

Early Years Inspectorate Regulatory Report

Pre School

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| TUSLA Identifier: | TU2015DY080 |
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| Name of Service: | Garden of Eden |
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| Address of Service: | Edenmore Park, Edenmore, Raheny, Dublin 5, Co. Dublin |
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| Eircode: | D05 AK57 |
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| Name of Registered Provider: | Emma Lynch |
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| Service type: | Full Day |
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| Date of Inspection: | 01/12/2025 |
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| No of pre-school children: | AM | 31 | PM | 20 |
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| Address of the Early Years Inspectorate: | Early Years Inspectorate, Child and Family Agency Unit 4&5 Nexus Building Block 6A, Blanchardstown Corporate Park, Dublin 15 |
| Inspection undertaken by: | Á Dunne and E Hosford |
| 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).

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| Conditions if applicable | Not Applicable. |
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Description of service

Garden of Eden is a community service in Edenmore Dublin 5 providing a sessional, part time and full-time care to children aged from birth to 6 years of age and operates from 8:00am to 5:30pm Monday to Friday. The service operates from a single-storey purpose-built premises and currently consists of four care rooms, a separate cot room, sanitary facilities, a kitchen for the preparation of food, a staff office area and reception.

The four care rooms in the service are the Wobbler room (1- 2 years), Tweenie room (2-3 years), Play school room (3-4 years) and the Pre School room (4-5 years). The Wobbler room and Toddler room are currently not in operation and are facilitating school age children in the afternoons.

An enclosed outdoor area was available to the children to the rear of the premises.

Staffing

The service employs 16 staff to include the registered provider, two office administrators, a cook, a caretaker, 8 childcare staff, one cover staff, one staff member on statutory leave and one school age staff member. The registered provider facilitated 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, premises and facilities. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under the regulations 9, 11, 16, 19, 23, 25 and 26. These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under Regulation 19 Health, welfare and development of child, Regulation 23 Safeguarding, Health, Safety and Welfare of child.

Regulation 11 Staffing levels was assessed across all rooms.

As a result, the scope of the inspection included the Playschool and Preschool rooms. The Wobbler and Toddler rooms were closed on the day of inspection.

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, 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.

(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

The files of 16 staff members employed within the service were reviewed.

- (2)
- (a) Eighteen written and validated references were available from a past employer.
- (b) Fourteen written and validated references were available from a source other than past employer
- (c) Garda vetting disclosures were available for 16 adults. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d) Police vetting was not required as no staff members had lived outside of the State for a period of more than 6 consecutive months as an adult.
- (4) Documentation was available to show that 15 adults who worked 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.

Non-Compliance Information

(4) Documentation was not available to show that one adult who worked 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

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(4) At the time of inspection, documentation confirming the required qualification was not available for review for one staff member who is in her second year of the Bachelor of Early Childhood Education in DCU. The service has applied to the DCEDIY Early Years Recognised Qualifications for the letter of qualification to ensure it is filed and accessible going forward. The service received this letter. The service has implemented a standardised document control and verification process for all staff qualifications, including filing, applying for essential letters of qualification when necessary and tracking these documents. They have a qualification checklist to be carried out for each member. This will prevent recurrence of documentation being unavailable for future inspections.

Supporting documentation submitted

(4) Letter of Qualification Recognition

Summary Comment

The inspector has reviewed the actions submitted. The non-compliance identified under Regulation 9, has been adequately addressed.

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

- (1) There were an adequate number of adults working directly with the children as there were 8 adults working with 31 children in the morning and 7 adults working with 20 children in the afternoon.
- (2) The adult to child ratios were maintained on the day of inspection as outlined below.
- **Preschool Room:** Five adults were caring for 19 children aged 3-5 years in the morning and 3 adults were caring for 16 children in the afternoon.
 - **Playschool Room:**-Three adults were caring for 12 children aged 2 – 3 years in the morning and 4 adults were caring for 4 children in the afternoon.
- (8)(a) The registered provider ensured that two adults were present on the premises during the operation of the service

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:

- (h) details of attendance by each pre-school child on a daily basis;
- (i) details of staff rosters on a daily basis;
- (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.

Compliance Information

- (h) Details of attendance by each pre-school child on a daily basis was completed accurately in attendance record books.
- (i) Staff roster was available demonstrating hours each staff worked.

Non-Compliance Information

(j) A sample of 20 administration of medication records were reviewed. The required information was not recorded on all the records. For example.

- Two forms did not include the pre consent from the parent before staff administered the prescribed medication.

- Three forms did not include a second staff member signature when medicine was administered.
- One form had no staff signatures when medication was administered.
- Two forms did not include the signature of the parent on collection of their child to confirm that they were made aware of the administration of medication while the child attended the service.

(k) A sample of 15 accident and incidents records were reviewed. All required information was not recorded on all forms. For example.

- Four forms did not include the child's date of birth.
- One form did not have the child's surname noted.
- Two forms had no staff member signature
- One form had no managers signature present on the form
- Two forms had no signature of parent to confirm notification to the parent of the accident
- Six forms had no date of signature by a parent

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (j) Following the inspection a staff meeting was held to discuss the results. On review of the service administration of medication records, it was concluded that the form was too complicated and needed to be simplified. Therefore, the form was reviewed, simplified and implemented ensuring each staff member was re-educated on the new form. The new form ensures accurate, clear and consistent documentation of medication administration. An audit has been organised for the end of February to check on progress of the new form to check on progress of the new form for supervision and quality assurance. A new simplified, user-friendly form was created. Training is provided to each staff member on completing this form and before management sign the form it must be thoroughly checked over to ensure all information is filled in correctly.
- (k) Following the inspection, a staff meeting was held to discuss the results. On review of the service accident or incident records, it was concluded that the form was also too complicated and needed to be simplified. Therefore, this form was reviewed, simplified and implemented ensuring each staff member was re-educated on the new form. The new form ensures accurate, clear and consistent documentation of accidents and incidents. An audit has been organised for the end of February to check on progress of the new form for supervision and quality assurance.

A new simplified, user-friendly form was created. Training is provided to each staff member on completing this form and before management sign the form it must be thoroughly checked over to ensure all information is filled in correctly

Supporting documentation submitted

- (j) Copy of the New Administration of medicine record form.
- (k) Copy of the New Accident / Incident Form

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliances identified under Regulation 16, has been adequately addressed.

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

Basic Needs:

- The service had a three-week menu and provided meals and snacks at regular intervals, breakfast between 8am and 9am, morning snack of toast at 10am and the inspectors observed a hot meal served of pasta Carbonara at 11.30am. An afternoon snack is served at 1.15pm and tea at 2.30pm.
- Water was available in each care room for the children to drink.
- The transitions between activities such as mealtimes, free play and outdoor play were observed to be calm and relaxed with staff available to care for the individual needs of the children.
- All children in each room were observed to enjoy outdoor play during the inspection.
- Children's need for rest were met through the provision of comfortable rest areas available.

Supporting relationships around children:

- Staff were observed to have respectful, warm and responsive interactions with the children through the use of soft tones and positive non-verbal communication strategies such as being at the children's level.

- Staff were observed to be engaged with and sit with the children during play time and having positive interactions with a child centred and child led play. They were responsive to the children and were observed to give them choices regarding their play activities.
- Staff members supported each other in the provision of care to the children.

Physical and Material Environment

- Low level shelving and child sized furniture supported children's independence.
- The materials and equipment provided to the children in the rooms were suitable to the age and stage of development of the children present. Children had the freedom to choose from materials and equipment available to them.
- Cosy areas were present in both rooms offering a quiet comfortable area for children to rest and relax during the day.
- The outdoor play environment to the rear of the premises were fully enclosed, the surface of which was covered with artificial soft surface. The outdoor toys were suitable and available and included a playhouse with a slide, a slide, ride on toys, bikes and scooters.

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:

- On the unannounced arrival at the service by the inspectors, the entrance door leading into the premises was appropriately secured to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the premises throughout the inspection.
- The kitchen area was inaccessible to the children throughout the inspection.
- Blind cords were restricted and not accessible
- No trailing flexes were observed.
- The outdoor area was a safe and secure environment with play equipment and materials clean and suitable for use by the children to included poles covered with secure foam padding.

Infection Control:

- Handwashing facilities for hand hygiene included thermostatically controlled water, soap and paper towels and pedal operated lidded bins for disposal of paper waste.
- Handwashing was observed after outdoor play and before and after mealtimes.

Fire Safety:

- Monthly fire drills were carried out in the service.
- The designated emergency exit doors were clear and unobstructed

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) The service provided evidence that seven adults trained in First Aid Response were available at all times to the children attending the pre-school.
- (2) (a) and (b) Suitably equipped first aid boxes were available and safely stored in easily accessible and conspicuous positions in the service

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 of the fire drills completed in the service. The last recorded fire drill took place on 11 November 2025.
- (b) A record was available of the number, type and maintenance of the firefighting equipment demonstrating it was last serviced July 2025 and for the number, type and maintenance of the smoke alarms in the premises, which were last serviced 9 September 2025.
- (4) Notices of the procedures to be followed in the event of fire were displayed in conspicuous positions in the service