

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015CC362
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<b>Name of Service:</b>	Shanakiel Childcare
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<b>Address of Service:</b>	Mile Stream, Shanakiel, Co Cork
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<b>Eircode:</b>	T23 D766
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<b>Name of Registered Provider:</b>	Elaine Bermingham
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<b>Service type:</b>	Full Day, Sessional
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<b>Date of Inspection:</b>	15/07/2025
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<b>No of pre-school children:</b>	AM	89	PM	89
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Administration Building, St Mary's Health Campus, Gurrabraher, Cork T23 X440
<b>Inspection undertaken by:</b>	D Prendergast & B Fraher
<b>Title:</b>	Early Years Inspectors

### Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

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

Shanakiel Childcare is a privately owned, full day care service, that is registered to accommodate children aged 0 to 6 years. At present, children attend from the age of 12 months. This includes children availing of the Early Childhood Care and Education (ECCE) Scheme, which is facilitated from 9.00am to 12.00pm, over 38 weeks of the year. The childcare facility is open between 7.30am and 6.00pm, each Monday to Friday, throughout the year, with the exception of public holidays.

Situated in a residential area of Shanakiel, on the north side of Cork city, the service operates from two adjoining premises. There are five care rooms in operation in the main, split-level building, each of which has adjoining child sanitary facilities. This building also includes three designated sleep rooms, a staff room, staff sanitary facilities, a kitchen, an office, a sluice room and an entrance area. Three care rooms are provided in the adjoining premises, along with adjacent sanitary facilities and a kitchen. The children have the use of a large, enclosed outdoor play space on site.

### Staffing

The early years service employs 36 adults, 33 of whom work directly with the children. A recognised award in Early Childhood Care and Education has been attained by each of these adults. The registered provider, cook and an administrator are not involved in the direct care of the children.

### 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.

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, 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 were two managers and two deputy managers assigned to the setting. This information was displayed in writing.
  - (b) The two deputy managers were on duty at the service when the inspectors arrived and the registered provider attended later in the morning. The staff roster indicated that either a person in charge or a deputy was on duty at all times, during the hours of operation.
  - (c) There was clear evidence of the management structure in place and the specific roles of each staff member.
- (2) Five staff files which had not been reviewed previously were the focus of the inspection.
- (a) Of the 10 required written and validated references, 8 were from past employers.
  - (b) Of the 10 required references, 2 were from sources other than previous employers and records of validation were also in place.
  - (c) Garda vetting disclosures had been obtained for the five staff. It was also noted that Garda vetting for an additional six staff members had expired since the previous inspection and had been renewed. This was in compliance with the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years.
  - (d) Police vetting was required and available for one of the five staff members, who had lived outside the State for longer than six consecutive months, as an adult.
- (4) All five staff members worked directly with the children. Either a relevant qualification in Early Childhood Care and Education, ranging from level 5 to level 8 on the National Framework of Qualifications, or a qualification

deemed equivalent by the minister, had been attained by the adults.

### Part III – Management and Staff

#### Regulation 11 - Staffing levels

*(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

(2) The overall adult to child ratios were adhered to as follows:

- A total of 89 children, aged 1 to 5 years, were present in the morning, with 20 adults involved in their direct care.
- There were also 89 children, aged 1 to 5 years present in the afternoon, with 15 adults working directly with these children.

(8)

(a) A minimum of two adults were present throughout the inspection period and the staff roster also demonstrated that at least two adults were consistently present at the service, throughout the hours of operation.

### 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

(1) From the 116 child records available, a sample of 12 were reviewed and met the requirements from (a) to (i).

## 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

(1)(a)

### Basic needs:

- The inspectors were advised that up to five daily meal breaks were facilitated at the early years service; breakfast, a mid-morning snack, a hot lunch meal, an afternoon snack and an evening snack. This ensured that there were no gaps longer than two and a half hours in between the children's mealtimes. It was also noted that the children were readily provided with second helpings at lunch time.
- Across the care rooms, mealtimes were observed to be conducted at a relaxed pace and children were afforded sufficient time for eating and drinking. During these times, the adults offered appropriate assistance with self-care practices. For example, the younger children were supported to pull up their sleeves before beginning their lunch and to clean their faces and hands, once they had finished eating.
- Drinking water was available to the children, both during and outside of mealtimes. Clearly visible drinking stations were provided in all of the care rooms.

- Staff members were noted to continue the established practice of carrying out nappy changing at regular intervals and as the need arose. The older children could easily access the adjacent sanitary facilities, as needed.
- Each of the care rooms was furnished with a rest area, which was available for any child who may need time to relax, or opt out of scheduled activities.
- Child led sleep was facilitated in the Wobbler rooms throughout the day. Scheduled rest periods were observed to be accommodated for the children who attended the Toddler, Playschool 1 and Playschool 2 care rooms. Children who did not wish to rest at these times had opportunities to engage in free play activities such as jigsaw making, reading and table top activities.
- The children were observed to move freely throughout the indoor environment as they engaged in their chosen activities.

### Supporting relationships:

- Staff members responded sensitively to the children's care needs, as was observed when an upset child was taken into an adult's arms and comforted. It was also noted that adults displayed kindness and reassurance towards the children during nappy changing procedures.
- Minor disagreements among children were calmly managed by the adults, who responded patiently and offered appropriate support.
- Methods of sharing information with parents included a childcare application, phone calls, email and informal face to face discussion at arrival and collection times.
- The inspectors were informed that staff meetings were held every quarter and that corresponding records were maintained. Minutes from the most recent meeting were presented for review. In addition, the registered provider stated that management facilitated staff appraisals, staff support and supervision and had an open door policy. A messaging application was also used by staff to send and receive relevant information.
- The person in charge advised the inspectors that the service had recently commenced engagement with the Better Start Quality Development programme.

### 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:

- Both external doors were appropriately secured, which reduced the risk of children exiting unsupervised and the risk of unauthorised access.
- The outdoor play space was accessible via the use of a fob key, which prevented unauthorised persons from entering this area.
- Water at the wash hand basins was thermostatically controlled, so as not to exceed 43°C.
- Blind cords were securely anchored through the use of tension devices.

##### Infection control:

- Suitable handwashing and drying facilities were available in the children's sanitary facilities, including warm running water, liquid soap, disposable paper towels and lidded, pedal-operated bins. The children were noted to wash their hands after having their nappies changed, before eating and after using the sanitary facilities.
- During an observed nappy changing procedure, the following practices minimised the risk of cross infection:
  - the adult wore a disposable apron and gloves
  - a pedal operated bin was used to dispose of the nappy
  - the changing mat was sanitised after use
  - handwashing was ensured after the nappy change was completed.
- Labelled storage was provided in the nappy changing areas, which ensured that children's supplies of nappies, wipes and barrier creams were easily identifiable. This reduced the risk of cross infection.
- The care rooms and sanitary facilities appeared clean and hygienic. Corresponding cleaning records were displayed on the care room walls and had been completed to date. Cleaning tasks, such as sanitising tables and sweeping floors, were also observed over the course of the inspection.
- Written records were maintained to reflect the sterilisation of children's soothers.
- All of the available cot mattresses were waterproof, which helped to reduce the risk of cross infection.
- Adequate ventilation of the care rooms was ensured through open windows.

### Administration of medication:

- Medication that had been prescribed for children was safely stored above child level and was in-date.

### Safe sleep:

- Sleep records were maintained on a digital application, which reflected regular, 10-minute interval physical checks of children's breathing, colour and position. Staff members were also observed to conduct these checks at the time of inspection.
- The air temperature in the Toddler sleep room was recorded at 21.4°C, while occupied by sleeping children. The Playschool 2 room, which was used to accommodate a scheduled rest period, had a recorded air temperature of 21.6°C. Both of these temperatures were within the appropriate range.

### Fire safety:

- There were no fire safety concerns noted.

### Non-Compliance Information

#### Infection control:

- In the adjoining, single storey premises, one of the toilets within the sanitary facility was shared between children and adults, which increased the risk of cross infection. During the initial walkthrough of the service, the person in charge confirmed that this toilet cubicle was designated for staff use. However, this was not found in practice, as one of the children was observed to use this toilet later in the day. A staff member also stated that this toilet was shared between staff and children.

#### Safe sleep:

- Air temperatures within some of the designated sleeping areas were not maintained within the recommended range of 18°C to 22°C, for safe sleep practice. In the Wobbler 1 sleep room, an air temperature of 24°C was recorded, while the room was occupied by a sleeping child, aged over 12 months. It was acknowledged that once alerted to this, staff took steps to reduce the air temperature by switching on the cooling device. However, a subsequent temperature recording of 22.6°C remained outside of the recommended range. While in use to facilitate a rest period in the afternoon, the air temperature of Playschool 1 was recorded at 24.2°C.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### Infection control:

- The written reply outlined that the sanitary facility in question is now designated for children's use only, as the adult-size toilet has been redesignated as the fifth children's toilet. As a preventive measure, staff

will no longer use this toilet. A sign has been placed on the door to inform all staff that this toilet is for children's use only. Staff will use the toilets provided in the adjoining premises, where another toilet has been fitted for staff use.

### Safe sleep:

2. On the day of the inspection, the air conditioning had been on throughout the morning and was turned off before the child was put to bed, as the room was sufficiently cool. However, the temperature subsequently rose. When the inspector inquired why the air conditioning was turned off, the staff member explained that they believed all fans and air conditioning units needed to be turned off while children were present in the room. The inspector clarified that this was not the case. Going forward, air conditioning units will be left on whilst children are sleeping and all staff have been briefed on this practice.

### Supporting documentation submitted

#### Infection control:

1. Photographic evidence.

#### Safe sleep:

2. The statement submitted is accepted as evidence.

### Summary Comment

Following the corrective action implemented, regulatory compliance is determined to have been met.

### Part VII - Premises and Space Requirements

#### Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-  
(e) equipped with adequate and suitable sanitary facilities.*

#### Non-Compliance Information

- (e)
- While it was acknowledged that, on the day of the inspection, a sufficient number of toilets and wash hand basins were available to accommodate the 39 children present in the adjoining premises, this was not consistently ensured. A review of past attendance records demonstrated that:
    - 49 children attended this building on 11 March 2025.
    - 46 children were present on the 12 March 2025.
    - 47 children were in attendance on 13 March 2025.
    - 45 children attended on 14 March 2025.

As 1 toilet and 1 wash hand basin are required for every 11 toilet trained children, the 4 toilets and 4 wash hand basins allocated for the children's use were therefore insufficient.
  - There was inadequate drainage at the wash hand basin in the staff toilet facility, located in between the Wobbler 1 and Wobbler 2 care rooms. Water was observed to pool in the basin when the tap was turned on. In addition, high water pressure was noted at the wash hand basin in the Playschool 1 care room, when the handle of the mixer tap was turned to allow the flow of warm water. Non-compliance in relation to water pooling and high water pressure at wash hand basins, was also found at the previous inspection on 8 April 2024. The CAPA response at the time outlined that a plumber had attended the service and made the necessary repairs. However, this did not prevent the issues from reoccurring.

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

#### Corrective and Preventive Action

- (e)
- As per the corrective action stated under Regulation 23, in the adjoining premises, there are now five toilets and five wash basins solely allocated for the children's use, as the adult toilet has been redesignated as the fifth children's toilet. A new staff toilet facility has been fitted in the adjoining main building, to replace the toilet that is now designated for the children's use. Going forward, a designated sleep room, which is no longer in use, will be converted to a second staff room/kitchen area. This will

allow the service to convert the existing staff room/kitchen in the single storey premises, into additional sanitary facilities. This work is scheduled to take place during the October mid-term break.

2. The stopper has been removed from the wash basin in the staff toilet facility, located between Wobbler 1 and Wobbler 2. It was identified that the stopper was not releasing fully, which was restricting drainage and causing the water to pool. With the stopper now removed, the sink is draining adequately and functioning correctly.

The plumber initially attempted to resolve the high pressure issue by reducing the water pressure locally at the affected sink. However, this did not fully resolve the problem. As a result, it was necessary to reduce the water pressure at the main source before the water enters the building. The plumber has advised that this adjustment may negatively impact water pressure in other areas of the building and could potentially lead to further issues. The service will continue to monitor the situation and will address any issues that arise.

### **Supporting documentation submitted**

Photographic evidence was forwarded in relation to both points.

### **Summary Comment**

The response submitted was assessed and deemed to meet regulatory compliance with Regulation 29.