staff discussed topics of interest with the children during mealtimes.
- Photos were displayed in some of the care rooms which promoted a sense of family for the children.
- Throughout the day, staff in all the care rooms were heard engaging in social conversation with the children, which helped to promote a relaxed and happy atmosphere.
- Interactions between staff and children in the care rooms was observed to be warm and sensitive. Examples included staff members communicating positively with children in soft and gentle tones, offering reassurance by sitting near children and lowering to their level.
- Staff were seen to sit at floor level with the children, reading to them, singing and building puzzles in a group which supported positive relationships with the children and language development.
- Various methods of communication were used to link with parents and guardians such as messaging through text message, email and communication at collection and drop off.

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 was secured on the inspector's arrival to the service. This restricted unauthorised access to the building and reduced the risk of children exiting unsupervised.
- The height of the window opening was above the children's level which reduced the risk of a child exiting.
- Cleaning agents were stored out of reach of the children.
- The outdoor area was secured by high concrete walls and timber gates and fencing.
- The toys observed by the inspector were maintained in a good condition.
- Blind cords in the rooms inspected were secured by a tension device and not accessible to the children.

Infection control:

- Hand washing facilities were accessible to the children with warm running water, liquid soap, paper towels.
- Children were observed to wash their hands before meals and after outdoor play.
- The temperature of the hot water was within the appropriate range throughout the sanitary accommodations and was recorded between 29.6°C and 38.9°C.
- Lidded pedal bins were in use for the disposal of waste in the sanitary areas and care rooms.
- Children's bags were stored off the ground.
- Mouthed toys were sterilised in the kitchen area after use.
- A refrigerator was available in the two kitchens and the pre-school room for the storage of perishable foods.
- Waterproof mattress protectors were in place.

Administration of medication:

- Medication was not observed to be administered to the children on the day of inspection.
- Temperature reducing medicines were stored in their original boxes out of reach of children. The medication inspected was in date.

Safe sleep:

- The air temperature of the designated sleep rooms with cots was maintained at the required temperatures of between 18°C and 22°C for the children above 12 months.

- Staff were noted to maintain sleep records in relation to children's colour, breathing and position at 10 minute intervals during the sleep periods. This was recorded in paper format.
- All the care rooms had a rest/quiet area with suitable soft furnishing. The cosy area was furnished with a couch.

Fire safety:

- Fire exits were noted to be free from obstruction.
- All fire extinguishers seen were wall mounted.

Non-Compliance Information

Infection control:

1. The pedal operated bin in the sanitary area had the lid sitting on top and was not attached to the pedal operating function. A staff member was observed to handle the lid after washing her hands and then returned to the care room. This posed a risk of cross contamination and infection.

Safe sleep:

2. The air temperature of the Toddler room which was used for sleep was recorded at 24.9°C while three children aged between 2 to 3 years were sleeping. This exceeds the recommended temperature range of 18°C to 22°C for children of this age. It is acknowledged that staff had opened windows and obtained a cooling device but temperatures were unable to be reduced to below 23.5°C.

Action submitted by the Registered Provider

Corrective & Preventive Action

Infection control:

1. The lid was reapplied to the bin on the day of inspection and staff were reminded of the importance of using the foot pedal to open the bin. A staff meeting was held where cross contamination was discussed. The bins will be checked each morning at the time of the safety checks.

Safe sleep:

2. The day of the inspection was hot and it was difficult to cool the room. A second air cooler has been added to the same room with the temperature now reading 18.0°C. The service will now use an extra cooler or fan in the room on hot days and plan to install wall mounted air conditioning unit in the near future.

Supporting documentation submitted

Infection control:

1. Photographic evidence of the bin received.

Safe sleep:

2. Photographic evidence of an air cooler and the room temperature.

Summary Comment

The action taken by the registered provider have addressed the non-compliances identified under Regulation 23.

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-

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

Compliance Information

(1) The attendance book was available, and the inspector observed that all children present on the day had their check in and out times completed.

(3)
(b) A daily record of visitors to the premises was kept in the visitor book in use. The inspector was asked to sign in on arrival and sign out at completion of the inspection.

Part VI - Safety

Regulation 27 – Supervision

A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Non-Compliance Information

On entering the toddler room at 13:05, it was noted by the inspector that three children aged between 2 to 3 years were sleeping on floor beds unsupervised. It is acknowledged that staff entered the room between every 5 to 10 minutes and performed recorded sleep checks. This level of supervision is inadequate and posed a risk to children of having access to the room and other children unsupervised.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Management will allocate a staff member to remain in the toddler sleep room at all times while the children are sleeping. This will be allocated on the staff roster to ensure all staff are aware.

Supporting documentation submitted

Photographic evidence of the roster.

Summary Comment

The actions taken by the registered provider have addressed the non-compliance identified under Regulation 27.

Part VI - Safety

Regulation 28 - Insurance

A registered provider shall ensure that the pre-school service is adequately insured.

Compliance Information

The insurance certificate indicated that sufficient cover was in place for the provision of a full day care service and the policy was valid until the 27 March 2026.