

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015LH083		
Name of Service:	Scallywags Crèche		
Address of Service:	Boicetown, Togher, Drogheda, Co. Louth		
Eircode:	A92 H5WA		
Name of Registered Provider:	Michael Lynch		
Service type:	Full Day, Part Time, Sessional		
Date of Inspection:	15/05/2025		
No of pre-school children:	AM	18	PM 15
Address of the Early Years Inspectorate:	Early Years Inspectorate Child Wellbeing Centre, Castleblayney Co. Monaghan		
Inspection undertaken by:	M. Flood & S. Skinnader		
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

Scallywags Crèche has been operating as a community-based childcare service since May 2004. The service provides sessional, part-time, and full day care and education to pre-school children aged 4 months to school-going age. The service operates from 08:00 -18:00 each weekday and caters for the care needs of a maximum of 78 pre-school children.

The service is conducted from a single-storey community centre located in a coastal setting in rural Co Louth. The service currently has three care rooms in operation namely: The Wobbler Room, The Toddler Room and The ECCE Room. A 4th room namely The Baby Room is currently used for sleep purposes only. Sanitary facilities, additional storage and a separate kitchen are also provided in the service. An enclosed outdoor play area is located to the side of the premises

Staffing

There were 10 staff employed in the premises and 1 student. Six staff were working directly with the children including the service supervisor and one staff member who provides relief in all the care rooms for break times. One student who was engaged on a community employment scheme was also present. Two staff including the registered provider were employed in administrative duties and an additional 2 staff members were employed to carry out catering and cleaning duties and maintenance.

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 inspectors wish to acknowledge the cooperation of the registered provider, service supervisor, 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
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.

(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) & (b) The service had a designated person in charge and a named person to deputise as required. The registered provider who is also the designated person in charge and the supervisor who is the deputy person were on the premises when the inspectors arrived.

(c) When questioned staff were familiar with the management structure within the service and the roles and responsibilities of the various staff members.

(2) Eleven staff files were presented for inspection and the following were reviewed:

(a) & (b)

- There were 2 written and validated references from a past employer or an alternative source, available for the registered provider, 4 staff members and the student.
- One staff member had 2 written references and 3 staff had 1 written reference.

(c) Documentary evidence of a processed Garda vetting disclosure was available for the registered provider and all other 10 staff members including the student. However, the registered provider 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. This is outlined under Regulation 23.

(d) Following a review of the staff files presented on the day of inspection, international police vetting was available for 4 staff members who required it.

(4) Documentary evidence was available to demonstrate that 5 of the 6 members of staff who work directly with pre-school children held at least the minimum required level 5 Childcare Qualification. One of the members of staff employed in an administrative capacity also had a minimum Level 5 Childcare Qualification.

Non-Compliance Information

The following documents were not available and were not in place prior to the staff member commencing in the service;

(2)(a)(b)

1. One staff member did not have 2 written and validated references available
2. Three staff did not have a 2nd written and validated reference available for inspection.

(d) One of the 4 staff members who had police vetting also required a second international police vetting. Sufficient documentary evidence of this was not available at inspection.

(3) All vetting procedures were not carried out prior to 5 staff commencing employment and having contact with the preschool children.

(4) From the documentary evidence reviewed there was insufficient documentary evidence to demonstrate that 1 member of staff, who was observed working directly with the pre-school children held at least the minimum required level 5 Childcare Qualification or a qualification deemed equivalent by the Minister. This is an outstanding non-compliance which was not adequately addressed since the last inspection on 01/02/2024.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Actions

All references and qualifications for the staff have been received.

Staff member who required a 2nd international police vetting is no longer working in the service

Going forward prior to a staff start date all the procedures will be carried out.

Please find attached paperwork regarding staff members qualification.

Supporting documentation submitted

Written and validated references

Evidence that the qualification for 1 staff member is equivalent to the minimum required level 5 childcare qualification.

Summary Comment

The registered provider submitted details of the corrective and preventative actions taken in the service to address the non-compliances together with some documentary evidence. Further information was requested to provide sufficient evidence that the minimum requirements had been met under Regulation 9 (2) (a)(b), (3),(4). (2)(d) A 2nd international police vetting has not been received; however the inspectorate has accepted the registered providers response that this staff member is no longer working in the service

Based on the information submitted the non-compliances identified under Regulation 9 have been addressed. Implementation and sustainment of the corrective and preventative actions detailed will be assessed at 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.

(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

(1) During the inspection there were an adequate number of adults working directly with the children attending the service.

(2) On the day of inspection when the inspectors arrived unannounced to the service at 11.10am there were three rooms in operation:

The Wobbler Room:

There were 4 preschool children aged 1 year present with 2 staff members.

The Toddler Room:

There were 8 preschool children aged 1 year 8 months to 3 years present with 2 staff members.

The ECCE Room: There were 6 preschool children aged 3 - 5 years attending this room with 2 staff members, one who was the service supervisor.

The adult:child ratios were correct.

One additional staff member was present in the service and was engaged in catering and cleaning duties and 1 staff member provided relief between the care rooms.

The registered provider was present intermittently on the premises and one additional adult who was engaged in administrative duties was present in the adjoining community employment scheme office.

(8)(a) Following a review of the available documentation e.g., staff rotas and children’s attendance records this information demonstrated that the registered provider ensured that there were at least 2 adults on the premises at all times.

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

There were 3 rooms in operation on the day of the inspection namely The Wobbler Room, The Toddler Room and the ECCE Room. The Baby Room is currently only used for sleep purposes.

(1)(a) The following examples demonstrate how the registered provider ensured that children's learning, development, and well-being was facilitated in the service:

BASIC NEEDS:

- The children's care needs were attended to on a regular basis for example, hands were washed before snack times and after outdoor play.
- The children who were toilet trained were encouraged to be independent with toileting. Discreet supervision was also provided by staff as required. Gentle handwashing reminders were given to the children after toileting.
- Nappy changing was observed to be carried out promptly, quiet and calm interactions were observed between the staff members and children during this time.
- All children had a change of environment into the outdoor area. All children who accessed the outdoor area were dressed appropriately to go outside and had suncream and sun hats on to protect them from the sun.
- Healthy eating was promoted in the service. Food and snacks were provided at regular intervals throughout the day. The dinner on the day of the inspection consisted of spaghetti bolognese. Young children were encouraged to feed themselves and assistance was also provided if required. In all rooms the dinners were of a suitable consistency for the age and development of the children. A variety of snacks were also provided, and these consisted of pancakes, yoghurts, and a variety of fresh fruit. Potable drinking water was provided in the service.

Supporting relationships

- A key person system was in place in the service with staff members allocated a group of children. The key person took the lead in supporting that group's transitions, recording their daily activities, maintaining relationships with their families, and documenting their learning and development.
- Partnership with parents in the service is currently supported through verbal communication at drop off and collection. The staff also report a communication group where they share information through a messaging service e.g. photographs, care needs, information about a child. The parents are also invited to attend the service for story telling time and a coffee morning.
- The parents have also been invited to attend an outing with their child which is part of a cross boarder funded "Shared learning" initiative which the service supervisor was successful in securing for the service. The children have had to date a number of outings with and to another childcare facility to partake in different activities.
- The Preschool Room had a notice board called "Aspire Project Events" with pictures and of the children from their twinned facility and some likes and dislikes of the individual children.
- A written daily record is provided for parents of children attending the Wobbler and Toddler Rooms. This record provides written information relating to the children's food and fluid intake, sleep times and nappy changes / toileting.
- The children actively sought out staff when they needed comforting, and the staff responded appropriately. The staff were observed to use gentle tones of voice and positive language when communicating with children e.g. "*..are you going to use your spoon... good girl..*"

Physical and Material Environment

- Adequate child sized furniture and equipment was in use throughout the service.
- A variety of age-appropriate materials and equipment were available in all care rooms that support many areas of development such as fine motor and gross motor skills, role play, speech and language and sensory development.
- Toys and equipment were positioned on open low-level shelving in both rooms which promoted independence and facilitated choice for the children.

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-

(b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

(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)(b)

- A suitable comfortable rest area was available in each of the care rooms, with soft mats and cushions provided, should a child need to rest or take a break from activities during the day.
- A separate sleep area was located in the Baby room which is currently used for sleep purposes only and contained 8 standard cots.
- Day beds suitable for children aged over 2 years were available and used for the children attending the Toddler room during sleep time.

(3) The children attending the service were provided with a change of environment to the outdoor area on a number of occasions during the inspection. The enclosed outdoor play area is located to the side of the premises. The area is fenced and gated and there are a variety of surfaces including, grass area, safety matting and paved paths. A variety of toys and equipment were available to support areas of development including ride on equipment, cars, scooters, a wooden and a plastic playhouse, a toy kitchen, rockers, a partially covered sand tray and a variety of picnic tables and seating

Non-Compliance Information

(1)(b) There were instances where sleep facilities were found to be inadequate as demonstrated by the following:

1. In the sleep room 2 cot mattresses did not have the required safety standards label available for inspection.
2. One child aged 1 year 8 months was observed sleeping on a day bed. This is not considered suitable for a child under 2 years to use for sleep.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1(b) In sleep room

- All our mattresses are of the same standards and quality, however this occasion, the label has fallen off. For future only mattress with label attached will be used (1b) and (2).
- One child who was sleeping on the day bed, as per requested by the parent. In future practice the child under 2yrs will be sleeping in the sleep room cot. Staff have been trained to do risk assessment and supervisor will ensure these procedures are adhered (1b) and (2). New risk assessment in place.

Supporting documentation submitted

Risk assessment documents

Summary Comment

The registered provider submitted details of the corrective and preventative actions taken in the service to address the non-compliances together with documentary evidence. Further information was requested and based on the information submitted the non-compliances identified under Regulation 20 have been addressed. Implementation and sustainment of the corrective and preventative actions detailed will require assessment at the next inspection.

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.

Non-Compliance Information

The Inspectorate is not assured that adequate steps have been taken to ensure the health, safety and welfare of the pre-school children attending the service based on the following observations made during the inspection:

General Safety:

- Garda vetting was available for staff members including the registered provider, childcare staff, ancillary staff, However, 3 of these vetting disclosures were not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

Infection Control:

2. One of the cot mattresses observed in use in the sleep room was in a defective condition and unsuitable for use. There were cracks and small holes exposing the foam underneath. This does not allow for effective cleaning. When questioned the staff confirmed that no risk assessments had not been carried out on the cots and mattresses in use.

Safe Sleep:

3. Staff signatures were not provided on the documented 10-minute physical sleep observations in accordance with best practice guidelines.

Corrective & Preventive Action submitted by the Registered Provider

Corrective & Preventive Action

1. Garda vetting : 3 vetting disclosure are now available. In future the registered provider will monitor and apply for garda vetting every 3 yrs
2. One of the cot mattresses who was showing slight defects was replaced from the stock. A risk Assessment sheet is in place which is done on a daily basis
3. Sleep chart has been updated. Sleep chart with initials highlighted (see attached Risk assessment in place to prevent reoccurrence. Sleep charts updated with initials

Supporting documentation submitted

Updated Garda Vetting disclosures
Risk assessment documents
Updated sleep log

Summary Comment

The registered provider submitted details of the corrective and preventative actions taken in the service to address the non-compliances together with documentary evidence. Based on the information submitted the non-compliances identified under Regulation 23 have been addressed.

Implementation and sustainment of the corrective and preventative actions detailed will require assessment at the 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) The registered provider ensured that there was a person trained as a First Aid Responder (FAR) at all times in the service. This was evidenced by the availability of up to date FAR certificates for 2 staff.
- (2)(a) and (b) There was an adequately stocked first aid box in the service available at all times which was stored in a conspicuous location.