

# Early Years Inspectorate Regulatory Report

## Pre School

**TUSLA Identifier:** TU2015FL097

**Name of Service:** Lámha Beag

**Address of Service:** 11 Boroimhe Hazel, Swords, Co. Dublin

**Eircode:** K67 XK57

**Name of Registered Provider:** Gabrielle Hand

**Service type:** Full Day

**Date(s) of Inspection:** 21/05/2025

<b>No of pre-school children:</b>	AM	12	PM	21
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate 180-189 Lakeshore Drive Airside Business Park Swords Co Dublin
<b>Inspection undertaken by:</b>	M. McDonnell
<b>Title:</b>	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).

<b>Conditions if applicable</b>	Not applicable.
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### Description of service

Lámha Beag is a privately owned service based in the provider's own home in a residential area of Co. Dublin. The service is registered to provide sessional, full-day care to children aged 0-6 years old. The service does not provide Early Childhood Care and Education (ECCE) and children avail of this off site as required. The service is located on the ground floor with a Baby and Pre-school room available for the children. The service has a dedicated area for cots separate to the main care rooms on the ground floor. There is also a kitchen and sanitary facilities available. There is an outdoor area directly accessible from the Baby room.

### Staffing

The registered provider works in the service in a supernumerary capacity. The registered provider employs eight staff members. This includes five new staff members since the last inspection in May 2024. There are seven staff members who work directly with the children and an auxiliary staff member.

### 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. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under Regulation 9 Management & Recruitment, Regulation 11 Staffing Levels, Regulation 19 Health, Welfare & Development of Child, Regulation 23 Safeguarding Health, Safety and Welfare of Child, Regulation 24 Checking In and Out and Record of Attendance, Regulation 26 Fire safety measures, Regulation 28 Insurance and Regulation 30 Minimum Space Requirements. A non-compliance was identified in relation to Regulation 21 Equipment and Materials. These findings are outlined within the relevant regulations in this report.

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 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,
- (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 person in charge was available on the inspector's arrival at the service and remained for the duration of the inspection.

(b) A review of the set roster demonstrated that designated person in charge was in the service at all times during operational hours.

(c) On discussion with staff members and the registered provider, there was a clearly defined person in charge to ensure lines of accountability in the event of an emergency.

(2) Following the last inspection on 23 May 2024, a review of the staff roster and staff attendance on the day of inspection demonstrated that there were five new staff members were working in the service. These files were reviewed along with the Garda vetting disclosures for the registered provider and three staff members working at the last inspection.

(a) Of the 10 written and validated references required for the new staff members, the registered provider had four from a previous employer.

(b) The registered provider had one written and validated reference was available from a reputable source.

(c) A Garda vetting disclosure was available for the five new staff members. The service did not demonstrate compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years and is outlined in Regulation 23.

(d) A review of the documentation concerning the staff members' employment history demonstrated that police vetting was not required for any of the five staff members.

(4) Documentary evidence was available to confirm that six staff members employed to work directly with children held an appropriate childcare qualification at Level 5 or above on the National Framework of Qualifications, or a qualification deemed by the Minister to be equivalent.

### Non-Compliance Information

(2) (a) Of the 10 written and validated references required for the new staff members. The registered provider had not validated four references from a previous employer.

(b) The registered provider had not validated one written reference from a reputable source.

(4) The documentation that the registered provider had available did not demonstrate that one staff member held an appropriate childcare qualification at Level 5 or above on the National Framework of Qualifications, or a qualification deemed by the Minister to be equivalent.

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

#### Corrective and Preventive Action

(2)(a)(b) The registered provider stated that this was an oversight and the calls to validate had been done prior to offer of employment however the confirmation with time and date called was not logged on the reference on file.

This has since been updated. Going forward the registered provider will ensure that all references are checked and verified prior to employment offer.

(4) The registered provider stated that the employee was unable to provide a suitable qualification despite attempts to support in obtaining new copies of qualification. The staff member has since resigned. All certificates must be checked and verified prior to offer of employment and a copy held on file if employed at our service.

### **Supporting documentation submitted**

Copy of validated references.

### **Summary Comment**

The actions as stated by the registered provider in their corrective and preventive action plan, and evidence submitted, have addressed the non-compliances as observed on 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 inspection there was an adequate number of adults working directly with the children attending the pre-school service.

(2) On the inspector's unannounced arrival, the adult child ratio was observed to be correct and remained so throughout the inspection. The following adult-to-child ratios were observed:

- On the inspector's arrival to the service, children who availed of ECCE hours had left the premises and had been signed out of the service. All children attending the service at this time were accommodated in the

Baby Room. There were three adults available for six children aged 1-2 years old, 4 children aged 2-3 years old and 2 children aged 3 years to 3 years and 3 months old.

- Following children's return to the service from ECCE sessions there were two adults and 10 children aged 1 year and 2 months old to 2 years and 6 months old in the Baby Room. In the Preschool Room there was three adults and 11 children aged 3 years to 4 years 6 months old.

During the inspection, a staff member, arrived to provide relief cover and support.

(8) Following discussions with the registered provider there were two adults were on the premises at all times.

### 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

##### Basic Needs

Children who showed signs of tiredness were placed in a cot for sleep in the separate cot area. Prior to sleep they were provided with comfort and reassurance and gently placed for sleep. Staff spoken with were familiar with the individual children and their preferences in settling for sleep. Water was accessible to the children and as it was a hot day this was also taken outside. The service provided the children's hot meals from an external catering company and snacks were provided from home. Children were encouraged to eat independently as required and provided with appropriate cutlery and crockery for their dinner and snacks. All children were given the opportunity for outdoor play during the inspection.

##### Supporting relationships around children

Children who had recently joined the service were observed to be provided with comfort and reassurance when required after parental drop off. The children were given the time and comfort to relax, and staff used their knowledge of the individual children to support them which allowed the children to settle well. Drop off and collection was observed to be unhurried with staff taking time with parents to discuss the children's previous night and daily activities. Children were encouraged to be independent. For example, a number of children were

observed requesting verbally and nonverbally their snacks from home. Children were provided with these as required. A child under two was also encouraged to give their peers their water bottles after it was observed that they were giving the correct one to the right child.

### Physical and material environment

Appropriate relaxation areas were available in the rooms, with cosy areas available in both rooms. When the Baby room accommodated a range of age groups there were chairs of various sizes to support the children's tabletop play. Activities and equipment were available on open shelving at a low level for children to access independently. The paved outdoor area was equipped with slides, a playhouse, trikes and scooters. There were also large chairs and benches available for the children to relax outdoors.

### Non-Compliance Information

1. Following the previous inspection in May 2024 there was no evidence that sensory play was provided on a regular basis to support children's learning and development. Whilst it is acknowledged that the children in the Baby room painted rocks in the morning, a staff member informed the inspector that painting was the only sensory activity offered to Babies. Water play could be provided to older children and the inspector was informed this was outdoors in buckets. The daily schedule available in the service did not demonstrate opportunities for sensory play were provided on a regular basis.

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

#### Corrective and Preventive Action

1. The registered provider stated that sensory play takes place on a daily basis. The registered provider submitted a picture of an indoor sand tray for the children to play with. The registered provider submitted an updated daily schedule to include sensory play and will continue to evolve sensory play.

#### Supporting documentation submitted

Picture of children engaged in sand play indoors.

Copy of updated schedule.

### Summary Comment

The actions as stated by the registered provider in their corrective and preventive action plan, and evidence submitted, have addressed the non-compliance as observed on inspection.

### 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.*

#### Non-Compliance Information

(1)(a)

During the dinner time in the Baby room one child had to wait until their peers had finished their dinner to eat. The inspector observed, and staff stated, that there was not a sufficient number of high chairs available to accommodate the number of children requiring them in the service.

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

##### Corrective and Preventive Action

(1)(a) The registered provider purchased another highchair. They did also state that low level chairs were available, and staff could have availed of them, therefore the registered provider has spoken with staff members concerning the equipment available for the children.

##### Supporting documentation submitted

Pictures of highchairs in service.

#### Summary Comment

The actions as stated by the registered provider in their corrective and preventive action plan, and evidence submitted, have addressed the non-compliances as observed on inspection.

### 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 had a secure entrance to the service with a buzzer system in place. This prevented any unauthorised access to the service and exit from the service by children.

- Blind cords were secured and were not accessible to children.
- Cleaning agents and medications were stored out of the reach of children.
- Suncream from individually labelled bottles was applied to children prior to playing outside in the warm weather. The registered provider had a sunscreen policy available and parental consent for application of suncream.

### Infection Control:

- Following the previous inspection in May 2024 the inspector observed adequate handwashing practises were carried out with children having their hands washed after their nappies were changed. The children took part in outdoor play and on their return inside their hands were washed.
- Children were provided with appropriate items such as plates and bowls or cutlery when the children ate their snacks, demonstrating the preventive actions were in place following the previous inspection in May 2024.

### Safe Sleep:

- Children were facilitated with sleep as required. Staff were aware of the service's safe sleep policy. The ten-minute checks on children's breathing, position and colour and described by staff members were completed on children who were sleeping. The temperature of the room whilst they slept was maintained between 16 and 20°C.

## Non-Compliance Information

### General Safety:

1. The registered provider did not provide evidence that they had complied with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years. Of the 10 adults engaged in the service one adult did not have an updated Garda Vetting disclosure.
2. The registered provider did not ensure that the vehicles used to transport the preschool children were maintained correctly therefore posing a risk to children's safety. The minibus used by the service to transport children to ECCE sessions had an NCT certificate for 18 January 2023. A staff member confirmed to the inspector that an NCT was overdue. It is acknowledged that the vehicle had in date tax and insurance.

### Infection Control:

3. The registered provider had not ensured suitable infection control measures were in place in the outdoor area. The rubbish bins were easily accessible to the children in the outdoor area.

## Action submitted by the Registered Provider

### Corrective & Preventive Action

#### General Safety:

1. The Garda vetting has been updated, and a list has been compiled showing the expiry dates for each employee.
2. The registered provider submitted evidence that a new vehicle had been purchased. The driver will take responsibility to ensure proper scheduled servicing, road worthy maintenance, and up to date NCT are always compliant.

#### Infection Control:

3. The registered provider submitted evidence that the bins had been moved and were inaccessible to the children.

### Supporting documentation submitted

#### General Safety:

Updated Garda Vetting disclosure.  
Photograph of new vehicle.

#### Infection Control:

Photograph of bins moved.

### Summary Comment

The actions and evidence submitted by the registered provider in their corrective and preventive action have addressed the non-compliances as observed on inspection.

## Part VI - Safety

### Regulation 24 - Checking in and out and record of attendance

*(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.*

*(3) A registered provider shall ensure that-*

*(a) no person other than-*

- (i) pre-school child attending the service,*
- (ii) a person dropping or collecting such a child,*
- (iii) an employee, or*

*(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and  
(b) a daily record in writing is kept of the entry on the premises of any such person.*

### Compliance Information

(1) The registered provider maintained a contemporaneous record of children attending and leaving the service during the inspection. For example, all children who had attended early in the morning and then been taking to ECCE sessions elsewhere had been signed in and out of the service. During the inspection children entered the service throughout the morning and staff members ensured they were signed in.

### Non-Compliance Information

(3) The registered provider did not maintain a log of visitors who may attend the service. The inspector was not requested to sign a visitor log and the registered provider confirmed that a log was not available.

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

#### **Corrective and Preventive Action**

(3) The registered provider submitted a visitor log which was being used and all staff have been made aware of the book and required signature for any visitors attending the service.

#### **Supporting documentation submitted**

Copy of visitor log in place.

### Summary Comment

The actions as stated by the registered provider in their corrective and preventive action plan, and evidence submitted, have addressed the non-compliance as observed on 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 fire fighting 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

- (4) The procedures to be followed in the event of a fire were displayed in the rooms sampled on inspection.

#### Non-Compliance Information

- (1) (a) The registered provider confirmed that monthly fire drills had not recently taken place. The last recorded fire drill record available on the day of inspection was for December 2024.
- (b) The registered provider could not provide evidence of annual maintenance of the fire alarm system or the fire extinguishers in the premises.

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

##### Corrective and Preventive Action

- (1)(a) The registered provider submitted a copy of fire drills which had been completed since the inspection. They stated that a spreadsheet showing date last drills took place are now in the service for easy monitoring.
- (1)(b) The maintenance records for the fire alarm system and the fire extinguishers were submitted as the registered provider had to source a new contractor. This company will keep a log of when the next service is due and will call out before expiry date.

##### Supporting documentation submitted

Maintenance records for fire alarm and fire extinguishers  
Fire drill records

### Summary Comment

The actions as stated by the registered provider in their corrective and preventive action plan, and evidence submitted, have addressed the non-compliances as observed on inspection.

### 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 for 25 children at any one time attending for full-day care. The policy showed that the service was insured from 4 December 2024 to 3 December 2025.

### 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.*

### Non-Compliance Information

The registered provider did not ensure that the children attending the service had access to adequate floor space.

The Baby Room had a clear floor space of 24.1m<sup>2</sup>. The following was observed;

- On the Inspector's arrival until 9.57am there were 5 children aged 1-2 years old, 4 children aged 2-3 years old and 2 children aged 3-6 years old. The children required 26.06m<sup>2</sup>.
- Between 9.57am and 10.20am, before the children went into the garden, there were 6 children aged 1-2 years old; 4 children aged 2-3 years old and 2 children aged 3-6 years old. These children required 30.66m<sup>2</sup>.

The registered provider was found non-compliant in relation to regulation 30 on the last inspection completed on 23 May 2024.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

The registered provider stated that a permanent staff member and a relief staff member were unavailable. The registered provider stated that the ratio had been miscalculated on the day. A member of the afternoon staff came in early to cover the morning shift and arrived at 10.20am and the issue was resolved as both rooms were occupied with sufficient floor space. As a preventive action the registered provider has stated they will increase our relief staff portfolio so we can arrange adequate cover more seamlessly.

### Summary Comment

The actions as stated by the registered provider in their corrective and preventive action plan, and evidence submitted, have addressed the non-compliance as observed on inspection.