

# TUSLA PRE- REGISTRATION REGULATORY INSPECTION REPORT

## Inspection Due to a Proposed Change of Circumstances



**Tusla I.D:** TU2015GY094

**Name of Service:** Kelly Childcare Formative Years

**Address of Service:** Tí Choinn, Gleann na Rí, Murrough, Galway, H91 YT1W

**Email Address:** kellychildcare@outlook.com

**Name of Registered Provider:** Paul Kelly

<b>Type of Proposed Service:</b>	<b>Full Day Care</b>	✓	<b>Part-Time</b>	ü	<b>Sessional</b>	ü
	<b>Drop-In</b>		<b>Childminding</b>		<b>Temporary</b>	

**Proposed change:** Additional service type from part-time service to full day care service, part-time & sessional  
Change in hours of operation from 9.00 to 14.00 to 7.00 to 18:00  
Increase in number of staff from 5 to 10.

**Proposed Number of Children:** 40 children

**Recommended Change Following Inspection:**

- Full day care
- Hours of operation 7.00 to 18.00
- Increase in number of staff from 5 to 10
- Age range 2 years 8 months to 6 years
- Number of children 40(Max 33 Full Ay/Part-Time)

**Registered change:** Additional service type from part-Time to full day, part-time & sessional  
Change in hours from 09:00 – 14:00 to 07:00 – 18:00  
Change in number of staff from 5 to 10  
Number of children from 40 to 40(Max 33 full day/part-time)

<b>Date of Inspection:</b>	2	8	0	5	2	0	2	5
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**Inspection undertaken by:** F. Nic Dhonnacha

**Title:** Early Years Inspector

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<b>Tusla Early Years Inspectorate Address:</b>	Early Years Inspectorate, Quality and Regulation Directorate, Clinical & Administration Building, Block A - (1st Floor- Green Corridor), Merlin Park, Galway
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### Rationale for Inspection: Proposed Change of Circumstance

**Note: For Office use only, to be completed by Registration Office**

<b>Registration Status:</b>	<b>Registered Full Day, Part-Time &amp; Sessional Service for 40(Max 33 Full Day, Part-Time) Children</b>
<b>Date of Registration</b>	<b>9<sup>th</sup> June 2025</b>

### Authority to Inspect

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

<b>Description of Service</b>	<p>The pre-school service is located on the east side of Galway city beside Galway Irish Crystal. The service has its own enclosed play area with access to the local beach from a path adjacent to the service. The service has close links with the surrounding community. This service proposes to operate a full day care service from 7.00am to 6.00pm, Monday to Friday. It will provide an ECCE programme between 9.00am and 12.00pm and it will operate a part time service until 2.00pm. The pre-school proposes to cater for children aged between 2 years 8 months and 6 years of age.</p> <p>It is proposed that the curriculum will focus on the child and the emerging interests that develop. There is adequate space for drop off and collection and ample parking to the front of the premises.</p>
<b>Premises</b>	<p>The premises consists of two playrooms named Starfish (Playroom 1) and Dolphin (Playroom 2). The service has its own kitchenette, storage room and sanitary areas. There are eight stackable beds for sleep provision for any child proposing to attend the part-time or full day care service.</p>

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	Both playrooms provide wipeable child size soft seating, couches, egg shaped chairs and matting for children to rest, relax or opt out of an activity if they choose. It is proposed that the pre-school children will have access to a secure outdoor play area at the side of the premises, for children’s play activities, challenges and exploration.
<b>Staffing</b>	It is proposed that 5-10 staff will be working in the service including the registered provider and person in charge.
<b>Methodology</b>	<p>The inspection was an announced inspection to assess compliance with the Childcare Act 1991 (Early Years Services) Regulations 2016 and Childcare Act 1991 (Early Years Services) (Amendment) Regulations 2016. The Inspection focused on regulations under the following themes- Governance, Health, Welfare and Development of the child, Safety and Premises.</p> <p>The findings on inspection based on information obtained through examination of documentation, direct observation, and discussion with relevant staff are documented in the inspection report and taken into consideration when making a decision in relation to registering the change in circumstance. 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.</p>
<b>Acknowledgements</b>	The Inspector wishes to acknowledge the cooperation of the registered provider and person in charge 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.*

#### Requirement met:

(1)(a) The requirement has been met.

The service has a proposed designated person in charge and a proposed named deputy.

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.*
- (8) *Without prejudice to paragraphs (2) to (7)—*
- (b) *a childminder shall ensure that a second person familiar with the operation of the service and in a position to provide assistance to the childminder in operating the service is, at all times, within close distance of the service and available to attend the service to assist the childminder in the event of an emergency, and*
- (c) *a registered provider of a sessional pre-school shall ensure that, where the person in charge operates the service single-handedly, a second person familiar with the operation of the service and in a position to provide assistance to the person in charge in operating the service is, at all times, within close distance of the service and available to attend the service to assist the person in charge in the event of an emergency.*

**Requirement met:**

- (1)  
 It is proposed there will be a maximum of 33 pre-school children aged 2 years and 8 months to 6 years of age, being cared for by 5 to 10 staff members in the proposed full day care service. It is proposed that the minimum adult child ratio will be maintained.
- (8)(b)  
 Not applicable, as the pre-school is not a child-minding service.
- (c)  
 The pre-school service proposes to always have a minimum of two staff members on the premises during the operation of the full day care service.

Part V - Care of Child in Pre-school Service

**Regulation 20 - Facilities for Rest and Play**

- (1) Subject to this Regulation, a registered provider shall ensure that—
- (a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child to play indoors and, where required by these Regulations, outdoors, during the day, and
  - (b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.
- (2) A registered provider—
- (b) of a full day care service, a part-time day care service, a sessional preschool service or a childminding service that moves premises on or after 30 June 2016, shall ensure that a suitable, safe and secure outdoor space to which the preschool children attending the service have access on a daily basis is provided on the premises.
- (3) A registered provider of a full day care service, a part-time day care service or a childminding service, other than such a service to which paragraph (2) applies, shall ensure that—
- (a) a suitable, safe and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises or
  - (b) where no such space is provided, the preschool children attending the service have access on a daily basis to an outdoor service
- (4) Where outdoor space to which the pre-school children attending the service have access is provided on the premises of a sessional pre-school service other than such a service to which paragraph (2) applies, a temporary pre-school service or a pre-school service in a drop-in centre, the registered provider shall ensure that such outdoor space is suitable, safe and secure.
- (5) Where pre-school children attending a sessional pre-school service other than such a service to which paragraph (2) applies, a temporary pre-school service or a pre-school service in a drop-in centre have access to an outdoor space other than such a space specified in paragraph 4, the registered provider shall ensure that such outdoor space is suitable.

<b>Requirement met:</b>	<p>(1)(a) This requirement has been met.</p> <ul style="list-style-type: none"> <li>– It is proposed that adequate and suitable facilities will be offered for play in the full day care service.</li> <li>– The two playrooms were comfortable, clean, visually pleasing and inviting and had been laid out to accommodate the needs of the children and staff in the service. Adequate space was provided for children to play both indoors and outdoors.</li> <li>– The playrooms had various interest areas that were fully accessible to the children, both visually and physically. The rooms had small world items, musical instruments, costumes and role play area, imaginative play area, creative area with arts</li> </ul>
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and crafts, white boards, sensory play areas, canopies over head in the rest areas with libraries, jigsaws and puzzles.

(b)

– Adequate facilities for rest were proposed to be provided in the service for the number and age range of children attending.

– The proposed playrooms had soft seating to allow children rest and relax when required. In addition, there were eight stackable beds available for part-time and full day care children’s sleep provision with the option to supply more if required.

(2)(b)

– The proposed registered provider ensured that a suitable, safe and secure outdoor play area will be available to the pre-school children at the side of the premises. It is proposed that the children will access the outdoor area daily.

– Outdoor play area surfaces consisted of a combination of artificial grass and concrete.

– There was a selection of play equipment and materials proposed for the outdoor play area. The area had a mud kitchen, water wall area, sand basin, playhouse, climbing frame with slide, tractors, tricycles, wall mounted flower shaped blackboards and mirrors, building blocks and weighing scales for use by the children.

– It is proposed that additional outdoor play equipment and materials will be stored in a designated storage container outside.

(3)(a)

– Arrangements are in place for the children to play outdoors daily. The outdoor space was observed to be suitable, secure, clean and had no safety hazards noted.

(3)(b)

– Not applicable.

(4)

– Not applicable.

(5)

– Not applicable.

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## Inspection Due to a Proposed Change of Circumstances

### 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.*

##### Requirement Met:

This requirement has been met.

- The service had a healthy eating policy which will be shared with the parents at the start of each term.
- The proposed full day care service plans to store all perishable items from the children’s lunch boxes in the fridge in each playroom or in the service kitchen.
- A three-week menu plan has been recorded for the provision of two meals and two snacks including a hot meal for the children attending on a full day care basis.
- The parents and guardians will provide the children’s snacks.
- It is proposed that a food company will supply ready-made meals for lunch time. The preschool service will provide alternative food and drinks for mealtimes and for children who may not like their snack or meal option.

### 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.*

##### Requirement Met:

The requirement has been met.

- The two playrooms and main entrance door were secured to prevent an unauthorised person having access to children and ensuring children could not exit the service unsupervised. Emergency doors were unobstructed to ensure the safe evacuation in the event of a fire or other emergency.
- In the outdoor play area, there were no pits or ponds to cause any risk of danger to preschool children.
- All flexes, cables and cords were out of reach of children and/or secured.
- Storage areas were secure and thereby inaccessible to prevent preschool

children having access to chemicals or cleaning agents.

- There was a fridge for the storage of perishable items from children's lunch boxes for their snack and mealtime.
- The proposed person in charge had an electronic attendance record on a childcare application. This was used for the daily recording of the children's attendance.

**INFECTION CONTROL:**

- There was a cleaning schedule available and a sample cleaning record for the playrooms, sanitary area, kitchen and outdoor play area.
- Hand washing facilities were provided with a supply of warm water, liquid hand soap and disposable paper hand towels.
- Thermostatically controlled warm water was available for use by the children to facilitate hygienic hand washing with a temperature reading of less than 43°C.
- Foot pedal operated lidded bins were available in the playrooms and sanitary area.

**SAFE SLEEP:**

- There was child size soft seating where children could rest or relax if they so choose in each of the two playrooms.
- The service had eight stackable beds to provide sleep provision for the children participating in the part time and full day care session. It is proposed that Playroom 2 (Dolphin's playroom) will be converted for sleep provision after lunch each day.

**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 is available to the children attending the pre-school service at all times*

<b>Requirement met:</b>	<p>The requirement has been met</p> <p>(1)A record of first aid responder (FAR) training was available for the registered provider and proposed person in charge.</p> <p>(2)(a)(b) A suitably equipped first aid box was readily available and was stored in an easily accessible position in the premises. All content items were in date.</p>
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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.*

<b>Requirement met:</b>	<p>The requirement has been met.</p> <p>(1) (a) There was a fire drill record available and proposed plans for monthly fire drills.</p> <p>(b) Records were available in relation to the number, type and maintenance of firefighting equipment with the annual certificate dated 2/10/2024.</p> <p>- The smoke and fire detection alarms on the premises had the last annual service date of 10/1/2025.</p> <p>(4) Notices were displayed within the service of the procedures to be followed in the event of fire in the premises. There was a clearly identifiable fire assembly point at the front of the building.</p>
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## Inspection Due to a Proposed Change of Circumstances

### Part VI – Safety

#### Regulation 28 – Insurance

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

##### Requirement met:

The requirement has been met.  
The service had an insurance quotation for a full day care service with a maximum of 40 preschool children with an expiry date of 27/03/2026. The Registered Provider must ensure that adequate insurance is in place prior to the commencement of the change. The change approval is contingent on the registered providers compliance with Regulation 28.

### Part VII – Premises and Space Requirements

#### Regulation 29 – Premises

*A registered provider shall ensure that the premises of the service are—*

- (a) of sound and stable structure,*
- (b) safe and secure,*
- (c) kept adequately lit, heated and ventilated,*
- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

##### Requirement met:

The requirement has been met

- (a)
  - From a visual inspection the premises was of sound and stable structure.
- (b)
  - The indoor and outdoor play areas were safe and secure. There was a secure system at the main entrance door into the preschool with a secure gate at the entrance to the outdoor play area.
- (c)
  - Adequate ceiling lights and natural light is available throughout the service.
  - There were two full-size double glass doors with direct access to the outdoor play area in each playroom.
  - The playroom was well ventilated by means of mechanical ventilation and openable doors.
  - The heating was thermostatically controlled by storage heaters, to ensure the playroom stayed within the recommended temperature of between 18°C and 22°C.
  - Electronic blinds were installed in both playrooms to control the light.
- (d)
  - The proposed play materials and work equipment were clean and in good repair.
- Cleaning equipment was safely stored in secure cupboards and inaccessible

	<p>to the pre-school children. There were proposed cleaning schedules presented for the full day care service.</p> <ul style="list-style-type: none"> <li>• Adequate and suitable sanitary facilities were provided.</li> <li>• The pre-school service had a total of three designated children’s toilets and three designated children’s wash hand basins.</li> <li>• Additionally, there was one designated disabled access toilet with a wash hand basin.</li> <li>• The service had a nappy changing unit if and when required with a designated wash hand basin.</li> <li>• Liquid soap dispensers and paper hand towels were within easy access to a pre-school child.</li> <li>• Foot pedal operated lidded bins were provided in the sanitary areas.</li> </ul>
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Part VII – Premises and Space Requirements

Regulation 30 – Minimum Space Requirement

- (1) *Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.*
- (2) *A registered provider of a full day care service or a part-time day care service shall ensure that the minimum amount of clear floor space specified in column (3) of Schedule 7 opposite a particular reference number specified in column (1) of that Schedule in respect of the age range of children specified in column (2) thereof at that reference number is available for each child in that age range attending the service.*
- (3) *A registered provider of a sessional pre-school service or a pre-school service in a drop-in centre shall ensure that a minimum of 1.818 square metres of clear floor space is available for each child attending the service.*
- (4) *Where a registered provider contemporaneously provides—*
- (a) *a sessional pre-school service, and*
  - (b) *a full day care service or a part-time day care service, or both, the minimum clear floor space applicable for the duration of the sessional preschool service in respect of the children attending that service shall be the floor space specified in paragraph (3).*
- (5) *A registered provider of a temporary pre-school service shall ensure that a minimum of 2 square metres of clear floor space is available for each child attending the service.*

Requirement met:	<p>The requirement has been met</p> <p>(1) Adequate floor space was provided in the playrooms for the free movement of children to work and play.</p>
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- (2) The registered provider will ensure that the minimum clear floor space is adhered to for pre-school children attending the part time service in respect of the age range of the children attending.
- Age 2-3 years- 2.35 square meter per child.  
Age 3-6 years- 2.35 square meter per child.
- (3) The registered provider will ensure a minimum of 1.818 square metres of clear floor space will be available for each child attending the sessional service to a maximum of 40 children between the 2 playrooms.
- (4)(a)(b) The measurement of
- Starfish playroom (Playroom 1) is 54.37 square meters
  - Dolphin playroom (Playroom 2) is 36.04 square meters thus, ensuring:
    - A minimum of 1.818 square metres of clear floor space will be available for each child proposing to attend the sessional service to a maximum of 40 children.
    - A minimum of 2.3 square metres of clear floor space will be available for children aged 3 to 6 years, proposing to attend the part time service to a maximum of 33 children.
- (5) Not applicable, as this preschool proposes to operate a full day care service.