

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DS144
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<b>Name of Service:</b>	Happy Days Creche
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<b>Address of Service:</b>	11 Lugnaquilla Avenue, Greenpark, Walkinstown, Dublin 12, Co. Dublin
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<b>Eircode:</b>	D12 YKT3
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<b>Name of Registered Provider:</b>	Kay Ingham, Sarah Kelly Prior
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date of Inspection:</b>	27/06/2025
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<b>No of pre-school children:</b>	AM	62	PM	50
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<b>Address of the Early Years Inspectorate:</b>	1st floor Trinity Building, IDA Business Park, Southern Cross Road, Bray, Co. Wicklow.
<b>Inspection undertaken by:</b>	Sarah Quigley & Rachael Duff
<b>Title:</b>	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).

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

Happy Days Creche is a privately owned service which was established in 2002. The service provides full day, part-time and sessional care to preschool children aged 3 months to 6 years and also provides a facility for school aged care. The programme of care is facilitated through a play-based curriculum and the service is registered to operate from 08:00 to 18:00 each weekday.

Happy Days Creche is located in a residential, urban area of Walkinstown in Dublin 12. The service operates from a purposely adapted two storey residential dwelling within a residential housing estate. Care and education are provided across six care rooms and a dedicated sleep room is available to the children. The service has a fully enclosed outdoor play area located to the rear of the premises with artificial grass surfacing.

### Staffing

The service currently employs eighteen staff members, including one of the registered providers who works directly in the service. On the day of inspection. Sixteen adults were present including one of the registered providers, two cooks, and an adult on a work placement programme.

### 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 inspection focused on an examination of compliance under regulations;

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

Regulation 26 - Fire safety measures

A sampling process was used to assess compliance under regulation 19 Health, Welfare and Development of child. As a result the following care rooms were included in the assessment; The ECCE Two room, Toddler room, Wobbler Two room, and Wobbler One 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 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

*(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 seven adults had commenced working in the service since Regulation 9 was last inspected on the 5<sup>th</sup> April 2023. Documentation required under regulation 9(2)(3)(4) was reviewed in respect of these seven adults as detailed below. The requirement of regulation 9(2)(c) was assessed for all adults employed to work in the service.

(2)

- (a) (b) There were two references each available for six of the seven adults which had been appropriately verified.
- (c) Garda vetting disclosures were available for all adults working in the service. However, the service did not demonstrate compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years for three adults, as detailed under regulation 23.
- (d) Five adults required international police vetting, the required documentation was available for four of the adults.

(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 did not require a qualification as they were working in the service under a work placement programme. Three of the adults who did not have a recognised qualification were in possession of a letter of eligibility to practice from the department.

### Non-Compliance Information

- (2)
- (a) (b) There was no evidence available to show that two of the references available for one of the adults had been appropriately verified.
  - (d) International police vetting was not available for one adult who required it.
- (3) Documentation reviewed evidenced that the procedures specified above under 9(2) had not all been carried out prior to two adults commencing employment in the service, as detailed above under 9(2)(a)(b)(d).

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

#### Corrective and Preventive Action

9(2)(a)(b)(d).

- The service had verified the references for one adult, however the evidence was not available. The service have since found this and sent in with CAPA.
- International vetting was carried out in duplicate, the correct copy has been sent in evidence also. When carrying out new staff validation and vetting the service will carry out second authentication by another member of the management team.

#### 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 sixty-two children present in the service being supervised by eleven adults during the inspection. The person in charge provided relief cover to the care rooms when required.

### 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.*

#### Compliance Information

Appropriate and suitable care practices were observed to be in place during the inspection. Meals and snacks were offered to the children regularly throughout the day. Drinks of water were available within the rooms and were offered regularly, including when children were eating. Self-feeding was promoted in younger care rooms and staff assisted children where required. Mealtimes were calm and relaxed, and staff were observed sitting with children chatting to them while they ate. The staff supported the children in managing their personal care. They provided younger children with bibs to protect their clothes from becoming soiled or wet when eating. Younger children's hands and faces were cleaned after meals and older children were supported in cleaning their own. Children's nappies were changed routinely and as needed, with staff using these opportunities for warm one-to-one interactions. Older children were encouraged to use the toilet independently with staff providing support

where required. Staff addressed children by name and spoke to them in positive, respectful tones. Children were comforted promptly if they became upset.

An area with matting and soft furnishings was provided within the care rooms where the children could rest or take a break from activities. Younger children were given the opportunity to sleep after lunch. The children were made comfortable for sleep, with staff removing their shoes and outer clothing and providing soothers and comforters to those who used them. The environments were calm and conducive to sleep, with staff sitting with the children, speaking quietly and soothing them as needed. Staff reported that a record was kept on an online application for staff to communicate with parents/guardians regarding individual children's care, including information about diet, sleep, and send photographs of children throughout the day. The children were all provided with the opportunity for outdoor 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

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 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. The care rooms were observed to be safe and free from hazards.

#### 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. Staff and 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 Wobbler rooms, and individual children's observations recorded room temperature, breathing, colour, and position every ten minutes. Standard cots and low-level beds were available for sleep and were used in accordance with children's ages and developmental needs. The temperature of the rooms where children slept were maintained at the required temperature ranges.

### 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 and stated that fire drills are practiced regularly on a monthly basis.

## Non-Compliance Information

### General Safety:

1. A The Garda vetting disclosures available for three 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'.
2. Some hazards were observed in the outdoor play area which posed a potential risk of injury to a child as follows;
  - Two sharp metal brackets were protruding at the base of two wooden posts at ground level in the children's play area.
  - A plastic flowerpot in the children's play area was broken and sharp edges were exposed in reach of the children.

### Infection Control:

3. A build-up of stagnant water was present in a blocked ground level drain in the outdoor play area in reach of the children posing a risk of gastrointestinal illness if ingested by a child.
4. The vinyl covering of a padded mat in the children's rest area of the Toddler room was torn and internal foam was exposed which could not be effectively cleaned for infection control purposes.

### Administration of Medication:

- There were no individual care plans in place for children who required emergency medication in the service. This was at variance with the medication administration policy in place in the service and posed a potential risk of harm to a child.

### Safe Sleep:

- Although it is acknowledged that staff members stated during discussions with the inspector that ten-minute physical checks were completed on sleeping children in the Toddler room, there was no documented record available of these checks taking place. Staff members stated that physical checks are not recorded for sleeping children aged over two years. This was at variance with the policy and associated procedures in place in the service.
- The temperature of the Toddler room on the day of inspection exceeded the required temperature range of 18 - 22°Celsius whilst children aged two years were sleeping. The temperature was recorded to be 23°Celsius at 12:55pm. It is acknowledged that staff member turned on fans and opened windows and doors in an attempt to reduce the temperature. However, it could not be reduced past 22.6°Celsius.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

##### General Safety:

- Updated vetting was in process for the staff members and have now all been received.
- Hazards have been removed from outdoor area. The metal brackets have been covered by a safety post. The flowerpot has been disposed of. The service will ensure all staff are re-vetted. The service will add in to the outdoor checklist risk assessment to ensure all plants are stored in a safe manner.

##### Infection Control:

- We have replaced the drain cover. We also had a drain inspector who flushed through the drain. The service have a schedule with the drains contractor to continue to monitor.
- The service have replaced all mats in the toddler room and all areas. The service bought extra spare mats to allow replacement if there is any signs of wear or tear.

### Administration of Medication:

- Care Plans are now available on the wall of the room where the children are based. Photos and names are printed to identify. Although our FAR staff and room staff were aware of all the information the service take on board that all staff must be trained in the information the plan needs to be readily available in the room at all times.

### Safe Sleep:

6. The service acknowledges the recording of sleep for children over two was not carried out. Since inspection day, the service has been adding documented sleep checks to the physical ones for this age group. The service has been recording on our app.
7. The service continued with the monitoring of the room temperature as is mentioned in the report. The service has an extra fan available in the room to keep the sleep temperature correct. A new fan to room, the service has begun recording the sleeping on the online application used.

### Supporting documentation submitted

Supporting documentation was submitted by the registered provider 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 to the children on the day of inspection.

(2)

*(a)* The first aid box was stored in a conspicuous location within the service.

*(b)* A first aid box was available in the service at all times on the day of inspection.

## Part VI - Safety

### Regulation 26 - Fire safety measures

- (1) A registered provider shall ensure that a record in writing is kept of-*
- (a) any fire drill that takes place in the premises, and*
  - (b) the number, type and maintenance record of fire fighting equipment and smoke alarms in the premises.*
- (4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.*

### Compliance Information

- (1)
- (a) A written record was available detailing fire drills that had taken place in the service. The record showed that the last fire drill had taken place in May 2024.
  - (b) There was a record to show that the firefighting equipment and the smoke alarm system had been serviced.
- (2)
- The procedures to be followed during a fire drill and in the event of a fire were displayed in a conspicuous location within the service.