

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DL042		
Name of Service:	Fairytale Day Care Ltd		
Address of Service:	Drumbern, Milford, Co. Donegal		
Eircode:	F92 RK72		
Name of Registered Provider:	Patrice McBride		
Service type:	Full Day, Part Time, Sessional		
Date(s) of Inspection:	15/04/2025		
No of pre-school children:	AM	24	PM 24
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		

Description of service

Fairytales Daycare Ltd is a privately owned and operated service located in a rural area close to the town of Milford, Co. Donegal. The service provides both full day care and sessional preschool to children aged 0-6 years and operates from 07.45-18:00 each weekday. There are two sessional services in operation within the service, one from 09.00-12.00 and the second from 09.15-12.15 The service operates from two detached buildings on the ground of the registered providers dwelling house. The first building is a purpose-built dormer style detached building containing two care rooms, a dining room, sanitary facilities and a kitchen. One care room is on the ground floor and one on the first floor. The second building consists of one care room and sanitary facilities in a detached purpose-built single-story unit. Meals and snacks for children are prepared on-site in a designated kitchen. There are two outdoor areas including one large outdoor play area which the older children share access to and a second partially covered area to the rear of the premises was designated for use by the younger children.

Staffing

There are a total of thirteen staff members employed to work in the service. There are ten adults employed to work directly with the children, and 3 staff members employed to carry out duties such as cooking, maintenance, administration and grounds caretaking duties. One student from a third level degree programme was also present. The registered provider is on the premises on a daily basis and is available to provide relief cover in the care rooms when required.

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

The inspection focused on an examination of compliance under regulations 9, 11, 23, 26, 27 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 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*

(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 (a)

There was a designated person in charge and a named person to deputise as required.

(2)

The records of four adults in the service were reviewed.

Two of four files had not been previously reviewed. The following information was available for both.

(a) (b)

Three written and verified past employer references or references from a reputable source in the absence of a past employer, were available in respect of both adults within the service.

(c)

Garda vetting disclosures were available for three of four files reviewed. 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.

(3)

The procedures specified in paragraph 2 were carried out prior to any person being assigned or having contact with a child attending the pre-school service.

(4)

One adult had attained major awards in Early childhood care and education at level 5 or above on the national framework of qualifications, or qualifications deemed by the Department of Children, Equality, Disability, Integration and Youth (DCEDIY) to meet the regulatory requirement.

Non-Compliance Information

(2) (a) (b)

1. One written and validated reference was not available for one adult in the service who had previous past employment.

2. It could not be determined if a second reference on file for one adult in the service had been validated.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. Immediate action was taken. A written reference was provided and validated later on the day of inspection. The registered provider has stated they will be ensuring all staff files are checked and up to date.

2. All staff files references have been checked over and all validations have taken place. The registered provider has stated once they receive a reference it will be immediately validated.

Supporting documentation submitted

1. A copy of a written validated reference was 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)
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 always maintained throughout the inspection.

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.
- The outdoor area was secured with tall fencing and a bolted gate. The fencing appeared to be well maintained.
- Routine headcounts of children were observed throughout the day during times of transitions such as indoors to outdoors.
- The entrance to the kitchen facilities was secured to prevent any unauthorised access by the children.
- Children with food allergies and intolerances are familiar to the onsite cook, reducing the risk of possible reactions for the children.
- Grapes were observed to be cut in half, reducing the risk of choking to the child.
- Staff were observed to cut food into small manageable pieces for the children to reduce the risk of choking.
- Blind cords were secure to prevent risk of injury.
- Window restrictors were observed on the upper floor as a safety measure to prevent accidental falls by children.
- Warm running water was available for hand washing at a temperature below 43°C.
- Materials were observed to be in a good state of repair.

- Waste disposal facilities were inaccessible to the preschool children.
- Cleaning products and equipment were stored out of the reach of children.

Infection Control:

- There was adequate handwashing facilities provided throughout the service with warm water, liquid soap and paper towels.
- Foot operated pedal bins were available within the service for safe disposal of waste.
- Older children were observed to wash their hands with support, before snacks, meals and after toileting.
- The sanitary facilities were observed to be kept clean and ventilated by openable windows or air filtration system when a window was not available.

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:

- The service had a designated sleep room with appropriate cots available to children.
- Sleep checks were observed to occur every ten minutes.

Fire Safety:

- Fire doors were observed to be unobstructed throughout the service.
- Fire evacuation procedures were clearly displayed in the service.

Non-Compliance Information

General Safety:

1. Garda vetting was available for 1 staff member. However, this vetting disclosure was 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. The sand pit in the outdoor area was left uncovered when not in use, posing as a risk of infection should vermin access it.
3. A service trolley stored in the hallway outside of the kitchen door could impede or delay exiting the premises in the case of an emergency.
4. Digital clocks to record room temperatures were found not to be working correctly on the day of inspection. In the Ladybird room at 12:13 one clock was noted to return a recording of 15°C. The room temperature was recorded by the inspector as being 23.8°C. It is noted that immediate action was taken by staff, with windows being opened and sun blinds coming down, once this was brought to their

attention. The temperature was subsequently recorded to be 20.8°C within the guidance parameters. There was no means to record the room temperature on the upper floor, Little Footprints room.

5. A fridge in the Little Footprints room was observed to be unlocked. Medication was found to be stored on a lower shelf, accessible to the children.

Infection Control:

6. 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.

Administration of Medication:

7. On review of stored medications,
 - Two bottles of febrile reducing medications were found to be out of date.
 - Two bottles of medication were observed to be unlabelled.

Fire Safety:

8. A fire extinguisher located in the hallway on the ground floor was found to be blocked with a clothes drying rack. The fire extinguisher was not visible and therefore imposed a risk of delay in the event of a fire breaking out.
9. A fire door in the upstairs room, Little Footprints, was observed to be held open with a stack of chairs. An open fire door allows smoke and flames to travel freely, accelerating the spread of fire.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. Immediate action was taken, and the service provider contacted the garda vetting team and the completed vetting form was available in the following few days. The registered provider has stated all garda vetting forms will be routinely checked over for expiry dates.
2. A meeting took place with our groundskeeper, and we discussed putting in place a daily risk assessment checklist specifically for the sandpit. This includes the ground keeper carrying out a morning and evening check over and raking of the sand pit area, to eliminate risk of infection. The registered provider has stated that a checklist had been formatted and in display in our outdoor display area.
3. Immediate action was taken, and the trolley was removed from this area. The registered provider has stated that this area will remain clear.

4. Immediate action was taken, and an electrician visited the setting, which resulted in the original sensors being removed and new sensors fitted also adding insulating padding around sensor.
The electrician sourced temperature monitors and these were placed in all care rooms. The registered provider has stated that the electrician will make routine visits to check monitors are working effectively.
5. Fridge locks were placed on fridges Medication has been placed on top shelf out of reach for children. The registered provider has stated that all fridge locks will be placed on fridges.

Infection Control:

6. Immediate action was taken, and staff have reviewed nappy changing practice to include hand washing at the start before placing gloves. Gloves are then removed and binned along with nappy resulting in clean hands to place clean nappy/clothes. Hand washing will again take place at the end of this procedure for each child. The registered provider has stated that all staff have been informed of new nappy change practices.

Administration of Medication:

7. Immediate action was taken, and the out-of-date medication was handed back to parents and new medication was replaced. All medication is now checked and labelled. The registered provider has stated that all staff will check medication on a monthly basis to ensure in date medication

Fire Safety:

8. Immediate action was taken and the clothes drying rack was removed from this area. The registered provider has stated that all fire extinguish areas will remain clear and accessible at all times.
9. Immediate action was taken, and staff were informed of the fire risk, chairs were removed from holding the door open and will no longer be placed there. The registered provider has stated that Staff are now aware of this fire risk and chairs will no longer be holding door open

Supporting documentation submitted

General Safety:

1. Copy of Garda Vetting submitted.
2. None submitted.
3. Photo of area submitted.
4. Photo of thermostats in situ.
5. Photo of fridge lock submitted.

Infection Control:

6. None submitted.

Administration of Medication:

7. Photo of updated labelled medicine submitted.

Fire Safety:

8. Photo of the area submitted.
9. Photo of the area submitted.

Summary Comment

The actions and evidence submitted for points 1 – 9 have been reviewed. The non-compliances identified under these points of Regulation 23 have been adequately addressed.

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)
- (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 10th of June 2024.
- (4) A notice of the procedures to be followed in the event of fire was displayed in the premises.

Non-Compliance Information

- (1)
- (a) The procedure of carrying out and recording monthly fire drills had not been followed. The last documented fire drill was dated the December 2024.
- (2)
- The records pertaining to the smoke detection system were not available on the day of inspection there for it was not possible to ascertain compliance in relation to smoke alarms on point 1 (b).

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- 1.(a) Immediate action was taken and a fire drill was carried out. The registered provider has stated that a fire drill schedule has been devised and displayed on notice board in hall which informs all staff of next fire drill.
2. A service check on the smoke detection system was carried out by a reputable firm on Friday 23rd May, certificate of this will be furnished to the provider at their earliest convenience. The registered provider has stated that this safety compliance check will be carried out routinely going forward.

Supporting documentation submitted

1. Copy of a fire drill and a copy of future planned fire drill dates submitted.
2. None submitted.

Summary Comment

The actions and evidence submitted have been reviewed. The non-compliances identified under Regulation 26 have been adequately addressed. This area of practice will be assessed at the next inspection.

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 and whilst outdoors, 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 and allowing for the opportunity of quality interactions to occur.

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 72 children up until 26 March 2025.