

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DY029
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Name of Service:	Blackhorse Childcare
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Address of Service:	20 Springfield, Blackhorse Ave, Dublin 7
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Eircode:	D07 VF62
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Name of Registered Provider:	Michael Diffley
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Service type:	Full Day, Sessional
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Date of Inspection:	18/07/2025
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No of pre-school children:	AM	42	PM	37
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Address of the Early Years Inspectorate:	Early Years Inspectorate 2nd Floor, Unit 4/5 The Nexus Building Blanchardstown Corporate Park Ballycoolin Dublin 15 D15 CF9K
Inspection undertaken by:	L Jameson
Title:	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).

Conditions if applicable

Not applicable

Description of service

Blackhorse Childcare operates from a converted residential unit in Dublin 7. The service provides full day and sessional care to children aged 1-6 years from 7:30am-6:15pm, Monday to Friday and offers the Early Childhood Care and Education (ECCE) scheme. The service comprises of four care rooms, namely the Wobbler room which caters for children aged 1 – 2 years, the Toddler room which caters for children aged 2 – 3 years, the Pre-school 1 room which caters for children aged 3 – 4 years and the Pre-school 2 room which caters for children aged 3 – 4 years. The Wobbler, Toddler and Pre-school 1 rooms are all located on the ground floor of the service, Pre-school 2 is located on the first floor. There is also sanitary accommodation, a kitchen in the service and a fully enclosed outdoor area to the rear of the premises.

Staffing

The registered provider does not work in the service. The registered provider employs twenty staff members including the person in charge, the deputy person in charge, seventeen early years practitioners who work directly with the children and a chef. On the day of the inspection, eight early years practitioners and the chef were present when the inspector arrived unannounced in the service. The person in charge and one early years practitioner arrived in the service at 12pm.

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 and safety. The inspection may also focus on other areas as required.

A sampling process was used to assess compliance under Regulation 9(1)(2)(3)(4) Recruitment and Management, Regulation 11(1)(2) Staffing Levels, Regulation 16(1)(j)(k) Record in Relation to Pre-School Service, Regulation 19(1)(b) Health, Welfare and Development of Child, Regulation 23 Safeguarding Health, Safety and Welfare of Child, Regulation 26 Fire Safety. As a result, the scope of the inspection included the Wobbler room, the Toddler room and Pre-school 1 room and did not include Pre-school 2 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 inspector wishes 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

(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 a named person to deputise as needed.
 - (c) The service had a clear management structure and staff members were aware of their own role and responsibilities.
- (2) The full staff files of four adults employed to work in the service since the last inspection were reviewed along with the Garda vetting for seventeen adults, including the registered provider, which had expired since the last inspection.
- (a) Six written and verified references were available from past employers.

- (b) Two written and verified references were available from a source other than a past employer.
 - (c) Garda vetting disclosures had been obtained for twenty-one adults. 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) Documentary evidence showed that two adults had lived in a state other than Ireland for more than six consecutive months as an adult. International police vetting was available for two adults.
- (3) Evidence was available to demonstrate that the procedures specified in paragraph (2) were carried out in relation to two adults before employment commenced.
- (4) Evidence was available to show that the four adults who worked directly with the children held 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.

Non-Compliance Information

- (1)
- (b) The designated person in charge and the deputy person in charge were not present when the inspector arrived unannounced in the service. Through conversation with staff members and a review of the roster, it was established that the designated person in charge was not scheduled to arrive in the service until 12pm on the day of the inspection and the deputy person in charge was not scheduled to be on the premises.
- (3) The registered provider did not ensure that information required under section (2) was available prior to commencement of two staff.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (1)
- (b) Management have reviewed and amended the service's roster to ensure that a designated person in charge is on the premises at all times during operational hours. The person in charge and deputy person in charge will co-ordinate shifts to ensure there is a designated named person in the service at all times in the future.

- (3) Updates in relation to information required under section (2) were carried out after immediately after the inspection. Management will ensure that all required information is available and included in the staff files prior to commencement of new employees going forward.

Supporting documentation submitted

- (1)
- (b) Documentation in relation to the above has been reviewed.
- (3) Documentation in relation to the above has been reviewed.

Summary Comment

The corrective and preventive actions taken by the registered provider are sufficient to address the non-compliances under Regulation 9.

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) The registered provider ensured that there was an adequate number of adults working with the children throughout the inspection. In the morning there were eight adults caring for forty-two children and during the afternoon there were eight adults caring for thirty-seven children. In addition, the person in charge and one relief early years practitioner were available to provide support in a supernumerary capacity in the afternoon.
- (2) The adult child ratios were correct when the inspector arrived unannounced to the service and throughout the inspection. Staff members were aware of the required ratios for the age range of children in the rooms.

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:

- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.

Compliance Information

- (1) The registered provider ensured that there was a record kept in writing of the following information in relation to the service:
- (j) Ten administration of medication records were reviewed, and all information was completed in full.
 - (k) Ten accident and incident records were reviewed, and all information was completed in full.
- (3) Records were open to inspection by an authorised person. All records requested by the inspector were available for review.

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

- (1)(b) The following practices were observed on the day of inspection which supported the health, welfare and development of the children attending:
- Staff members were observed to engage in meaningful interactions with the children, while positively reinforcing their achievements with recognition, praise and encouragement.

- Mealtimes were observed to be a sociable and pleasant event, with staff members sitting alongside the children, engaging in meaningful conversations and offering support and encouragement to the children. The children were given plenty of time to enjoy their meals and water was readily available to the children in the care rooms.
- Staff members were attentive to the children’s individual sleep needs and routines. During sleep time, the blinds were closed and soft music played in the background, creating a relaxing environment for sleeping children.
- Appropriate and respectful nappy changing procedures were observed on the day of inspection. The children who were toilet trained used the toilet independently with discreet supervision provided by staff members. Nappies were changed at scheduled times and more frequently when required.

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 leading into the service was appropriately secured to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the premises.
- Flexes and cords were stored safely out of reach of children.
- The kitchen was inaccessible to children on the day of inspection.

Infection Control:

- Foot operated pedal bins were available in the care rooms and sanitary areas to ensure the hygienic disposal of contaminated materials.
- Windows were observed to be open to allow circulation of fresh air and reduce malodour in the care rooms and sanitary accommodation.
- Children’s soothers were observed to be stored individually.

Administration of Medication:

- Anti-febrile medication was observed to be in date, stored in the correct packaging and out of the children’s reach. No children were observed having medication administered on the day of inspection.

Safe Sleep:

- Staff members were observed to physically check and record the colour, breathing and position of sleeping children every 10 minutes.
- An ambient temperature of 18-22°C was maintained for sleeping children over one years old in the cot rooms and care rooms.
- Cots and low stackable beds were observed to be in good condition and positioned 50cm apart, allowing staff members to move easily around the room while carrying out sleep checks.
- Appropriate bed linen was in use for sleeping children.

Fire Safety:

- Fire exits were clear and unobstructed on the day of inspection.

Non-Compliance Information

General Safety:

1. Garda vetting was available for one staff member. However, this vetting disclosure was not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.
2. A cleaning agent was stored on a low shelf in the Pre-school 1 room. It is acknowledged that the cleaning agent was removed and placed on a high shelf when the inspector brought this to the attention of the staff in the room.
3. Plastic with a serrated edge from a broken piece of equipment remained attached to the wall in the Pre-school 1 room, posing a potential risk of injury to the children.
4. Chipped paint and exposed pieces of plaster on the wall in the Toddler room posed a potential risk to the children's safety.
5. The following was observed in the outdoor area which posed a potential risk to the children's safety:
 - External plaster around the Toddler room door frame was broken, exposing wire mesh.
 - A hole in the external wall under the kitchen window.
 - The wooden fencing was broken in three different areas.

Infection Control:

6. The water temperatures in the Wobbler and Toddler care rooms and both sanitary accommodations on the ground floor were not conducive to promote effective hand washing. On the day of the inspection, the water temperatures measured as follows:

Wobbler room	19.9°C
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Wobbler room sanitary accommodation	20°C
Toddler room	20.1°C
Toddler room sanitary accommodation	20.2°C

It is acknowledged that there are notices displayed in the service reminding staff members to let the water run for 1 – 2 minutes to allow for water temperature to regulate, however, the water temperature did not rise after the inspector let the taps run for periods up to 3 minutes.

7. The following was observed which prevents effective cleaning practices and increases the risk of cross contamination:
- The nappy changing mat in the Wobbler room sanitary accommodation was observed to be torn and the internal foam was exposed.
 - The couch in the Pre-school 1 room was torn and the internal material was exposed.
 - Radiator covers were observed to be worn and internal, porous wood was exposed.
 - Silicone around the sink in the Toddler room was observed to be worn.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. Updated Garda vetting has been obtained for one staff member and placed on file. Management have created a spreadsheet to include vetting expiry dates which will be reviewed on a regular basis to ensure regulatory compliance is met.
2. A designated storage area has been set up in all care rooms to ensure all cleaning products are out of the reach of children. Management have reminded staff to return cleaning products to the storage area after each use and visual prompts are now displayed in the care rooms.
3. The plastic was removed after the inspection and the wall was filled and repainted. Daily checks are carried out to ensure equipment is in good working order and any broken or damaged items are removed and disposed of immediately.
4. The wall was filled and repainted after the inspection. Daily checks are carried out and all necessary repairs are reported to management immediately.
5. The wall outside the Toddler room and the kitchen have been filled and repainted. Chalkboards have been fitted to the fence to cover any broken areas. Daily checks are carried out to ensure that the garden area

is safe for children. All necessary repairs are reported to management immediately and repair process implemented.

Infection Control:

6. The heating and water system has been checked, and the issues is now fixed. Management will carry out regular checks on water temperature in all care rooms and sanitary areas.
7. The following has been carried out by management:
 - The nappy changing mat in the Wobbler room sanitary accommodation was replaced.
 - The couch in Pre-school 1 room was removed and a new one was ordered.
 - Radiator covers in the Toddler room were sanded and repainted and new radiator covers were purchased for the Wobbler room.
 - The silicone around the sink in the Toddler room was removed, the wall was filled and painted and new silicone has been applied to the area.

Supporting documentation submitted

General Safety:

1. Documentation in relation to the above has been reviewed.
2. Photographic evidence in relation to the above has been reviewed.
3. Photographic evidence in relation to the above has been reviewed.
4. Photographic evidence in relation to the above has been reviewed.
5. Photographic evidence in relation to the above has been reviewed.

Infection Control:

6. Photographic evidence in relation to the above has been reviewed.
7. Documentation and photographic evidence in relation to the above has been reviewed.

Summary Comment

The corrective and preventive actions taken by the registered provider are sufficient to address the non-compliance under Regulation 23.

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.*

(2) *The record referred to in paragraph (1) shall be open to inspection by-*
(c) *an authorised person.*

(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 record was maintained of all fire drills which had been completed in the service. The records indicated and staff members reported that fire drills were carried out monthly. The last recorded fire drill took place on 04 June 2025.
 - (b) Documentary evidence was available to demonstrate a maintenance check was carried out on the firefighting equipment in February 2025 and the smoke alarms on 23 April 2025.
- (2) Records were open to inspection by an authorised person. All fire records requested by the inspection team were available for review.
- (4) The evacuation procedure was conspicuously displayed on the premises which contained details in relation to the procedure to be conducted in the event of a fire or emergency in the service.

Part VI - Safety

Regulation 28 - Insurance

A registered provider shall ensure that the pre-school service is adequately insured.

Compliance Information

The registered provider ensured that the service was adequately insured to reflect the type of care provided. The insurance certificate had an expiry date of 27 March 2026.