

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2015DL008

Name of Service: Ballaghderg Pre-School

Address of Service: Mountain Top, Letterkenny, Co. Donegal.

Eircode: F92 WV59

Name of Registered Provider: Una Gallagher

Service type: Full Day

Date of Inspection: 20/01/2025

No of pre-school children:	AM	5	PM
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Address of the Early Years Inspectorate: Tusla Early Years Inspectorate,
2nd Floor, St. Conal's Campus,
Letterkenny,
Co. Donegal. F95 XK94

Inspection undertaken by: N. McEndoo

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

Description of service

Ballaghderg Pre-School first notified as an early years service in 1997. It is situated on the outskirts of Letterkenny town in County Donegal. The service is governed by the Health Service Executive and caters for children with moderate to severe learning and physical disabilities. A Full Day care service is available for children aged 2 – 6 years. The hours of operation are from 08.45 – 14.00 hours weekdays. The premises consists of a detached dormer bungalow which was adapted for the provision of this specialised early years’ service. Downstairs there are four rooms for children’s use, three playrooms and one sensory therapeutic room. The ground floor also includes a kitchen, a utility area and children’s sanitary facilities. The first floor contains an office and staffroom facilities. A large multi-sensory garden is provided at the rear of the premises which contains specialised provisions for children with additional needs

Staffing

A total of six adults are employed to work in the service. Five of them work directly with the children, including one in a supernumerary role. The person in charge does not work directly with the children. On the day of inspection, a student was present. The registered provider is not involved in the day to day operation of the service.

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 safety of the child. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11, 15(1) (a-i), 16 (a) and 26, however, on inspection additional non-compliance which posed a risk was identified under Regulation 25. 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.

Additional Information

1. An immediate action notice under Regulation 25 – First Aid was issued to the registered provider on 20 January 2025. There was no person present with FAR (First Aid Response) training immediately available to children on site.
2. A response was submitted by the registered provider on 22 January 2025 outlining the measures taken to address the immediate concern. FAR training has been organised for all staff and will take place in February 2025.

Acknowledgments

The inspector wishes 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)

The registered provider ensured that.

- (a) There was a designated person in charge and a named adult to deputise in their absence.
- (b) The designated person in charge was available on the premises throughout the period of inspection.
- (c) There was 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.

(2)

On the day of inspection, seven adults were present, the person in charge, four adults who were employed to work directly with the children, one adult in a supernumerary role and one adult who was a student on placement.

The following vetting information was available for seven adults:

- (a) Eight written validated references from past employers for four of the adults.
- (b) Two written validated references from reputable sources for one of the adults.
- (c) Vetting disclosures from the National Vetting Bureau of the Garda Síochána for seven adults.
- (d) Police vetting from the police authorities in another state was available for one adult.

(4)

Four of the adult files reviewed, evidenced they held a major award at level 5 or above in early childhood care and education on the national qualification framework.

Non-Compliance Information

(2)

The following vetting information was not available:

- (a) Written validated references from past employers for two adults.
- (d) It was not possible to ascertain if police vetting from the police authorities in another state was required for seven adults.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (a) Referees have been contacted, and References have been validated for these 2 staff. All staff files have been updated with new contents page. All staff files have been reviewed to ensure each staff member has 2 written references that have been validated. In future all references to be checked and validated before commencing position.
- (d) Audit of staff files was completed on 14-03-2025 to ensure all required information available. The only staff member to work outside of this country has police vetting completed. Remaining staff have confirmed that they have not worked or lived outside the Republic of Ireland. At recruitment stage with regards to candidates living overseas, each candidate is asked to declare at interview stage if they have lived outside Ireland for more than 6 months and if they advise yes, we then request Garda Vetting clearance from that Country from the candidate and once received it is then kept on the candidates' file. The candidate cannot commence employment until all required clearances are given. Work history and previous places of residence are established at time of recruitment.

Supporting documentation submitted

Person in charge has confirmed documents are available on site.

Summary Comment

The actions submitted have been assessed. The non-compliances identified under Regulation 9 have been addressed and will be reviewed on next inspection.

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.

Compliance Information

(1)
The registered provider ensured that there was an adequate number of adults working directly with the children attending the service.

(2)
The registered provider ensured that on the day of inspection, the adult to child ratio was always maintained at the minimum specified ratios.

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)
- On day one of the inspection, all children’s registration forms were reviewed. There was a record in writing containing the following particulars for each of these children.
- (a) The name and date of birth of the child.
 - (b) The date on which the child first attended the service.
 - (d) The name and address of a parent or guardian of the child and a telephone number where that parent or guardian 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 where the family has registered with a general practice.
 - (h) Record of each child’s immunisation was available for five children.

(i) Written parental consent for appropriate medical treatment of the child in the event of an emergency.

Non-Compliance Information

(1)

On day one of the inspection, there was no provision in writing for the following particulars for each of the children

- (c) Provision to record the date on which the child ceases to attend the service was not present.
- (h) Record of each child's immunisation for two children was not available.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (c) The admission form now reads (Date of Admission / Discharge) We also maintain a daily attendance record where you can establish the last day of attendance at this service. All paperwork with Admission date details has now got Discharge date beside it.
- (h) A review has been carried out of all children attending Ballaghderg to ensure immunisation records are available onsite. All immunisation records are now available onsite for each child. Parents will be requested to forward immunisation records to the preschool prior to child commencing their placement. An update on the immunisation status of the child will be requested at the annual review.

Supporting documentation submitted

Person in charge has confirmed documents are available on site.

Summary Comment

The actions submitted have been assessed. The non-compliances identified under Regulation 15 have been addressed and will be reviewed on next inspection.

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:

(a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor.

Compliance Information

(1) (a)

Records pertaining to staff names, positions, and qualifications was held for adults working within the service.

Non-Compliance Information

(1) (a)

Records in relation to staff experience was not held for adults working within the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1) (a)

All staff currently employed in Ballaghderg have appropriate experience working with children either prior to commencing working in Ballaghderg or have gained experience in Ballaghderg over many years. Any vacant or new additional posts will be requested via HSE recruitment process. Business case will note requirements for the role. Prior to commencing post all staff will have relevant skill set, experience and qualification.

Supporting documentation submitted

Person in charge has confirmed documents are available on site.

Summary Comment

The actions submitted have been assessed. The non-compliances identified under Regulation 16 have been addressed and will be reviewed on next inspection.

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.

Non-Compliance Information

(1)
There was no evidence provided that an adult trained in First aid for children was available to the children at all times attending the pre-school service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The First Aid Training was scheduled for Monday 10th February, Tuesday 11th February & Tuesday 25th February 2025. The Governing body Pre Hospital Emergency Care Council (PHECC) has provided training in First Aid Response. All staff have completed the training. Refresher training has been scheduled for the refresher on the 8th and 9th of February 2027. First Aid Training for children has been added to the site-specific training on the centres training matrix.

Supporting documentation submitted

Copy of booking email submitted, along with confirmation from person in charge advising certificates are available on site.

Summary Comment

The actions and evidence submitted have been assessed. The non-compliances identified under Regulation 25 have been addressed and will be reviewed on next inspection.

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.*

Compliance Information

- (1)
- (a) A procedure was in place to practice and record monthly fire drills. The last documented fire drill was dated the 2nd of December 2024.
 - (b) A record of the number, type, and maintenance of firefighting equipment in the service was on file. Records indicated that the last annual maintenance for the firefighting equipment and the fire detection system was dated 17th of April 2024.