

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DR181
--------------------------	-------------

<b>Name of Service:</b>	David Lloyd Leisure Creche
-------------------------	----------------------------

<b>Address of Service:</b>	David Lloyd Riverview, Beechhill Road, Clonskeagh, Dublin 14,
----------------------------	---

<b>Eircode:</b>	D04 AF10
-----------------	----------

<b>Name of Registered Provider:</b>	Diane Ballagh
-------------------------------------	---------------

<b>Service type:</b>	Sessional, Temporary Part Time, Drop-In
----------------------	---

<b>Date(s) of Inspection:</b>	05/08/2025
-------------------------------	------------

<b>No of pre-school children:</b>	AM	6	PM	6
-----------------------------------	----	---	----	---

<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Floor 7 Brunel Building, Heuston South Quarter, St. John's Road West, Kilmainham, Dublin 8
<b>Inspection undertaken by:</b>	H Sutherland
<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
---------------------------------	----------------

### Description of service

<b>TUSLA</b> An Ghníomhaireacht um Leanaí agus an Teaghlach Child and Family Agency	<b>Child Care Act 1991 (Early Years Services) Regulations 2016 and Childcare Act 1991 (Early Years Services) (Amendment) Regulations 2016</b>  QMS Ref: EYI-RRT12.1 V2.0 03/03/2023 Service ID: TU2015DR181	1 of 10
--	---	---------

David Llyod Leisure Creche is a privately owned drop-in service located in Clonskeagh, Dublin 14. The service operates from the DLR kids section of a large multi-purpose leisure centre and comprises of one large care room. The service caters for children aged 3 months to 6 years and currently operates 3 morning drop-in sessions daily, each lasting one hour.

### Staffing

There are currently five adults employed to work in the service including the person in charge. The registered provider does not work directly with the children. On the day of inspection three adults were present working directly with the children and the person in charge was available to support if required. The registered provider arrived after the inspection commenced and did not remain present for the duration of 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

This inspection was unannounced and focused on the area of governance, health, welfare and development of child, safety and records. 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-c) (2) (a-d) and (4) Management and Recruitment

Regulation 11(1), (6), (8) Staffing Levels

Regulation 19(1)(a) Health, welfare and development of child

Regulation 23 Safeguarding health, safety and welfare of child

### Regulation 24 Checking in and out and record of attendance

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)

- (a) The service had a designated person in charge and two named persons to deputise when required.
- (b) The deputy person in charge was present when the inspectors arrived unannounced to the service. The person in charge arrived shortly after the inspection commenced. Conversation with the person in charge demonstrated that a designated person is on the premises at all times during the opening hours of the service.
- (c) The service had a clear management structure and staff were aware of their own roles and responsibilities.

(2) -Following a discussion with the appointed person in charge it was confirmed that one adult commenced working in the service since Regulation 9 was last inspected on 24 January 2024. Documentation required under regulation 9(2)(3)(4) was reviewed in respect of the adult as detailed below. The requirements of Regulation 9(2)(c) relating to Garda Vetting was reviewed for all adults employed to work in the service.

- (a) One written and verified reference was available from a past employer.
- (b) One written and verified reference was available from a source other than a past employer.
- (c) Garda vetting disclosures were available for all five adults employed to work directly with the children. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda Vetting every three years.

(3) Documentation reviewed evidence that the procedures specified above under 9(2) had been carried out prior to the adult commencing employment in the service.

(4) Documentation was available to show that the adult who work directly with children attending the service held at least a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications.

### 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.*

*(6) A registered provider of a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 3 of Schedule 6 opposite a particular reference number 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 were an adequate number of adults working directly with the children to meet their care needs.
- (6) The minimum adult to child ratio requirement was maintained in accordance with the type of service delivered. On the day of inspection there was three adults caring for six children in the morning and three adults caring for six children in the afternoon.
- (8) A minimum of two adults were on the premises throughout the inspection.

### Part III – Management and Staff

#### Regulation 13 - Temporary pre-school services and pre-school services in drop-in centres

*(1) A registered provider of a temporary pre-school service or a preschool service in a drop-in centre shall ensure there are no more than 24 children attending the service at any given time.*

*(2) A registered provider of a temporary pre-school service shall ensure that no child attends the service for longer than 8 hours consecutively.*

*(3) A registered provider of a pre-school service in a drop-in centre shall ensure that no child attends the service for longer than 2 hours consecutively.*

#### Compliance Information

- (1) Review of records of attendance and conversation with staff confirmed that no more than twenty-four children attend the service at any one time.
- (2) Not applicable
- (3) Staff confirmed that no child attends the service for longer than two consecutive hours. This was verified through a review of the session records.

### 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*

#### Compliance Information

The inspector observed appropriate and suitable care practices within the service. Drinking water was available to children and staff were observed to encourage children to drink water throughout the sessions. Babies were held during bottle feeding and staff used this time for warm one to one interaction. Staff reported that children's nappies were changed when required. Comfortable spaces were available for children to take a break from activities if needed.

Staff demonstrated warmth and sensitivity in their interactions with the children. For example, children were warmly greeted when they arrived to the service and supported to settle into the environment. Staff were observed to be attentive to children’s verbal and nonverbal cues and actively joined in with play and communicated in playful tones. Children were comforted promptly when they became upset, staff offered reassurance and spoke softly to them to help them feel secure and supported. Parents had the opportunity for informal discussion with staff during drop of and collection. Staff recorded information regarding key aspects of the child’s time in the service such as sleep, nappy changing and bottle feeding and this information was shared with parents.

The care room was divided into two play areas. One side was designed to accommodate babies, while the other catered to young children. Each area contained materials that were age appropriate and suited to the developmental needs of the children using them. Materials were positioned at an accessible level to support children’s independence. Children were observed to engage in play with materials such as books, small world materials, rockers, push and pull toys, a playhouse and a collection of infant play items. A well-stocked resource room contained a variety of additional play materials and staff advised that toys were regularly rotated to maintain children’s engagement.

### 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 doors into the service were adequately secured to prevent unauthorised persons accessing the service or children exiting unsupervised.
- Cleaning agents were stored in a safe and secure way, out of reach of children.
- The kitchen and storage areas were inaccessible to children.
- Toys and play equipment used by the children were observed to be safe for the age group and in good condition.

### Infection Control:

- Liquid soap, warm water and paper towels were available to facilitate hand washing.
- Staff reported that individual bed linen was provided for children and was laundered weekly.
- The care room was visibly clean and well maintained.
- A system was in place for effective sterilisation of mouthing toys.

### Administration of Medication:

- Staff reported that medications are not administered in the service with the exception of emergency medication. Documentation was available for use in the event of a child requiring emergency medication while attending the service.

### Safe Sleep:

- Staff were familiar with current safe sleep guidelines and during conversation with the inspector adequately detailed the procedures to be followed and a sleep log was available for review.
- A standard cot was available for use if required.

### Fire Safety:

- Staff demonstrated an awareness of the procedures to follow in the event of a fire and reported that fire drills are carried out on a monthly basis.
- The fire exits were clear from obstruction for the duration of the inspection.

## Non-Compliance Information

### Infection Control:

1. Pedal operated bins were not available in the care room or the children's toilet. Open top bins were observed to be in use in both areas. This does not support effective waste management and can pose a risk of the spread of infection.

## Action submitted by the Registered Provider

### Corrective & Preventive Action

### Infection Control:

Two new pedal operated bins were purchased on day of inspection and placed in the care room and the children's toilet. The bins will now be checked as part of the opening and closing procedure.

### Supporting documentation submitted

### Infection Control:

Photographic evidence submitted

Record submitted

### Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under regulation 23 has been adequately addressed.

### 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.*

*(2) Where there are more than 15 children attending a pre-school service in a drop-in centre, the registered provider shall ensure that one employee or unpaid worker is assigned responsibility for the checking in and out of children.*

*(3) A registered provider shall ensure that-*

*(a) no person other than-*

*(i) pre-school child attending the service,*

*(ii) a person dropping or collecting such a child,*

*(iii) an employee, or*

*(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and*

*(b) a daily record in writing is kept of the entry on the premises of any such person.*

*(4) A registered provider shall ensure that a record in writing referred to in paragraph (3)(b) is retained for a period of one year from the date to which it relates.*

#### Compliance Information

(1) A review of records confirmed that all children were checked in and out of the service.

(2) The person in charge confirmed where there are more than 15 children attending the drop-in centre, one employee is assigned responsibility for the checking in and out of children.

(3)

(a) On the day of inspection, access to the service was granted by the receptionist in the centre and one of the deputy persons in charge.

# Early Years Inspectorate Regulatory Report Pre School

- (b) A visitor log was maintained in the reception area and included the required information.
- (4) A review of the log confirmed it was retained in accordance with the specified retention period.