

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015FL285
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<b>Name of Service:</b>	Sticky Fingers
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<b>Address of Service:</b>	14 Portersgate Green, Clonsilla, Dublin 15.
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<b>Eircode:</b>	D15 PR58
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<b>Name of Registered Provider:</b>	Breda Byrne
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<b>Service type:</b>	Full Day
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<b>Date of Inspection:</b>	11/11/2025
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<b>No of pre-school children:</b>	AM	15	PM	0
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate 2 <sup>nd</sup> Floor, Unit 4/5 The Nexus Building Blanchardstown Corporate Park Ballycoolin Dublin 15   D15 CF9K
<b>Inspection undertaken by:</b>	C. Harte and L.A Webster
<b>Title:</b>	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).

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

Sticky Fingers childcare service is situated in the urban area of Clonsilla, Dublin 15 offering care to children aged 1-6 years of age. The service is registered to operate from 7:30am to 6:00pm Monday to Friday. The service participates in the Early Education and Childhood Care (ECCE) scheme. The service also offers registered school aged childcare.

The registered premises is a two-storey converted residential building and has six care rooms, sanitary facilities, a kitchen and an enclosed outdoor space located at the back of the building. On the day of inspection, the registered premises was not in use, and two groups of preschool children were being cared for in two separate prefabricated building located in the outdoor space at the rear of the building. The Lion cabin (3-4 years) includes a children's toilet and office space. The Zebra cabin (2.8-3 years) is a smaller cabin and does not have sanitary facilities attached. Additional sanitary facilities for staff and children are located in the outdoor area at the front of the Lion cabin.

### Staffing

The registered provider advised the service currently employs 15 staff to work directly with the children. On the day of day of the inspection there were four adults including the registered provider caring for the preschool children in attendance.

### Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Child Care Act 1991 (Early Years Services) Regulations 2016 define the duty of a registered provider to ensure the safety and well-being of children and to comply with these regulations. This Act also gives Tusla the authority to assess compliance with the regulations. The purpose of regulation in relation to early years services is to ensure that the care, safety, and well-being of children attending such services is upheld. Inspections of early years services are planned based on the following:

- Previous inspection history
- Any information received in relation to the service

The findings on inspection are based on:

- Information obtained through examination of documentation
- Direct observation
- Discussion with relevant staff

This inspection was unannounced and focused on the area of governance, health, welfare and development of child, safety and premises and facilities. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations:

- Regulation 9(1)(a)(b), (2)(a)(b)(c)(d), (4) Management and Recruitment.
- Regulation 11(1), (2) Staffing Levels.
- Regulation 19(1)(a) Health Welfare and Development of Child.
- Regulation 22 Food and Drink
- Regulation 23 Safeguarding the Health, Safety and Welfare of the Child.
- Regulation 26(1)(a)(b), (4) Fire Safety Measures.
- Regulation 31(c) Notification of Incidents.
- Regulation 32 (1)(a)(b)(c), (2)(a)(b) Complaints.

however, on inspection additional non-compliance which posed a risk was identified under Regulation 8(1) Notification of change in circumstances, Regulation 27 Supervision and Regulation 29 Premises. These findings are outlined within the relevant regulations within 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.

## Additional Information

This inspection was triggered as a result of information received to the inspectorate.

An internal Tusla referral was made to the Services Operating Outside of Registration status (SOORS) office.  
Further details are available under Regulation 8 Notification of change in Circumstances

An internal Tusla referral was made to the Change of Circumstance (CIC) office.

## Acknowledgments

The inspectors wish 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) The registered provider did not notify the agency of the following changes that occurred:

The service is currently operating from two locations.

- The first location is the two prefabricated cabin structures in the back garden of the registered address for the service. These cabins have not been approved for use by the agency. An internal Tusla referral was made to the Change of Circumstance office.
- The second location is a leisure centre at a separate Eircode which has not been approved for use by the agency. An internal Tusla referral was made to the Services Operating Outside of Registration office.

(3) Conversations with the registered provider confirmed that these changes had occurred at the end of June 2025 however they did not notify the agency in writing of the change as soon as possible thereafter.

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

##### Corrective and Preventive Action

(1) Management is in the process of gathering all the relevant documents required to register the new temporary premises and change in circumstances documents for cabins are in the process. Retention for planning permission is being submitted, and we will send the documents as soon as we have them. In future management will make sure that TUSLA are informed beforehand.

(3) Management apologises for not notifying Tusla and will ensure any such instances are reported as soon as possible.

### Supporting documentation submitted

- None.

### Summary Comment

A change in circumstance has not yet been received by the inspectorate. The non-compliances identified under Regulation 8(1) remains outstanding. The non-compliance identified under Regulation 8(3) has been addressed.

### 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.*

*(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.*

*(4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.*

### Compliance Information

(1)

- (a) The service had a designated person in charge and a named person to deputise if required.
- (b) A designated person in charge was available on the premises on the day of inspection for the operating hours of the service.

- (2) A review of documentation and discussion with management confirmed that there are currently 15 staff employed by the registered provider to work in the service. The files of 7 new staff members were reviewed. A review of records maintained by Tusla showed that garda vetting disclosures for 2 existing staff members had expired, this was also reviewed as part of the inspection process. The registered provider had completed the following checks:
- (a) Eleven written and validated references were available from past employers.
  - (b) Three written and validated references were available from a source other than a past employer.
  - (c) Garda vetting disclosures had been obtained for nine adults. 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.
  - (d) Police vetting was available for four 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 five 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.

### Non-Compliance Information

- (2) (d) Documentation was not available to establish if one staff member required police vetting. This posed a potential risk for children's safety.
- (3) The procedures specified in paragraph (2) were not carried out prior to the employment of one staff member. This posed a potential risk for children's safety. This was a non-compliance on the previous inspection in January 2025. The preventive action has not been maintained in line with the information provided to the inspectorate following the last inspection.
- (4) There was no evidence to show that two staff members who management advised both 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.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

- (2) (d) It has been confirmed the staff member has not lived outside of Ireland for more than 6 consecutive months or more as an adult. Management will ensure that police clearance where required will be acquired prior to when a candidate starts.
- (3) The police vetting was not required. Management will keep on following the necessary steps of acquiring police clearance from staff who has lived outside Ireland for six consecutive months after the age of 18.
- (4) One staff member has miss placed their certificate and has applied to their college for a copy. This staff member is currently working with afterschool children only. The second staff member has applied to DCEDIY for qualification recognition letter. This staff member is currently in an assistant role.

### Supporting documentation submitted

- Vetting office correspondence.
- College correspondence.
- Qualification certificate.

## Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliances identified under Regulation 9 have been addressed.

### 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

The registered provider ensured the following:

- (1) On the morning of the inspection there was an adequate number of adults available to the children attending the service to meet their care needs. There were 4 adults available to work directly with the 15 children present.
- (2) The adult child ratios were correct when the inspectors arrived unannounced to the service and throughout the 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 registered provider facilitated the wellbeing of children through the provision of the following appropriate activities, interaction, materials and equipment:

- Children were observed to have the opportunity to move freely through their care room and independently access play experiences of their choice.
- Children were encouraged to engage in self-care task such as toileting and handwashing.

- Staff were observed to interact with children in a warm and engaging manner. They joined children in conversations during mealtimes and showed an interest in their activities by asking questions and supplying resources.
- The toys and equipment were laid out on low level shelving, visible and accessible to the children, and were grouped in themed areas of interest such as home area, sensory play and construction area. Themed areas of interest facilitate children to have a more focused engagement in their play experiences.
- A rest area was available with cushions in the event children decided to take a break from activities.
- Planned activities were suitable to the age and stage of children present.
- Children were observed to play outdoors on the day of inspection. The outdoor area included covered play spaces providing shelter from weather.

## Part V - Care of Child in Pre-school Service

### Regulation 22 – Food and drink

*A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.*

#### Compliance Information

The registered provider ensured there was adequate and suitable food and drinks available. For example:

- Drinking water was freely available at water stations in the care rooms throughout the day.
- As the service is currently operating sessional hours only for preschool children at this premises no hot meal was provided. Children’s lunch and snacks were supplied by the parents.
- Extra food such as fruits and crackers was available on the premises if needed.
- The service had a healthy eating policy.

### 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. Children accessed the service through the side gate and staff attended the door to allow entry.
- Cleaning products were safely stored out of children's reach.
- Care room risk assessments were displayed and completed up to date.
- Equipment and furniture were in good condition and suitable for use.
- An ambient room temperature of 18-22°C was maintained in rooms where children played.

##### Infection Control:

- The premises were in a clean and hygienic condition and documented up to date cleaning records were available and displayed in the premises.
- Thermostatically controlled warm water, liquid soap and single use hand towels were available at all wash hand basins used by the children and the staff members.

#### Non-Compliance Information

##### General Safety:

1. Garda vetting was available for three staff members. However, these vetting disclosures were not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

##### Infection Control:

2. Perishable foods such as yoghurt and cheese brought by the children from home were not stored in a fridge, this increases the risk of bacteria multiplying to levels which could result in illness in young children.

##### Fire Safety:

3. An evacuation route or designated assembly point was not clearly displayed on the premises. This posed a potential risk of hindering safe evacuation in the event of an emergency.

## Action submitted by the Registered Provider

### Corrective & Preventive Action

#### General Safety:

1. Garda vetting for all three staff members has been updated. Management will check the other files of staff members whose Garda vetting is due for renewal and apply in advance to avoid this happening again.

#### Infection Control:

2. The perishable foods have a basket now and it is stored in the fridge. Management will make sure that all perishable food brought from home is stored in the fridge.

#### Fire Safety:

3. The evacuation route and assembly point has been displayed on the walls and at the front of the building. Management will ensure escape route is always present in the rooms for safe evacuation.

### Supporting documentation submitted

#### General Safety:

- Garda vetting documents.

#### Infection Control:

- Photographic evidence.

#### Fire Safety:

- Photographic evidence.

## Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliances identified under Regulation 23 have been addressed.

### 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)
- (b) An up-to-date maintenance record was available for the fire extinguishers and smoke alarms in the premises. The fire extinguishers were serviced on 25 October 2025, and the smoke alarms were maintained on the 26 June 2025.

#### Non-Compliance Information

- (1) (a) The Fire drill record available was insufficient and did not include the following relevant details:
- The route of escape.
  - The time of the fire drill
  - The length of the fire drill
- A comprehensive and adequate record should be maintained to help ensure sufficient process and identify any difficulties in evacuation practices.
- (4) The Lions cabin which is a standalone structure and not connected to the other buildings did not have the procedure to be followed in the event of an evacuation displayed. This posed a potential risk of hindering safe evacuation in the event of an emergency.

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

##### Corrective and Preventive Action

- (1)(a) The fire drill document has been updated. Management will ensure the fire drill record has the updated fields.
- (4) The procedure to follow in the event of an evacuation has been displayed on the wall. In future the procedure to follow in case of evacuation will always be displayed.

##### Supporting documentation submitted

- Documentary evidence.
- Photographic evidence.

## Summary Comment

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

## Part VI - Safety

### Regulation 27 – Supervision

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

### Non-Compliance Information

The registered provider did not ensure that children were adequately supervised at all times during the day. Children were observed under the sole care and supervision of an unqualified staff member while another staff member brought children to the toilets located outside the building in the garden area.

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

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

A qualified staff member is present at all times during the day now for care and supervision of the children. Management will ensure that in future a qualified staff member will be present with children at all times.

#### **Supporting documentation submitted**

- None submitted.

## Summary Comment

The inspector has reviewed the actions submitted. The non-compliance identified under Regulation 27 has been addressed.

## Part VII - Premises and Space Requirements

### Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-  
(e) equipped with adequate and suitable sanitary facilities.*

#### Non-Compliance Information

- (e)
1. The service did not have suitable sanitary facilities available for the children attending in the Zebra cabin. Children were required to exit the building go outdoors and cross the garden to be able to access the toilets located at the front of the Lion cabin. The toilets are not readily accessible in adverse weather conditions.
  2. There was no nappy changing facilities available on the day of inspection. Staff and management gave conflicting information on the services approach to nappy changing for the six children present on the day wearing pull ups.

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

##### Corrective and Preventive Action

1. Management is exploring the location to fit toilets for the Zebra cabin children. Once a plan is worked out Tusla will be informed. In the future management will ensure toilets are easy access to the children in all the rooms.
2. A nappy changing facility has been installed. Management will ensure there will always be a nappy changing facility available at all times for children who require one.

##### Supporting documentation submitted

- Photographic evidence.

#### Summary Comment

The registered provider is in the process of addressing point 1 and although a nappy change unit has been installed regarding point 2 the inspectorate has been unable to deem this appropriate in relation to location or suitability for the age range of children attending. The non-compliances under Regulation 29 remain outstanding and will be reviewed on next inspection.

### Part VIII - Notifications and Complaints

#### Regulation 31 - Notification of incidents

*A registered provider shall notify the Agency in writing within 3 working days of becoming aware of any of the following incidents occurring in the preschool service:*

*(c) an incident that occurs in the service and that results in the service being closed for any length of time;*

#### Non-Compliance Information

(c) The registered provider failed to notify the agency of a serious incident that resulted in the in the registered premises being inaccessible and closed.

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

##### Corrective and Preventive Action

In future management will notify the agency as required.

##### Supporting documentation submitted

- None submitted.

#### Summary Comment

The inspector has reviewed the action submitted. The non-compliance identified under regulation 31 has been addressed.

### Part VIII - Notifications and Complaints

#### Regulation 32 – Complaints

*(1) A registered provider shall ensure that the complaints policy of the service specifies-*

- (a) the procedure to be followed by a person for the purposes of making a complaint in relation to the service,*
- (b) the manner in which such a complaint shall be dealt with, and*
- (c) the procedures for keeping a person who makes such a complaint informed of the manner in which it is being dealt with.*

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

- (a) a record in writing is kept of a complaint made to the provider in respect of the pre-school service, and*
- (b) the complaint is duly dealt with in accordance with the provider's complaints policy.*

#### Compliance Information

The registered provider ensured the following:

- (1) There was a complaints policy maintained that outlined the following:
  - (a) The procedure to be followed when making a complaint.
  - (b) The way complaints would be dealt with.

(c) The procedures for keeping the complainant informed on how the complaint is being dealt with.

## Non-Compliance Information

(2) (a)(b) There were no written complaints log available for review. This was not in line with service policy that advises a written record of a complaint is available on the premises for inspection by the Early Years Inspectorate and that complaints including verbal will be documented. Discussion with management confirmed two complaints have been received since the last inspection.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

(2) (a)(b) The complaint folder is present but at the day of inspection it was not present in the premises. The folder is available in the office now. Management will ensure that the complaints folder will be available in the premises at all times and all complaints made will be filed.

### Supporting documentation submitted

- Photographic evidence.

## Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 32 has been addressed. This will be reviewed on next inspection.