

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015GY020		
Name of Service:	Ballinderry Childcare		
Address of Service:	Ballinderry, Kilconnell, Ballinasloe, Co. Galway		
Eircode:	H53 K650		
Name of Registered Provider:	Caroline Malone		
Service type:	Full Day		
Date of Inspection:	25/02/2026		
No of pre-school children:	AM	58	PM 56
Address of the Early Years Inspectorate:	Tusla – Child and Family Agency, Early Years Inspectorate, Quality Assurance Directorate, Clinical & Administration Building, Block A - (1st Floor- Green Corridor), Merlin Park, Co. Galway.		
Inspection undertaken by:	E. Friel and S. Meehan		
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		

Description of service

This purpose-built service is in Kilconnell, a rural area near Ballinasloe in east county Galway. Ballinderry Childcare is a private early years service established in 2007. Service provision includes full day care, part-time and sessional services. Business hours are from 08:00 until 18:00, Monday to Friday, 51 weeks of the year. This includes children enrolled in the Early Childhood Care and Education (ECCE) Scheme which is facilitated in the morning between the hours of 09:30 and 12:30, school term time only. While registered to accommodate children aged from 0-6 years of age children currently attending are aged from 6 months to 6 years of age.

There are three care rooms located within the main building on the ground floor namely- Baby 2, Toddler and Wobbler. In addition, there are two designated sleep rooms, adult and children's sanitary facilities, a kitchen and an office. In the upstairs area there are two care rooms- namely Junior and Senior Pre-school. There are three secure outdoor play areas available which are suited to the various ages and stages of children attending the service. A car park is located at the front of the service. Since the previous inspection on 07/05/2025, a sixth care room known as the Baby 1, operating from a portacabin, which incorporated a sleep room and a sanitary area was opened.

Staffing

There were 16 adults present in the service including a cook and the registered provider who facilitated with the administration aspects of the inspection.

Methodology

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

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

The findings on inspection are based on:

- Information obtained through examination of documentation
- Direct observation

- Discussion with relevant staff

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

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

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

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

Additional Information

At the opening meeting the inspectors were informed, by the registered provider, that a new care room, known as Baby 1, located in a portacabin at the rear of the property had been in operation since January 2026. Currently 4 children are attending, aged 0 to 1 years with the intention of accommodating a maximum of 6 children. The care room was found to be in use at the time of inspection. The proposed Change in Circumstance process had not been initiated therefore authorisation to operate the care room had not been approved by the National Registration Office.

25/02/2026

An Immediate Action Notice was issued under Regulation 23- Safety

The inspectors observed that there were no smoke detection system and no firefighting equipment available in the unregistered sixth care room located in the portacabin at the rear of the service. This posed an immediate safety risk to the 4 children, under 12 months of age, on site at the time of inspection. It was acknowledged that when informed the registered provider moved the children into the main building.

26/02/26

An adequate response was received from the registered provider which included moving the children on the day of inspection from the portacabin into the main building which had a smoke detection system and firefighting equipment, where they will remain until the issue is resolved. An engineer was engaged and evidence was provided of a pre-arranged appointment organised for 27 February 2026 to fit the fire detection system and the firefighting equipment.

26/02/26

A referral was made to Galway County Council Fire Department based on the immediate action notice issued on the 25/02/26.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, designated person in charge, 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.

Non-Compliance Information

At the opening meeting the inspectors were informed by the registered provider that a new care room, known as Baby 1, located in a portacabin at the rear of the property had been in operation since January 2026. Four children were attending, aged 0 to 1 years with the intention of accommodating a maximum of six children. The Baby 1 care room was found to be in use at the time of inspection. The proposed Change in Circumstance process had not been initiated therefore authorisation to operate the care room had not been approved by the National Registration Office.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The following statement was received from the registered provider;

A submission has been made to the National Registration Office for the changes in circumstances of the service.

Supporting documentation submitted

A copy of an email from the National Registration Office was received in the office of the inspectorate confirming a submission by the registered provider. The service is now aware of the timescale of the Change in Circumstances process. Therefore, in the cases of any further change in circumstances applications, the service will not commence any further changes in circumstances until the process has been completed.

Summary Comment

The submissions from the service regarding the changes in circumstances are currently being reviewed by the National Registration Office 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.

(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 and a deputy was available to deputise if required.
 - (b) Either the designated person in charge or deputy were onsite while the early years children were on the premises.
- (2) Documentation was assessed for five adults who had commenced employment in the service since the last inspection on the 7th of May 2025. In addition, documentation available indicated that garda vetting renewal was required for four existing staff members.
- (a) The registered provider demonstrated that 4 of the 10 required written and validated references were from previous employers.
 - (b) The remaining six written and validated references were from sources other than past employers.

- (c) Garda vetting disclosures were available for nine adults, demonstrating compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew garda vetting every three years.
- (d) International police vetting was available for three adults who had lived outside the state for a period exceeding six months as an adult.
- (4) There was evidence that the five new adults had attained at least a major award in Early Childhood Care and Education at Level 6 to a level 8 on the National Framework of Qualifications or a qualification deemed to be equivalent. The remaining four adults did not require a childcare qualification.

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) The registered provider ensured that an adequate number of adults were working directly with the early years children while they were present in the service.
- (2) Documentary evidence in the form of the staff roster indicated that adult child ratios were adhered to. There were 14 adults working directly with 58 children in the morning and with 56 children in the afternoon.
- (8)
 - (a) The registered provider ensured that there were at least two adults on the premises while the children were attending the service.

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

19(1)(a)

Basic Needs:

- The healthy eating policy was available for parents and guardians to view. The snacks and hot meal were appropriate for the age and stage of development of the children. The hot meal of the day was meatballs and spaghetti. Babies who were on formula had their bottles appropriately stored in a fridge in the care rooms.
- Perishable items belonging to pre-school children were stored in the service fridge in the care rooms.
- Water was readily available in a designated area in the care rooms.
- Cutlery and plates were offered and used during children's mealtimes and were appropriate for the age and stage of development of the children in each of the care rooms.
- Children attending the service who were toilet trained, toileted independently or with some assistance or supported by adults as required.
- Younger children in nappies had them changed in a timely caring manner by the adults. Adults were observed picking up on children's cues throughout the day.
- The children's self-care was assisted and encouraged by adults for example, to wash their hands prior to eating, after toileting, after using a tissue and after messy play.
- In the care rooms the children had the opportunity to rest or relax with soft seating in the form of child size couches in designated cosy areas.
- Cots were available for children under two years of age with cellular blankets and grow bags.

Part VI – Safety

Regulation 23 - Safeguarding health, safety and welfare of child

A registered provider shall ensure that all reasonable measures are taken to safeguard the health, safety and welfare of a pre-school child attending the service and that the environment of the service is safe.

Compliance Information

General Safety:

- The entrance door into the service was secured to prevent unauthorised access by a person or the unsupervised exiting by a pre-school child from the service.
- All toys and play equipment were observed to be safe and in good condition.
- The highchairs in the care rooms had harnesses fitted to prevent children from climbing out.

Infection Control:

- Children routinely washed their hands following toilet use, before eating snacks and meals. Warm water, liquid soap and disposable paper towels were available at the wash hand basins in the children’s and adult sanitary accommodation to facilitate effective hand hygiene practices.
- Adults involved in nappy changing used disposal aprons and gloves when nappy changing. The inspectors observed adults washing their hands and the child’s hands after nappy changing in line with best practice guidelines.
- The children’s barrier creams were clearly individually labelled, stored within a sealed container or box in the nappy changing area.

Administration of Medication:

- Temperature reducing medication was available in the event of an emergency and the expiry date was noted as June 2028.

Safe Sleep:

- Temperatures were recorded at sleep time to be within the recommended range.
- Cots were placed at 50 cm apart to ensure the safety of the sleeping children.

Non-Compliance Information

Fire Safety:

1. An Immediate Action Notice was issued on 25 February 2026 in respect of no smoke detection system and no firefighting equipment present in the unregistered sixth care room located in the portacabin at the rear of the service. This posed an immediate safety risk to the 4 children under 12 months of age in situ at the time of inspection.

- The two doors identified as fire exits in the unregistered portacabin were operated with key locks posing a safety risk should the keys not be available to unlock the door to facilitate the safe evacuation of children and adults in the event of an emergency.

General Safety:

- The floor covering in the two pre-school care rooms was damaged posing as a potential tripping hazard for a preschool child. It was acknowledged that remedial work was carried out on the day to reduce the risk.
- Both the Senior and Junior care rooms children had access to cleaning detergents which presented as a risk to a preschool child. When the inspectors pointed this risk out to the registered provider they were removed and put out of reach of children.
- Two exposed screws were located at the entrance to the Baby care room play area where the gate was missing posing a safety risk to children. It was acknowledged that when the inspectors informed the registered provider this was rectified.
- A panel in the rear play area was missing and three rusty nails were exposed and may present as a safety risk to children.
- Two electrical flexes in the Baby 2 care room were not secured which may pose a risk to a child.
- An internal floor mat located at the exit door from the main building to the Baby 1 care room had curled up corners that may pose as a tripping hazard.

The following non compliances may pose as a risk of cross infection to a pre-school child:

Infection Control

- The nappy changing bin in use in the Baby care room 2 sanitary area was not pedal operated.
- Mops/buckets and brushes were accessible to children in the Pre-school care rooms upstairs.
- A broken bin was observed in the upstairs children's sanitary area. It is acknowledged that this was replaced during the inspection.

Safe Sleep:

- Ten-minute physical sleep checks were not recorded in line with the service policy in the Baby 2 care room. There were two children asleep in the designated sleep room at 14:10 when the inspectors reviewed the sleep checks. The first child sleep record indicated that the last physical sleep check had been carried out at 13:40 and the second child's record indicated that they were last checked at 13:45.

Action submitted by the Registered Provider

Corrective & Preventive Action

The following statements were received from the registered provider:

Fire Safety:

1. The children were moved on the day of inspection from the portacabin into the main building which had a hard-wired smoke detection system and firefighting equipment, where they will remain until the issue is resolved. An engineer was engaged and work was completed on the 3 March 2026 to install the fire detection system and the firefighting equipment.
2. The two doors identified as fire exits, in the portacabin, have been fitted with thumb twist cylinders to facilitate the safe evacuation of children and adults in the event of an emergency.

General Safety:

3. The damaged floor coverings in the two pre-school care rooms have been replaced.
4. The cleaning materials in the Senior and Junior care rooms have been placed out of reach of children.
5. The two exposed screws at the entrance to the Baby care room play area were removed by the registered provider when informed on the day of inspection.
6. The panel in the rear play area has been replaced. A daily risk assessment of the outdoor play area will be carried out to ensure the area it is safe prior to the children being allowed access to the outdoor areas.
7. The two accessible electrical flexes in the Baby 2 care room have been secured.
8. The internal floor mat, located at the exit door from the main building to the Baby 1 care room, has been removed.

Infection Control:

9. The nappy changing bin in use in the Baby care room 2 sanitary area has been replaced.
10. Mops/buckets and brushes are now stored in a designated area inaccessible by the children.
11. The broken bin in the upstairs children's sanitary area was replaced during the inspection.

Safe Sleep

12. Staff have been reminded of the requirement to ensure that physical sleep checks are carried out every 10 minutes in line with the service policy and have been retrained on same.

Supporting documentation submitted

The following documentation, receipts and photographs were received in the office of the inspectorate

Fire Safety:

1. Photographs of the newly installed smoke alarm, firefighting equipment and a report from the engineer confirming installation of same.
2. Photographs of the 2 fire doors fitted with thumb twist cylinders.

General Safety:

3. Photographs of the new floor coverings in the pre-school care rooms.
4. The statement from the registered provider has been accepted.
5. The inspectors observed the registered provider removing the 2 screws while on inspection.
6. A photograph of the replacement panel in the outdoor play area. The statement from the registered provider has been accepted.
7. A photograph of the secured flex.
8. The statement from the registered provider has been accepted.
9. A photograph of the new pedal operated nappy changing bin in use in the Baby care room 2 sanitary area.

Infection Control:

10. A photograph of the newly built in mop and brush cupboard in the hallway.
11. The nappy bin was observed being replaced during the period of inspection.

Safe Sleep:

12. Copies of recent sleep records which evidenced that physical sleep checks were being carried out every 10 minutes. The statement from the registered provider has been accepted.

Summary Comment

The actions taken and evidence submitted by the registered provider have addressed the non-compliances identified under Regulation 23.

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 service provided evidence that a person trained in first aid responder for children was available to the children attending the pre-school service.

(2)

(a) The first aid boxes were stored in easily accessible and conspicuous positions in the care rooms and in the office.

(b) The service demonstrated that the first aid boxes were fully equipped with all contents within expiry dates and were available while the children were attending the pre-school service.

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.

(2) The record referred to in paragraph (1) shall be open to inspection by-

(c) an authorised person.

(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 written record was available of the monthly fire drills completed in the service the last fire drill was conducted on the 13 February 2026 and previous drills were noted to be carried out on 12 January 2026 and 4 December 2025.
- (b) Records were available in relation to the number, type and maintenance of fire-fighting equipment in the premises and was serviced on 02 July 2025.
- Records were available in relation to the number, type and maintenance of fire and smoke alarms in the premises with the annual check dated the 11 June 2025.
- (2)
- (c) The fire drills, firefighting and smoke alarm certificates were available for review in the service by the inspectors.
- (4) Notices were displayed in the hall in the service of the fire action procedures to be followed in the event of an emergency in the service.

Part VI - Safety

Regulation 28 - Insurance

A registered provider shall ensure that the pre-school service is adequately insured.

Compliance Information

Documentation was available which evidenced that the registered provider had insurance for the type of service provided and the number of children attending.