

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DR123
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<b>Name of Service:</b>	Koala Childcare Ltd
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<b>Address of Service:</b>	Granitefield Manor, Rochestown Avenue, Dun Laoghaire, Co. Dublin
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<b>Eircode:</b>	A96 X5C9
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<b>Name of Registered Provider:</b>	Caroline Lynch
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date of Inspection:</b>	15/05/2025
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<b>No of pre-school children:</b>	AM	38	PM	35
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<b>Address of the Early Years Inspectorate:</b>	Level 7, Brunel Building, Heuston South Quarter, Kilmainham, Dublin 8
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<b>Inspection undertaken by:</b>	R Phillips R Brien
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<b>Title:</b>	Early Years Inspectors
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### 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>	N/A
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### Description of service

Koala Childcare is registered to provide full day care to children aged between 0 to 6 years and is open Monday to Friday between 08:00 and 18:00hrs. The early years' service operates from a purposely adapted ground floor premises in an apartment complex and comprises of four care rooms. The service is privately operated and is located in an urban, residential area of Dun Laoghaire County Dublin. The children have access to an enclosed outdoor play area to the rear of the premises.

### Staffing

There are 13 adults employed in the service, including the registered provider, manager, deputy manager, nine childcare practitioners and a cook. There were eight adults working directly with the children on the day of inspection. The manager of the service was available to work with the children also as required. Another adult was working in the kitchen.

### 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
- Review of CCTV

This inspection was unannounced and focused on the area of governance, health, welfare and development of child and safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations

- 8 (1) (3) Notification of change in circumstances,

- 9 (1) (2) (3) (4) (7) Management and recruitment,
- 10 Policies Procedures of a preschool service,
- 11 (1) (2) Staffing levels,
- 16 (1) (i)(k) Records in relation to a preschool service
- 19 (3) Health, welfare and development of child, and
- 27 Supervision.

However, on inspection additional non-compliance which posed a risk was identified under

- Regulation 19(1)(b) Health, welfare and development of child
- Regulation 23 Safeguarding health, safety and welfare of child

These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under regulation 16(1) (k), a sample of accident and incident forms were reviewed.

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

This inspection was triggered by information received by the Early Years Inspectorate on 11 May 2025.

A regulatory compliance meeting was held on 24.07.2025.

### Acknowledgments

The inspectors wish to acknowledge the cooperation of the person in charge, staff and children who were present on the day of the inspection.

## Part II - Registration and Register

### Regulation 8 - Notification of change in circumstances

*(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.*

*(3) Where a registered provider has been unable for good and proper reason to notify the Agency within the time specified in paragraph (1) or (2), as the case may be, of a change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2), the registered provider shall notify the Agency in writing of the change as soon as possible thereafter.*

### Non-Compliance Information

(1) (3) The registered provider did not notify the Early Years Inspectorate of a change made to the person in charge of the service as required. The manager in the service has been assigned by the registered provider to the role of person in charge since March 2025. A change in circumstance request was submitted to the Early Years Inspectorate on 05 May 2025 to change the designated person in charge details on the register.

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

#### Corrective and Preventive Action

The change in circumstance was regularised. The Early Years Inspectorate approved the change in circumstances submission to change the person in charge details as referred to above.

#### Supporting documentation submitted

An excerpt from an amended policy was submitted by the service manager stating that;

When hiring a new person in charge or manager; the service will ensure that a minimum of 60 days written notice is given to the Early Years Inspectorate, as required to ensure compliance with regulation 8.

### Summary Comment

The actions taken and documentation submitted have been reviewed by the early years inspectorate and deemed to address the non-compliance.

### 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.*

*(7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:*

- (a) the policies, procedures and statements of the service specified in Schedule 5;*

*(c) these Regulations.*

### Compliance Information

- (1)
- (a) The service had a person in charge and a named person to deputise as required.
- (b) The person in charge was always on the premises during the inspection. The staff roster provided for the person in charge or a person who could deputise to be present at all times of opening.
- (c) There was a clear management structure in place. The manager and staff demonstrated an awareness of their roles and lines of authority within the service.
- (2) Through discussion with the person in charge and review of staff files, it was confirmed that six new staff were employed since the last inspection on 07 February 2024. Seven staff files were reviewed in full.
- (a) Fourteen validated, written references were available from a past employer.
- (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.
- (d) Police vetting was available for four adults as required.
- (3) The procedures specified in paragraph 2 were carried out prior to the adult's commencing employment in the service for all new staff files inspected.
- (4) Records were available evidencing that all adults who were employed to work directly with the children held the required qualification or equivalent.
- (7)(a)
- A sample of induction training records were reviewed. Staff had signed that they had read the services policies. In conversation with staff, they had described the induction process they underwent, on commencing employment in the service, and stated they were given policies to read. Staff also stated that they have regular team meetings.

### Non-Compliance Information

- (7)(a)(c)
- The registered provider did not demonstrate that they had taken all reasonable measures to ensure that all employees were appropriately supervised to safeguard the health, safety and welfare of children attending the

service. Through a review of records, it was evident that staff had not received appropriate supervision. There were no written records on file to demonstrate supervision of staff took place. This was contrary to the supervision policy which outlined supervision meetings will be held once every three months and a record maintained.

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

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

The management team held a meeting to establish a supervision schedule that aligns with current policy.

The service intends to be supportive of staff in the most effective way possible.

Management has reviewed, approved and committed to implementing and adhering to the agreed supervision schedule and all related policies.

#### **Supporting documentation submitted**

An excerpt from a revised supervision policy was submitted.

### Summary Comment

The actions taken and documentation submitted have been reviewed by the early Years Inspectorate and were deemed to address the non-compliance.

## 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 inspection focused on six policies specified in Schedule 5 - Supervision of Staff policy, Staff Training Policy, Risk Management Policy, Recruitment Policy, Policy on Accidents and Incidents, and Policy on Managing Behaviour.

#### **Staff Supervision Policy**

The Supervision of Staff Policy contained the following information:

It states that employees are supervised and supported in relation to their work practices.

It outlines the format, duration and frequency of supervision including induction and ongoing supervision.

It sets out what records will be kept and where records will be stored.

#### **Staff Training Policy**

The Staff Training Policy included the following information, outlining:

How staff training needs are identified and addressed.

What resources are provided for training.

Induction training.

The availability of ongoing training and professional development.

The storage of staff training records.

### **Risk Management Policy**

The Risk management policy outlines the following:

Procedures to assess any potential risks to the safety of the pre-school children attending the service and to determine measures to either eliminate those risks or mitigate them.

How risk assessments completed by the service are conducted and documented.

The record must show who was involved in the risk assessment process.

How long risk management records will be kept.

### **Recruitment Policy**

The Recruitment policy included the following information:

Procedures and systems to be followed when hiring employees and unpaid workers including obtaining vetting requirements.

How records will be stored and for how long.

### **Policy on Accidents and Incidents**

The Policy on Accidents and Incidents contained the following information:

Measures to be taken in the service to prevent accidents and incidents.

The procedures to be followed in the event that a preschool child is involved in an accident or incident occurs while the child is attending the service.

Steps to be taken to contact the parent or guardian or emergency services if necessary.

How information is recorded, documented and stored.

Risk assessments to be taken once an accident or incident has occurred in the service.

### **Policy on Managing Behaviour**

The policy on managing behaviour contains the following information and outlines:

How children's positive social emotional behaviour and wellbeing is supported.

Practices that are prohibited in the service.

Procedures for the protection and welfare of children are managed in line with the services safeguarding statement.

Supports offered to staff on how to support children's behavioural and emotional needs.

### 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, the inspectors observed that there was an adequate number of staff working directly with the preschool children.

(2) There were 38 children being cared for by 8 adults in the morning with the manager also working directly with the children as required. There were 35 children being cared for by 8 adults in the afternoon.

### 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:*

*(i) details of staff rosters on a daily basis;*

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

#### Compliance Information

(1) (i) The staff roster was available and reflected the adults working in the service on the day of inspection.

#### Non-Compliance Information

(1)(k) A sample of 11 accident and incidents records were reviewed. It is acknowledged that these forms had been completed appropriately. However, there was no record available for twelve incidents which the manager stated took place on 08 May 2025. The manager stated in discussion with inspectors that a record of these incidents had not been completed. This is contrary to the service accident/incident policy which states that an accident form will be completed, will be read and signed by the manager and signed by the child's parents. Failure to record incidents may pose a risk to the continuity of care of the child.

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

#### Corrective and Preventive Action

Accident and Incident forms were completed by the manager of the service and signed by staff and parents as required.

The Accident and Incident policy has been reviewed to ensure staff and management understand that every incident needs to be documented and procedure followed for staff and parents to review and sign.

#### Supporting documentation submitted

The accident and incident forms were submitted to the Early Years Inspectorate.

An excerpt of the revised accident and incident policy was submitted.

#### Summary Comment

The actions taken and documentation submitted were reviewed by the Early Years Inspectorate and have been deemed to address the non-compliance.

### 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.*

*(3) A registered provider shall ensure that no practices that are disrespectful, degrading, exploitive, intimidating, emotionally or physically harmful or neglectful are carried out in respect of a pre-school child whilst attending the service.*

#### Compliance Information

(3) On the day of inspection, the inspectors observed the staff interacting with the children in a respectful manner. The staff were observed speaking kindly to the children, approaching their care needs gently. The staff explained transitions well and got down to the children's level to communicate with them. The staff sat with the children while they ate and resolved minor conflicts with appropriate positive behaviour management strategies.

#### Non-Compliance Information

(1)(b) Information received by the Early Years Inspectorate regarding incidents which occurred on 08 May 2025 was viewed on CCTV by the Early Years inspectors. This footage demonstrated shortcomings of some care practices.

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

### Actions Taken to Address the Inappropriate Care Practice

Following the observation of inappropriate care practice by a staff member on the 8th of March, all appropriate actions were taken to safeguard the children and address the incident. All relevant agencies were notified, and meetings were held with the parents of the children in question.

### Actions Taken to Prevent Reoccurrence

1. All staff have completed refresher training in Child Protection, Safe Care Practice, and Code of Conduct. We did this through a staff meeting directly after this incident has come to light on the 11<sup>th</sup> of May.
2. Management conducts regular staff supervision sessions and random CCTV audits to monitor practice.
3. Policies on safeguarding and staff conduct have been reviewed, updated, and re-signed by all staff.
4. Clear reporting pathways and whistleblowing procedures have been reinforced to ensure immediate reporting of concerns.
5. Management have begun their engagement with Better start. This is to support and mentor the staff and ensure that the practise that is present is best practise.

### Summary Comment

The actions taken and documentation submitted were reviewed by the Early Years Inspectorate and have been deemed to address the non-compliance.

## 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.*

### Non-Compliance Information

#### General Safety:

Garda vetting certificates available for two staff members, were not dated within the previous three years in adherence with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'. This poses a risk to the safety of the children in the service.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### General Safety:

All staff members Garda Vetting has been sought and obtained.

A monthly file review will be conducted by the manager and deputy manager to ensure that all vetting documentation and relevant records are maintained and compliant with regulation.

### **Supporting documentation submitted**

#### **General Safety:**

Two Garda Vetting certificates were submitted

### **Summary Comment**

The actions taken and documentation submitted were reviewed by the Early Years Inspectorate and deemed to address the non-compliance.

## **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 all children were supervised appropriately, at all times, including transitions, nappy changes, using the toilet and at mealtimes. Children were adequately supervised in the outdoor area. Children were supervised primarily by sight during the course of the inspection. Room layouts allowed for effective supervision.