

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DR131
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Name of Service:	Magical Days
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Address of Service:	118 Upper Glenageary Road, Glenageary, Co. Dublin
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Eircode:	A96 R205
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Name of Registered Provider:	Aoife Hale
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Service type:	Full Day, Part Time
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Date 1 of Inspection:	02/03/2026
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Date 2 of Inspection:	03/03/2026
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No of pre-school children Day 1:	AM	43	PM	40
No of pre-school children Day 2	AM	40	PM	41

Address of the Early Years Inspectorate:	Early Years Inspectorate, Suite 7, Vista Primary Care, Ballymore Eustace Rd, Naas, Co Kildare
Inspection undertaken by:	R. Brien & S. Quigley
Title:	Early Years Inspectors

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	N/A
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Description of service

Magical Days is a privately owned service which provides full day and part-time care to children aged 0 to 6 years. The service is registered to operate from 07:45 to 18:15, Monday to Friday.

The service is located in a purposely adapted semi-detached two storey premises in a residential, urban area in Glenageary, County Dublin. There are three care rooms in the service. The Baby room and Toddler rooms are located on the ground floor, and the Montessori room is located on the first floor.

The Baby room caters for children aged 1 year. The Toddler room caters for children aged 1 and 2 years and the Montessori room caters for children aged 2 to 5 years.

The service has a designated cot room. A fully enclosed outdoor play area is available to the rear of the premises.

Staffing

The service currently employs 12 staff members. There were eight staff working directly with the children on the first day of inspection and nine staff working directly with children on the second day of inspection who were supported by the manager. The registered provider does not work directly with the children in the service and was present during the inspection.

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

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

The inspection focused on an examination of compliance under the following regulations:

- 9 (1)(a)(b)(c),(2)(a)(c)(d),(4) – Management and recruitment,
- 11 (1),(2),(8)(a) – Staffing levels,
- 19 (1)(a)(b) – Health, welfare and development of child,
- 23 – Safeguarding, health, safety and welfare of child,
- 24 (1) – Checking in and out and record of attendance,
- 29(e) – Premises.

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

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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,
- (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)

(a)(b)(c)

The service had a designated person in charge and a named person to deputise as required who were on the premises throughout the inspection. A clear management structure was in place in the service.

(2)

The inspection focused on the recruitment records for four adults employed since the last inspection on 16 and 17 September 2025. Regulation 9(2)(c) was reviewed in respect of these four adults and one other adult who was

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present during the inspection. Documentation was reviewed in respect of these adults and met regulatory requirements as follows:

(a)

Eight validated, written references were available from past employers.

(c)

Garda vetting disclosures from the National Vetting Bureau of An Garda Síochána were available for the five adults. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d)

Police vetting was required and was available for four staff members who had lived outside the State for a period exceeding 6 months as an adult.

(4)

Records were available evidencing that three staff members who were employed to work directly with the children held the required qualification or equivalent.

Non-Compliance Information

(4)

There was no evidence available to show that one staff member who was employed to work directly with the children in the service held a relevant major award in Early Childhood Care and Education on the National Framework of Qualifications or equivalent.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The staff member's qualifications were immediately reviewed and verified. The individual will be requested to provide certified copies of their relevant qualifications without delay. If the staff member does not hold a qualification that meets regulatory requirements, they will be removed from direct work with children until compliance is achieved. In the interim, suitably qualified staff will be rostered to ensure all regulatory ratios and qualification requirements are met. All staff files will be updated to ensure that qualification records are complete, verified, and readily accessible for inspection.

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Documents have been sent to the Department to verify that the named staff member is eligible to work with children under Regulation 9. The Department requested the Training Internship supporting documents to complete the process.

A robust recruitment and onboarding procedure will be implemented to ensure that all future staff employed to work with children provide verified evidence of qualifications prior to commencement of employment.

Management will also provide training to relevant personnel on regulatory requirements to ensure consistent adherence to qualification standards.

Supporting documentation submitted

Written evidence was submitted to demonstrate the corrective and preventive actions submitted by the registered provider.

Summary Comment

Evidence of the required qualifications remains outstanding for one adult. The non-compliance has not been addressed. The registered provider must ensure that all staff employed to work directly with children hold the minimum required qualification. This regulation will be assessed on the next inspection.

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

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(1)

An adequate number of adults were working directly with the children at all times during the inspection.

(2)

The minimum ratio of adults to children for full day care services were adhered to at all times during the inspection. There were 43 children present on the first day of inspection being supervised by 8 adults. There were 41 children present on the second day of inspection being supervised by 9 adults.

(8)(a)

There were at least two adults on the premises at all times.

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-

(a) each child's learning, development and well-being is facilitated within the daily life of the pre-school service through the provision of the appropriate activities, interaction, materials and equipment, having regard to the age and stage of development of the child, and

(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.

Compliance Information

The service had a healthy eating policy in place. Children brought in a morning and afternoon snack from home and the main meal was prepared and cooked onsite. Meals were provided at regular intervals. Dinner was served from 12:00 and all children had a drink with their meal. Younger children were given bibs for dinnertime and were encouraged to feed themselves with staff supporting children who needed assistance. Additional servings were available and staff were observed providing additional portions to children who requested more. Staff sat with the children during mealtimes.

Children's care needs were observed to be met promptly. Staff were observed cleaning children's noses as required and children's hands and faces were cleaned after dinner. Children's wet or soiled clothing was changed promptly. Children's nappies were changed regularly, and staff were observed engaging warmly with children

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when providing this care. In the Montessori room, children's independence was supported, staff were observed encouraging children to put away their plates and clean their hands and faces after dinner.

Children in the Baby room were placed to sleep when they displayed signs of tiredness and there was a designated nap time for children attending the Toddler room. Cots and suitable beds were provided appropriate to the children's age and stage of development. All children were made comfortable for sleep; staff removed children's shoes and outer clothing; they provided the children with blankets, and they offered soothers to those who used them. The environments were calm and conducive to sleep, with staff soothing the children as needed during this time.

The service had a key person system in place. Staff demonstrated a good awareness of the needs of each child in their care and responded to children's cues promptly. Staff demonstrated warmth and sensitivity during their interactions with the children throughout the inspection. Children were comforted promptly when they became upset. Staff were observed to use distraction, gentle tones and praise when promoting positive behaviour in line with the service's behaviour policy. Staff provided an appropriate level of supervision whilst supporting the children's independence during play and mealtimes.

Staff described how they share information with parents about their child's day using an online application detailing information on food, sleep, nappy changes and activities. Staff outlined that they speak with parents at arrival and collection times.

The care rooms were arranged into areas of interest including small world toys, construction toys, rest areas with books and sensory play materials providing children with the freedom to play and explore. The care rooms provided a range of developmentally appropriate play experiences for the children and were adequately resourced with a variety of materials.

The environments were laid out to support the children's independence. Play materials were observed to be accessible to the children on low level shelving. Low level tables and chairs were available in the care rooms.

A fully enclosed outdoor play area was located to the rear of the premises and had shock absorbent surfacing. A range of developmentally appropriate play equipment was provided in the outdoor play area. All children were

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provided with the opportunity to play outdoors and were dressed appropriate to the weather. Staff were observed engaging with children in the outdoor area and supporting them in their play.

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 door to the service was adequately secured to ensure the safety of the children within and to avoid unauthorised persons accessing the service or children exiting unsupervised.
- The toys and play equipment observed in use by the children on the day of inspection appeared in good working order.
- Cleaning agents and medicines were stored safely out of reach of children.
- All storage facilities were inaccessible to children.

Infection Control:

- Liquid soap, warm water and paper towels were available to facilitate hand washing. The children were supported to wash their hands at regular intervals including after nappy changing and outdoor play and before meals.
- Children's nappies were changed in line with the service's nappy changing policy to reduce the risk of the spread of infection.
- A system was in place for effective sterilisation of soothers and mouthed toys.
- Individual bed linen was provided for children. Staff stated that bed linen is laundered weekly or as required.
- All cot mattresses in use had waterproof covers.

Administration of Medication:

- The service had an administration of medication policy in place. There were documented care plans available for children attending the service who required emergency medication. Staff working in the

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rooms with the children were aware of the treatment plans and demonstrated knowledge of the procedures to follow if the medication was required.

- Staff demonstrated, through discussion, that they were familiar with the procedures and practices in place for the administration of medication in line with the services policy on medication administration.

Safe Sleep:

- Children were physically monitored while sleeping and sleep checks were carried out and documented every 10 minutes. Discussion with staff demonstrated that staff were familiar with safe sleep guidelines.
- An adult remained in the room at all times where children were sleeping on low beds.

Fire Safety:

- All fire exits were clear of obstruction.

Non-Compliance Information

Infection Control:

1. In the outdoor area, staff were observed handling the lid of the bin to dispose of waste posing a risk of the transmission of infection.

Safe Sleep:

2. There was no sleep plan and associated risk assessment in place for one child aged one year asleep on a floor bed during the inspection. The registered provider stated during discussions with the inspectors that they were unaware of the requirement for sleep plans to be in place for children under two years in the service and that no child in the service that slept had a sleep plan in place. This is at variance with the policy in place in the service which detailed the requirement for sleep plans to be in place for all children who sleep in the service, in line with current TUSLA guidelines on safe sleep.

Action submitted by the Registered Provider

Corrective & Preventive Action

Infection Control:

1. Two designated hooks have now been installed in the outdoor garden area. Staff are required to bring two nappy sack bags into the garden, which will be used for the safe disposal of tissues or any soiled items during outdoor play. Upon leaving the garden, staff will securely tie and transport these bags to their designated room, where they will dispose of the waste in a pedal-operated bin. This ensures that direct contact with bin lids is eliminated, thereby minimising the risk of infection transmission. All staff have been informed of this updated procedure through formal correspondence, and photographic evidence of the installed hooks has been shared to support a clear understanding and implementation.

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Bins will no longer be used in the outdoor area. Staff have been trained in the revised infection control procedure and are required to strictly adhere to the use of nappy sack bags while in the garden. Under no circumstances are staff permitted to handle bin lids directly.

Safe Sleep:

- All parents were notified via the service's communication forum on 03/03/2026 that individual Sleep Plans were being implemented in line with Regulation 23 requirements. A Sleep Plan document was issued to all parents in PDF format. All parents have completed, signed, and returned these sleep plans, which are now retained in each child's registration file to ensure they are accessible and available to staff at all times. A comprehensive risk assessment has now been completed and implemented for the child under 2 years old to ensure that their sleep environment is safe and appropriate, in line with Regulation 23 requirements. This document is stored in the child's Registration file. The sleep plan has now been incorporated into the standard Registration Pack for all new admissions. Parents are required to complete and sign the sleep plan as part of the registration process, prior to their child commencing in the setting. This ensures that appropriate sleep arrangements are clearly documented and in place from the outset, supporting ongoing compliance with Regulation 23. A Risk Assessment procedure has been established whereby any child under the age of two transitioning from a cot to a floor bed will have a Sleep Risk Assessment completed prior to any such change. This risk assessment will be shared with parents, and a signed copy will be retained in the child's registration file to ensure transparency and ongoing compliance.

Supporting documentation submitted

Infection Control:

Written and photographic evidence was submitted to demonstrate the corrective and preventive actions submitted by the registered provider.

Safe Sleep:

Written and photographic evidence was submitted to demonstrate the corrective and preventive actions submitted by the registered provider.

Summary Comment

The corrective and preventive actions as stated by the registered provider have been deemed to address these non-compliances.

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Part VI - Safety

Regulation 24 - Checking in and out and record of attendance

(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.

Compliance Information

(1)
The registered provider ensured that each child was checked in and out of the service. This was confirmed by the written attendance records maintained in the care rooms.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-
(e) equipped with adequate and suitable sanitary facilities.

Compliance Information

(e)
This regulation was reviewed following a previous non-compliance on the last inspection on 16 and 17 September 2025. Following the previous inspection, the registered provider had ensured that the privacy and dignity of each child was respected when using the toilet. The toilets were observed to have doors in place which ensured that children's privacy was maintained.