

Early Years Inspectorate Regulatory Report

Pre School

| | | | | | |
|-------------------------------------|--|----|----|----|----|
| TUSLA Identifier: | TU2015DY088 | | | | |
| Name of Service: | Happy Tots Crèche & Afterschool | | | | |
| Address of Service: | 17 May Park, Malahide Road, Donnycarney, Dublin 5 | | | | |
| Eircode: | D05 Y4T8 | | | | |
| Name of Registered Provider: | Niamh McCormack | | | | |
| Service type: | Full Day, Part Time, Sessional | | | | |
| Date of Inspection: | 10/03/2025 | | | | |
| No of pre-school children: | <table border="1"> <tr> <td>AM</td> <td>37</td> <td>PM</td> <td>24</td> </tr> </table> | AM | 37 | PM | 24 |
| AM | 37 | PM | 24 | | |

| | |
|---|---|
| Address of the Early Years Inspectorate: | <p>Early Years Inspectorate Area 1 2nd Floor, Unit 4/5 The Nexus Building Blanchardstown Corporate Park Ballycoolin Dublin 15 D15 CF9K</p> |
| Inspection undertaken by: | T Nelson and H Sutherland |
| 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).

Conditions if applicable

Not applicable.

Description of service

Happy Tots Creche and Afterschool is a full day care service located in a residential area on the north side of Dublin and is registered to provide early childhood care and education to a maximum of 46 children aged 0 to 6 years old, Monday to Friday. The service operates an Early Childhood Care and Education (ECCE) programme sessional service from 9.00am to 12.00pm, a part time service and a school age service in the afternoon. Happy Tots Creche and Afterschool operates from the first and second floors of a converted retail unit and has four care rooms to include the Baby Room (12 to 24 months old), Toddler room (2 to 3 years old), Junior Preschool room (2 years and 8 months to 4 years old) and Senior Preschool room (3 to 5 years old). There are sanitary facilities located off each of the care rooms, and a cot room located on the first floor. A fully enclosed outdoor area is located to the rear of the premises.

Staffing

There are currently 13 staff employed to work in the service including the registered provider, the deputy person in charge, two school age staff, a cook, a childcare support worker and seven childcare staff who work directly with the children. There were 11 staff present on the day of the inspection including the registered provider, the deputy person in charge two school age staff, a childcare support worker and six childcare staff.

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

A sampling process was used to assess compliance under Regulation 16(1)(j)(k) Records in relation to the Preschool Service

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

(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,
- (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 named person to deputise as required.

(b) A review of the roster showed either the person in charge or the deputy person in charge were rostered to be present.

(c) There was a clear management structure in the service, and this was displayed on the doorway to the first floor.

(2) A review of the roster and conversation with the management showed that the registered provider currently employs 13 adults, two of which were new since the last inspection held on the 12 March 2024. The files of these new staff were reviewed along with the qualification of a staff member whose file was reviewed on the last inspection. The registered provider had completed the following checks:

(a) Four validated written references were available from recent past employers

(c) Garda vetting disclosures had been obtained for two new staff members.

(4) There was evidence available that the two staff who worked directly with early years 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

The registered provider did not ensure the following:

- (2) (d) A review of paperwork available showed international police vetting was not available for one staff member who previously lived outside of Ireland for a period of more than 6 consecutive months as an adult.
- (3) The review of documentation available demonstrated that the checks specified in (2) were not carried out prior to staff commencing in the service. For example:
- One staff member commenced employment in the service prior to appropriate consideration of one of their references. This was identified as a non-compliance on the inspection held on the 12 March 2024 and actions put in place failed to prevent a recurrence.
 - One staff member commenced prior to police vetting being checked.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (2) (d) The police vetting was made immediately available. The registered provider will ensure all new staff hired will have international police vetting if required.
- (3) The registered provider will ensure all appropriate checks are completed prior to new members commencing in the service.

Supporting documentation submitted

Evidence of police vetting.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliances identified under Regulation 9 have been 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.

(4) Subject to paragraph (5), where a registered provider contemporaneously provides-

(a) a sessional pre-school service, and

(b) a full day care service or a part-time day care service, or both, the minimum ratio of adults to children applicable for the duration of the sessional pre-school service in respect of the children attending that service shall be the ratio specified in paragraph (3).

Compliance Information

The registered provider ensured the following:

- (1) On the day of inspection there were an adequate number of adults working directly with the children attending the service to meet their care needs. There were nine staff available to 37 children present on the morning of the inspection.
- (4) The minimum ratio of adults to children was maintained for the duration of the inspection.

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.

Non-Compliance Information

(1) The registered provider did not ensure the following:

- (j) Following a review of a sample of 12 records, the registered provider did not ensure a full record in writing was maintained for the administration of medication. For example:
 - Four records had no evidence a second person had witnessed the administration of the medication.
 - Two records did not have the signature of the parents acknowledging their child had received the medication.

There was a potential risk medication could be administered incorrectly.

- (k) Following a review of a sample of 12 records, the registered provider did not ensure a full record in writing was maintained for accident and incidents. For example:
 - Three records did not detail the child's full name.
 - One record did not detail the child's date of birth.

There was a potential risk children could not be accurately identified on the forms.

These were identified as non-compliances on the inspection held on the 12 March 2024 and actions put in place failed to prevent a recurrence.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (1)
 - (j) Staff were updated in the importance of completing forms in full and have acknowledged they are aware of the procedures. The service ensure managers will check records are filled in correctly after each child is administered medication.

(k) Staff were updated in the importance of completing forms in full and have acknowledged they are aware of the procedures. The service ensure managers will check records are filled in correctly after each accident or incident report is made.

Supporting documentation submitted

Evidence of staff sign off on policies.

Summary Comment

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

(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

The registered provider ensured the following care practices met the needs of the children:

- Practices such as mealtimes, nappy changing and toileting were observed to be regular, timely and pleasant experiences for the children. Staff reported meals provided were regular and varied and that there were additional portions available. Staff discussed the nappy changing routine and how children were supported to toilet train and these practices were observed to be respectful.
- Children’s drinks were stored on an accessible trolley in each of the care rooms.
- Engagement with families and parents was facilitated via sharing information such as food, nappies and sleep in a daily record book which went home with parents. Parents were observed to come to the room to collect children and had the opportunity for conversation. This can promote a sense of welcome and identity for young children.
- Transitions were observed to be timely and well organised. Children were given a verbal indication of what was going to happen next, and staff were familiar with the routine which facilitated a seamless transition. A child new to the service was given the opportunity to settle in on a phased basis.
- The staff interacted with the children in a respectful, warm and sensitive manner. Appropriate verbal and nonverbal communication such as low tones, using children’s names, following their interest, touch and other strategies were observed. These strategies can facilitate positive behaviour management in young children.

- Appropriate sleep facilities were observed to be available for those children who required sleep. Sleep rooms were observed to be comfortable spaces with temperatures maintained within the recommended temperature range for the age of the children in the rooms.
- Children’s personal appearance was tended to in a timely manner such as cleaning a dirty nose or wiping hands and face after meal times. This can facilitate comfort.
- The children were observed to move freely through the care rooms and engage in activities and experiences of their choice, facilitating independent decision making.

Part V - Care of Child in Pre-school Service

Regulation 21 – Equipment and materials

A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.

Compliance Information

The registered provider ensured the following furniture and equipment was available:

- Toys, equipment and play materials were easily accessible and visible to the children on low-level units.
- The furniture and equipment in the rooms was observed to be adequate for the number of children in the rooms and was well maintained, durable and easy to clean.
- An area was available in the rooms which allowed children to take a break from activities and rest.
- There was a variety of play materials and equipment available to the children according to their age and stage of development.
- The outdoor play area had a range of suitable resources for outdoor play.

Non-Compliance Information

The registered provider did not ensure the following:

1. The furniture in the following rooms was not at a suitable height for the age range of the children using it:
 - The chairs in the toddler room were too high for three of the children. The children’s feet were unable to reach the floor while they were seated on the chairs.
 - Some of the chairs were too low for the children in the Senior Preschool room, leaving the table too high for the children to engage comfortably in mealtimes and table top activities while seated.
2. Two wooden shelving units in the outdoor play area were broken and were no longer fit for purpose.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. The chairs in the care room were swapped around and are at the right height for the children in the rooms. The service will make sure that the chairs are age suitable in all rooms going forward.
2. The wooden shelving units were removed and was replaced with more durable equipment.

Supporting documentation submitted

1. Photographic evidence
2. Photographic evidence.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliances identified under Regulation 21 have been addressed.

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 following measures were observed to safeguard children:

General Safety:

- The main entrance to the service was secured on arrival to the service and throughout the inspection. Entry was managed by an intercom and electronic door release system which was monitored by staff. An internal door to each of the first and second floors had a key code entry system in place. This restricted unauthorised persons from gaining access to the premises and prevented children from exiting the service unsupervised.
- All cleaning agents and hazardous items were stored out of reach of the children in locked presses or on high shelves.
- Windows were observed to have appropriate restrictors fitted.
- The stairway was observed to be clear and children using the stairs were appropriately supervised during the transition from outdoor play.

Infection Control:

- The premises were in a clean and hygienic condition and documented up to date cleaning records were available and displayed in the premises.
- Warm water, liquid soap and single use hand towels were available at all wash hand basins used by the children and the staff members. Children were supported to hand wash after using the toilet and before dinner.
- Children’s bed linen was stored in individual labelled bags, and staff reported appropriate laundry procedures were in place.

Safe Sleep:

- A log was maintained where the temperature of the room and the colour, breathing and position of sleeping children was checked every ten minutes.

Fire Safety:

- Emergency exits were unobstructed and the emergency shutter on the fire escape was operational.
- Staff reported fire drills were carried out on a monthly basis and were familiar with fire drill procedures.

Non-Compliance Information

General Safety:

1. A trailing flex from the speaker in the Junior Preschool room posed a potential trip hazard.

Infection Control:

The following increased the potential risk of infection:

2. The nappy changing mat was torn leaving the foam exposed in the nappy changing room off the Baby room, leaving an ineffective cleaning surface.
3. Children’s nappy creams were not individually labelled in the nappy changing room off the Toddler room, increasing the potential risk of cross contamination.
4. Children’s chairs were stored in the nappy changing room off the Baby room increasing the potential risk of cross contamination. Only items for use in the sanitary accommodation area should be stored there.
5. The following waste disposal systems required repeated hand contact with the disposal unit. This does not support effective infection control:
 - The nappy disposal bin in use in the nappy changing room off the Baby room.
 - The bins in the Toddler, Junior and Senior Preschool rooms.
6. Paint was peeling off the wall in an area accessible to the children in the Baby room leaving an ineffective cleaning surface.
7. There was a build-up of dust and debris on the ventilation fan in the toilets off the Toddler room.

Administration of Medication:

- The administration of medication was not sufficient to support effective safe practice. The care plan available for a child who required a specific type of medication did not clearly specify when the medication should be administered. It is acknowledged that this was addressed during the inspection, and a detailed care plan was made available.

Fire Safety:

- The details of the attendance of the children who transitioned to new rooms were not accurately recorded in the attendance book, with a child recorded as present in both rooms. Contemporaneous accurate attendance logs must be maintained to support the safe evacuation of children in an emergency.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

- The trailing flex was removed. The registered provider will ensure that safety checks are completed on a daily basis.

Infection Control:

- A new nappy mat was made available. The service will ensure staff will check for damage in the future.
- All creams were labelled, and the service will ensure that creams will be labelled immediately when sent in by parents.
- The chairs were removed from the sanitary area and stored in the hallway. This will be reviewed on a daily check by management.
- New bins were purchased, and the registered provider will ensure these are maintained in good condition.
- Mirrors have been placed on the wall covering where the paint was peeling. The service will ensure that all the surfaces are effective for cleaning going forward.
- The fan was cleaned, and the service will ensure to check these vents are clear of dust and debris.

Administration of Medication:

- The plan was updated on the day of the inspection, and parent information packs have been updated to request clear details for children on specific medications.

Fire Safety:

- The service developed a sheet to record children who transition to another room to accurately account for the children present.

Supporting documentation submitted

General Safety:

Point 1: Photographic evidence, daily risk assessment

Infection Control:

Points 2-7: Photographic evidence, daily risk assessment.

Administration of Medication:

Point 8: Documentary evidence

Fire Safety:

Point 9: Documentary evidence

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliances identified under Regulation 23 have been addressed.