

Early Years Inspectorate Regulatory Report

Pre School

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| TUSLA Identifier: | TU2015DS133 |
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| Name of Service: | The Oval Creche |
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| Address of Service: | 2 Palmerstown Avenue, Palmerstown, Dublin 20, Co. Dublin |
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| Eircode: | D20 K248 |
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| Name of Registered Provider: | Ciaran Fitzpatrick |
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| Service type: | Full Day, Part Time, Sessional |
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| Date of Inspection: | 17/07/2025 |
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| No of pre-school children: | AM | 29 | PM | 29 |
|-----------------------------------|----|----|----|----|

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| Address of the Early Years Inspectorate: | 1st floor Trinity Building, IDA Business Park, Southern Cross Road, Bray, Co. Wicklow |
| Inspection undertaken by: | S. Quigley & F. Carty |
| Title: | Early Years Inspector(s) |

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).

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| Conditions if applicable | Not applicable |
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Description of service

The Oval Creche is a full day care service located in a residential, urban area of Palmerstown, South County Dublin which was first established in 2003. Care and education are provided to children aged between one to six years and the operating hours are from Monday to Friday between 07:30 and 18:30. The service operates from a purposely adapted, single storey residential property and comprises of four care rooms. The children have access to an outdoor play area which is attached to the front of the premises.

Staffing

The service currently employs ten staff members, not including the registered provider who does not work in the service. On the day of inspection, all ten staff members were present including the person in charge and an adult who worked in the kitchen preparing food.

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. The inspection may also focus on other areas as required. The following regulations were assessed:

Regulation 9 – Management and recruitment

Regulation 11 - Staffing levels

Regulation 19 - Health, welfare and development of child

Regulation 23 - Safeguarding health, safety and welfare of child

Regulation 25 - First aid

A sampling process was used to assess compliance under regulation 19 Health Welfare and Development of Child. As a result, the scope of the inspection included the Toddler room, the Pre-Montessori room, and the Preschool Two room.

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 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

(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

(2)

Following a discussion with the appointed person in charge it was confirmed that three adults had commenced working in the service since Regulation 9 was last inspected on the 8th December 2022. Documentation required under regulation 9(2)(3)(4) was reviewed in respect of these three adults as detailed below. Regulation 9(2)(c) was assessed for all ten adults employed to work in the service.

(a) (b) There were two references each available for two of the adults.

(c) Garda vetting disclosures were available for the ten adults employed to work in the service. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(4) Two of the adults held at least a major award in Early Childhood Care and Education at Level 5 on the National Qualifications Framework. One of the adults worked in an auxiliary role and did not require a qualification.

Non-Compliance Information

9(2)

(a) (b)

- One of the references available for one staff member had not been appropriately validated. There was no evidence to show who had validated the reference, if they had spoken to the source, and on what date the verification took place.
- The second reference available for the adult could not be accepted as it had not been appropriately validated, and was not from a past employer or a reputable source who was not personally affiliated with the employee.

(d)

- Although documents were available for two of the adults which appeared to be international police vetting, the contents of the documents could not be verified by the inspectors as they were not written in the English language.
- The requirement for international vetting for one of the adults could not be ascertained as there was no record of previous employment available for the adult.

(3) Documentation reviewed evidenced that the procedures specified above under 9(2) had not been carried out prior to the three adults commencing employment in the service, as detailed above under 9(2).

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The date on which the reference was verified was checked and recorded on the reference to evidence validation. A second reference was obtained and validated; the validation was recorded. Both new staff members international police clearance was sent away and translated from a certified company. The service will use a personnel file checklist moving forward.

Supporting documentation submitted

Supporting documentation was submitted and reviewed by the early years inspector.

Summary Comment

The regulatory requirement has been met.

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) An adequate number of adults were working directly with the pre-school children attending the service during the inspection.

(2) The registered provider ensured that the minimum ratio of adults to children was maintained in the service on the day of inspection. There were twenty-nine preschool children present in the service being supervised by nine adults during the inspection. The person in charge provided relief cover to the care rooms when required.

There were also seven school aged children present in the service being cared for.

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 inspectors observed that the children's learning, development and well-being was supported. The indoor areas were laid out to support the children's independence. There were some interest areas including construction areas and home corners. Items including books, puzzles, and sensory play trays were visible and accessible to the children on tables and open shelves. Areas with soft seating were available for children to rest or take a break from activities in each room. Inspectors observed children engaging in activities including playdough and sensory play. The children all spent time playing outside.

The children were supported to be independent with their personal care. Younger children were provided with bibs to protect their clothes during mealtimes. Older children used the toilet as needed with staff reminding them to wash their hands afterwards. Children were all encouraged to tidy up following mealtimes and play. Meals and snacks were provided at regular intervals to the children including a hot lunch, and the adults sat with the children when they were eating and engaged in conversation. Drinks of water were always available. The inspectors observed the staff interacting warmly with the children and engaging with them positively throughout the inspection. Children were provided with the opportunity to sleep at a designated time after lunch.

Children's identity and belonging was promoted through art displays and family photograph walls. Staff told inspectors they use an app to communicate information on diet, sleep, nappies, and activities with the children's parents and engage with them at drop-off/collection.

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

The inspectors found by observation of practice, review of documentation, discussion with staff and inspection of the premises that the registered provider had taken the following steps were taken to safeguard children attending:

General Safety:

The toys and play equipment observed in use by the children on the day of inspection were safe and in good working order. Cleaning products and hazardous materials were stored securely out of reach of the children. The entrances into the service were appropriately secured to prevent unauthorised access or a child exiting the service unsupervised. There were no hazards identified in the indoor or outdoor play environments.

Infection Control:

An infection control policy was in place to inform practice. Schedules were in place and maintained to ensure the service, equipment and materials are regularly cleaned. Children were observed to carry out consistent hand washing as appropriate. Staff stated appropriate exclusion periods for adults and children with infectious illnesses

were implemented in the service as per the policy. Pedal operated bins were in place throughout the service for the disposal of waste.

Administration of Medication:

There was written evidence of prior parental consent for the administration of both temperature reducing and prescribed medications, and there were procedures in place to safely administer and document such medication if required, including in the case of an emergency. Staff adequately detailed the procedures for administering medication when required during discussions with the inspectors and had appropriate documentation available to record such administration if required.

Safe Sleep:

Staff were familiar with safe sleep guidance and detailed the safe sleep procedures in place in the service during discussions with the inspectors. Sleep logs were maintained in the Toddler room at sleep time, and individual children's observations recorded room temperature, breathing, colour, and position every ten minutes.

Fire Safety:

The designated fire escape routes were clearly indicated and free from obstruction on the day of inspection. Staff members adequately outlined the evacuation procedures in place in the event of a fire.

Non-Compliance Information

Infection Control:

1. The nappy changing policy and associated practices in place in the service were ineffective for infection control and posed a risk of cross contamination as follows:
 - The nappy changing policy did not specify that soiled gloves used during a nappy changing ought to be discarded prior to re-dressing a child. Staff members were observed re-dressing children and cleaning down the nappy changing mat wearing the gloves used during the change.
 - Some staff members did not carry out effective handwashing after changing children's nappies.
2. A child was observed mouthing a drinks beaker in view of a staff member who took it from the child and handed it to another child with no attempt to clean it, posing a risk of cross contamination.
3. The lacquered surface on two of the cots used in the Toddler room during the inspection were heavily worn and chipped exposing porous wood underneath which could not be effectively cleaned.
4. Staff belongings including coats and bags were observed to be stored in the nappy changing room posing a risk of cross contamination.

The corrective and preventive actions submitted following the last inspection of the service on the 8th December 2022 did not prevent the re-occurrence of the non-compliance.

Safe Sleep:

5. The temperature of the Toddler room where children slept on the day of inspection was recorded to be 23.6°Celsius at 11:55am whilst children aged one and two years were sleeping. This exceeds the required temperature range for this age group of 18-22°Celsius and posed a risk of harm to the children.
6. Three children aged one year were observed to be sleeping on stackable beds and a half floor bed where a standard cot or an approved floor bed are required.

Action submitted by the Registered Provider

Corrective & Preventive Action

Infection Control:

1. Nappy Changing Policy has been updated and displayed.
2. Infection control policy was reviewed, and all staff retrained.
3. Cots have been painted and fitted with a protective barrier.
4. Staff have been given lockers and signs put in place.

Safe Sleep:

5. An extra cooling fan has been added to the room closer to cot area.
6. An extra floor bed was taken from storage and is being used on the child under 2, the other 2 children turned two the week of inspection.

Supporting documentation submitted

Supporting documentation was submitted and reviewed by the early years inspector.

Summary Comment

The regulatory requirement has been met.

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)

An adult trained in First Aid Responder (FAR) training was available in the service at all times during the opening hours of the service on the day of inspection.

(2)

(a)(b)

A suitably equipped first aid box was observed to be immediately accessible to the children in each care room within the service and were all stored in a conspicuous location on the day of inspection.