

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015FL005		
<b>Name of Service:</b>	Absolute Angels		
<b>Address of Service:</b>	12 Grove Ave, Malahide, Co. Dublin		
<b>Eircode:</b>	K36 N590		
<b>Name of Registered Provider:</b>	Caroline Byrne		
<b>Service type:</b>	Part Time, Sessional		
<b>Date(s) of Inspection:</b>	09/05/2025		
<b>No of pre-school children:</b>	AM	22	PM Not applicable.
<b>Address of the Early Years Inspectorate:</b>	2 <sup>nd</sup> Floor, Unit 4/5, The Nexus Building, Blanchardstown Corporate Park, Ballycoolin, Dublin 15.		
<b>Inspection undertaken by:</b>	Y Kelly		
<b>Title:</b>	Early Years Inspector		
<b>Authority to Inspect</b>			
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).			
<b>Conditions if applicable</b>	Not applicable.		

### Description of service

Absolute Angels was established in 2010 as a privately owned Early Years' Service. The service provides part time preschool care and education to children from 3 years until they commence attendance at primary school. The service operates from 9:00am to 2:00pm and from 1.30pm to 4.30pm Monday to Friday. The service participates in the Early Childhood Care and Education scheme (ECCE). Absolute Angels is located in a purpose-built room which is attached to the registered providers home in a residential location in Malahide, Co Dublin. The service is accessed through its own entrance located to the side of the service. A fully enclosed outdoor area in the registered providers garden was located to the rear of the service.

### Staffing

The service employs four staff members including the registered provider who works directly with the children in the service on a daily basis. On the day of the inspection, the registered provider and two staff members working directly with the children were present in the service. This included a relief staff member who arrived in the afternoon to provide cover on the day.

### Methodology

Tusla 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.

The inspection focused on an examination of compliance under regulations 9, 11, 16, 19, 23, 25 and 26; however, on inspection additional non-compliance which posed a risk was identified under regulation 8. These findings are outlined within the relevant regulations of this report.

As a result, the scope of this inspection included the Montessori 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.

## Additional Information

A SOORS referral was made as the service was operating outside of their registration status in relation to the non-compliance under Regulation 8-Notification of Change in Circumstances.

## Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, staff and children who were present on the day of the inspection.

### Part II - Registration and Register

#### Regulation 8 - Notification of change in circumstances

*(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.*

*(3) Where a registered provider has been unable for good and proper reason to notify the Agency within the time specified in paragraph (1) or (2), as the case may be, of a change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2), the registered provider shall notify the Agency in writing of the change as soon as possible thereafter.*

#### Non-Compliance Information

(1)(3) On the day of inspection the registered provider was found to be operating outside of their registration status in the absence of required approval from Tusla Registration Office. The service is currently registered to accommodate a maximum of 18 children. However, on the day of the inspection the service had 22 children in attendance. There were 22 children on the children's attendance sheet.

#### Corrective & Preventive Action submitted by the Registered Provider

##### Corrective Action

(1)(3)

No actions to correct non-compliance submitted. The service is currently engaged with Tusla Registration Office in relation to the SOORS referral.

##### Summary Comment

The registered provider did not submit evidence through the CAPA process to state they had made changes to operate within their registration status. At the time of publication, the SOORS process was ongoing. Therefore, this regulatory requirement has not been met, and the non-compliance remains outstanding.

### 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*
- (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 registered provider was the designated person in charge of the service. There was a named person available to deputise as required.
- (b) The designated person in charge was the registered provider who was present in the building when the inspector arrived unannounced to the service at 10.10am.
- (2) On the day of the inspection, the files for three adults and an external contractor were reviewed. Garda vetting was reviewed for 5 adults including the registered provider. The following was recorded:
- (a) Six written and validated references were available from past employers.
  - (b) One written and validated reference was available from a reputable source other than a past employer.
  - (c) Garda vetting disclosures had been obtained for all five adults in the service including the registered provider. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.
- (4) Documentary evidence was available to confirm that 3 adults who work directly with the children 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 Minister.

### Non-Compliance Information

2 (a)(b) The registered provider had not ensured the following:

One written and validated reference was not available for one adult employed in the service.

(d) International Police vetting was not available for one adult who had lived outside of the state for a period of more than six months.

(4) Documentary evidence was not available to confirm that one adult who works directly with the children 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 Minister.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective Action

2(a)(b) One written reference for one staff member was received and validated. This reference was also added to the staff folder.

(d) International police vetting was requested and received. It was also added to the staff folder.

#### Preventive Action

2(a)(b) The service will make sure to always receive and validate all staff references and add these to their staff folder.

(d) The registered provider stated that they were not aware this was required.

(4) The registered provider stated that a new fully qualified staff member will be starting in the service in the new school year.

#### Supporting documentation submitted

- One written validated reference for one staff member.
- International police vetting for one staff member.

### Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliances under Regulation 9 (2) (a)(b)(d) have been addressed.

The non-compliance under Regulation 9 (4) has not been addressed.

The registered provider stated that the adult in question was a relief staff member. The regulation states that 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 Minister is required for all staff working directly with children. Therefore, the regulatory requirement in relation to Regulation 9(4) has not been met and remains outstanding and will review at the next inspection.

### 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) On the day of the inspection there was an adequate number of adults working directly with the children attending the service. There were two core staff members working directly with 22 children on the morning of the inspection. A cover staff member arrived in the service for the afternoon.

(2) The registered provider ensured that the correct adult to child ratios were maintained in the service. The following adult to child ratios were observed during the inspection:

In the Montessori room there were 2 adults, including the registered provider and an educator caring for 22 children aged 3 to 5 years of age. In addition, there was a cover staff member that arrived in the service in the afternoon to provide cover.

(8)(a) The registered provider ensured that there were 2 adults on the premises at all times.

## 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;
- (h) details of attendance by each pre-school child on a daily basis;

#### Compliance Information

(1)(h) The registered provider keeps a record in writing of children’s attendance.

#### Non-Compliance Information

(1)(a) One CV was not available for one adult. Therefore, it was unable to ascertain if police vetting was required in this instance.

(h) The details of the attendance of all children had not been accurately recorded in the attendance book. All 22 children in attendance on the day had not been recorded as present from 9.00am until 10.35am. The children who had left the service at 1.30pm had not been signed out from 1.30pm until 1.50pm. It is acknowledged that this was rectified when the inspector brought this to the attention of staff. Contemporaneous accurate attendance logs must be maintained to support the safe evacuation of children in an emergency. This non-compliance was identified at the previous inspection of the service on the 07/03/2022.

#### Corrective & Preventive Action submitted by the Registered Provider

##### Corrective Action

(1)(a) The CV mentioned was saved on the setting’s computer but was not printed and added to the staff folder. This has now been amended and included in the staff folder.

(h) The staff will have the roll call opened and sign the children in as they enter the premises.

##### Preventive Action

(1)(a) The service will ensure that all CV’s and staff documents are printed and included in the staff folder at all times.

(h) The service will continue following the regulation regarding signing children in as they enter the premises.

### Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance under Regulation 16 has been addressed. The corrective and preventative actions stated to have addressed this non-compliance will be reviewed at the next inspection.

### 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

(1)(a) The following observations were made on how each child's learning, development and well-being was facilitated within the daily life in the service:

#### **Basic needs:**

- Children's lunch and water bottles were brought from home. Lunch consisted of sandwiches, fruit, couscous and pasta. Children's water bottles were accessible to the children in the Montessori room. Staff discussed that alternative food options are offered to children if they do not eat their snack.
- The mealtime experience was observed to be a leisurely sociable occasion, where children sat together with their peers and the staff and chatted.
- The sanitary accommodation, which was located just beside the Montessori room, provided children with access to use the toilet and wash their hands as needed.

#### **Supporting relationships:**

- Staff demonstrated warm and caring interactions with the children. Children received help from staff when needed.
- Staff were observed interacting with the children and engaging in children's play at table top activities and art and mark making activities such as colouring, drawing and glueing.
- Staff communicate with parents through use of a social media application to share information about children's care needs.

### **Physical and Material Environment:**

- There was age appropriate furniture with small child sized chairs and tables for children to sit whilst they played or for mealtimes.
- Children had access to a variety of materials within the Montessori room which were appropriate to their age and stage of development. The children had access to a range of Montessori equipment, including wooden cylinders and Montessori shapes, plastic building bricks and boards and wooden blocks to support construction, a play kitchen, with wooden toy food and dolls, large wooden dolls house, garage, and dress up shelf to support dramatic and pretend play for children, a wide range of large wooden jigsaws, a selection of books to provide opportunities for storytelling and to support children's language development, and a wide assortment of tabletop resources. The children were observed enjoying activities whilst being well supported by the staff present.
- Children were observed playing the outdoor area. In the outdoor play area, there was a sandpit which supported sensory play, slide and football which promoted gross motor and fundamental movement skills.

### **Programme of Activities:**

- The registered provider discussed that the curriculum included learning about wildlife that is native to Ireland. The children coloured in pictures of fawns with crayons.
- Children's learning and development is documented in children's learning journals which were accessible to children. These include photographs of children engaged in learning experiences and children's artwork.
- Children's independence was supported. Children were given responsibilities during the morning for example children were given the job of handing out the snack to the other children.
- Identity and belonging were promoted in the service. For example, each child had their own cubby for their belongings to be stored during the session. A birthday party was held for one of the children and the children all celebrated this on the day of the inspection.
- To support the transition to snack time, children sat at the table and staff facilitated breathing exercises with music playing to provide a calm and relaxing atmosphere in preparation for snack time.
- Staff facilitated dancing with the children which provided physical play for children.

### 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:

- Entry to the service was managed by staff to restrict unauthorised persons from gaining access to the premises.
- The blind cord on the door in the care room was observed to be secured.
- Cleaning agents were stored safely out of the reach of the children.
- The outdoor play area was fully enclosed and secured.

##### Infection Control:

- Children's lunches provided by parents were refrigerated to prevent spoiling of perishable items.
- Thermostatically controlled warm water, liquid hand soap and individual cloth towels for children's use were available in the sanitary facilities.
- Windows were open for air circulation in the Montessori room.

##### Administration of Medication:

- No child required medication to be administered on the day of the inspection.

##### Fire Safety:

- There were fire drill procedures displayed in the Montessori room of the service.

#### Non-Compliance Information

##### General Safety:

1. Garda vetting was available for the registered provider and four adults. However, three vetting disclosures were not dated within the previous three years in adherence to the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.
2. A trampoline sunken to ground level was provided in the outdoor area. Trampolines are prohibited from being used in an early years service as per the Tusla Quality and Regulatory Framework. Use of prohibited equipment in an early years service poses a safety risk to children. This non-compliance was identified at the last two inspections of the service on the 17/01/2019 and the 07/03/2022. The regulatory requirement was not met on the previous inspection and remains outstanding.

## Action submitted by the Registered Provider

### Corrective Action

#### General Safety:

1. All 3 staff members have their garda vetting updated.
2. The registered provider has stated that the trampoline remains in use in the service. At the start of each school year, parents/guardians sign and give write permission which is included in the service enrolment form to allow or not their child/children on the trampoline and the service follows their choice.

### Preventive Action

#### General Safety:

1. The staff have set reminders in their phones when all staff garda vetting is due to be renewed.

### Supporting documentation submitted

- Garda vetting disclosures for 3 adults have been submitted.
- Blank permission slip provided to parents submitted.

## Summary Comment

The inspector has reviewed the actions submitted. The actions as stated by the registered provider to non-compliance 1 addresses the non-compliance identified.

The corrective and preventive actions in relation to non-compliance 2; the provision of a trampoline in the pre-school service, demonstrates that that this equipment continues to be used by the pre-school children. The regulatory requirement has not been met and remains outstanding.

## 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 registered provider ensured that an adequate number of staff were trained in First Aid Response (FAR) and a staff member trained in FAR was available on the premises throughout the opening hours of the service. There

were 3 staff trained in First Aid Response (FAR), including the registered provider, 2 of whom were present on the day of the inspection.

(2)(a) An adequately stocked first aid box was observed in the Montessori room of the service.

(b) A first aid box was stored out of the reach of the children but available to staff as needed.

### 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.

(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 record of fire drills was available on the premises with the last fire drill dated as having been carried out on the 8 April 2025.

(4) Fire evacuation procedures were displayed in the Montessori room of the service.

#### Non-Compliance Information

1(b) An up-to-date record was not available of the number, type and maintenance of the firefighting equipment and smoke alarms. The non-compliance in relation to a record for the smoke alarms was identified at the previous inspection of the service on the 07/03/2022. The regulatory requirement was not met on the previous inspection and remains outstanding. This matter was raised at a Regulatory Compliance Meeting convened on the 09/09/2022 and the required paperwork was not submitted as agreed.

#### Corrective & Preventive Action submitted by the Registered Provider

##### Corrective Action

1(b) Firefighting equipment and smoke alarms have been serviced and an up to date record is available and included in the files.

##### Preventive Action

1(b) The service have scheduled a yearly service of firefighting equipment with a fire protection company.

##### Supporting documentation submitted

- Firefighting equipment certificate with service carried out on the 23 May 2025 was received on the 2 July 2025.

## Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance under Regulation 26 has been addressed.