

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2015GY165

Name of Service: Muddy Puddles Preschool

Address of Service: Lackagh Heritage Centre, Lackagh, Turloughmore, Athenry, Co. Galway

Eircode: H65 H578

Name of Registered Provider: Blaithin McDermott

Service type: Sessional

Date of Inspection: 07/02/2025

No of pre-school children:	AM	30	PM	No.
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Address of the Early Years Inspectorate: Clinical and Administration Building, Block A (First Floor Green Corridor), Merlin Park University Hospital, Galway. H91 ER2D

Inspection undertaken by: E. Friel

Title: Early Years Inspector

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 Click or tap here to enter text.

Description of service

Muddy Puddles Preschool is a private service which provides early years care and education on a sessional basis. It has operated from its current location since 2018 and is registered for children aged from 2-6 years of age, children currently attending are aged from 2 years 6 months to 6 years of age. The Early Childhood Care and Education (ECCE) Scheme is facilitated between the hours of 8:50 until 12:20, Monday to Friday for 38 weeks of the year.

Staffing

There are six adults employed to work directly with the children in the service, including two adults employed under the Access and Inclusion model and the registered provider. In addition, a relief staff member is available in the event of staff absence.

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 inspector wishes to acknowledge the cooperation of the registered provider, deputy, 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.*

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

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

Compliance Information

- (1)
- (a) The register provider was the designated person in charge and a named person was available to deputise, as required.
- (b) Both the registered provider and the deputy were observed working in the service while the pre-school children were present.
- (2) Recruitment files of all seven adults were reviewed:
- (a) Eleven of the fourteen validated references were from past employers.
- (b) Three of the fourteen validated references were from sources other than a past employer.
- (c) Garda vetting disclosures were available for all seven adults. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (3) Staff recruitment files indicated that the procedures specified in paragraph (2) were carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.
- (4) Staff files viewed on the day indicated that the six staff members in the service had obtained a major award in Early Childhood Care and Education at Level 5 or above, on the National Framework of Qualifications. In addition, one staff member held a letter of qualification recognition from the Department of Children, Equality, Disability, Integration and Youth.

Non-Compliance Information

- (d) An international police vetting disclosure was not available for one staff member who had lived outside of Ireland as an adult for more than six consecutive months.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(d) International police vetting was resubmitted due to a technical error. The staff member will not work with the children until the international vetting has been received. In future, all vetting will be in place before employees commence employment or are allowed contact with the children attending the service.

Supporting documentation submitted

(d) Receipt of application for international vetting was received in the office of the inspectorate. The statement from the registered provider has been accepted.

Summary Comment

The actions taken by the registered provider have adequately addressed the non-compliance identified under Regulation 9 (2) (d).

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.

(3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 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) therefore at that reference number is satisfied.

Compliance Information

(1) The registered provider ensured that on the day of the inspection there were an adequate number of staff working directly with the children in the service.

(3) The minimum ratio of adults to children was met;

Room 1: There were 15 children, aged 3-4 years, in attendance with 2 adults and one AIM support person.

Room 2: There were 15 children, aged 2 years 6 months – 5 years, in attendance with 2 adults.

Part IV – Information and Records

Regulation 15 – Record of pre-school child

(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:

- (a) the name and date of birth of the child;*
- (b) the date on which the child first attended the service;*
- (c) the date on which the child ceased to attend the service;*
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
- (e) authorisation for the collection of the child;*
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
- (g) the name and telephone number of the child’s registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.*

(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-
(c) an authorised person.

Compliance Information

(1) A sample of 12 pre-school records for children from both care rooms were reviewed. The following particulars were found to be compliant; (1) (a) to (i) above.

(3)

(c) The children’s pre-school records were reviewed by the inspector on the premises on the morning of inspection.

Part IV – Information and Records

Regulation 16 – Record in relation to pre-school service

(1) A registered provider shall ensure that a record in writing is kept of the following information in relation to the service:

- (a) the name, position, qualifications and experience of the person in charge and of every other employee,*
- (i) details of staff rosters on a daily basis.*

Compliance Information

- (1)
- (a) The name, position, qualifications and experience of the person in charge, named person and of every other employee and student were available in the staff recruitment files viewed on the day.
 - (i) Details of the staff on duty, including the start and finish times of each person in attendance, were available for review.

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:

- Mid-morning snack was served at 10:45, and lunch served to children who were staying on after 11:50, were observed to be healthy and nutritious in line with the service's healthy eating policy. Examples of food prepared by parents/guardians included filled sandwiches, pasta, cheese, yogurt and bite sized pieces of fruit and vegetables.
- Individual water bottles, cups, and jugs of water were accessible at all times. In addition, children ate their food on plates and cutlery was available, if required.
- Children had the opportunity to rest/relax, away from noisy activities, in cosy rest areas with soft seating in the form of child size couches and chairs with multiple cushions and soft toys. A variety of age and stage appropriate books were available from nearby shelving. Children and adults were observed in these areas throughout the morning.

- The sanitary areas, located just off each care room, were easily accessible. Children were observed accessing these areas throughout the morning and adults were nearby to provide assistance. One adult in Room 1 was heard singing the handwashing song, encouraging a child to hygienically wash their hands.
- Self-help skills were encouraged by the adults who praised each child's efforts. Examples included children hanging up their coats on arrival, bringing their snack to be stored in the fridge and zipping up their coats for outdoor play.

Supporting children's relationships:

- Interactions between the staff and the children were warm and caring. Staff were observed getting down to the children's level, listening to their questions and comments, and responding appropriately.
- Staff stated they held planning meetings with management weekly which included topics such as planning and observations linked to Aistear and Siolta and activities based on the children's emerging interests.
- Various methods of communication were observed in use with parents/guardians on the day. Examples included the staff chatting to the parents/guardians at drop off and collection times and messages which had been sent were furnished to the inspector. These included details of when the power would be restored during the recent storm and photographs of activities which had recently taken place with the children.
- Staff were observed employing strategies to ensure the needs of all children were being met throughout the morning. Examples included a staff member in Room 1 observed using sensory equipment ensuring that the child's individual needs were being met during the session.

Physical and material environment:

- The care rooms were observed to be laid out in clearly defined areas with resources which enhanced the learning needs of children across all developmental areas.
- Children were observed, throughout the morning, accessing equipment and toys which were laid out in baskets on low-level shelving which encouraged choice and promoted 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, curriculum projects including goldilocks and the three bears and the three little pigs, photographs of the children with their families, the children involved in activities and of the places of importance in the children's local community.
- The outdoor play area, directly accessible from both care rooms, offered an alternative change of environment for the children. A range of developmentally appropriate equipment was provided in the

fully enclosed area which provided opportunities for the children to practice their gross motor skills of climbing, sliding and running. In addition, the children had access to equipment which had elements of risky play, examples included a balance walkway. The children were observed role playing and using their imagination in the wooden pallet tunnel and various wooden constructions in the area.

Programme of activities:

- Ongoing observations, linked to Aistear and Siolta, were documented for each child which helped create a complete, well-rounded picture of each child's progress and development. These observations informed the planning for the curriculum. The curriculum was observed to be flexible in accordance with the emerging interests of the children, their needs, and preferences.
- Children's language development was supported through one to one and group discussions which were observed during the inspection.
- Activities were mainly child led, and children had the opportunity to express their views, take the lead and exercise choice in relation to their engagement in activities and in accessing play equipment throughout the session in each care room. Examples included a child observed being assigned the task of role calling each child from photographs on the wall in Room 2 and counting each child individually at the end. A rota of children's names was visible on the wall, and staff confirmed that each child was offered the opportunity to take part.

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 registered provider and staff were present at the service entrance doors welcoming the children on arrival. These safety measures ensured that no unauthorised adult could enter the care rooms and that no children could leave unsupervised.

- Handrails were provided at the main entrance and exit doors to the outdoor play areas to assist and support the children going up and down the ramps safely.
- All window handles were inaccessible by the children preventing them from exiting or falling.
- All indoor toys and play equipment appeared to be well maintained and in good working order.
- Cleaning agents were observed to be stored on a high shelf in the sanitary area of Room 1, out of reach of the children.
- Storage units were secured preventing them from tipping or falling onto the children.
- Flexes from the fridges, a printer and phone were stored out of reach of the children.
- The perimeter of the outdoor play area and the high gate were secured with metal fencing.

Infection control:

- Hand basins in use in the care rooms and sanitary areas, by the adults and children, were fitted with thermostatically controlled hot water, between 35.5°C and 39.3°C, dispensing foam soap and dispensing paper towels. Pedal operated bins were available for the disposal of paper waste.
- Child friendly posters of handwashing and toileting were displayed in the children's sanitary areas which demonstrated the steps for hygienic hand washing and toileting.
- Children's belongings were stored in each care room on individually named hooks, away from the floor area.
- Perishable foods were observed to be stored in the care room fridges, ensuring that the food did not spoil.
- Windows in the care rooms were open providing fresh air.

Administration of medication:

- Temperature reducing medication, stored in its original container, was stored in a high cupboard in Room 1, which was inaccessible by the children.

Safe Sleep:

- No children were observed resting in either care room on the day of inspection.

Fire Safety:

- Fire extinguishers were observed to be anchored by brackets onto the walls.
- The fire assembly area was located a safe distance from the service.

Non-Compliance Information

General safety:

1. A broken toy box with sharp edges, where the door had broken off, was accessible to children playing in the outdoor play area.
2. Paint peeling, in several places, on a piece of outdoor equipment which had exposed jagged edges posed a potential risk of injury to a child who could be sitting on or handling the equipment.

Fire safety:

3. A door in Room 2, in use as a fire exit door, was locked with a key posing a risk that in the event of a fire it may impede the exit route for the adults and children.

Action submitted by the Registered Provider

Corrective & preventive action

General Safety:

1. The broken toy box was removed from the area. The area will be checked daily to ensure that there are no safety hazards present.
2. The metal digger in the outdoor play area was sanded and painted to ensure it was safe for the children to play on. Outdoor equipment will be checked daily for sharp edges.

Fire Safety:

3. The fire doors have been fitted with thumb twist cylinders and contact alarms ensuring the safety of the children and staff in the care rooms.

Supporting documentation submitted

General Safety:

Photographic evidence was received in the office of the inspectorate to evidence the following:

1. Removal of the broken toy box.
2. Metal digger was sanded and repainted.

Fire Safety:

3. Thumb twist cylinders and contact alarms fitted to the fire doors in both care rooms.

Summary Comment

The actions taken by the registered provider have adequately 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) Certificates were on file to evidence that two staff members were trained as First Aid Responders (FAR); both of whom were available while the pre-school children were on the premises.

(2)

(a) The well stocked first aid box was stored within easy reach of the adults in the care room on a shelf above the cupboard.

(b) The first aid box was available at all times while the early years children were present in the 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.

Compliance Information

(1)

(a) Written records of the fire drills that took place in the service were furnished to the inspector. The last date recorded was noted as 14 January 2025 with the previous monthly drill recorded on 13 December 2024.

(b) Written records were available of the servicing of the firefighting equipment and the smoke alarms. Both certificates were dated 6 August 2024.

(2)

(c) The records referred to in paragraph (1) were available on the premises for review by the inspector.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The service was insured. Written records were furnished to the inspector which included the following details;

- The name, address and contact details of the insurance company
- The name and address of the service
- The number of children for whom the service is insured: 22 per care room
- The type of service: Sessional

Expiry date: 27 March 2025.