

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2015DY311

Name of Service: Tots and Co Childcare

Address of Service: 8 Barrow Street, Ringsend, Dublin 4.

Eircode: D04 K858

Name of Registered Provider: Rima Mackin

Service type: Full Day, Part Time, Sessional

Date of Inspection: 30/05/2025

| | | | | |
|-----------------------------------|-----------|----|-----------|----|
| No of pre-school children: | AM | 36 | PM | 34 |
| | | | | |

| | |
|---|---|
| Address of the Early Years Inspectorate: | Early Years Inspectorate 2 nd Floor, Unit 4/5 The Nexus Building Blanchardstown Corporate Park Ballycoolin Dublin 15 D15 CF9K |
| Inspection undertaken by: | C. Harte and L.A. Webster |
| 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

Tots and Co Childcare is a private run full day care service located in Dublin City which operates 8am-6pm Monday to Friday. The service operates from a two-storey building and is comprised of an office, kitchen, two cot rooms and five care rooms. The kitchen, two cot rooms and four care rooms; Baby room, Tweenie room, Toddler room and Montessori 2 room are located on the ground floor of the service. The Montessori 2 room was not in operation on the day of the inspection. The Montessori 1 room and the office are located on the first floor. The service caters for up to 60 children aged 0-6 years and participates in the Early Childhood Care & Education (ECCE) scheme.

Staffing

The registered provider currently employs sixteen staff to work in the service including the designated person in charge, deputy person in charge, eleven early years professionals, one auxiliary staff, a cleaner and a cook. Thirteen staff were present on the day of 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 and safety. The inspection may also focus on other areas as required.

A sampling process was used to assess compliance under Regulation 19 Health, Welfare and Development of child and Regulation 23 Safeguarding Health, Safety and welfare of child. As a result, the scope of the inspection included the Baby room, Tweenie Room and Toddler 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 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.

(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 if required.
 - (b) A review of the staff roster and discussion with management demonstrated that a designated person in charge was rostered to be on the premises the week of the inspection for the duration of the opening hours of the service. The person in charge was present in the service when the inspectors arrived.
 - (c) The service had a management structure in place with clear roles and responsibilities.
- (2) A review of paperwork and discussion with management showed that there are currently 16 staff employed by the registered provider to work in the service. The files of 10 staff who had commenced work since the last inspection and one unpaid worker were reviewed as part of the inspection process. A review of records

maintained by Tusla demonstrated that garda vetting disclosures for 1 existing staff member had expired since the last inspection, this was also reviewed. The registered provider had completed the following checks:

- (1) Seventeen written and validated references were available from past employers.
 - (2) Five written and validated references were available from a source other than a past employer.
 - (3) Garda vetting disclosures had been obtained for 12 adults. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
 - (4) Police vetting was available for 10 adults who had lived in a country other than Ireland for a period of six months or more as an adult.
- (4) Evidence was available to show that 8 staff members 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.

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) There were 36 children being cared for by 10 adults on the morning of the inspection. The person in charge and deputy person in charge were available to cover breaks and assist in care rooms as required.
- (2) The adult child ratios were correct when the inspectors arrived unannounced to the service and throughout 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:

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;*
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;*
- (c) details of the adult: child ratios in the service;*
- (d) the type of care or programme provided in the service;*
- (e) the facilities available;*
- (f) the opening hours and fees;*
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*
- (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

- (1) The registered provider ensured that a record in writing was kept of the following information in relation to the service:
- (a) Details of the name, position, qualifications, and experience of all staff were maintained within the staff files and displayed in the hallway.
 - (b) The Tusla registration certificate displayed within the service detailed the class of service and the age profile of children for which the service is registered to provide services.
 - (c) Details of the adult child ratios were displayed outside each care room and listed in the service supervision policy.
 - (d) (e) The service statement of purpose and function detailed the type of care or programme provided and the facilities available within the service.
 - (f) The opening hours and fees were listed in the service statement of purpose and function.
 - (g) The registered provider maintained the policies required in accordance with Regulation 10.

- (h) Attendance records detailing the arrival and departure of the children on a daily basis were maintained.
- (i) A record was maintained of the staff roster which was reflective of the staff present on the day.
- (j) Following a review of a sample of fifteen records, the registered provider ensured a full record in writing was maintained for the administration of medication.
- (k) Following a review of a sample of fifteen records, the registered provider ensured a full record in writing was maintained for accident and incidents.

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 to be in place to support the children attending:

- Staff were observed to be kind, caring and respectful in their interactions with the children which supported a calm atmosphere in the service.
- Mealtimes were observed to be social occasions and children were given ample time to enjoy their meal. Staff advised how all food is prepared by the service. On the day of the inspection morning snack was a selection of chopped fresh fruit, the main meal was chilli con carne and rice with a yogurt for dessert. Both care room staff and the chef were knowledgeable of children's dietary requirements.
- Staff labelled food for young children encouraging language development and gave drinks promptly with meals. Staff responded to a child who did not like the main meal by offering a suitable hot meal alternative.
- Children were observed to access the outdoor area on the day of inspection. Staff supported them to be dressed appropriately for the weather and encouraged young children to wear sun hats. They assisted children in their play with the use of the climbing frame and slide.
- Transitions during the day were observed to be calm and well managed. Staff used strategies such as songs to offer guidance to the children.
- Children were gently invited to have their nappy changed and the care practice was completed in a timely manner. Staff updated a software application efficiently to assist in providing parents with an accurate reflection of the child's day.

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 service entrance was secure when the inspectors arrived unannounced. A buzzer system, with a camera and intercom was observed in place.
- The outdoor area was fully enclosed and secure.
- Cleaning agents were observed safely stored inaccessible to children.
- There were no trailing flexes observed on the day of inspection.

Infection Control:

- Foot pedal operated bins, dispensed soap and handtowels were available to support hygiene practices.
- Children's soothers were stored in individual containers.

Administration of Medication:

- Emergency medication was stored out of reach of children but easily accessible for staff in the event it was required.

Safe Sleep:

- Staff were observed to physically check sleeping children at 10-minute intervals and a record of these checks was maintained.
- Suitable beds were provided for children over 2 years old for sleep.

Fire Safety:

- Fire evacuation procedure was clearly displayed in the care room.
- Staff were aware of procedures to follow in the event of an emergency.

Non-Compliance Information

General Safety:

1. There was a damaged fence panel in the garden with sections of wood chipped away accessible to the children which posed a potential splinter risk.

2. Sections of chipped paint accessible to children exposing the wall were observed in the garden and Tweenie room. This posed a risk of accidental poisoning if ingested and in addition prevented effective cleaning.
3. The radiator cover in the baby room which was accessible to children was damaged and posed a pinch risk.

Infection Control:

4. Children from the Tweenie room were not supported to wash their hands following play in the outdoor area. This posed an infection control risk and is not in line with service policy.
5. The flooring in the Baby room by the sink was observed to be damaged with peeling chipped sections of laminate and warped floorboards which prevented effective cleaning and posed an infection control risk.
6. The fan in the Tweenie room which was in use on the day of inspection was observed with a heavy layer of dust and posed an infection control risk.

Safe Sleep:

7. The recommended ambient sleep temperature between 18-22°C was not maintained in the Toddler room where children over one year old were sleeping. At 12.59am the room temperature was recorded at 23.6°C on the inspector's calibrated thermometer. The service thermometer was reading 24°C at this time. It is acknowledged that staff opened both windows and doors in an attempt to cool the room.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The damaged panel was repaired the day after the inspection. The entire garden fence was checked and repainted to eliminate any potential splinter risk. This specific risk has now been addressed by enhancing our daily outdoor checklist. A new item has been added to ensure the wooden fence is visually checked for damage for splinters before outdoor access. The updated assessment will be reviewed with all staff during the team meeting.
2. The chipped paint areas observed in the garden and Tweenie room were repaired the day after the inspection. All affected surfaces were sanded and repainted to eliminate the risk of accidental ingestion and to ensure proper cleaning standards. We have implemented ongoing monitoring and regular repair work as needed. Staff have also been asked to report any signs of further damage immediately.
3. The radiator cover in the baby room, which posed a pinch risk, was repaired the day after the inspection. The damaged section was secured and reinforced to ensure it is safe for the children. We will remind our

staff during the team meeting to ensure that the daily room risk assessment is completed consistently and that any hazards identified are reported immediately.

Infection Control:

4. This issue was addressed directly with staff immediately after the inspection. The importance of supporting and supervising handwashing after outdoor play was reinforced in line with our policies. Handwashing procedures will be reviewed again with all staff during the team meeting. Staff will also be reminded to complete the daily room risk assessment checklist. Regular supervision will continue to ensure handwashing is consistently carried out after outdoor play.
5. The damaged floor in the baby room by the sink will be repaired as soon as possible by an external company. They are scheduled to visit July 8th to assess damage and measure for installation of a new floor. A suitable date will then be arranged to carry out the work, ensuring minimal or no disruption to the daily running of the creche. The warped floorboards were replaced. A risk assessment will be carried out.
6. The fan observed with a heavy layer of dust in the Tweenie Room was immediately cleaned after the inspection. It was deep cleaned to meet hygiene standards and to eliminate any potential infection control risk. All fans and other high surfaces included in our weekly deep cleaning checklist. Staff have been reminded to visually check and report the cleanliness of fans during their weekly room inspections. Ongoing monitoring will ensure that cleaning standards are maintained.

Safe Sleep:

7. We always check the room temperature in the morning and afternoon as per our care room assessment making sure it remains within the appropriate range throughout the day, specifically during nap times. It is important to note it was unusually hot and humid. We have hired air conditioning units to ensure appropriate room temperature is maintained at all times, particularly during sleeping periods.

Supporting documentation submitted

General Safety:

- Photographic evidence
- Staff meeting agenda
- Garden risk assessment

Infection Control:

- Photographic evidence
- Staff meeting agenda
- Care room risk assessment

Safe Sleep:

- Staff meeting agenda
- Air conditioner delivery notice.

Summary Comment

The corrective and preventative actions provided by the registered provider are sufficient to address the non-compliances points 1,2,3,4,6 and 7 under Regulation 23. The non-compliance Regulation 23 point 5 remains outstanding until works are carried out. This will be reviewed on next 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 firefighting equipment and smoke alarms in the premises.*

Compliance Information

- (1) (a) A record was maintained of all fire drills which occurred in the service. The record showed that fire drills are conducted on a monthly basis. The last fire drill took place on 20th May 2025.
- (b) A record of the number, type and maintenance record of firefighting equipment and smoke alarms in the premises was available. The certificates reviewed showed that the firefighting equipment had been serviced in July 2024 while the smoke alarms had been serviced on 1st January 2025.