

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2015DL027

Name of Service: Colmcille Creche

Address of Service: Carrownaffe, Derry Rd, Moville, Co. Donegal

Eircode: F93 K093

Name of Registered Provider: Orla Doherty

Service type: Full Day, Part Time, Sessional

Date of Inspection: 20/02/2025

No of pre-school children:	AM	13	PM	11

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

Colmcille Crèche is a privately run service located on the outskirts of the town of Moville, Co. Donegal. The service operates from 8.00am-5.30pm each weekday providing both full day and part time care to children aged 0-6 years. The premises consists of a former detached, single story domestic dwelling which has been adapted for the provision of an early years' service. There are two playrooms namely the baby room and the toddler room. The service has a designated sleep room and a kitchen where meals and snacks for children are prepared. An enclosed outdoor area is provided at the entrance to the building.

Staffing

The service employs six adults, which includes the registered provider who works in the service on a daily basis. In addition to this, a student from a local college attends the service as part of a placement programme. The service also has access to a relief worker, if required. On the day of inspection there were six adults present in the service. Five were working directly with the children and one adult was assigned to kitchen duties.

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, 23, 26, 27 and 28, 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.

Additional Information

1. An immediate action notice under Regulation 9 – Management and Recruitment was issued to the registered provider following inspection during the corrective action and preventive action process. The registered provider outlined adequate measures being put in place to address same. Please see body of report for more detail.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, person in charge, 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

(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) The designated person in charge was available on the premises throughout the period of inspection.
- (b) On the day of inspection, the person in charge or deputy person in charge was always available on the premises.
- (c) The registered provider confirmed that there was a clear line of authority within the service. When discussed with the inspector staff also demonstrated that there was a clear understanding of their role and reporting structures within the service.

(2)

On the day of inspection, eight adult files were inspected.

- (a) 13 written validated references from past employers for eight of the adults.
- (b) One written validated reference from reputable sources for one of the adults.
- (c) Garda vetting disclosures had been obtained for seven staff. 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. Please refer to the information outlined under regulation 23 of this report.

- (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, Equality, Disability, Integration and Youth (DCEDIY) to meet the regulatory requirement.

Non-Compliance Information

- (1)
- (b) The registered provider did not ensure at all times that there was a person in charge or deputy person in charge on the premises at all times. A sample of the roster demonstrated that in the previous four weeks neither the person in charge nor deputy person in charge was always available on the premises each day.
- (2)
- (c) Garda vetting for one adult was not available on the day of inspection. An immediate action notice was issued. It is acknowledged that the Registered Provider gave assurances to make an application, and in the interim the person would not be in direct contact with children.
- (4)
- Evidence of one adult holding a major award at level 5 or above in early childhood care and education on the national qualification framework was not available on the day of inspection.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (1) (b) The service provider will ensure that a person in charge or deputy person in charge will always be on the premises. This will be achieved by ensuring that the rota always includes the person in charge or the deputy, throughout the day, to ensure the non-compliance does not re-occur. The rota will be organised to reflect the above position, and a photo is attached to demonstrate the corrective action.

The rota was implemented immediately to demonstrate that the corrective action is achieved. The person in charge will ensure that either herself or the deputy are on the schedule each day. This corrective action is implemented immediately and demonstrated in the attached photo of the roster.

The service recognises the non-compliance and has implemented the corrective action above. To avoid re-occurrence of the above non-compliance the service provider will ensure that herself or the deputy person in charge are always present and the schedule will be compiled with that in mind.

- (2) (c) The Garda vetting for all staff was applied for on commencement of employment by the service provider, failure to assess or update this resulted in the above non-compliance. I immediately addressed this non-compliance by applying for all staff vetting renewals last month on the same day, not only the one that wasn't available. I recognise that there was no procedure identified by myself to address compliance until now.

The service provider has set a reminder to renew vetting applications in advance of expiry and in accordance with the 3-year rule to achieve a measurable target. This will also be done to ensure any new staff have their vetting renewed after their initial start date. The vetting for all staff currently employed has been renewed and a reminder has now been set in advance of the expiry of the existing vetting to ensure the non-compliance does not re-occur.

The goal is to avoid the non-compliance re-occurring, so by setting a reminder for the month prior to expiry the service provider will be reminded to renew the vetting for the staff currently employed. The above corrective actions have been implemented immediately, and evidence of the new vetting is attached along with the reminder. The service provider has renewed all vetting for staff currently employed in the service and in addition has set a reminder in advance of the expiry date of the renewed vetting to ensure that the non-compliance does not re-occur.

- (4) The service provider has an electronic copy of the level 5 qualification for the adult in question but did not have the hardcopy on site. The service provider has attached the qualification for evidence. The service provider has printed the electronic version and added it to the hardcopy file. The qualification is held electronically but will also be added to a hard copy folder in the creche. The goal is to avoid the non-compliance re-occurring, so by having access to the electronic version and the hardcopy the non-compliance should not re-occur. The above corrective actions have been implemented immediately, and evidence of the qualification is attached. The service provider will have a hard copy and electronic copy available for inspection.

Supporting documentation submitted

- (1) Photo of roster submitted.
- (2) Photo of reminder submitted.
- (4) Photo of qualification submitted.

Summary Comment

The actions and evidence submitted have been reviewed. The non-compliances identified under Regulation 9 have been adequately addressed.

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 maintained at the minimum specified ratios.

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)

(b) On the day of inspection, the privacy and dignity of the child was not always recognised. During nappy changing and toileting times, it was observed that the door to the changing room and the toilet were left open. Children who were present were visible from the entrance area and the corridor.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1)

(c) The service provider was alerted during the inspection that the changing room door was open during the changing of a child's nappy. The inspector informed the service provider that this was a breach of the child's dignity and that it should be addressed. The service provider has directed the staff to ensure the door is closed during changing to ensure the child's dignity, A sign is erected on the door to remind staff to close the door during changing. The non-compliance is addressed and a sign erected on the door to reinforce the new policy regarding dignity.

The goal is to avoid the non-compliance re-occurring, so by having the sign erected on the door it is a visual trigger to staff when changing nappies. The above corrective actions have been implemented immediately, and evidence of the new procedure is attached. A sign is erected on the door to trigger staff to close the door when changing. This will be monitored and additional actions in the form of slow closing hinges will be applied if the initial preventative action is not successful.

Supporting documentation submitted

(1) (b) Photo evidence submitted.

Summary Comment

The actions and evidence submitted have been reviewed. The non-compliances identified under Regulation 19 have been adequately addressed.

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 entrance gate to the outdoor area and door to the service were both observed to be secured when not in use. Wooden fencing throughout the perimeter of the service was well kept, preventing any unauthorised entry or exit.
- The hot water provided at the children's wash hand basins was controlled to a safe temperature below 43°C for hand washing.
- Materials and resources, both indoor and outdoor were all maintained in a good state of repair.
- Highchairs within the baby room were fitted with a 5-point safety harness.
- The kitchen was inaccessible to the children.

Infection Control:

- Sanitary facilities were observed to be kept maintained and clean.
- Tables were observed to be cleaned prior to and after mealtimes.
- Foot pedal bins were observed throughout the premises.
- Soap was readily available to children to wash their hands prior to eating, after both toileting and nappy changes. Child friendly handwashing posters were placed beside the sinks. Handwashing was supervised by the adults to ensure all hands were cleaned effectively.

Safe Sleep:

- The service had a designated sleep room with appropriate cots and bedding available to children.
- Sleep checks were observed to occur every ten minutes.
- The Sleep room temperature was recorded within the acceptable range of 16 to 20°C.

Fire Safety:

- Fire doors were unobstructed on the day of inspection to ensure safe evacuation in the event of a fire or other emergency.
- Fire evacuation procedures were clearly displayed in the care rooms.
- Fire extinguishers were on the premises and easily accessible.

Non-Compliance Information

General Safety:

1. Garda vetting was available for six staff members. However, two of these vetting disclosures were not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.
2. Cleaning agents were observed to be accessible to children on a low-level shelf. Action was taken by the inspector to remove them from the area and brought to the attention of the adults present on the day.

Infection Control:

3. Gloves and aprons were observed not to be removed after disposing of an unclean nappy, and prior to moving onto the next care activity of placing on a clean nappy, followed with redressing the child. This could lead to a risk of cross infection.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The service provider was informed by the inspector that two of the staff vetting confirmations were out of date. The service provider immediately renewed the vetting and has now renewed the vetting of all current staff. The service provider has set a reminder for the renewal of all staff vetting prior to the expiry date and this should avoid the non-compliance re-occurring. The reminder will trigger the service provider to renew all current vetting including any new staff at the time of renewal. The goal is to avoid the non-compliance re-occurring, so by having a reminder set, the non-compliance should not re-occur. The above corrective actions have been implemented immediately, and evidence of the vetting and reminder are attached. The service provider has now set a reminder to renew vetting before the existing vetting expires in three years.
2. The service provider was informed that some cleaning agents could be accessed by children due to the low-level location they were observed during the inspection. The service provider immediately removed any low-level cleaning products to high shelves to prevent the non-compliance reoccurring. The service provider has attached a photo of the cleaning agents on a higher shelf and informed staff not to store those items in the reach of children. The higher shelf storage area should prevent children being able to access the items. The goal is to avoid the non-compliance re-occurring, so by installing the higher shelf and storing the cleaning agents on this shelf the non-compliance should not re-occur. The above

corrective actions have been implemented immediately, and evidence of the new shelf is attached. A new shelf was fitted at high level to ensure the children cannot reach the cleaning agents.

Infection Control:

3. The service provider was informed during the inspection that staff were only wearing one pair of gloves during the nappy changing task. The inspector informed the staff and the service provider that two pairs of gloves should be worn at all times and one pair disposed of after each nappy is changed and a new pair put on to change the next nappy. The service provider and the inspector have informed the staff of the new regulation and immediately implemented the same. The new procedure is achievable and has been adopted immediately. The goal is to avoid the non-compliance re-occurring, so by having the inspector speak to the staff and the service provider ensuring the new procedure is followed the non-compliance should not re-occur. The above corrective actions have been implemented immediately.

Supporting documentation submitted

General Safety:

1. Garda vetting for one adult has been received and accepted. Confirmation received of delay with two renewal applications.
2. Photo evidence submitted.

Infection Control:

3. None submitted.

Summary Comment

The actions for points 2 and 3 have been reviewed and deemed to be adequately addressed. Evidence in relation to point 3 will be reviewed on next inspection. The non-compliances identified under Regulation 23 in relation to point 1 remains outstanding and evidence will be submitted by the registered provider to the early years inspectorate on receipt.

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.
- (2) The record referred to in paragraph (1) shall be open to inspection by-
- (a) a parent or guardian of a pre-school child attending or proposing to attend the pre-school service,
 - (b) an employee, and
 - (c) an authorised person.
- (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) A procedure was in place to practice and record monthly fire drills. The last documented fire drill was dated the 17th of February 2025.
 - (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 12th of December 2024.
 - (2)
 - (c) The records pertaining to fire drills, the number, type and maintenance record of firefighting equipment and smoke alarms in the premises were available for an authorised person to inspect.
 - (4)
- A notice of procedures to follow in the event of a fire, was displayed in a prominent position within the service.

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 every child was under the supervision of a qualified staff member. The staff were observed positioning themselves within the rooms to allow them to engage effectively with the children, offering supportive and attentive supervision. During mealtimes staff sat closely with the children at the table's, ensuring help was given when required. The outdoor area was designed to ensure that the children can 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 22 children up until 26 March 2025.