

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015FL330
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Name of Service:	Tots & Swots
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Address of Service:	Unit 4 Balbriggan Retail Park, Balbriggan, Co. Dublin
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Eircode:	K32 P997
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Name of Registered Provider:	Mary Simons
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Service type:	Full Day
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Date of Inspection:	04/02/2026
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No of pre-school children:	AM	33	PM	15
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Address of the Early Years Inspectorate:	2 nd Floor, Unit 4/5, The Nexus Building, Blanchardstown Corporate Park, Ballycoolin, Dublin 15
Inspection undertaken by:	Y Kelly & AM Coyle
Title:	Early Years Inspectors

Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

Conditions if applicable	Not applicable.
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Description of service

Tots & Swots is a privately owned early years service conducted from a unit of an industrial estate located in Balbriggan. The service is registered to provide full day care to children aged 2 to 6 years. The service operates from 7:30 am to 6:00 pm Monday to Friday and participates in the Early Childhood and Education (ECCE) scheme from 9.30am to 12.30pm 38 weeks of the year. The service has 3 care rooms; Bunnies room and Panda room located on the ground floor and Squirrels room located on the first floor. A sensory room is also provided on the first floor with sanitary accommodation located on both floors. The early years service adjoins a soft play centre that is closed to the public on weekdays and fully available to the children attending the service at appropriate times. There is an outdoor play area available on the premises. The service is also registered to provide School Age care.

Staffing

The registered provider employs 2 managers to oversee the daily operational management of the service supported by a team of 10 core staff members who work directly with the early years children, 3 of whom are employed in a post which is funded by the minister as part of the Access and Inclusion Model scheme. Two of the core staff members also carry out cooking duties. Five staff members are employed to work with school aged children. One staff member from another service who was present on the day of the inspection. The service also employs a caretaker. There were two students including one transition year student present on the day of the inspection. The registered provider was present on the day of the inspection.

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

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- 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 the regulations 9, 11, 19, 23, 25 and 26. These findings are outlined within the relevant regulations within this report.

As a result, the scope of the inspection included the Bunnies Room, Panda Room and Squirrels Room.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

Acknowledgments

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

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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) There was a designated person in charge of the service and there was a named person to deputise as required.

(b) A named person to deputise was present and in charge of the service when the inspectors arrived unannounced to the service at 09:15am. The registered provider arrived shortly afterwards and remained for the duration of the inspection.

(2) Twenty-two files were reviewed to include two managers and eleven staff members who work directly with the children, two students including one transition year student and one caretaker. Files were reviewed for five staff members who worked in the school aged childcare service and one staff member from another service who was present on the day of the inspection. The following was recorded:

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- (a) Thirty-two written references were available, twenty-nine of which were validated from past employers.
- (b) Twelve validated references were available, nine of which were validated from a reputable source other than a past employer.
- (c) Garda vetting disclosures were available for 21 adults whose files were reviewed. Garda vetting disclosures demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring the service to renew Garda vetting every three years.
- (d) International Police vetting was available for 3 adults who had lived outside of the state for a period of more than 6 months.
- (4) Documentary evidence was available to confirm that 13 staff members whose files were reviewed and who may work directly with the children in the service 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 Department of Children, Disability and Equality.

Non-Compliance Information

- (2)(a)(b) The registered provider had not ensured the following:
- There was no evidence of validation of six references for 3 adults.
- (2)(d) International police vetting not available for 1 adult who had lived outside of the state for a period of more than 6 months.
- (3) The procedures as outlined in paragraph (2) were not carried out prior to adults working with or having access to children in the service, as evidenced by the following examples:
- Garda vetting disclosures in relation to 3 adults prior to these adults having access to and contact with the children.
 - Validation of 6 references, as stated above, not obtained in relation to 3 adults prior to these adults having access to and contact with the children.
- (4) Documentary evidence was not available for 1 adult who may work directly with the children in the service to confirm that they 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 Department of Children, Disability and Equality.

Corrective & Preventive Action submitted by the Registered Provider

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Corrective Action

9(2)(a)(b)

The registered provider has assured that all references have been validated.

Preventive Action

There were no preventive actions submitted to prevent re-occurrence.

9(2)(d)

Corrective Action

International Police vetting for 1 adult has been submitted.

Preventive Action

There were no preventive actions submitted to prevent re-occurrence.

9(4)

Corrective Action

There were no corrective actions submitted.

Preventive Action

There were no preventive actions submitted to prevent re-occurrence.

Supporting documentation submitted

- Validated References.
- International Police vetting for 1 adult.

Summary Comment

The corrective actions in relation to 9(2)(a) and (b) and (d) have been accepted. As no preventive actions were submitted, this will be reviewed at the next inspection. However, no documentation has been submitted to the Inspectorate to confirm that one staff member holds a minimum qualification therefore the non-compliance in relation to 9(4) remains outstanding. This will be reviewed 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 staff members working directly with the children attending the service.

(2) The adult to child ratios were correct in the service when the inspectors arrived unannounced at the service and remained so throughout the inspection.

The following adult to child ratios were observed during the inspection:

- In the Panda Room there were 6 children aged 2 years 5 months to 3 years being cared for by 2 staff members.
- In the Bunnies Room, there were 10 children aged 4 years to 4 years 11 months being cared for by 2 staff members. In addition, there was 1 student on work placement experience present in a supernumerary capacity.
- In the Squirrels Room, there were 17 children aged 3 years to 4 years 4 months being cared for by 3 and then 4 staff members, one of whom was employed as part of the Access and Inclusion Model scheme. The two managers worked directly with the children in this room on the day of the inspection.

(8)(a) The registered provider ensured that 2 adults were present in the service at all times. This was confirmed by the staff roster.

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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:

- Mealtimes were observed to be a social and pleasant experience for the children. Children's meals are sourced from an external company and are reheated and served by designated staff members. On the day of the inspection the children had 'Bella Italia' a pasta dish with chicken for dinner and cheese, crackers and fruit for tea. There were alternative food options available for children with additional dietary requirements or preferences. Children bring a morning snack from home which consisted of sandwiches, crackers, rice cakes, yoghurts and fruit.
- Children's water bottles were accessible at the 'hydration station' in the care rooms throughout the day.
- The children's personal care needs were attended to promptly. Nappies were changed at scheduled times and more frequently as needed. The staff members used the opportunity to engage with and chat to the children. The children who were toilet trained used the toilet independently.
- The children from the Squirrels Room and Panda Room slept on floor beds set up in the Panda room after the children had their lunch.
- There was no outdoor play on the day of the inspection due to adverse weather conditions. However, the children all spent time in the soft play centre which supported gross motor and safe risky play for children providing them with opportunities to develop fundamental movement skills. A game of 'musical statues' was facilitated by practitioners which included dancing and movement.

Supporting relationships around children:

- Staff demonstrated warm and caring interactions with the children. There was a welcoming atmosphere in the service. The early years practitioners demonstrated sensitivity and responsiveness to each child's individual needs and supported children's inclusion and involvement in play.

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- Identity and belonging were promoted in the service. For example, children's placemats, cubbies and birthday chart were identified using children's photographs. Children's artwork was displayed in the care rooms. The were photographs of the local community displayed in the care room.
- Staff discussed that they communicate with parents to share information using an online messaging application. Additionally, staff members were observed communicating with parents and guardians when dropping off and collecting children from the service.

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.
- Toys and equipment were visible and accessible to children on low level shelving which facilitated children's independence in play. The rooms were divided into different areas of interest which provided opportunities for a variety of spontaneous play experiences and choice for children. There were home corners and role play areas with wooden kitchen, dress up area, dolls and small world items such as people, animals, dinosaurs and transportation toys such as cars, ambulance and boats to support imaginative and interactive play. Construction materials included wooden building blocks and tuff tray with plastic building bricks. There were tabletop materials such as jigsaws to support fine motor development. There were art and craft areas and writing area with art materials stored on the wall to include paint, paint brushes, glitter, crayons and colouring pencils and small wooden paint easels for painting at the table to support creative art and mark making for children. There were cosy areas equipped with large sofa's, a mat and a selection of books for reading and relaxation and providing opportunities for storytelling. Real life items included a kettle, telephone and keyboard to enhance pretend play for children. There were natural materials such as stones, shells, corks and wooden rings to provide opportunities for open ended play. Sensory play was supported including water play, sand play at the sandpit with shovels, jugs and cups.
- There is a separate sensory room on the first floor with soft and tactile surfacing and sensory materials including a bubble tube.
- The Early Years service had access to a designated enclosed area of the soft play centre with play and climbing equipment which was used by all children on the day of the inspection.
- An enclosed outdoor area is located to the front of the service.

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Programme of Activities and its Implementation:

- Children's learning and development is documented in children's journals which included photographs of children's learning and development and children's artwork. Staff carry out planning and document children's emerging interests which informs the curriculum.
- There is a key person approach in the service and these groups moved between the Squirrels room, Sensory room and the soft play centre. Staff discussed that the key person groups facilitate small group time.
- Transitions were observed to be well managed; children were given verbal and visual cues to support them with the transitions. The children engaged well with tidying up, putting items away independently. There was a timeline of the daily routine displayed on the wall using photographs. The children moved to different rooms by making a train singing 'Choo, choo and off we go'. Routines provided for predictability and comfort for young 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:

- On arrival to the service, the inspectors observed that the entrance doors leading into the premises was secure and monitored by staff to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the premises. On arrival to the service, the inspectors were allowed entrance by a staff member and were requested to sign in on a visitor attendance book.
- Internal doors were also appropriately secured. The door to the play centre and door to the rooms on the first floor were secured and could be entered following entry of a door code available to staff.
- Cleaning agents were stored safely out of the reach of the children.

Infection Control:

- Thermostatically controlled warm water, liquid hand soap and dispensed handtowels were available in the children's sanitary facilities.
- Windows were open for air circulation in the care room.

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- Children were observed to hand wash independently after use of the toilet, and before lunchtime, and this was encouraged and supported by staff.

Administration of Medication:

- Medication was stored in a fridge in the kitchen of the service.

Safe Sleep:

- The inspectors observed that 10-minute sleep check observations noting each child's colour, position and breathing pattern were being performed and documented on all sleeping children.

Fire Safety:

- Emergency exits were unobstructed in the event of an emergency evacuation.

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 early years staff trained in First Aid Response (FAR), all of whom were present on the day of the inspection. It is acknowledged that 1 adult also held current child first aid training who was present on the day of the inspection.

(2)(a) Adequately stocked first aid kits were observed in the care rooms in the service.

(b) First aid boxes were stored out of the reach of the children but available to staff as needed.

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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

- 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 30 January 2026.
- (b) The number, type and maintenance record for firefighting equipment and smoke alarms were available. Firefighting equipment was last serviced on the 05 April 2025, and the smoke alarms were serviced on the 06 May 2025.
- (4) Fire evacuation procedures were displayed throughout the service.