

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CE006
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Name of Service:	Ballycar Pre-School & Afterschool
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Address of Service:	Ballycar National School, Newmarket-on-fergus, Co. Clare
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Eircode:	V92 YK5X
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Name of Registered Provider:	Elaine Boyce
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Service type:	Sessional
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Date(s) of Inspection:	20/03/2025
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No of pre-school children:	AM	7	PM	N/A
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Address of the Early Years Inspectorate:	Early Years Inspectorate Tusla Child and Family Agency Primary Care Centre Station Road Ennis County Clare.
Inspection undertaken by:	J Hayes
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
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Description of service

This sessional pre-school service operates in a classroom in Ballycar National School. It caters for a maximum number of 11 children aged from 2 to 6 years and is open from 09.00am to 12.00pm, Monday to Friday. The service offers a play based programme. The outdoor area of the school is available to the children. There is also a fenced outdoor play area for the sole use of the pre-school school building. The children also have the use of the school hall and sensory room for additional play spaces.

Staffing

The service is solely operated by the registered provider.

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 focused on an examination of compliance under regulations:

Regulation 9 – Management and recruitment (1)(a)(b)(c), (2)(a)(b)(c)(d) and (4)

Regulation 11 - Staffing levels (1) (3) (8)(c)

Regulation 19 - Health, welfare and development of child (1)(a)

Regulation 23 - Safeguarding health, safety and welfare of child

Regulation 25 - First aid (1) (2)(a)(b)

Regulation 26 - Fire safety measures (1)(a)(b) (4)

Regulation 28 – Insurance

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 registered provider, 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) The registered provider was present on the day of the inspection. There was a person available to call on in the event of an emergency.

(b) The staff roster indicated that the registered provider was always available on the premises during the operational hours of the service

(c) The information in relation to the service clearly indicated that this service is operated solely by the registered provider.

(2)(a) Two written references were available for the adult and the emergency cover person.

(b) The references on file were from previous employers or from reputable sources.

(c) A Garda vetting disclosure received from the National Vetting Bureau of An Garda Síochána was available for the adult and the emergency cover person. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years in respect of two adults. Please refer to the information outlined under regulation 23 of this report.

(d) Not applicable.

(4) The registered provider held an appropriate qualification in Early Childhood Care and Education.

Part III – Management and Staff

Regulation 11 - Staffing levels

- (1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.*
- (3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) therefore at that reference number is satisfied.*
- (8) Without prejudice to paragraphs (2) to (7)-*
- (c) a registered provider of a sessional pre-school service shall ensure that, where the person in charge operates the service single-handedly, a second person familiar with the operation of the service and in a position to provide assistance to the person in charge in operating the service is, at all times, within close distance of the service and available to attend the service to assist the person in charge in the event of an emergency.*

Compliance Information

- (1) One adult was present supervising seven pre-school children on the day of the inspection.
- (3) The registered provider ensured that the minimum ratio of adults to children was adhered to in the service on the day of inspection.
- (8)(c) A second person, within close proximity of the service, was available to provide assistance in the event of an emergency.

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 children's basic needs were carefully considered in the daily activities. A healthy eating policy was in place, with parents providing healthy snacks and drinks. Children and staff sat together at the meal time which provided an opportunity for casual conversations. Drinking water was readily available to the children throughout the morning. The children's toilet was easily accessible to the playroom which ensured the children could access this area independently. Spare clothes, tissues, wipes, and proper waste disposal (foot pedal bins) were available at all times. A quiet corner with soft seating and books was provided for children to rest and take time out if needed. The registered provider and the children were engaged in a range of activities both indoors, outdoors and in the main hall. The atmosphere was calm, the children's needs were attended to as required and the children were fully engaged in their activities throughout the morning and chatted with the adult about the activities they were engaged in.

Physical and Material Environment:

Children spent part of the morning in a well-laid out playroom which had a wide range of toys, equipment and materials accessible on low level shelving. The equipment and materials were rotated to suit the changing programme, interests and skill levels of the children. Child sized tables and chairs were located in the centre of the room to facilitate tabletop activities. Children's artwork and items of interest were displayed on the walls of the room at children's eye level. The children were observed to spend time in the well-resourced outdoor play area at the rear of the premises. There was a varied selection of play experiences available in this area. Children had space to run, climb, kick football, chase each other, play with sensory materials, engage in water play and messy play through the provision of a mud kitchen. Children were facilitated to engage with nature by planting and gardening.

An area was also available for the use of ride on bikes and trikes.

A covered area was available if children choose to play in a sheltered space while outdoors.

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:

Adequate measures were taken at the service to ensure a safe, secure, and well-monitored environment for all preschool children.

Controlled Access: The entrance door was securely locked, with entry managed by an adult in the premises.

Emergency Exits: All fire doors were unobstructed and clear.

Safe Play Equipment: Toys and play materials were age-appropriate, well-maintained, and free from hazards like pinch points, crush points, or sharp edges.

Proper Waste Disposal: Waste was kept inaccessible indoors and outdoors, with foot pedal-operated, lidded bins ensuring safe disposal.

Chemical Safety: Cleaning agents were stored out of children's reach on a high shelf.

Outdoor Safety: Exit gates were secured to prevent children from accessing unsafe areas, and supervision was continuous during outdoor play.

Infection Control:

A high standard of operational hygiene was observed throughout the service. Tabletops were cleaned and disinfected prior to snack time. Hot water, liquid soap and paper hand towels were available at all sinks to ensure hygienic hand washing by staff and children.

Fire Safety:

All fire doors were unobstructed and clear.

Fire drills were carried out on a monthly basis to ensure children were familiar with the evacuation plan in the event of an emergency.

Non-Compliance Information

General Safety:

1. Garda vetting was available for the adults in the service. However, a vetting disclosure in respect of two adults was not dated within the previous three years in adherence with the Early Years Inspectorate Regulatory Notice.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

Vetting renewal was completed on 7 April 2025.

Files will be reviewed every year to ensure records are up to date.

Supporting documentation submitted

General Safety:

Renewal details were submitted in relation to Garda vetting.

Summary Comment

Based on the corrective actions and supporting evidence the area of non-compliance is addressed under Regulation 23 General Safety.

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) The registered provider had an up-to-date certificate in first aid responder training. The certificate had an expiry date of 6 July 2025.

(2)(a) A suitably equipped first aid box for children was stored within easy reach of the staff in the pre-school room.

(b) The first aid box was available for use at all times.

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) Fire drills take place on a monthly basis. The most recent fire drill took place on the 24 February 2025.
 - (b) All fire extinguishers and smoke alarms were serviced on an annual basis. The most recent check of the smoke alarm was carried out on the 27 May 2024.
 - (4) Fire safety notices were displayed on the walls next to the exit doors.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The registered provider had a current insurance certificate which outlined that adequate insurance was available for 11 preschool children to attend the service. The insurance cover commenced on the 29 March 2024 and was due to expire on the 28 March 2025