

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015GY258
--------------------------	-------------

Name of Service:	The Den Creche Limited
-------------------------	------------------------

Address of Service:	Unit 21, Barna Village Centre, Barna, Co. Galway
----------------------------	--

Eircode:	H91 W621
-----------------	----------

Name of Registered Provider:	Tara Cunningham
-------------------------------------	-----------------

Service type:	Full Day, Part Time
----------------------	---------------------

Dates of Inspection:	04/02/2025
-----------------------------	------------

No of pre-school children:	AM	29	PM	26
-----------------------------------	----	----	----	----

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.
Inspection undertaken by:	F. Nic Dhonnacha & 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
---------------------------------	----------------

Description of service

This pre-school service is part of a commercial premises, in the village of Barna, Co. Galway. This privately operated service offers a full day care and part time care provision from 7.30hrs to 18.30hrs. The service is registered for pre-school children aged one to six years of age. The service is currently operating two playrooms namely the Wobbler/Toddler room and the Montessori room. The service has its own kitchen, where the children's snacks, dinners and meals are prepared, cooked, and stored on site. There is a designated sleep room adjacent to the Wobbler/Toddler room, with six cots for sleep provision for children under two years of age. Sleep mats and stackable beds are available for children over two years of age if required. To the side of the building, there are secure outdoor play areas for children's play, exploration, and activities. A child centred play-based pre-school curriculum focusing on emerging interests is provided.

Staffing

The registered provider is the designated person in charge. There is a named manager as deputy person available to be in charge when required. There are a total of 10 adults currently working in the premises which includes the registered provider who works directly with the children. Seven staff who hold a Quality and Qualifications Ireland (QQI) at a minimum of a Level 5, Early Childhood Care and Education are working in the service. In addition, there was a chef who works in the kitchen, a student over the age of 18 years on a childcare work placement and the manager who provided childcare relief and assisted with the administration of the inspection. The staff have documentary evidence of on-going training and education.

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, safety and premises and facilities. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under

Regulation 11: Staffing Levels

Regulation 19: Health, Welfare and Development of a Child

Regulation 25: First Aid

However, on inspection additional non-compliances which posed a risk were identified under

Regulation 9: Management and Recruitment

Regulation 23: Safeguarding Health, Safety and Welfare of Child

Regulation 26: Fire Safety Regulations

Regulation 29: Premises

These findings are outlined within the relevant regulations within this report.

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 Comments

On the 17/02/2025 a referral was made to an agency for quality development services.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, manager, 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 registered provider was the designated person in charge and there was a named manager person in charge who was able to deputise as required.
- (b) During the period of inspection, the service manager was on the premises. At approximately 11:40am the registered provider arrived at the service and facilitated the inspection.
- Following a review of the service files and discussion with the service manager it was confirmed that there were 10 staff members employed in the service. It was noted on the day that there was 1 student on a childcare placement on the day of inspection.

- (2)(a) Fifteen of the required 20 written and appropriately validated references were from staff's most recent employers.
- (b) One of the required 20 written and appropriately validated references were from a source other than the previous last employer.
- (c) Garda vetting disclosures had been obtained for 10 staff and the student. 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 the six adults working in the service that had lived outside the jurisdiction for a period of over six months.
- (4) Seven adults working directly with children had obtained an award in Early Childhood Care and Education from a level 5 to a level 8 on the National Qualifications Framework.

Non-Compliance Information

- (2)(a) There was only one appropriately validated reference available for one staff member working in the service and one student on work placement, when at least two references were required for each adult.
- (d) Police Vetting disclosures were required for the 3 adults working in the service that had lived outside the jurisdiction for a period of over 6 months while over the age of 18 years. It was noted that documents in relation to 2 staff members were on file in relation to Police vetting, but they required to be translated through a reputable source of translation by the service.
- (4) There was one adult working directly with children who was unable to provide evidence that they had obtained an award in Early Childhood Care and Education at least to level 5 on the National Qualifications Framework.

Corrective & Preventive Action submitted by the Registered Provider

On the 14/2/2025, 10/3/2025 and 10/04/2025 the registered provider advised of the following.

Corrective and Preventive Action

- (2)(a) A second reference was submitted for one student on work placement.
- (d) Translation of two police vetting's has been applied for by the preschool service.

An application has been made for police vetting for the third adult in the preschool.

(4) The qualification certificate for one adult has been submitted to the office of the early years inspectorate. This adult has ceased employment in the preschool service.

Supporting documentation submitted

(a) On the 14/02/25, the service manager submitted a 2nd validated reference for the student on work placement.

On the 10/3/2025, the service manager submitted a written validated reference for one adult.

(c) On the 10/3/2025, the service manager submitted a police vetting for one adult working in the service this police vetting was also translated into English.

On the 10/3/2025, the service manager submitted translated police vetting for one of two police vetting's that required translation.

(4) The qualification certificate for one adult was submitted to the office of the early years inspectorate.

Summary Comment

The actions taken by the registered provider address the non compliances identified.

Part III – Management and Staff

Regulation 11 - Staffing levels

(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

(2) At 10.00am, on the morning of the inspection, there were 29 children present.

- 10 children were aged between 1 to 2 years in the Wobbler/Toddler room.
- 19 children were aged between 3 to 6 years in the Junior/Senior Montessori room.

There were 5 staff directly caring for these children and a student over the age of 18 years on a work placement, who was supervised while interacting with the preschool children. Additionally, the registered provider on arrival assisted in the Wobbler/Toddler room and there was a chef preparing, cooking, serving and storing the meals and snacks onsite.

At 15.00pm, in the afternoon, of the inspection, there were 26 children present.

- 10 children were aged between 1 to 2 years in the Wobbler/Toddler room.
- 16 children were aged between 3 to 6 years in the Junior/Senior Montessori room.

There were six staff, directly caring for and supervising these children. This included the registered provider who was caring for the children in the Wobbler/Toddler room and the manager who was providing childcare relief in the Montessori room and assisting with the administration part of the inspection. In addition, there was a kitchen chef who prepared, cooked, served and stored the meals and snacks for the preschool children in the service.

(8)(a) The roster indicated there were two adults present when the pre-school was operating.

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

- Each child was given enough time to eat and enjoy their snacks and meal without being rushed. The atmosphere during mealtimes was relaxed, with pleasant social interaction among the children and staff.
- The crockery, cutlery and drinking utensils used were suitable for the children's ages and stage of development.
- The staff responded to children's individual personalities, sensitivities and needs in relation to nappy changing and toileting and toilet training.
- On the day of the inspection, all ten children in the Wobbler/Toddler room required nappy changing and were changed in a sensitive manner while having their dignity and privacy maintained.
- The older children had unrestricted access to the toilet and did not have to wait to use the toilet. Children were allowed to take their time during toileting. Supervision by the staff was provided as required.

Supporting Relationships

- The service supported the children in forming and sustaining positive relationships with staff. For example, by assigning a key person to each child and being actively involved in children's play, where appropriate (initiating games and joining in when invited to by children). Visual aids (picture and word reminders) and instructions were displayed and used with the children to support their learning.
- The atmosphere in the learning environment was encouraging and unhurried.
- The service provided parents and guardians with daily information, including activities involving their child, for example, verbal communication at drop off and collection times, via profile scrapbooks, phone calls and emails.
- On the day of inspection, the children were observed to free play, listening at story time, sitting and talking at circle time, at construction, connecting materials, at sensory play, at pretend kitchen and babies play time, and sorting and stacking materials. All children had the opportunity to play outdoors in the

outdoor areas. The children were observed climbing on the activity centre, drawing with chalk, playing with balls, playing with transport vehicles, running, chasing, and also looking at insects- talking and discussing what they found under a stone.

Non-Compliance Information

(1)(a)

1. The rest and relaxation areas required further development in both playrooms.
 - The Wobbler/Toddler room has some soft cushions and an adult size blue wipeable seat, this room occupied a maximum of 11 children age range 1- 2 years.
 - The Montessori room had a tree house with cushions and circular floor cushions were available. This room occupied a max of 22 children age range 3- 6 years.

Corrective & Preventive Action submitted by the Registered Provider

On the 14/02/2025 and the 10/04/2025 the registered provider advised of the following.

Corrective and Preventive Action

Additional seating, cushions and rugs have been ordered.

The two playrooms will have new rest and relaxation areas with new seatings, soft cushions and soft rugs for the children in the Wobbler/Toddler room and the Montessori rooms to rest and relax

Supporting documentation submitted

On the 14/02/2025 a purchase receipt was submitted for additional seating to develop the rest and relaxation areas in both playrooms.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 19 (1)(a) has been adequately addressed.

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 pre-school was secure to prevent unauthorised access by a person or the unsupervised exiting by a pre-school child.
- The external outdoor play areas were secured by fencing, walls and gates so that unauthorised persons could not access or enter the area or children could not exit unsupervised.
- The doors into the kitchen, office, and adult only sanitary room had a system of security.
- All cleaning agents and equipment were stored inaccessible and out of children's reach.
- All toys and play equipment were observed to be safe and in good condition.

Infection Control:

- There was one designated nappy changing area with a wash hand basin, steps up to the unit and a clean intact nappy changing mat. There was a foot pedalled nappy changing bin.
- The children's belongings for nappy changing were individually labelled.
- The children's barrier creams were clearly labelled and stored within their designated nappy changing area.
- Adequate supplies of disposable tissues were readily available in the playrooms.

Safe Sleep:

- There was a designated sleep room adjacent to the Wobbler/Toddler room which had six cots for sleep provision for children under two years of age. Additionally, there were sleep mats available for older children's sleep provision.
- Children were observed sleeping on demand following cues and signs of tiredness in the Wobbler/Toddler room.
- A thermometer was available in the sleep room and used as the method of recording the sleep room temperature.

Non-Compliance Information

General Safety

1. Garda vetting was available for ten 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'.

Corrective & Preventive Action submitted by the Registered Provider

On the 14/2/2025 the registered provider advised of the following.

Corrective and Preventive Action

A garda vetting renewal application was sent for one adult who works in the premises. A checklist will be maintained to ensure they keep up to date with expiry dates.

Supporting documentation submitted

An email with the Garda vetting application reference number and date of submission was submitted to the office of the early year's inspectorate.

Summary Comment

The actions and evidence submitted by the registered provider offered assurance that the process for point 1 of General Safety under Regulation 23 had commenced but had not yet been completed, therefore this point remains outstanding and will be reviewed on next inspection.

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) Two staff members had current training in First Aid Responder (FAR) delivered by a training provider approved by PHECC (The Pre-Hospital Emergency Care Council) and were available to the children on the premises.

(2)(a) There was a first aid box with content items within date, safely stored, easily accessible and stored in a conspicuous position in the service.

- (b) The service demonstrated that the first aid box was fully equipped and available to the children 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.
- (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 recorded fire drill was on the 30/01/2025.
- (b) Records were available in relation to the number, type, and maintenance of the smoke and fire detection alarm system for the premises had the last annual service dated 13/10/2024.
- (4) Notices were displayed within the service of the procedures to be followed in the event of fire on the premises.

Non-Compliance Information

- (b) Records were available in relation to the number, type, and maintenance of firefighting equipment with the last service dated 8/09/2023. This is outside the yearly service date recommended.

Corrective & Preventive Action submitted by the Registered Provider

On the 14/2/2025 and 10/4/2025 the registered provider advised of the following.

Corrective and Preventive Action

A competent person serviced the firefighting equipment and fire detection alarm system immediately following inspection on the 5/2/2025 and records were maintained.

Supporting documentation submitted

On the 14/2/2025 a copy of the maintenance certificate for both the firefighting equipment and the fire detection alarm system dated 5/02/2025 was submitted.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 26 (1) (b) has 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 service had adequate insurance available for catering for 40 pre-school children at any one time, with an expiry date of 27th of March 2025, was available. The insurance covered: -

- public liability,
- personal accident,
- against fire and theft,
- buildings,
- outings undertaken as part of the service provision.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-

- (c) kept adequately lit, heated and ventilated,*
- (d) cleaned, maintained and repaired, as required.*

Non-Compliance Information

- (c)
1. The room air in the Wobbler/Toddler room was stagnant and stale. It was acknowledged that the registered provider advised they had issues with a burst pipe and water leak damage in the building recently.
- (d)
2. The skirting boards in the Wobbler/Toddler room, corridor and adult sanitary area were absent and in need of replacement.
 3. In the Wobbler/Toddler room there was an area of the wall unpainted and in need of painting.

Corrective & Preventive Action submitted by the Registered Provider

On the 14/02/2025 and 10/04/2025 the registered provider advised of the following.

Corrective and Preventive Action

The builder has been in to review the premises. The leak is fixed but the builder will reassess in a few weeks. The skirting boards will be fitted over the Easter holidays and the area of the wall that was unpainted will be covered with timber. The entire creche has been re painted recently and new floors installed. The skirting boards will be completed over the holidays and at weekends when the children are not in the building.

Supporting documentation submitted

- (c)
1. On the 14/2/2025 a copy of the purchase receipt for a dehumidifier was submitted.
- (d)
2. On the 29/04/2025 a photograph of the area near the entrance of the Wobbler/Toddler room with the skirting boards completed was submitted to the office of the early year's inspectorate.
 3. On the 29/04/2024 the registered provider sent an email highlighting the work was completed to date

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 29 (c) and (d) have been addressed.