

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015GY020
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Name of Service:	Ballinderry Childcare
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Address of Service:	Ballinderry, Kilconnell, Ballinasloe, Co. Galway
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Eircode:	H53 K650
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Name of Registered Provider:	Caroline Malone
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Service type:	Full Day Care
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Date of Inspection:	07/05/2025
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No of pre-school children:	AM	53	PM	47
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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. Galway, Co. Galway.
Inspection undertaken by:	E. Friel and F. Kelly
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

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. The Early Childhood Care and Education (ECCE) Scheme is facilitated in the morning between the hours of 09:30 until 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. A school age service is available with a breakfast club operating from 08:00 until 09:00 and in the afternoon from 13:30 until 18:00.

This purpose-built service is located in Kilconnell, a rural area near Ballinasloe in east county Galway. There are three care rooms located on the ground floor namely; Baby, Toddler and Wobbler. In addition, there are two designated sleep rooms, adult and children's sanitary facilities, 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, and a car park is located at the front of the service.

Staffing

There were 16 adults present in the service including a student, 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.

Acknowledgments

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

(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 there was a named person who was able to deputise as required.

(b) During the period of inspection, the register provider was on the premises and facilitated the inspection.

(2) Following a review of the service files and discussion with the person in charge, it was confirmed that there were four new members of staff employed in the service since the last inspection 20/11/2024. The four staff files were reviewed on the day of inspection.

(a) There were six written and appropriately validated references available from their most recent employer.

(b) There was one written and appropriately validated reference available from a source other than recent employer for one adult working in the service.

(c) Garda Vetting disclosures were available for the four staff working in the service. 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 disclosures were available for three adults working in the service that had lived outside the jurisdiction for a period of over 6 months.

(4) Three adults who were working directly with the children, had evidence of an award in Quality and Qualifications Ireland (QQI) at a Level 5 on the National Framework of Qualifications in Early Childhood Care and Education or qualifications deemed by the Minister to be equivalent.

Non-Compliance Information

- (2)(a) There was only one written and appropriately validated reference available from their most recent employer for one adult working in the service when two were required.
- (4) The registered provider did not provide evidence that one adult had acquired an award in Quality and Qualifications Ireland (QQI) at a Level 5 on the National Framework of Qualifications in Early Childhood Care and Education or a qualification deemed by the Minister to be equivalent.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (2)
- (a) The missing reference and validation are now on file for the adult for whom they were required. In future all documentation required under paragraph (2) will be in place prior to any adult having contact with the children.
- (4) A childcare qualification is now on file for the adult who was missing the qualification. In future all vetting will be in place prior to any adult having contact with the children.

Supporting documentation submitted

- (2)
- (a) A reference and validation for the adult for whom they were missing was received in the office of the inspectorate.
- (4) A childcare qualification was received in the office of the inspectorate.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliances identified under Regulation 9 (2) (a) and (4) have been adequately 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.
- (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 there were an adequate number of adults working with the children at all times.
- (2) The adult child ratios were met. There were five care rooms in operation on the day of inspection.
- Baby (8 months – 13 months)
- There were 4 full day care children in attendance with 3 adults in the morning and 4 children in attendance with 2 adults in the afternoon.
- Toddler (2 years 6 months – 3 years)
- There were 8 full day care and 1 sessional child in attendance with 2 adults in the morning and 8 children in attendance with 2 adults in the afternoon.
- Wobblers (14 months - 18 months)
- There were 5 full day care and 1 part-time child in attendance with 3 adults in the morning and 6 children in attendance with 2 adults in the afternoon.
- Junior Pre-school Room (2 years 6 months – 6 years)
- There were 18 children in attendance with 3 staff in both the morning and in the afternoon.
- Senior Pre-school Room (2 years 8 months – 6 years)
- There were 11 full day care and 5 sessional children in attendance with 2 staff in the morning and 11 children in attendance with 2 staff in the afternoon.
- (8)

(a) The staff roster indicated that there were two adults on the premises while the early years children were present in 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

Basic Needs:

- The service promoted healthy eating in line with the service's health eating policy. The inspector observed that a three-week menu plan was available in the reception area for parents/guardians to view. Meals and snacks were provided by both the parents/guardians and an onsite cook; these were noted to be served at regular intervals throughout the day.
- Staff in the Baby care room stated an oat-based breakfast cereal was served at 08:30. Children's mid-morning snacks in the Wobbler and Toddler care rooms, served between 10:05 and 10:45, consisted of a variety of bite sized pieces of fruit, filled sandwiches, rice cakes and yogurt.
- Lunches provided by the parents/guardians and served at 12:00 in the Baby care room consisted of chicken and carrots, meat and vegetables. These were noted to be pureed in line with the requirements of the children in the room. Children in the Junior and Senior Pre-school rooms were observed eating meatballs and spaghetti for lunch. Staff in the Baby care room stated two further snacks were served at 15:00 and 16:30 for children availing of full day care.
- Alternative food was available for children who had specific dietary requirements or did not like the food on offer. In addition, a child in the Junior Pre-school room who expressed hunger was observed being given more food by a staff member who had left the room and went to the kitchen to source a second portion.
- Water was available at all times in all care rooms and in the outside play areas from individually labelled water bottles. Children in the Baby care room were observed drinking from two handed beakers while older children in the Wobbler and Toddler care rooms had access to individual bottles.
- Age and stage appropriate cutlery was observed in the Baby care room with children having access to bowls, plates and spoons.

- Rest areas, with new and recovered soft furnishings, were visible in each care room. The rest area in the Wobbler care room was observed to have two new vinyl sofas with a dinosaur circular mat on the floor.
- Nappy changing with the younger children was carried out regularly and promptly in the Baby and Toddler care rooms.
- Children in the Senior Pre-school care room were observed accessing the sanitary area independently. Staff were available to provide assistance, as required.
- Handwashing was observed throughout the day with children in the Junior and Senior Pre-school rooms; before and after food, after toileting and coming in from outdoor play.
- The day of the inspection was hot. In conversation, staff stated sunscreen had been applied to each child observed playing in the Toddler/Wobbler play area and sun hats were visible on children's heads.

Supporting children's relationships:

- During meals and table top activities staff in the care rooms were observed sitting with the children engaging in social conversation, listening to their questions and comments and responding appropriately.
- Staff members demonstrated warmth and sensitivity in their interactions with the children. Examples included staff in the Baby care room communicating positively with the children using gentle tones and offering reassurance by sitting near them on the floor as they explored the toys and equipment.
- A staff member in the Junior care room supported children to engage positively with each other. The staff member got down to the child's level and explained that we do not use our hands to push our friends.
- Communication with parents/guardians in the younger age groups was observed to be mainly through notebooks completed by staff who stated that these go home daily. The inspector noted that messages in the notebooks contained information regarding sleep, toileting, food and general notes in respect of the children's care in which parents/guardians wrote reciprocal messages to staff. In addition, staff also stated that they communicate with parents/guardians at drop off and collection times and through an individual and group messaging application.
- Staff meetings with management were stated as taking place every six months.

Physical and material environment:

- There were a variety of suitable materials and equipment available in all of the care rooms which provided opportunities to enhance the learning needs of the children across all developmental areas. Examples in the Baby room included support cushions helping babies to find their balance and mirrors providing

opportunities for children to look at their reflection creating a sense of self-identity. The Junior and Senior care rooms had clearly defined areas including arts and crafts, construction, home corner and puzzles.

- Equipment in the rooms was presented on low-level shelving in boxes making the materials and resources easily accessible to the children while offering choice and promoting independence.
- The walls of the care rooms were decorated with a variety of materials which helped to promote a sense of identity and belonging for the children in the care rooms. Examples included; themed artwork, photographs of the children with their families, involved in activities and of the places of importance in the children's local community.

Planning of activities:

- Observations of children in the Baby care room, carried out every three months, were furnished to the inspector. These documented the children's progress and staff stated they were used to inform the planning of the curriculum for each child.
- Children's language and development was supported through one to one, group discussions and singing. Staff in the Baby care room were observed singing nursery rhymes to the children with sound effects during the morning.

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:

- Safety catches were observed on cupboards in the Baby care room preventing children from accessing unsafe areas.
- Harnesses were fitted to all highchairs ensuring that the children could not climb out.
- A handrail, at the children's height, was fitted to the stairs enabling children to travel safely up and down the stairs.
- The perimeter of the outdoor areas for the older children were secured with high concrete block walls, metal fencing and sliding gates preventing unauthorised adults from entering the area and children leaving the area unsupervised. The outdoor area of the younger children was secured with wooden gates

with sliding bolts and wooden fencing with various ground surfaces including safety matting and artificial grass, helping to reduce the risk of injuries in the event of a fall.

Infection Control:

- Children's perishable food provided by parents/guardians was noted to be stored in the fridges in each of the care rooms. Examples included milk bottles and meals in the Baby care room and snacks in the Junior and Senior care rooms.
- Staff in the Junior Pre-school were observed disinfecting tables before and after the serving of food.
- Children's belongings were stored on hooks and in cubby houses away from the floor area.
- Cleaning records in the Wobbler care room were observed to be completed and signed by a staff member and kept up to date.
- Sweeping brushes were observed to be stored out of reach of children in the Wobbler care room.
- Hygienic handwashing was observed in the Senior Pre-school room where the children had access to thermostatically controlled hot water, not exceeding 43°, dispensing soap, dispensing paper towel and a lined, lidded, pedal operated bin for the disposal of paper waste.
- Tissues were easily accessible in the Senior care room for preventing the spread of infection.
- Windows in the care rooms were open facilitating the circulation of fresh air.

Safe Sleep:

- Sleep records were available for each child in each sleep area, Baby, Wobbler and Toddler, which indicated that physical sleep checks were being carried out every 10 minutes, as required.
- Sleep room temperatures for children under 12 months were noted to be between 16°C and 20°C and for those over 12 months between 18°C and 22°C.
- Blind cords in the Baby sleep room were placed out of reach of children, preventing accidents.

Non-Compliance Information

General Safety:

1. Garda vetting was available for all four new staff members. However, one vetting disclosure was not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.
2. Electrical flexes, from the light projector and a music speaker which were plugged into the wall in the Baby sleep room, were accessible through the bars at the end of a cot as they were positioned at the same height as the mattress, posing a safety risk to a sleeping child.

Infection Control:

3. Of the seven highchairs available in the Baby care room three were found to have food residue on the frame and seats, posing a potential health risk to the children. Staff stated that the highchairs are cleaned daily, however they were not found to be clean on inspection.
4. While a cleaning record was visible in the Baby care room there were no signatures visible to evidence which staff member had carried out the cleaning on any given day. Not ensuring daily cleaning increases the risk of infection and cross contamination.
5. Bins in three care rooms were either not suitable or broken; the pedal on the bin in the Baby care room was broken, while the bins in the Wobbler and Senior care rooms were not pedal operated posing a general risk of cross contamination from the number of adults and children opening and closing the lids with their hands. In addition, the lid on the bin in the Senior Pre-school room had a lid missing.
6. The mattresses in the Baby and Toddler sleep room cots were fitted with waterproof mattress protectors. These cots were shared and there was no evidence available that the protective covers were changed between use which may pose a risk of cross infection.
7. The mechanical air vent in the Toddler nappy changing area was not operational on the day of inspection, the switch on the wall outside the area did not switch on the mechanical fan. A staff member was observed trying to switch it on. This may pose a risk of cross infection.

Safe Sleep:

8. In the baby sleep room, three of the four mattresses were not suitable as they were only 4.5cm in depth. They were not in good condition or firm and showed evidence of wear and tear and may pose a risk to the babies and children using them. In the 2nd sleep room, one mattress needed replacement as it was very worn and was not in good condition.

Fire Safety:

9. The fire alarm system was not maintained in line with requirements set out in Fire safety in Pre-schools 1999. There was no evidence available to state that the fire alarms were checked every year by a competent person with appropriate training. This may pose a safety risk in the event of a fire.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

- (1) A Garda vetting application has been submitted, and we are awaiting the disclosure. Garda vetting will be checked to ensure that it remains in date going forward.

(2) The electrical flexes, from the light projector and a music speaker which were plugged into the wall in the Baby sleep room have been covered by the electrician to ensure the safety of the children.

Infection Control:

- (3) Staff have been reminded that all highchairs are cleaned after use in the Baby care room. Management will check regularly to ensure that this is being carried out.
- (4) Staff have been reminded to sign and date the cleaning records to evidence when the cleaning was carried out and by whom.
- (5) New pedal operated bins are now available in each care room. Staff will report any broken bins to management in order to reduce the risk of cross contamination.
- (6) New water proof mattress protectors are available for each child. Staff will ensure that cots are sanitised after each use and each child's bedding will be placed in an individual box.
- (7) An electrician has been contacted to repair the electrical vent.

Safe Sleep:

- (8) New mattresses of the correct depth have been purchased, and these will be checked regularly and replaced if required.

Fire Safety:

- (9) The registered provider will ensure that the fire alarm and fire extinguishers will be serviced on a yearly basis and the certificates will be displayed in the hallway.

Supporting documentation submitted

General Safety:

- (1) A Garda vetting disclosure was received in the office of the inspectorate.
- (2) No evidence was submitted.

Infection Control:

- (3) The statement from the registered provider has been accepted.
- (4) Copies of cleaning records which were signed from the weeks beginning 03/06/2025 and 09/06/2025 were received in the office of the inspectorate.
- (5) Receipts for the new pedal operated bins were received in the office of the inspectorate.
- (6) The statement from the registered provider has been accepted.
- (7) No evidence was submitted.

Safe Sleep:

- (8) Receipts for the new mattresses were received in the office of the inspectorate.

Fire Safety:

(9) The statement from the registered provider has been accepted.

Summary Comment

The actions taken by the registered provider address 7 of the 9 non-compliances identified under Regulation 23. The findings documented at points 2 and 7 remain non-compliant as the registered provider's response did not include evidence that the non-compliances had been rectified.

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 requirement has been met. The staff have current paediatric First Aid Responder training completed.

(2)(a) The registered provider had ensured that the service was equipped with first aid boxes.

(b) The first aid boxes were available to children when required.

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-

- (a) a parent or guardian of a pre-school child attending or proposing to attend the pre-school service,*
- (b) an employee, and*
- (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) Written records of the fire drills undertaken in the service were kept by staff with the last fire drill recorded as having been undertaken on the 07/04/2025.
- (2) A certificate of the number, type and maintenance of the firefighting equipment dated for July 2024 was available for inspection.
- (4) Notices of the procedures to be followed in the event of a fire were conspicuously displayed in the playrooms.

Non-Compliance Information

- (1)(b) The registered provider could not provide a record of when the smoke alarms had last been serviced.
- (2) (a, b, c) The records were not made readily available in the service to the inspectors by the registered provider on request.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (1) (b) The smoke alarm has been serviced. This will be carried out yearly in future.
- (2) (a, b and c) Fire drills are now available in each care room and the smoke alarm and fire extinguisher certificates are displayed in the hallway of the service.

Supporting documentation submitted

- (1) (b) A copy of a certificate of servicing for the smoke alarm was received in the office of the inspectorate. The certificate was dated 12/06/2025.
- (2) (a, b and c) The statement from the registered provider has been accepted.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliances identified under Regulation 26 (1) (b) and (2) (a, b, and c) have been adequately addressed.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The registered provider had evidence in the form of a current certificate of insurance to state that the service had adequate insurance for the number of children proposed to attend the service. The expiry date was noted as 27 March 2026.