

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DY336
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Name of Service:	Treasure Tots Nursery
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Address of Service:	Le Fanu House, 3b Le Fanu Road, Ballyfermot, Dublin 10, Co. Dublin
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Eircode:	D10 XF29
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Name of Registered Provider:	Jonathan Daly
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	28/01/2025
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No of pre-school children:	AM	41	PM	41
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Address of the Early Years Inspectorate:	1st floor Trinity Building, IDA Business Park, Southern Cross Road, Bray, Co. Wicklow
Inspection undertaken by:	Sarah Quigley & Rachel Duff
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
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Description of service

Treasure Tots Nursey is a community based early years service which was established in 1999. The service offers full-day, part-time and sessional care to pre-school children aged 1 to 6 years. The programme of care is facilitated through a play-based curriculum and the opening hours are between the hours of 08:00 and 18:00 each weekday. The service is located in a residential, urban area in Ballyfermot and operates from a purposely adapted single storey premises. The service consists of three preschool care rooms and a dedicated sleep room is provided within the Baby room. The service has a fully enclosed outdoor play area located to the rear of the premises with a rubber wet pour surfacing.

Staffing

The service currently employs a total of 20 adults which includes a centre manager, two office administrators, a community employment programme supervisor, and a cook. On the 28th January 2025 nineteen adults were present during the inspection. The registered provider does not work directly in the service and was not present during 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/ safety/ 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.

Additional Information

The inspection focused on a review of regulations which were found to be non-compliant on the last inspection of the service on the 9th July 2024, and the subsequent corrective and preventive actions submitted following the inspection to address the non-compliances.

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

(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

(2)

Following a discussion with the person in charge it was confirmed that four adults commenced working in the service since regulation 9 was last inspected on the 9th July 2024. Documentation required under regulation 9(2)(3)(4) was reviewed in respect of these four adults as detailed below.

(a) (b) There were two references each available for three of the adults, and one reference available for one of the adults which had been appropriately verified.

(c) Garda vetting disclosures were available for each of the four adults working in the service. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years for all adults.

(d) Not applicable, international vetting was not required for the adults.

(4) Each of the four adults held at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework.

Non-Compliance Information

- (2)
- (a) (b) A second reference was not available for one of the adults.
- (3) Documentation reviewed evidenced that the procedures specified under Regulation 9(2) had not been carried out prior to one of the adults commencing employment in the service, as detailed above.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The staff files were searched to find the missing document. It had been placed in the wrong staff member's file. It has now been placed in the correct staff member's file. All new staff members files will be checked by a second staff member not just the manager. Previously the manager would sign off that all relevant documents were present. To prevent further instances such as the above a second office administrator will sign off that the documents are all present.

Supporting documentation submitted

Supporting documentation was submitted and reviewed by the early years inspector.

Summary Comment

The regulatory requirement has been met.

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) An adequate number of adults were working directly with the pre-school children attending the service during the inspection.
- (2) The registered provider ensured that the minimum ratio of adults to children was maintained in the service on the day of inspection. There were forty-one children present in the service on the morning of inspection being supervised by eleven adults. The person in charge was available to provide relief cover to the care rooms if required.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

(1) Subject to this regulation, a registered provider shall ensure that-

- (b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

Compliance Information

1(b)

Sleep facilities for the children in the Toddler room were non-compliant on the last four inspections of the service (15th March 2023, 4th April 2022, 13th September 2021, and 9th July 2024).

Corrective actions submitted following the inspection on the 4th April 2022 stated a new sleep room was being established for the children in the adjacent building.

During the inspection dated 15th March 2023, this new sleep room was in operation and was found to be unsuitable for the children to sleep due to safety, ventilation, light, heating, and fire safety concerns.

However, on the inspection dated 7th July 2024, the room was again found to be in use and unsuitable for children to sleep. The corrective action submitted following this inspection stated the room would not be in use until necessary works had been carried out and a fit for purpose inspection had been undertaken by the inspectorate.

During this inspection, the sleep room was not in use. One child from the Toddler room in attendance that required sleep was accommodated in the designated sleep room in the Baby room of the service where a sufficient number of cots were available. The facilities in use were suitable during this inspection for the needs of the child who required sleep. Staff reported that only one child from the Toddler room currently requires sleep and prior to any other children commencing in the room, the new sleep facility is proposed to be finished. The person in charge stated the room should be finished in the coming weeks.

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 and internal doors were adequately secured to ensure the safety of the children within and to avoid unauthorised persons accessing the service or children exiting into unsupervised areas. The temperature of the water in the children's handwash sinks was controlled at 30°Celsius.

Infection Control:

Waste was managed appropriately with the use of pedal-operated, lidded bins throughout the service. The children were supported to wash their hands at regular intervals including after using the toilet and before snack. Schedules were in place and maintained to ensure the service, equipment and materials are regularly cleaned. Staff stated appropriate exclusion periods for adults and children with infectious illnesses were implemented in the service as per the policy.

Administration of Medication:

There was written evidence of prior parental consent for the administration of both temperature reducing and prescribed medications, and there were procedures in place to safely administer and document such medication if

required, including in the case of an emergency. Staff adequately detailed the procedures for administering medication when required during discussions with the inspectors and had appropriate documentation available to record such administration if required. Care plans were in place in the service for children requiring emergency medication and staff demonstrated they were aware of the details of these plans during discussions with the inspectors.

Fire Safety:

Staff members adequately outlined the evacuation procedures in place in the event of a fire and stated that fire drills are practiced regularly on a monthly basis, which was reflective of the records of drills maintained in the service.

Non-Compliance Information

Infection Control:

Plastic bags and open unlidded boxes containing children's spare clothing were being stored behind the toilet of the Toddler nappy room posing a risk of cross contamination.

In response to previous non-compliances regarding storage of clothing behind the toilet of the nappy room made to the inspectorate in August and October 2024, the provider stated that individual plastic containers with clip lids were purchased, and spare clothes were placed inside and labelled. This is at variance to what was observed on inspection as noted above in non-compliance.

Action submitted by the Registered Provider

Corrective & Preventive Action

Infection Control:

A large storage container was purchased to store spare clothes and additional storage boxes for children's belongings were also purchased. Notices have been placed in the two nappy change rooms and the children's bathrooms clarifying that all clothes must be stored in a sealed container and under no circumstances should clothes be stored in bags.

Supporting documentation submitted

Infection Control:

Supporting documentation was submitted and reviewed by the inspector.

Summary Comment

The regulatory requirement has been met.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-

- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*

Compliance Information

- (c)
- A new mechanical ventilation system had been installed in the service since the last inspection in July 2024 and two new vents had been installed in the Toddler care room to ensure an adequate flow of air through the new system into the care room. The temperature of the care room was found to be between the required temperature range during the inspection.
 - The new mechanical ventilation system also serviced the proposed Toddler sleep room which the person in charge stated is no longer in use and was not in use during the inspection.

Non-Compliance Information

- (d) Throughout the premises, areas of the building were found not to be cleaned, maintained and repaired as required as detailed below:
1. Throughout the premises, areas of the wall which had been re-plastered were unfinished and had not been sanded or painted. Areas of the walls in the care rooms were heavily stained, soiled, and chipped.
 2. Some of the ceiling tiles throughout the service were stained and soiled and needed replacing.
 3. Material alterations had been made to the service prior to the last inspection of the service in July 2024 which took part of the Toddler room to create a new hallway into a proposed new premises which is not yet in use. This hallway was unfinished as follows:
 - Areas of concrete brick were exposed around door frames which had not been filled and plastered. Pieces of unfinished wood around the frame had not been sanded and painted and had a jagged splintered surface.
 - Areas of the linoleum flooring was missing exposing the concrete floor underneath.
 - The walls, doors, and skirtings had not been painted.
 4. A new fire door leading from the Toddler room to the hallway outside the Preschool room had a large piece of wood missing on the last inspection of the service exposing a splintered surface.

The area had been filled but had not been sanded or painted resulting in a jagged surface still being exposed.

The corrective and preventative actions submitted by the registered provider in August and October of 2024 stating a construction company will carry out all necessary repair works required to meet regulatory compliance is at variance to what was observed on inspection as noted above in the non-compliances.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The painter booked completed necessary works. They filled, sanded, primed and pained the doors, and surrounding areas that had been replastered, painted the Toddler room and hallways. The chips in plaster around the newly installed doors have been filled. Throughout the week of March 3rd to 7th the flooring company carried out work including repairing the floors which had become damaged when installing new doors leaving concrete exposed. A sinking fund had been incorporated into the annual budget, following a fee increase in February 2025. The sinking fund will allow for the release of funds to make repairs immediately rather than having to wait for funds/grants to become available.

Supporting documentation submitted

Supporting documentation was submitted and reviewed by the early years inspector.

Summary Comment

Based on the corrective actions and accompanying evidence submitted the registered provider, the regulatory requirement has been met. These actions and works completed will be assessed on the next inspection of the service.

Part VII - Premises and Space Requirements

Regulation 30 - Minimum space requirements

(1) Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.

(2) A registered provider of a full day care service or a part-time day care service shall ensure that the minimum amount of clear floor space specified in column (3) of Schedule 7 opposite a particular reference number specified in column (1) of that Schedule in respect of the age range of children specified in column (2) thereof at that reference number is available for each child in that age range attending the service.

Compliance Information

34.75 square metres is available in the Toddler room. Following a review of attendance records and during discussions with staff members and the person in charge, it was confirmed that 14 children aged 2 to 3 years attend the care room on the busiest days which meets minimum space requirements.