

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2015DY168

Name of Service: Pop Up Pre School

Address of Service: St. Josephs Junior School, Balcurris Road, Ballymun, Dublin 11

Eircode: D11 ND82

Name of Registered Provider: Bernie Kelly

Service type: Part Time, Sessional

Date of Inspection: 16/10/2025

No of pre-school children:	AM	15	PM	13
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Address of the Early Years Inspectorate:
Early Years Inspectorate
2nd Floor, Unit 4/5
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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

Pop Up Preschool operates from a classroom in St Joseph's Junior School in a residential area of Ballymun, Dublin 11. The service offers part time and sessional care to children aged 2 - 6 years old from 9:00am to 2:00pm, Monday to Friday. There is designated sanitary accommodation located across the hallway from the care room and a large outdoor play area is located in the courtyard of the main school

Staffing

The service employs seven adults, including the person in charge, the deputy person in charge, four early years practitioners, one of whom works as relief staff member, and a maintenance person. On the day of the inspection, the deputy person in charge, three early years practitioners and a student were present when the inspector arrived unannounced in the service. The person in charge arrived shortly after to support the inspection process. The registered provider does not work in the service and was not present on the day of 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 and premises and facilities. The inspection may also focus on other areas as required.

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.
 - (b) The deputy person in charge was rostered to be present all times during the period when the pre-school service is being carried on and when the inspector arrived unannounced to the service.
 - (c) The service had a clear management structure and staff were aware of their own role and responsibilities.
- (2) The full staff files of seven adults employed to work in the service along with the file of one student were reviewed:
- (a) Eight written and verified references were available from past employers.
 - (b) Six written and verified references were available from a source other than a past employer.
 - (c) Garda vetting disclosures were available for the eight adults employed in the service. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda Vetting every three years.
- (4) Six 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 or a qualification deemed eligible by the Department of Children, Equality, Disability, Integration and Youth Affairs.

Non-Compliance Information

- (2)
- (a)(b) Two written and verified references were not available for one adult from a past employer or a source other than a past employer.
 - (d) International police vetting was not available for one adult for a country that they had lived in other than Ireland for six consecutive months or more as an adult.

- (3) Evidence was not available to demonstrate that the procedures specified in paragraph (2) were carried out in relation to two adults before employment commenced:
- Two written and verified references were not available for one adult.
 - International police vetting was not available for one adult in respect of a country that they had lived in other than Ireland for six consecutive months or more as an adult.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (2)
- (a)(b) Two written and validated references have been obtained and added to the staff files.
Management will increase the frequency of file checks and ensure all files are up to date with the required documentation going forward.
- (d) An international police vetting application has been made for one adult. Going forward, management will ensure that all relevant checks are carried out in relation to staff members who have resided in countries other than Ireland for six consecutive months or more after the age of eighteen.
- (3) Management will ensure that the required checks are carried out for new staff members and adults who have direct contact with the children in the service prior to their commencement.

Supporting documentation submitted

- (2)
- (a)(b) Photographic evidence in relation to the above has been reviewed.
- (d) No evidence submitted. The registered provider must submit international police vetting to the inspectorate for review once it has been obtained.
- (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-compliance under Regulation 9(2)(a)(b)(3), however, the non-compliance in 9(2)(d) will remain outstanding until the document has been received by the inspectorate.

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) The registered provider ensured that there was an adequate number of adults working with the children throughout the inspection. In the morning, there were four adults caring for fifteen children and during the afternoon, there were four adults caring for thirteen children. In addition, the person in charge and one student were available to provide support in a supernumerary capacity where required.
- (2) The adult child ratios were correct when the inspector arrived unannounced to the service and throughout the inspection.
- (8)
- (a) The registered provider ensured that 2 adults were present in the service at all times verified by staff roster and staff attendance records maintained at the service.

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 engaged in positive interactions with each other and the children on the day of the inspection. Minor disagreements and conflicts were resolved in a calm and prompt manner, with staff members meeting the children at their level, listening to and offering comfort and support where required.
 - The children had freedom of movement around the care room and staff members encouraged them to explore their environment, promoting the children's independence and imagination. Staff members were observed to set up activities with the children's interests in mind, offering encouragement to extend their play experiences in both the care room and the outdoor play area.
 - Staff members sat with the children and joined them during play and activities.
 - Mealtimes were observed to be a sociable and pleasant event, with staff members sitting alongside the children, engaging in conversations and offering support and encouragement to the children.
 - Staff members offered discreet supervision and guidance to children during toileting and handwashing.
 - Staff members were observed to communicate with parents and guardians through discussion and informal chats at drop off and discussed the use of a software application that was in use in the service to provide updates of the children's day.

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 that an adequate supply of suitable materials and equipment were available to the children in the service. The following was observed;

- Child-sized tables and chairs were available for use by the children which allowed them to engage in tabletop activities and meals comfortably.
- Toys and materials were accessible on low level shelving which allowed children to access them independently.
- Toys and materials were grouped into defined interest areas with adequate props and supporting equipment to support engaging spontaneous play experiences. Areas included a home corner with a kitchen, dolls, dress up and tea sets, a cosy area with a couch, pillows and a selection of books, and a construction area with large blocks and balance beams.
- Equipment and materials in the care room were in good working order. Materials including jigsaws and puzzles, cars, animals, art and craft materials and opportunities for sensory play were available to the children, facilitating a range of play and learning experiences.
- The outdoor area provided opportunities for a variety of play experiences including gross motor and imaginative 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

General Safety:

- The entrance 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.
- A risk assessment for the hallway outside the care room was up-to-date and available for review by the inspector.
- Cleaning agents were stored safely out of reach of children.
- Flexes and cords were secured safely out of reach of the children.

Infection Control:

- The care room and sanitary area was equipped with warm water, liquid soap and dispensed hand towels. Staff members were observed to support the children with handwashing at regular intervals throughout the day, before mealtimes and after toileting and activities.
- Foot operated pedal bins were available in the care room and sanitary area to ensure the hygienic disposal of waste.
- Snacks were refrigerated to ensure perishable items were kept cool.

Administration of Medication:

- 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.

Fire Safety:

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

Non-Compliance Information

General Safety:

1. The following was observed in the outdoor play area which posed a potential risk to the children's safety:
 - The plaster on external walls was broken in places, exposing internal wire mesh.
 - A screw was jutting out of the wall at a low level and was accessible to the children.

Fire Safety:

- The children's attendance record was not maintained in a prompt and timely manner. The inspector requested to review the children's attendance records at approximately 09:40am. A staff member confirmed that they had yet to complete the sign in and proceeded to record the children's attendance. Upon further review at approximately 10:17am, there were fifteen children present, however, only fourteen children's attendance was recorded. This may prevent the safe evacuation of the children in the event of an emergency.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

- The broken plaster has been repaired, and the screw has been removed from the wall. Management and staff will continue to complete daily outdoor risk assessments. Management will also review the layout of the garden to eliminate any potential hazards.

Fire Safety:

- Management spoke to all staff members in relation to completing the attendance record in a timely manner and reiterated the importance of signing all children in immediately upon arrival and signing them out when they leave. A sign is now displayed on the wall as a reminder to all staff. Additionally, management will assign one staff member to record the children's attendance in the roll book.

Supporting documentation submitted

General Safety:

- Photographic evidence in relation to the above has been reviewed.

Fire Safety:

- 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 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) Four staff members who were observed to work directly with the children on the day of inspection held in-date certification for First Aid Response (FAR) training, which ensured that a person with FAR training was immediately available to the children attending the service at all times. In addition, another staff member held in-date Paediatric First Aid training.
- (2)
- (a) The first aid box was suitably equipped and easily accessible to the staff
 - (b) The first aid box was available for the children attending the service at all times.

Part VI - Safety

Regulation 27 – Supervision

A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Compliance Information

The registered provider ensured that the children were adequately supervised by staff members at all times on the day of inspection. Staff members were observed to supervise the children during transitions to and from the care room to the garden and during toileting.

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.