

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015GY259
--------------------------	-------------

Name of Service:	Mervue Community Creche
-------------------------	-------------------------

Address of Service:	Micheal Collins Road, Mervue, Co. Galway
----------------------------	--

Eircode:	H91 C2F3
-----------------	----------

Name of Registered Provider:	Lesley Bohan
-------------------------------------	--------------

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

Date of Inspection:	25/02/2025
----------------------------	------------

No of pre-school children:	AM	64	PM	46
-----------------------------------	----	----	----	----

Address of the Early Years Inspectorate:	Early Years Inspectorate, Quality and Regulation Directorate, Child and Family Agency, Clinical & Administration Building, Block A (1st Floor- Green Corridor), Merlin Park, Galway.
Inspection undertaken by:	F Kelly, & F. Nic Dhonnacha
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 purpose-built community childcare service was opened in 2008. The service is located in the east side of Galway city. It comprises of six playrooms and outdoor play areas to the side of the building. It offers a full day care, part-time and sessional childcare service programme from 8:00 am to 6:00 pm Monday to Friday. The service caters for children aged from birth to five years of age.

Staffing

The service manager is the person in charge and is on the premises on a daily basis. On the day of inspection, there were 14 childcare workers, a chef, the service manager and a student on work placement on the premises. The registered provider is the chairperson of the management committee for the service. The registered provider is not directly involved in the day-to-day operation of the service.

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.

The inspection focused on an examination of compliance under regulations 9, 11, 25 and 26; however, on inspection additional non-compliances which were identified under Regulation 19 and 23. 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.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the manager person in charge, deputy 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 manager was the designated person in charge and there was a person available to deputise as required.

- (b) Both the designated person in charge and the person who was assigned as deputy were available throughout the inspection.

Eighteen files were available for review, which included the registered provider, the manager, chef, 14 staff who work during the service's hours of operation and a student over the age of 18 years on a work placement. The findings included the following:

(2)(a) Thirty-one of the thirty-six references required were sourced from past employers and validated.

- (b) Where past employer references were not available, five references were obtained from a source other than a past employer and validated.

- (c) Garda Vetting disclosures were available and reviewed in respect of the registered provider and 17 employees.

- (d) International police vetting was required and available for 6 staff who had lived in another state for a period longer than 6 months over the age of 18 years.
- (4) Fifteen staff working directly with the children held Early Childhood Care and Education qualifications ranging from Level 5 to Level 9 on the National Framework of Qualifications.

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.*

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, there were 64 pre-school children, attending the service in the morning and 46 pre-school children attending the service in the afternoon.
- (2) At 10.40 am on the day of inspection, the following care rooms were in operation:
- Baby room, there were 2 adults caring for 6 babies.
 - Toddler room, there were 2 adults caring for 8 children.
 - 2 to 3 years old room, there were 3 adults caring for 10 children.
 - Sessional playroom, there were 3 adults caring for 14 children.
 - Junior ECCE playroom, there were 2 adults and a student on work placement caring for 11 children.
 - Senior ECCE playroom, there were 2 adults caring for 15 children.

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
- (b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.

Compliance Information

Basic Needs

- The older children went to the dining room for their meals and snacks throughout the day. The main meal served on the day of inspection consisted of beef curry and rice, and homemade banana bread and fruit for the afternoon snack. The babies were served their meals in their playroom.
- The older children were observed playing in the outdoor play area on numerous occasions throughout the inspection. Each group were allocated a specific time in the outdoor area each day. The younger children have their own dedicated space suitable for their age and stage of development.
- The junior ECCE group were observed returning to their playroom after outdoor play. The children were encouraged to take off their own coats and outdoor gear on their own and the staff offered help and assistance only when required.
- The younger children were accompanied to the toilet by a staff member and offered help and support when needed.
- Children's nappies were changed in a timely manner and when necessary.

Supporting relationships around the children

- The staff were observed engaging in a positive manner with the children throughout the inspection e.g. the children in the Toddler room were encouraged by the staff to role play with dolls and changing the doll's nappies. This activity was further enhanced when the staff members introduced wet wipes for the children to use. This activity encouraged the children to have a positive experience when their own nappies were changed.

- The staff encouraged the children to tidy away toys and puzzles before they take out or engage in a different activity. The children tidied away what they were playing with before they started playing with a new activity, the children did this without any prompt from the staff present.
- The children were aware of the routines in the playrooms. Pictures and photographs of the daily routines were on display, but this routine was easily adapted. Staff were heard giving the children a few minutes notice when it was tidy up time and time to move onto another activity.

Non-Compliance Information

Basic Needs

1. The staff in the Baby room did not promote an awareness of healthy habits in children, the babies and young children's hands were not washed or cleaned prior to their mealtime.
2. The staff in the Baby room were observed to use blue hand paper to clean and wipe the young children's noses, soft tissue paper was not used.
3. The children in the Toddler room did not have access to tables and chairs in their playroom, to sit and engage in activities.
4. The children had limited space to rest and relax in the Toddler room. The area in the corner of the room that was allocated for the children to sit on the floor had only a small number of cushions and a soft blanket. The children were observed using this limited space for a large portion of the time the inspector was in the room.
5. The privacy and dignity of the children using the children's sanitary area (five cubicles) were not respected as the doors of the cubicles could not be closed fully, as the staff identified there was a risk the children would not be able to open them.
6. There was no adult chair available to the staff in the Toddler room, for the purposes of comforting and nurturing the young children in their care.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated the following in the reply:

Corrective and Preventive Action

1. The importance of handwashing was discussed at a recent staff meeting and posters to reinforce this practice are on display in the playrooms.
2. Tissues are now used by staff and children; blue hand paper is no longer in use.
3. Age-appropriate tables and chairs are now in use in the Toddler room.
4. The soft seating area has been developed with the addition of soft matting and bean bags and will be further developed over time.

5. Work has commenced in changing the locking mechanism of the toilet doors and will be completed over the next few months.
6. A suitable chair is in place in the Toddler room.

Summary Comment

The actions taken by the registered provider addressed five of the six non-compliances identified. The findings documented at point 5 remains non-compliant as the registered provider did not provide adequate assurances that the non-compliance had been rectified .

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 was secured preventing unauthorised access and preventing a child leaving the service.
- Storage for cleaning materials and equipment was provided in a secure area in a cupboard out of reach of the children.

Safe Sleep:

- The sleep and rest facilities and equipment provided by the service were suitable for the ages, development stages and needs of the children using the service.

Fire Safety:

- The fire assembly point was clearly visible outside in front of the preschool service.
- Monthly fire drills were carried out and records maintained.

Non-Compliance Information

General Safety:

1. Garda vetting was available for 18 adults employed by the service. However, two vetting disclosures were not dated within the previous three years in adherence with the Early Years Inspectorate Regulatory Notice.

Infection Control:

The following points posed a risk of cross infection.

2. The nappy disposal bins, which were used in the Baby room and Toddler room sanitary areas were not adequate as they were not foot pedalled or airtight. There was a malodour from the designated nappy changing room adjacent to the Toddler room. There was no sealed, airtight foot pedalled nappy bin in the third nappy changing area for the safe disposal of used nappies.
3. The mechanical air vent in the nappy changing area did not appear to be working. The staff informed the inspectors that they were aware of issues with the mechanical ventilation. There was a malodour present in this nappy changing area.

Action submitted by the Registered Provider

The registered provider stated the following in their reply:

Corrective & Preventive Action

General Safety:

1. Garda Vetting disclosures are in place for the two adults that were not dated with the previous three years in adherence with the Early Years Inspectorate Regulatory Notice. Garda vetting renewal dates are recorded to ensure this non-compliance does not re-occur.

Infection Control:

2. Three new sealed foot pedalled air tight bins were purchased and are in place.
3. An air hygiene specialist inspected the mechanical air vents, and an action plan will be completed in due course to improve ventilation in the sanitary area.

Supporting documentation submitted

On the 08/04/2025, the registered provider, submitted copies of the two outstanding Garda vetting disclosures and a copy of the invoice from the air hygiene specialist to replace the mechanical air ventilation system. A photograph of the three new nappy disposal bins was also submitted.

Summary Comment

The actions taken by the registered provider addressed two of the three non-compliances identified. The findings documented at point 3 remains non-compliant as the registered provider did not provide adequate assurances that the non-compliance 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) Twelve staff had the relevant up to date FAR First Aid Responder course completed.
- (2)(a) Suitably equipped first aid boxes were stored in readily identifiable areas in each playroom and the corridor.
- (b) First aid boxes were available in each room and the office for use by the adults in the event of an emergency.

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.

Compliance Information

- (1)(a) Records were available to demonstrate that monthly fire drills were carried out in the service. The last recorded fire drill took place on the 5/02/2025.
- (b) The most recent smoke alarm system maintenance service took place on the 10/01/2025.
- (4) Fire action notices demonstrating the procedures to be followed in the event of a fire were displayed throughout the service.

Non-Compliance Information

- (1)(b) An annual up to date record of the number, type and maintenance for the firefighting equipment was unavailable on the day of inspection.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider stated the following in their reply:

Corrective and Preventive Action

An up-to-date record of the maintenance record for the firefighting equipment was obtained on the 04/03/2025 and is valid until the 03/04/2025. This certificate will be updated annually.

Supporting documentation submitted

On the 08/04/2025, a copy of the certificate for the inspection and maintenance of the fire fight equipment was submitted to the Early Years inspectorate.

Summary Comment

The actions and the evidence submitted were reviewed. The non compliances identified under Regulation 26 have been adequately addressed.