

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015GY166		
<b>Name of Service:</b>	Mulberry Childcare Limited		
<b>Address of Service:</b>	Bride Street, Loughrea, Co. Galway		
<b>Eircode:</b>	H62 C437		
<b>Name of Registered Provider:</b>	Derek Leahy		
<b>Service type:</b>	Full Day, Sessional		
<b>Date(s) of Inspection:</b>	28/04/2025		
<b>No of pre-school children:</b>	AM	84	PM 68
<b>Address of the Early Years Inspectorate:</b>	Early Year's Inspectorate TUSLA, Child and Family Agency 2 <sup>nd</sup> Floor, St Mary's HQ Castlebar Co Mayo		
<b>Inspection undertaken by:</b>	B Lavin and F Kelly		
<b>Title:</b>	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 service opened in August 2013. This service operates a full day care Early Years Service for children aged from 1 year to 12 years. This service is located in the town of Loughrea in county Galway. This service has six playrooms, a designated sleep room and a kitchen area. There is a large outdoor play area at the rear of the building. The service operates from 8 am to 6 pm, Monday to Friday for 52 weeks of the year. A service for school aged children is also provided.

### Staffing

There are 21 adults employed in the service which includes the manager and chef. It also included the registered provider who does not work in the service on a daily basis.

### 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 and health, welfare and development of child .

The inspection focused on an examination of compliance under the following regulations:

Regulation 9 – Management and recruitment

Regulation 11 - Staffing levels

Regulation 20 – Facilities for rest and Play

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 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, and*

*(2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-*

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,*
- (b) consideration of references from reputable sources in the case of a person who has no past employers,*
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and*
- (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.*

*(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 service manager 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 service manager was on the premises and facilitated the inspection.

Following a review of the service files and discussion with the person in charge, it was confirmed that there were 3 new members of staff employed in the service since the last inspection dated the 17/10/2024.

There were three Garda vetting disclosures updated since the last inspection, in compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew garda vetting for staff members every three years.

The three staff files were reviewed on the day of inspection.

(2)(a) There were six written and appropriately validated references available from their most recent employer for the adults working in the service.

(b) Not required as all the required references were obtained from recent employers.

(c) Garda Vetting disclosures were available for the staff working in the service. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting for staff members every three years.

(d) Police Vetting disclosure was available for the one adult working in the service as they had lived outside the jurisdiction for a period of over six months.

- (4) All adults working directly with children have obtained an award in Early Childhood Care and Education at Level 5 or equivalent on the National Qualifications Framework.

### 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) During the period of inspection there were adequate numbers of adults working with the pre-school children attending the service.
- On the day of the inspection, there were 84 pre-school children, attending the service in the morning and 68 children attending the service in the afternoon.
- (2) On the day of inspection, the following care rooms were in operation.
- Wobbler junior room there was 2 adults caring for 6 children aged 1-2 years.
  - Wobbler room there were 3 adults caring for 15 children aged between 1 year and 2 years of age.
  - The Lodge playroom there were 4 adults caring for 15 children aged between 2 years of age and 3 years of age.
  - The Nest playroom there was 2 adults caring for 8 children aged 3 - 5 years of age.
  - The Cabin 1 playroom there were 3 adults and caring for 20 children aged 3 - 5 years of age.
  - The Cabin 2 playroom there were 4 adults caring for 20 children aged 3 - 5 years of age.

### 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 19 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.

(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.

#### Compliance Information

(1)(a)

The environment in the service playrooms provided a range of challenging, diverse and creative experiences for children in line with their stage of development. The atmosphere and the learning environment were encouraging and unhurried. The play materials and environment were changeable, flexible, and responsive to the emerging needs, preferences, and interests of the children.

The indoor playrooms were designed and arranged to:

- maintain a space that was clean, organised, and free of clutter,
- accommodate children individually, and in small groups,
- divide the space into areas that were supplied with materials organised in a way to support children's play and learning,
- give all children access to the same facilities, activities and play opportunities, to promote their welfare and development.

#### The Playrooms

- The equipment and toys were stored on low-level shelving and were readily accessible to the pre-school children.

- The play equipment and materials were age and stage appropriate, they were designed to offer a child manipulative activity, to encourage hand eye co-ordination, to develop fine motor skills and logical thinking.
- In the pre-school rooms, materials and items of interest included art and craft materials such as paints, rolling pins, trays, bibs, brushes, paper and glitter, shapes, bits, and bobs. There were games, reels, buttons, threading materials, puzzles, jigsaws, insets, connectors, and links. There were little people, little bears, potato heads, dolls and action figures. There were drills, saws, and construction materials. There were transport vehicles, tracks, garages, musical instruments, and dress up clothing. There were vanity areas with hairdressing tools. There were kitchens with utensils and shops with real world items. There was a dolls house with wooden furniture.
- Displayed on the walls were posters, visual aids, photographs, artwork, and themes including the family tree, flags, posters on life cycles, our birthday wall, our classroom agreement, emotions and artwork completed by the children.

(b)

- A rest/quiet area was provided in each of the playrooms in the form of child size couches, cushions, and soft matting to facilitate a child to rest or opt out of an activity if he or she chose to. The sleep and rest facilities provided by the service were suitable for the age and development stage of the children attending the service. The Lodge preschool room was changed into a sleep room at 1pm to allow for children over the age of two years to have a nap. The children who did not require a nap joined the wobbler room. The lighting in the room was dimmed to aid sleep but remained at a sufficient lighting level to allow the staff member present with the children to carry out regular observations of the children. Individual bed linen was provided for each child, and this was stored in labelled storage boxes when not in use and laundered weekly. Individual stackable beds were available to the children.

(3)(a)

### Outdoor area

- The outdoor area was surrounded by fencing and gates. The area was covered with concrete, grass and bark.
- There were numerous outdoor interest areas and play equipment was varied providing children with a lot of choice and fun outdoor activities. There were picnic tables, sand trays, scooters, tricycles, a selection of tyres and cones, various playhouses for children's play and exploration.

On the day of inspection, the children spent a lot of time in the outdoor area. The children were observed engaging in a range of activities ranging from the following:

- Colouring and drawing and other tabletop activities.
  - Climbing frame, suitable for older children to climb using ladder and hand/foot grips.
  - Path area that the children could cycle or ride the large number of various types of ride-on toys on.
  - Swing areas, suitable for various ages and ability.
  - There was an enclosed fenced area, suitable for the younger (non-walkers) children so they could play safely together.
  - There was a newly constructed raised stage area that also incorporated a raised bedding section, for flower and vegetable growing.
  - Toy kitchen area with small tables and chairs.
- The staff members engaged with the children in a positive manner, supporting, assisting and letting the children play in the various sections, while being able to supervise by both sight and sound throughout.