

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DL057
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<b>Name of Service:</b>	Kiddlywinks CC Limited
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<b>Address of Service:</b>	Ballintra Community Centre, Ballintra, Co. Donegal
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<b>Eircode:</b>	F94 X7TD
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<b>Name of Registered Provider:</b>	Denise Gallagher
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<b>Service type:</b>	Full Day
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<b>Date of Inspection:</b>	29/01/2026
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<b>No of pre-school children:</b>	AM	15	PM	7
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, TUSLA Child & Family Agency, Markievicz House, Barrack St, Sligo, F91 XC84
<b>Inspection undertaken by:</b>	S Killeen
<b>Title:</b>	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).

<b>Conditions if applicable</b>	Not Applicable
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### Description of service

Kiddlywinks CC limited is a privately owned pre-school service located in the rural village of Ballintra in County Donegal. The service offers full time, part-time and sessional pre-school care to children aged between two and six years. The service is also registered to provide school age care. The pre-school operates from a purpose-adapted premises based on the grounds of a community centre. There are two pre-school rooms, namely, Ladybirds and Butterflies. A designated outdoor play area to which children have daily access is available along with other facilities to include storage areas, an office, staff toilet and children's sanitary facilities.

### Staffing

There are ten staff members currently employed within the service seven who work directly with the children, this includes the registered provider who is the designated person in charge and three who are employed to work with the after-school 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 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, 12,11,16 k,23,25,27,28 and 29 These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under regulation 16 K- Record in relation to a preschool 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, deputy 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*

*(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 deputy person in charge was available on the premises throughout the period of inspection.

(2)

On the day of inspection, eight adults were present, the person in charge, four adults who were employed to work directly with the children, three adults working with the after-school children. The following vetting information was available for seven adults:

- (a) Twelve written validated references from past employers for seven of the adults.
- (b) one written validated reference from reputable sources for one of the adults.
- (c) Garda vetting disclosures had been obtained for ten staff. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d) Police vetting from the police authorities in another state was available for two adult who had lived outside the state for a period of six consecutive months or more.

(4)

Seven 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

- (1) International police vetting was required for one staff who had lived outside of the country for longer than six months.
- (2) Validated reference on file for one staff member, however there was no date on the validated reference.

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

#### **Corrective and Preventive Action**

- (1) I have contacted the staff member who hasn't been actively working here in the last 6 months and is still not working here. However, in the case that we do need the said staff member I have contacted her asking her to get her international police vetting. She has responded saying that she has contacted the embassy. To be sure to look at every country the person has previously lived in and get then to give me the police vetting for the said documents.
- (2) We the management have gone through all the staff references and ensured they are signed and dated before the start date thoroughly check through the paperwork to ensure all is signed and dated by management as part of the recruitment process.

#### **Supporting documentation submitted**

- (1) Evidence of register providers correspondence with staff member to apply for international police vetting.
- (2) No evidence received.

### Summary Comment

The inspector has reviewed the actions and evidence submitted. The noncompliance identified under Regulation 9 has been adequately addressed.

### Part III – Management and Staff

#### Regulation 10 - Policies, procedures etc. of pre-school service

*A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.*

#### Compliance Information

The following policies were reviewed on inspection:

- Administration of medication policy.
- Accident and incident policy.
- Risk management policy.

The policies contained the information required to guide staff on best practice.

### 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.*
- (4) *Subject to paragraph (5), where a registered provider contemporaneously provides-*
- (a) *a sessional pre-school service, and*
  - (b) *a full day care service or a part-time day care service, or both, the minimum ratio of adults to children applicable for the duration of the sessional pre-school service in respect of the children attending that service shall be the ratio specified in paragraph (3).*

#### 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. On the morning of the inspection there was three staff supervising fifteen children.

(4)

The staff roster confirmed that that there were always at least two adults on the premises when children were present in the service.

### 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

(3) The records for accident and incidents were available for inspection by an authorised person on the day of inspection.

#### Non-Compliance Information

(1) A sample of eight accidents and incidents forms were reviewed, the following information was omitted,

- No parent or management signature on one accident form.
- No manager signature on one accident form.
- No parent signature on one accident form.

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

##### Corrective and Preventive Action

(1) We have changed out accident forms to the little vista app where all staff have received proper training on how to write and submit an accident incident form and share it with parents and get them to sign it, also to the manager By using the little vista we can share this document much better, as shown by this one ensuring the relevant staff and managers sign the forms .

##### Supporting documentation submitted

(1) Photographic evidence of forms on little vista App.

## Summary Comment

The inspector has reviewed the actions and evidence submitted. The noncompliance identified under Regulation 16 has 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:

- Materials and resources were visually clean and in good repair.
- Tables were cleaned before and after mealtimes.
- All electrical leads, flexes, and blind cords were securely fastened.
- Adequate handwashing facilities were provided, liquid soap was readily available for children to wash hands before eating and after toileting.

### Infection Control:

- The service was cleaned daily and weekly up to date cleaning rosters were available on the premises for review.
- The materials and resources throughout the service were visually clean.
- Tables and were observed to be cleaned prior to and after mealtimes in the pre-school room.
- There was adequate handwashing facilities provided throughout the service, liquid soap and paper towels.
- The sanitary facilities were observed to be ventilated by openable windows. Sanitary facilities were observed to be kept maintained and clean.
- Child friendly handwashing posters were placed beside the sinks.

### 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. Anti-febrile medication was stored on site out of reach of children and in date.

### Fire Safety:

- Fire doors 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.

### Safe Sleep:

- The service had appropriate floor beds available for children over 24 months.
- Sleep checks were observed to occur every ten minutes.
- The Sleep room temperature was recorded at 18.0 °C on the day of inspection, within the acceptable 18° C to 22°C for over children over 12 months.

### Outing:

- There was evidence of an outing policy in the service. Three outings had taken place last years in to include a forest walk, nursing home visit and beach outing. There was evidence of risk assessments being completed before the outing commenced.

## Non-Compliance Information

### General Safety:

- 1) On the morning of the inspection, it was observed the gate which accessed a shared car park was open. This unsecured gate could provide children with a potential access point to exit the service. As noted in the service's daily risk assessment, this gate is required to be kept secure at all times.
- 2) In the main hall, it was observed that the wooden barrier used to prevent children from accessing the stage in the hall was unsecure.
- 3) In the outdoor play area, it was observed that a wooden gate within the children's outdoor area was damaged and hanging off its hinges. The broken timber has resulted in exposed nails and sharp, jagged edges, posing a potential risk of injuries to children.
- 4) During the inspection, it was observed that exposed piping and a metal valve in the lady bird room was left uncovered and accessible. The pipes, situated at a low level, feature sharp metal components could pose a risk of injury.
- 5) During the inspection, it was observed that a radiator cover in the main hall was damaged, with several slats broken and splintered. These jagged, sharp edges and loose pieces pose a risk of injury.

## Action submitted by the Registered Provider

### Corrective & Preventive Action

#### General Safety:

- (1) We have installed a self-closing gate as a corrective and preventive of the gate been left open so there was a spring-loaded arm connected to the gate and a clip hook on the gate. I have been monitoring this, and it works well gate has a spring arm and latch.
- (2) We inserted two stair gates and removed the man-made gates.
- (3) The gate has now been fixed and is in working well now
- (4) Metal valve top has been replaced and is in good working order,
- (5) A stronger cover has been placed over the existing one to ensure that no edges are exposed. Radiator cover checks will be completed for breakages.

### Supporting documentation submitted

#### General Safety:

- (1) Photographic evidence of spring-loaded gate.
- (2) Photographic evidence of stairgates now in place.
- (3) Photographic evidence of fixed gate.
- (4) Photographic evidence of exposed pipe covered.
- (5) Photographic evidence of cover over radiator cover.

## Summary Comment

The inspector has reviewed the actions and evidence submitted. The noncompliance identified under Regulation 23 has been adequately addressed.

## 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 insured that staff trained in first aid for children were at all times immediately available to the children. Ten staff held up to date training in FAR first aid.
- (2)
  - (a) There was a suitably equipped first aid box available to the children.
  - (b) The first aid equipment was available to the children at all times.

### 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 the inspection, children were observed to be appropriately supervised at all times. Staff were strategically positioned across both indoor and outdoor environments, ensuring that all children remained within sight and sound. Supervision was active and attentive; staff were seen to sit closely with the children during mealtimes and remained directly engaged in their activities. Transition from outdoor to indoor was observed to be managed efficiently with staff communicating at all times what child were present or had been brought inside.

### Part VII - Premises and Space Requirements

#### Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-*

- (a) of sound and stable structure,*
- (b) safe and secure,*
- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

### Compliance Information

- (a) The premises appeared to be sound and stable structure. There were no observable indications of defects in the structure of the premises.
- (b) The premises was safe and secure. All exit doors were secured to prevent children leaving the facility unsupervised. All fire exits were unobstructed allowing for safe evacuation of the premises if needed.
- (c) There were adequate lighting and ventilation in all areas of the premises.
- (d) All areas were clean, well maintained and all play materials and equipment were in a proper state of repair. Detailed cleaning schedules for the premises were displayed on the walls of the preschool rooms.
- (e) There were adequate sanitary facilities provided suitable for the needs of the children attending.