

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DL013
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<b>Name of Service:</b>	Bocan Community Creche
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<b>Address of Service:</b>	Bocan, Culdaff, Co. Donegal
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<b>Eircode:</b>	F93 CYK1
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<b>Name of Registered Provider:</b>	Michael Doherty
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date of Inspection:</b>	25/06/2025
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<b>No of pre-school children:</b>	AM	44	PM	32
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<b>Address of the Early Years Inspectorate:</b>	Donegal Early Years Inspectorate, St. Conal's Campus, Letterkenny, Co. Donegal. F95 XK94
<b>Inspection undertaken by:</b>	N McEndoo & K Folan
<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>	Not applicable
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### Description of service

Bocan Community Creche is a not-for-profit service situated in a rural part of County Donegal, near the town of Culdaff. The service is registered to provide full day, part time and sessional care to children aged 0-6 years and is open from 8am to 6pm. The service is also registered to provide school age care. The service operates from a single-story, purpose-built premises. There are four care rooms currently in operation, the baby room, the wobbler room, junior preschool room and pre-school room. There is one sleep room with 5 cots. The baby room is currently being used for multipurpose, including sleep time for children in the wobbler and junior pre-school rooms. There is a nappy changing room which facilitates two nappy changing stations as well as a sensory room beside the junior wobbler room. There is a log cabin outside of the main building, beside the covered playground to facilitate small group work and feeding school age children hot meals. There is a total of four garden spaces available to the pre-school children on the premises, a covered outdoor area that the wobbler room and junior pre-school children can access directly from their rooms. There is a fenced garden with a mud kitchen, sand pit and climbing frame beside the covered outdoor area and an open yard area, where the preschool children can access it directly from their room. To the front of the property there is a net covered garden space with football goals and climbing ladders, this space is beside another fenced space housing a polytunnel. There is a kitchen on site where meals and snacks are prepared.

### Staffing

There were 32 adults employed in service at the time of inspection. This included a manager, relief staff, caretaker, kitchen staff and staff on employment activation programmes. There were 24 adults working in the service on the day of inspection, 1 manager, 16 Early Years Practitioners, 3 adults on employment activation programmes, 1 kitchen staff member. There were also three students on placement on the day of inspection. The Registered Provider is not on the premises on a daily basis. The manager is the person in charge and there was a named deputy person in charge available on the premises.

### 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.

The inspection focused on an examination of compliance under regulations 9,11,16(1)(k)(3),23,26 and 27. however, on inspection additional non-compliance which posed a risk was identified under Regulation 19. 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 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.

#### 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, 21 adults were present, the manager, one kitchen staff member, three adults on an employment activation program and three students, this also includes 16 adults who were employed to work directly with the children. A review of records showed that the vetting documentation for 39 adults had been examined during a previous inspection on 30/09/2024 and was found to be compliant.

In line with the requirements of Regulation 9, vetting records for four adults were then reviewed and the following information was noted.

- (a) Six written validated references from past employers for four of the adults.
- (b) Two written validated references from reputable sources for two of the adults.
- (c) Garda vetting disclosures had been obtained for all adults.
- (d) Police vetting from the police authorities in another state was available for one adult who had lived outside the state for a period of six consecutive months or more.

(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, or qualifications deemed by the Department of Children, Disability and Equality (DCDE) to meet the regulatory requirement.

### 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)  
On the day of inspection, there was an adequate number of adults working directly with the preschool children attending the service.

On the morning of the inspection 16 adults cared for 44 children.

- In the baby room, 2 adults cared for 2 children aged 1 year and 7 months to 1 years and 9 months.
- In the wobbler room 3 adults cared for 8 children aged 2 years and 1 month to 2 years and 11 months.
- In the Junior preschool room 5 adults cared for 18 children aged 3 years 3 months to 3 years and 11 months.
- In the preschool room 5 adults cared for 16 children aged 4 to 5 years.

In the afternoon of the inspection 11 adults cared for 32 children.

- In the baby room, 2 adults cared for 2 children aged 1 year and 7 months to 1 years and 9 months.
- In the wobbler room 2 adults cared for 7 children aged 2 years and 1 month to 2 years and 11 months.
- In the Junior preschool room 4 adults cared for 11 children aged 3 years 3 months to 3 years and 11 months.
- In the preschool room 3 adults cared for 12 children aged 4 to 5 years.

(2)

The minimum ratio of adults to children was maintained throughout the 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:*

*(k) details of any accident, injury or incident involving a pre-school child attending the service.*

*(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.*

#### Compliance Information

(1) (k)

A sample of records were reviewed and found to contain the necessary information in relation to accidents and incidents that had occurred in the service.

(3)

Records regarding Regulation 16 (1) (k) were present on the premises and made available to the inspectors on the day of inspection.

### 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-*

*(b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.*

### Non-Compliance Information

1. Meals were served to children of the baby room and the wobbler room simultaneously, and in the same space. While the baby room children were placed in highchairs, they were capable of sitting at the child sized table and chairs, alongside the older children. This arrangement limited valuable opportunities for fostering social and personal interactions – both between the younger children and adults, and between the younger children and older children. Observations on the day of inspection, showed that younger children were seated away from the group, with the adult’s attention primarily directed towards those at the tables. As a result, opportunities for conversation, social engagement and meaningful interactions were reduced. Seating all children together would have supported a more inclusive and socially enriching mealtime experience.
2. A child was observed to be upset and tired during mealtime, the child was offered their soother when their food was finished. Mealtime and clean up routine continued around the child for a period of ten minutes, during which time the child had put their head down on the table and fallen asleep, the child was then transferred to the sleep room. The individual sleep needs of this child were not met due to the child’s sleep cues not being identified and attended to sooner.
3. Records were not maintained for children who had bitten another child, while incident reports were completed for children who had been bitten corresponding records were not available for children who had carried out the biting. This gap in documentation meant there was no evidence of a risk assessment, individual care plan, or confirmation that parents had been informed that their child had bitten another child. The absence of these records limits the ability to monitor patterns of behavior, plan for and implement appropriate support strategies and ensure the ongoing safety and well-being of the children.

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

#### Corrective and Preventive Action

1. A meeting was held with all staff regarding inclusion to ensure all children have opportunities for conversation, social engagement and meaning full interactions during mealtimes as per our healthy eating policy. The Healthy eating policy was reviewed and revised with all staff regarding the inclusion of children as a social opportunity. A photo / poster has been displayed to remind staff of inclusive practices.
2. A meeting with held with all staff and children’s cues were discussed to ensure needs are meet on an individual and timely basis as per our sleep and rest policy. The sleep and rest policy was reviewed with all staff.
3. Staff were informed immediately to complete records for children who had bitten alongside reports for children who had been bitten. Management will ensure when signing off forms that two reports have been completed.

#### Supporting documentation submitted

Copies of updated relevant policies submitted.

### Summary Comment

The corrective and preventive actions have been reviewed and accepted. The noncompliance's under Regulation 19 have now been addressed and are considered met.

### 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 main door to the service was secure on the inspector's arrival, preventing unauthorised access to the service by an adult or a child leaving the service unsupervised.
- Daily risk assessments were in place both indoors and outdoors in the service.
- Cleaning materials were stored on high shelving out of children's reach.
- The equipment in the care rooms was in good condition with toys stored in an orderly fashion in boxes.
- Blind cords were secured to the wall.
- Emergency exit doors were unobstructed.

##### Infection Control:

- The service was clean and in a hygienic condition on the day of the inspection. Cleaning records were in place in each room which stated the areas to be cleaned each day.
- Warm water, soap and paper towels were available for effective handwashing.

##### Administration of Medication:

- No medicine was administered on the day of inspection. Records were available which demonstrated that adults were aware of the correct procedures to be taken for the safe administration of medicine.

##### Safe Sleep:

- Children over the age of two slept on low level, stackable beds. Children under two were provided with individual cots. Each child had access to their own bed linen.
- Sleep checks were carried out on sleeping children. The records detailed the child's name, the date and time of the check, the position, breathing pattern and colour of the child and the adults' initials.

- The temperature of the toddler sleep room was monitored and recorded by the adults supervising the children. The temperature of the toddler sleep room on the day of the inspection was 21.2°Celsius.

## Non-Compliance Information

### General Safety:

- Highchairs that were in use within the wobbler room were not fitted with a 5-point safety harness. This could lead to a potential risk of falling from a height for a child.

### Infection Control:

- The foot operated pedal bin in the boy's bathroom was broken resulting in waste being disposed on the floor, causing a slip and fall risk to children and a risk of cross contamination.
- Hand washing of children before mealtimes and after nappy changing was observed to be inconsistent on the day of inspection. Handwashing of staff was also observed to be inconsistent prior to and after nappy changes.

## Action submitted by the Registered Provider

### Corrective & Preventive Action

#### General Safety:

- The 3-point harness highchairs were removed and replaced with brand new 5-point harness highchairs.

#### Infection Control:

- The broken bin was removed and replaced with a new foot pedalled operated bin. A spare bin is now kept in storage for replacement in the event of that bin no longer operating.
- All staff were reminded of the importance of handwashing before all mealtimes, before and after nappy changes. A step-by-step guide was printed and displayed in the nappy room along with handwashing posters placed in each room.

### Supporting documentation submitted

Photographic evidence submitted.

## Summary Comment

The corrective and preventive actions have been reviewed and accepted. The noncompliance's under Regulation 23 have now been addressed and are considered met.

### 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 firefighting 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)(b) A record was kept of the number, type and maintenance of firefighting equipment. Records showed the firefighting equipment was last serviced in December 2024. The smoke alarms were serviced on 04 March 2025.
- (4) Fire evacuation notices were displayed in the service detailing the procedures to be followed in the event of an evacuation.

#### Non-Compliance Information

- (1)(a) A record of fire drills carried out in the service was kept. However, these records demonstrated that in the period between September 2024 to June 2025, no fire drill was carried out on the premises in December 2024, January, March, May or June 2025. The last recorded fire drill was 07 April 2025. Fire drills should be carried out monthly to ensure children are familiar with evacuation procedures in the event of an emergency.

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

##### Corrective and Preventive Action

A reminder alarm has been set up on the workplace phone for a fire drill to take place during the 2nd week of each month. Management will follow the reminder as to when fire drills are to take place. The details will be recorded on the fire drill sheets that have been given to all rooms and the office.

##### Supporting documentation submitted

Evidence of reminder submitted.

#### Summary Comment

The corrective and preventive actions have been reviewed and accepted. The noncompliance under Regulation 26 has now been addressed and is considered met.

## Part VI - Safety

### Regulation 27 – Supervision

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

#### Compliance Information

During the inspection, the required ratio of qualified adults to children was maintained, ensuring that children were under the supervision of qualified staff members. The staff were observed positioning themselves within the rooms to allow effective engagement with the children, offering support when required and attentive supervision. During mealtimes staff sat close by the tables whilst, ensuring help was given to children when required. The outdoor area was designed to ensure that the children could be kept within sight and sound of the staff.

## Part VI - Safety

### Regulation 28 - Insurance

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

#### Compliance Information

The registered provider ensured adequate insurance was in place for the full day care service for 66 children up until 27 March 2026.