

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015KE128				
Name of Service:	Happy Days Community Childcare CLG				
Address of Service:	Woodstock St., Athy, Co. Kildare				
Eircode:	R14 KX67				
Name of Registered Provider:	John Delaney				
Service type:	Full Day				
Date(s) of Inspection:	11/02/2025				
No of pre-school children:	<table border="1"> <tr> <td>AM</td> <td>48</td> <td>PM</td> <td>39</td> </tr> </table>	AM	48	PM	39
AM	48	PM	39		
Address of the Early Years Inspectorate:	Suite 7, Vista Primary Care, Ballymore Eustace Road, Naas, Co Kildare				
Inspection undertaken by:	F Carty and F Maher				
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.
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Description of service

Happy Days Community Childcare is a community based not for profit service offering full day, part time and sessional care to children aged one year to six years between 8.00am and 6:00 pm Monday to Friday.

The service operates from a purposely adapted facility in Athy, Co Kildare. Children are allocated by age to one of five care rooms, the Bumblebee, Butterfly, Ladybirds, Sunshine and Bluebell Rooms, the Rainbow room is also in use for small group activities during the day. There is one sleep room, sanitary accommodation and an office. The service has an outdoor area which is divided into separate spaces pertaining to the different age groups of children.

Staffing

The service employs twenty-three staff members including a manager, cook and an assistant manager. There were an additional seven adults present on the day of inspection who were participating in a community employment or Tús scheme. There were also two students present carrying out work experience. There were nineteen adults working directly with the children on the day of inspection. The manager and assistant manager were available to assist in rooms when required. The cook, two maintenance workers and four adults who were cleaning were also present. The service manager arrived following the inspector's arrival to 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, information and records, 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 the following regulations:

Regulation 9 – Management and Recruitment

Regulation 11 – Staffing Levels

Regulation 16 – Information and Records

Regulation 19 – Health, Welfare and Development of the Child

Regulation 23 – Safety

Regulation 25 – First Aid

Regulation 26 – Fire Records

however, on inspection additional non-compliance which posed a risk was identified under Regulation 8 - Notification of change in circumstances and Regulation 29 – Premises.

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

A sampling process was used to assess compliance under regulation 15 and 16.

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 Information

A referral was sent to the Registration office with regards to the service operating outside its registration status.
See non-compliance under Regulation 8

Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, 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

(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

The files of all adults in the service were reviewed. In total 34 files were reviewed.

(2)(a)(b)

Eighteen written and validated references from a past employer or reputable source were available for nine adults.

(c) Garda vetting disclosures were available for all adults. 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) International Police vetting was available for three adults who had lived outside the State for a period exceeding 6 months.

(4) Qualifications for eighteen staff members demonstrated that the adults had a qualification at a minimum Level 5 on the National Framework of Qualification.

Non-Compliance Information

(2)

(a)(b)

Twenty references in respect of eleven adults were not available for inspection. A further twenty-six references for fifteen adults required verification.

(d) International Police vetting was not available for two adults. A further Police vetting for one adult was available, however the disclosure could not be determined as it was not translated into English.

(3)

The procedures outlined above under Regulation 9(2) had not been carried out prior to all adults commencing employment in the service as outlined regulation (2)(a)(b)(d).

(4)

A recognised qualification was not available for one adult who was working directly with the children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)

(a)(b)

Two adults have been assigned to collating this information before any staff member starts employment.

(d)

Both staff have applied for the International child protection certificate and are awaiting it to be sent to them. Evidence of the application has been submitted. We have received the other international vetting in English translation. We will have the international vetting done prior to the staff member starting in their role.

Supporting documentation submitted

(2)

(a)(b)

References for all adults were submitted to the inspector.

(d) Evidence of application for international Police vetting was sent. Translated vetting was also sent in.

(4)

Evidence of the staff's qualification was submitted.

Summary Comment

The corrective and preventive actions together with the supporting documents have been reviewed by the inspector and are deemed to meet the requirements of Regulation 9.

This will be reviewed on the next inspection.

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)
There were an adequate number of adults working directly with the preschool children. There were forty-eight children being supervised by nineteen adults on the day of inspection.

(2)
The minimum adult to child ratios was maintained on inspection.

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.*

Compliance Information

(1)(a)-(i)

Ten child records were assessed and contained the relevant written details outlined in (a)-(i) of the regulation.

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:

- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

Compliance Information

(1)

(h) Children's attendance was recorded in each care room.

(i) A roster was available in the service

(j) A sample size of ten administration of medication forms were reviewed and contained the necessary information to authorise and administer medication to a child should it be required.

(k) A sample size of ten accident and incident forms were reviewed; the necessary information and details were recorded and complete.

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-

(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

(1)(b) The service had a weekly meal plan which detailed a range of nutritious meals served to children at regular intervals throughout the day. The hot meal served to the children is provided by the service and prepared on site. Parents provide snacks for the children these were observed to contain a wide range of foods including fruit, sandwiches and yoghurt.

Children were encouraged to feed themselves and staff supported younger children who needed assistance with meals. Children's hands and faces were cleaned after meals as required. Drinking water was available in the care rooms at all times.

Children were encouraged and supported to be independent including using the toilet independently and cleaning up after their play. Children who wore nappies had these changed at scheduled times and in between when needed. Inspectors observed staff using these times as an opportunity for warm one to one interaction.

Staff demonstrated a robust knowledge of the individual needs of each child in their care and responded to children's cues promptly. Staff interacted warmly with the children throughout the inspection and were observed supporting children in their play. Staff were observed to use encouragement, gentle tones and praise when promoting positive behaviour in line with the service's behaviour management policy. Staff comforted children promptly when they became upset.

Children were observed moving freely, exploring their environment, playing and engaging in activities. The children's rooms were laid out with designated interest areas including home-corners, construction areas and cosy areas. Materials and equipment were appropriate for the developmental stages of the children and included stacking toys, small world play, cause and effect toys, puzzles, mark making materials and books. Children in the Butterfly room were given an opportunity to participate in small group activities with key staff members.

All children spent periods outdoors throughout the inspection. There was equipment available to support full-body-movement and imaginative play including a climbing frame and ride on toys.

Younger children were placed to sleep according to their individual routines and when they showed signs of tiredness. The sleep room was calm and conducive to sleep. Older children were given the opportunity to sleep within their care rooms after dinner time. Designated cosy areas were provided within the rooms where children could relax or take a break from activities.

Staff communicated with parents at drop off and collection times.

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

The inspectors found by observation of practice, review of documentation, discussion with staff and inspection of the premises that the registered provider had taken the following steps to safeguard children attending:

General Safety:

The toys and play equipment observed in use by the children on the day of inspection were safe and in good working order. Cleaning products were stored out of reach of children.

Infection Control:

A system was in place for effective sterilisation of mouthing toys and soothers which were appropriately stored until sterilised after use. Children were observed to carry out hand washing following outdoor play and before meals. Staff stated appropriate exclusion periods for adults and children with infectious illnesses were implemented in the service as per the policy.

Administration of Medication:

There was written evidence of prior parental consent for the administration of both temperature reducing and prescribed medications, and there were procedures in place to safely administer and document such medication if required, including in the case of an emergency. Staff adequately detailed the procedures for administering medication when required during discussions with the inspectors and had appropriate documentation available to record such administration if required. Individual care plans were in place for children requiring emergency medication.

Safe Sleep:

Sleep logs were maintained for children sleeping, cots were provided for all children under the age of 2 years to sleep in and children who were aged 2 years were facilitated to sleep on low level beds.

Fire Safety:

Fire drills are practiced regularly on a monthly basis.

Non-Compliance Information

General Safety:

1. The side entrance/exit gates to the service had high level latches which were accessible to unauthorised persons who could access the service. It is acknowledged that as soon as this was brought to the maintenance persons attention this was immediately lowered to make it safe.
2. A pedal operated bin in the Butterfly room was missing the rubber protective cover on the pedal, leaving a metal bar exposed which could cause injury to a preschool child.
3. Three children, two aged one year and one aged three years were observed to be walking around the Butterfly and the Bluebell rooms whilst drinking juice and milk from their bottles. This posed a potential risk of injury to the children should they trip and fall over the toys/equipment observed on the floor throughout the room.
4. The registered provider did not ensure compliance with the regulatory notice to renew Garda vetting every three years for four staff members.

Infection Control:

5. The nappy changing procedure was not followed as per the policy on the day of inspection. Staff were observed re-dressing the child with soiled gloves and handling the nappy changing bin following the change contrary to the service policy.
6. The two pedal bins in the nappy changing area were not working and staff and children were observed handling the bin.
7. A nappy changing mat was observed to be torn exposing internal foam. This poses a risk of cross contamination and cannot be cleaned effectively.
8. There was a potty stored on a windowsill in the Butterfly room, which posed a risk of cross contamination.

Fire Safety:

9. A designated fire exit was blocked with toys and locked in the Rainbow room which would prevent the safe exit of children in the event of a fire.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The gate was fixed on the day the inspectors were there.
2. New bin was purchased. Risk assessment includes checking that bin is checked in all the rooms daily.
3. Spoke to the room leaders of all the rooms immediately after the inspection and it was highlighted. Also to be discussed at next Team leader meeting on 20 March 2025. Team leaders to be managing it directly in the room and encouraging the children to sit down while eating and drinking.
4. With regard to the vetting being renewed we have set up a reminder alarm on the work phone to submit vetting 3 months before they are due to expire.

Infection Control:

5. Nappy changing policy was shared once again with the team, images were put up in the changing areas. Training session with a doll will be used as a demonstration of the nappy changing procedure will be recorded and used as part of induction procedure with new staff members, and also done at all staff training sessions to remind staff on the correct procedure.
6. The bins that are in the nappy changing area were working they have just come off the mechanism for operating the foot pedal. We are going to include on our risk assessment daily a bin check to make sure they are operating, and we have told staff to report to us if they are not operating properly.
7. The nappy changing mat was removed and put in the bin. We bought a new mat that was put in immediately after the inspection. We have put on our daily risk assessment that it has to be recorded if a mat is cracked and a new mat will be purchased immediately to replace.
8. The staff have said that the potty is not required anymore so I removed the potty from the bathroom. We will have a designated area for potty's if required going forward.

Fire Safety:

9. The immediate action was that the fire exit was opened on the day and unlocked. All toys were removed from the door. A manager's risk assessment in the morning and checking this door is unlocked and no toys at the door. All areas will be checked daily to make sure all fire exits are clear and opened and unlocked.

Supporting documentation submitted

General Safety:

1. N/A
2. Photo of new bin.
3. Photo of reminder message to staff.

4. One updated Garda vetting disclosure.

Infection Control:

- 5. Evidence of staff training and new signage submitted.
- 6. No evidence submitted.
- 7. Photo of new nappy changing mat submitted.
- 8. No evidence submitted.

Fire Safety:

- 9. A photo of the unblocked door was submitted for review.

Summary Comment

The corrective and preventive actions together with the evidence submitted was reviewed by the inspector and deemed to meet the requirements of 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)
A person with current first aid response (FAR) training was available to the children throughout the inspection.
- (2)
 - (a) The first aid box was suitably equipped and stored in a conspicuous position.
 - (b) The first aid box was always available for use.

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.

Compliance Information

(1)(a)

A written record was available of fire drills in the service, the last recorded fire drill took place 6 February 2025.

(b) A record was kept of the number, type and maintenance of the firefighting equipment and fire detection system in the premises and were last serviced in July 2024 and 13th December 2024 respectively.

(4) Notices of the procedures to be followed in the event of a fire were conspicuously displayed in the service

Part II - Registration and Register

Regulation 8 - Notification of change in circumstances

(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.

Non-Compliance Information

(1)

The registered provider failed to notify the Agency in writing of the change in person in charge contrary to their current approved registration.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Application was made immediately to the registration office to notify them of the change in person in charge.

Supporting documentation submitted

Email confirmation of change approved.

Summary Comment

The corrective and preventive actions together with the evidence submitted are deemed to meet the requirements of regulation 8.

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, and*

Non-Compliance Information

- (c)
- There was a noticeable malodour in the ladybird sanitary accommodation. Although there was mechanical ventilation present it did not appear to be in working order.
 - A strong malodour was present in one of the nappy changing areas. This area was contained in an internal area within the service with no means of ventilation.

- (d)
- The service was not cleaned or maintained and repaired as follows:
- The service required a deep clean. There was dust and debris observed on the skirting boards throughout the service. Cobwebs were observed in the Bluebell room.
 - Walls in a number of care rooms were heavily stained and marked and contained chips and holes and required painting.
 - An area of flooring at the entrance to the Rainbow room was missing and contained dirt and dust particles.
 - The impact absorbing surface in the outdoor area contained tears and rips which was a trip hazard risk.
 - The wooden caterpillar train in the outdoor area was observed to be in a state of disrepair. Wood and paint were chipping off and protective covers on the wheels were cracked and broken.
 - Two lights in the Bumblebees room and one light in Butterfly room did not contain bulbs affecting the lighting in the room.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (c)
- We have sent an email to an electrical company, and we are waiting on them to schedule in a visit. An update will be sent as soon as the vents are fixed. We will be risk assessing the rooms daily and any vent that is not working we will schedule for it to be repaired.

- No corrective or preventive actions submitted.

(d)

- The service manager met with the cleaning team and rescheduled their shift pattern to facilitate the deep cleans 5pm - 9pm is now the new schedule shift pattern of the cleaning staff which means there will be plenty of time to do all areas effectively when no children are not in the service.
- Walls in the care rooms have been scheduled in for cleaning and a fresh paint. This will take place over the next 4 weeks for each room, as each room is painted pictures will be submitted and sent to the inspector.
- A carpenter will replace the wood that is missing.
- We have ordered the surface material from amazon to fix the absorbing surface.
- The wooden caterpillar train is being removed. We will look at the surface once removed and decide on the best possible approach once it is completed.
- We have bought the bulbs to fit the lights, but we need an electrician to fit them as they are specialised bulbs.

Supporting documentation submitted

(c)

Correspondence to the electrical company requiring repairs to the vents were submitted. Evidence of a vent removed and cleaned sent to the inspector.

(d)

- Photo of new cleaning rota and cleaning schedules submitted.
- Photos of all rooms painted submitted to the inspector.
- Photo of the replaced flooring sent in.
- Email to company to repair the surface.
- Photo of train being removed.

Summary Comment

The corrective actions together with the supporting documents are deemed to meet the requirements of Regulation 29. This will be reviewed on the next inspection.