

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DL036
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Name of Service:	Donegal Kiddies Corner Malin Community Playgroup
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Address of Service:	St Teresa's Old National School, Malin, Co. Donegal
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Eircode:	F93 HF57
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Name of Registered Provider:	Emma McDaid
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Service type:	Sessional
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Date of Inspection:	23/10/2025
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No of pre-school children:	AM	15	PM	n/a
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Address of the Early Years Inspectorate:	Donegal Early Years Inspectorate, St. Conal's Campus, Letterkenny, Co. Donegal. F92 TD92
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
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Description of service

This service was first notified as a community based non for profit, sessional service in 1997. The service is in the old national school in the town of Malin in county Donegal. The service caters for children aged between 2 years and 6 years of age. The service opening hours is 9 am to 2 pm. The service presently has two interconnecting playrooms, office, sanitary facilities and a storage area. The children have access to an outdoor play area to the side and rear of the service which allows children to play and get out in the fresh air.

Staffing

There are five adults employed by the service. Four adults were present on the day of inspection; one adult was on leave. A total of 3 adults worked directly with children, which included the designated person in charge. The registered provider was present. They do not work directly with the children.

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 announced/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.

A sampling process was used to assess compliance under regulation 16 (1)(k), Record in relation to pre-school service.

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, 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.

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(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, the following vetting information was available for five adults employed by the service:

- (a) Seven written validated references from past employers for four of the adults.
- (b) Two written validated references from reputable sources for four of the adults.
- (c) Garda vetting disclosures had been obtained for all 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, Disability and Equality (DCDE) to meet the regulatory requirement.

Non-Compliance Information

(2)

The following vetting information was not available:

- (a) One written validated reference from past employer or reputable source was not available for one adult.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider stated,

Staff references are now validated. Going forward any future new staff have their references validated.

Supporting documentation submitted

Reference submitted.

Summary Comment

The corrective and preventive actions submitted have been reviewed. The requirements under Regulation 9 have been met.

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 was an adequate number of adults working directly with the preschool children attending the service.

(2)

The minimum ratio of adults to children was maintained at all times throughout the inspection.

(8)

The registered provider ensured that there are always at least two adults on the premises when children were present in the service as evidenced in a sample review of attendance records.

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.

Non-Compliance Information

A sample of 10 accident and incident forms were reviewed on the day of inspection. There was inadequate information recorded on the forms as follows,

- It was not always evident to the inspector if the parent had been informed of the incident as their signature was not present, or the parents copy of the form was still present.
- The manager's signature was not always present.
- Date of births of the child was not always present.
- It was not always clear that preventable actions had been considered or identified by the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

A new incident report book has been purchased. A duplicate copy is now available so that every parent gets a copy. The new book will be inspected on a weekly basis to ensure that all incident reports are properly logged and dated with the child's correct details. The reports will be signed off by the manager, and the parents will have a copy.

Supporting documentation submitted

Updated accident and incident records submitted.

Summary Comment

The corrective and preventive actions submitted have been reviewed. The requirements under Regulation 16 (1) (k) have been 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 entrance was found to be secured on arrival preventing unauthorised access or exit from the premises.
- Materials were observed to be in a good state of repair.
- Shelving was low and easily accessible to the children.
- Warm running water was available for hand washing at a temperature below 43°C.
- The outdoor area was secured with tall wooden fencing and a bolted gate.
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Infection Control:

- 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.
- Sanitary facilities were observed to be kept maintained and clean.
- Tables were observed to be cleaned prior to and after mealtimes.
- The sanitary facilities were observed to be ventilated by openable windows.
- The materials and resources throughout the service were visually clean.

Administration of Medication:

- When interviewed, staff were aware of their responsibilities for the safe administration of medication. No medication was administered on the day of inspection.

Safe Sleep:

- No children were observed to sleep or require sleep on the day of inspection. Appropriate bedding was available to children should it be required.

Fire Safety:

- Fire exits were observed to be unobstructed throughout the service.
- 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 two staff members. However, 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. On the day of inspection, a wooden framed 'Pirate Ship' was unsecured and exposed nails were present posing as a risk of harm to a child.
3. The service policy stated that 'a formal outdoor risk assessment will be carried out regularly and risk assessments will be kept up to date'. On the day of inspection risk assessments for the outdoor area were not available to the inspector.
4. Low hanging wires were accessible to children from a speaker. This posed as a risk of strangulation to a child. When brought to the attention of staff, the wires were secured.

Fire Safety:

5. Fire doors were observed to be held open with a door stop. Fire doors are designed to impede the spread of smoke and flames for up to 30 minutes, if left open fire and smoke can travel freely, accelerating the spread. It is acknowledged the doorstops were removed when brought to the attention of the registered provider.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. All staff vetting are now up to date. Monthly checks on staff files will be carried out on in relation to vetting to ensure they are up to date.
2. The pirate ship was removed and fixed to adhere with regulations before it was put back on the playground.
3. Outdoor risk assessments are to be filled out every time the children go outside. The assessments are very easily accessible as they are now kept in the trolley that goes outside with staff and children.
3. All risk assessments are checked over and signed by the manager at the end of the day.
4. Staff will ensure that the speaker will no longer be plugged into the socket that could cause potential harm. It has been moved to a safer location.

Fire Safety:

5. Doorstops were removed on the day of inspection when brought to the attention of staff. They are no longer in use on our premises.

Supporting documentation submitted

Service policy and risk assessments submitted.

Summary Comment

The corrective and preventive actions submitted have been reviewed. The requirements under Regulation 23 have been met.

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 ensured that a person trained in First Aid Response (FAR) for children was, at all times, immediately available to the children attending the service.

Non-Compliance Information

(2) (a)(b)

While first aid kits were present on site, there was no evidence that regular inventory checks of their contents had been completed, as a result expired wound cleansing wipes were observed, and eyewash provisions were absent. The absence of these checks could lead to the expired or missing items being relied on in the event of an emergency, therefore delaying or compromising the required first aid response to the child.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

A new first aid box was purchased as well as a weekly checklist introduced that has to be signed and date weekly. Staff will check the dates on the first aid kit on a weekly basis to ensure adequate stock levels as well as the used by dates. This has been added to the risk assessment template.

Supporting documentation submitted

Copy of risk assessment submitted.

Summary Comment

The corrective and preventive actions submitted have been reviewed. The requirements under Regulation 25 have been 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 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 12th September 2025.
 - (b) A record of the number, type, and maintenance of firefighting equipment and smoke detection system in the service was on file.
- Records indicated that the last annual maintenance for the firefighting equipment was dated February 2025. The records for the smoke detection system indicated the last service occurred in August 2025.
- (2) The record referred to in paragraph (1) was available and open to inspection by-
- (c) an authorised person.
- (4) On the day of inspection, a notice of the procedures to be followed in the event of fire were observed to be displayed in a conspicuous place within the premises.

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

On the day of inspection, effective supervision and staff engagement were consistently demonstrated. The environment indoors and outdoors was structured to ensure the safety, well-being, and support of the child, with staff maintaining close and attentive interactions throughout the day.