

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CE126
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Name of Service:	Spraoi Miltown Malbay and District Community Playgroup Ltd.
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Address of Service:	Ballard Road, Milltown Malbay, Co. Clare
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Eircode:	V95 CD88
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Name of Registered Provider:	Brian Flynn
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Service type:	Full Day
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Date of Inspection:	23/04/2025
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No of pre-school children:	AM	44	PM	36
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Address of the Early Years Inspectorate:	Ennis Primary Care Centre, Station Road, Ennis, Co. Clare. V95TY4E
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Inspection undertaken by:	J Hayes & A McCarthy
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Title:	Early Years Inspectors
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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	Not applicable
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Description of service

Spraoi Miltown Malbay and District Community Playgroup Ltd was established in 2008 as a full day, part time and sessional care service. It is registered to cater for 80 children ranging in age from birth to 6 years. The service operates Monday to Friday from 08:00 am to 17:30 pm

The premises is located in a rural setting on the outskirts of Miltown Malbay village. The service is a purpose-built childcare facility. This building is a single storey structure with childcare provided in five playrooms. The five playrooms were in use on the day of inspection. Children have access to two separate sleep rooms. A kitchen and dining area are also available on the premises. An enclosed outdoor play area is located at the rear and side of the premises and is divided into separate areas for the different age groups of children attending.

Staffing

The registered provider is the chairperson of the management committee for the service. The service employs eighteen adults. On the 23 April 2025 the manager and one auxiliary staff member who prepares and serves the meals and eleven adults who worked directly with the children were present. During the inspection both the service manager and the assistant manager provided an administrative role and relief cover during breaktimes.

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, 11, 15, 16, 19(1)(a), 23, 25, 26 and 28. These findings are outlined within the relevant regulations 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 inspectors wish 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) A designated person in charge of operating the service was present on the day of the inspection. There was a named person available who was able to deputise if required.

(b) During the period of the inspection, the designated person in charge of the service was present.

(c) During the inspection there was a clear management structure in the service. The lines of authority and accountability and the specific roles and responsibilities of each employee was evidenced by reviewing the information displayed on the notice board and through discussion with the person in charge.

(2)(a)(b) Two written and validated references were available for the registered provider and 18 adults employed to work at the service. References were submitted by adults from either their past employers or from other reputable sources.

(c) Garda vetting disclosures received from the National Vetting Bureau of An Garda Síochána were available for all adults employed to work at the service. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) Police vetting was not required as the adults had not resided outside of Ireland for longer than 6 consecutive months.

(4) All adults working directly with children held an appropriate qualification in Early Childhood Care and Education or a qualification deemed by the Minister to be equivalent.

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)
On the day of inspection there were 12 adults caring for 44 pre-school children. The adult child ratio was correct overall in the facility.

(2)
On the 23 April 2025 the ratio of adults caring for children was maintained at all times. 12 adults cared for the 44 children in attendance in the morning and 9 adults cared for 36 children in the afternoon. Additional adults were available to cover staff breaks and administration duties.

(8)(a)
The staff roster demonstrated that more than two adults were available in the childcare facility at all times.

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)
A 20% sample of the children's enrolment forms were reviewed. These forms were completed in full and detailed all the required information outlined in (1)(a) to (i).

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:

- (h) details of attendance by each pre-school child on a daily basis;*
- (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;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

Compliance Information

- (1)
- (h)
The daily arrival and departure times were recorded for each child attending the childcare facility.
- (i)
The staff roster was available and detailed all the adults working in the childcare facility, their rostered hours and assigned rooms and break allocation.
- (j)
A sample of thirteen administration of medication forms were reviewed. These forms detailed parental consent prior to medication being given and a signature from parents after medication was administered to the children.
- (k)
A sample of eight accidents, injuries or incidents records were reviewed. Records of accidents, injuries or incidents involving pre-school children attending the service were completed and detailed a signed parental signature after the accident occurred.

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,*

Compliance Information

- (1)(a)
The children's learning, development and well-being was facilitated within the service through the provision of appropriate activities, interactions, materials, and equipment having regard to the age and developmental stage of the children. Five care rooms were in operation during the inspection.

Basic Needs of Children:

The adults treated the children in a respectful manner and positive behavioural strategies were used during interactions. The adults praised and encouraged the children, conversed with the children at their level, used soft tones of voice, responded promptly to their cues for assistance and comfort. The children were encouraged to be independent in play and learning, whilst caring for their belongings, at mealtime and whilst using the toilet. The

adults supervised and treated the children in a respectful manner during nappy changes and toileting. Nappies were changed frequently and on an individual need's basis. The children were encouraged and supported to manage their own personal care and prompted to wipe their noses at appropriate intervals.

The children's sleep was attended to on an individual basis and an alternative area and activities were offered for children who did not wish to sleep. The infants were encouraged to feed themselves and promoted to be independent. Appropriate crockery and feeding utensils were provided at mealtimes which were observed to be relaxed and sociable occasions. Meals were prepared at the children's homes and reheated at the service. Bottles of formula milk were pre-prepared at home and stored in a fridge off the baby room. Drinks of water were freely available to children throughout the day in each room. The adults supported the children's choice of individual and group engagement in activities. The children in each room were offered a range of developmentally challenging play and learning activities. The children transitioned from the indoor to the outdoor area for play based activities and transitioned to a dining room for meals. Children's care and daily learnings were communicated with the parents/guardians in a positive manner as they collected their children from the service.

Physical and Material Environment:

The care rooms were bright, spacious and well-resourced and were laid out to enable the children to freely access the equipment and materials. Throughout each room of the service the physical layout was designed to be stimulating, challenging and interesting for children. The rooms accommodating the younger children had soft matting to facilitate floor play activities such as crawling, rolling and sitting. Throughout the day, the children were offered a range of developmentally challenging play and educational activities and observed to be fully engaged as they transitioned from the indoor to the outdoor environments. Learning aids and the children's individual artwork were displayed on the walls in each care room. A variety of opportunities for play and learning activities were available and accessible in the indoor and outdoor environments with defined areas of interest. The care rooms were appropriately resourced with home and shop corners, art stations, sensory areas, pretend play houses, wooden activity units and dress up areas. Seating with soft furnishings and mats with adjacent reading materials were used by the children to rest and relax. Low level shelving units were accessible to the children with a range of manipulative, sensory, imaginative and constructive toys and learning materials for the age and level of development of the children.

The outdoor play areas were located to the side and rear of the premises. The play area was enclosed with a high-level fencing and accessible from each playroom in the service. Awnings were provided over the outdoor play

areas to facilitate regular access throughout the year. The children wore all weather clothing and footwear and had access to a range of outdoor play activities and ride on vehicles and bicycles and push along toys. The children were observed to thoroughly enjoy their time in the indoor and outdoor environment.

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:

On inspection the following was observed:

All external doors were appropriately secured with a magnetic lock to prevent children accessing unsafe areas or allowing unsupervised access to the building.

All highchairs used by the younger children at mealtimes were in good condition and fitted with safety harnesses.

The outdoor areas were secured with fencing and gates to protect the children within.

The children were signed in and out on arrival and departure to the service on the childcare electronic application system.

Storage facilities were secured and inaccessible to the children.

The blind cords were appropriately secured to the windows throughout the service.

Cleaning agents were stored in locked cupboards or on high shelves in the playrooms.

Infection Control:

The service was maintained in a clean and hygienic condition. Completed cleaning schedules were available demonstrating measures taken by staff to clean and maintain the service.

The sanitary facilities were equipped with liquid soap, paper hand towels and lidded, lined pedal operated bins.

Suitable nappy changing areas were available, and a nappy changing procedure was clearly displayed on the wall close to the change mats.

Wipeable mattress covers were provided on the seven mattresses located in the standard sized cots.

The children were supported by staff to wash their hands at appropriate intervals such as after activities, after using the toilet and after outdoor play and before mealtime.

The children's perishable food items were stored in a refrigerator until required for consumption.

Administration of Medication:

The adults demonstrated an awareness of the service's administration of medication policy and procedure. Documentation was available for the adults to record medication administered to the children in attendance. All medicines were stored in the main office in the service.

Safe Sleep:

A safe sleep policy was in place at the service and staff adhered to the best practice sleep guidelines for all children under 2 years of age. Standard sized cots and beds were used. A risk assessment was conducted to ensure the safety of children moving from cots to beds when they were under 2 years old.

The adults demonstrated an awareness of the service's safe sleep policy.

The children's sleep observations were recorded by the adults every ten minutes on written and electronic records.

These observations included the children's colour, position and breathing.

The sleep rooms accommodated standard sized cots with for the children to sleep. Low level beds with individual blankets and bedlinen were available for the older children who required sleep.

An electronic thermometer was available for the adults to measure and monitor the room temperatures

Fire Safety:

The adults had evidence on file of up-to-date fire safety training.

The fire exit routes and passageways were clear from obstruction.

The fire exits routes and fire assembly points were readily identified with signage. A fire action notice was displayed at all the fire exit points in the building.

The service demonstrated evidence of completing monthly fire drills to prepare the service to respond in the event of fire.

Outing:

The registered provider stated that outings are not undertaken by the childcare facility.

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)

Three adults working in the service had a record of up to date First Aid Responder (FAR) training.

(2)(a)

A suitably equipped first aid box was stored in the main office in the service. The adults working in the service were familiar with the location of the first aid box.

(b)

The first aid box was available for use by the adults if its contents were required at any time.

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)

Records were available to demonstrate that monthly fire drills were carried out by the service. The last fire drill took place on the 08 April 2025.

(b)

Up-to-date records of the number, type and maintenance service were available for the firefighting equipment and the smoke alarm system. The most recent service of the firefighting equipment and the smoke alarm system took place respectively on the 17 May 2024 and on the 08 April 2025.

(4)

Fire action notices were displayed demonstrating the procedures to be followed in the event of a fire.

Part VI – Safety

Regulation 28 – Insurance

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

Compliance Information

Up to date insurance cover was available for the 85 children attending the childcare facility on a full day care basis. The insurance policy for the childcare facility is valid until 27 March 2026.