

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015LH088
Name of Service:	St. Malachy's Pre-School
Address of Service:	Anne Street, Dundalk, Co. Louth
Eircode:	A91 N286
Name of Registered Provider:	Teresa McCarthy
Service type:	Sessional
Date of Inspection:	03/09/2025
No of pre-school children:	AM 10 PM -
Address of the Early Years Inspectorate:	No.18 The Grange Plantation Road Monaghan
Inspection undertaken by:	S. Skinnader
Title:	Early Years Inspector

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

St. Malachy's Preschool is a non-profit run service which is in operation since 1998. It provides a sessional service to children aged 3 years – 6 years. The service caters for a maximum of 40 children. The service partakes in the ECCE scheme and opens from 08.45am – 11.55am and 12.15 – 15.15pm Monday to Friday. This service is located in classroom in St. Malachy's Primary School in Dundalk town Co. Louth. There is 1 care room, sanitary accommodation and an outdoor play area to the front of the school.

Staffing

There are 2 staff members employed in the service who work directly with the preschool children.

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/ premises and facilities. 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 inspector wishes 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

(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.*

(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 named deputy person to deputise as required. Both were on the premises when the inspector arrived and were present throughout the inspection.

(c) A clear management structure was in place in the service.

Two staff files were reviewed on the day of inspection:

(2)(a) There were 2 written and validated references available for both members of staff.

(c) Garda vetting disclosures had been obtained for all 2 staff members; however the service had not adhered to the re-vetting timeframes as outlined in Regulation 23 below.

(d) Not applicable as from the documentation available for inspection international police vetting was not required as none of the staff members had lived outside the Irish jurisdiction as an adult for a period of 6 months or more.

(4) Both staff who worked directly with the preschool children had at least a minimum of a Level 5 childcare qualification.

Part III – Management and Staff

Regulation 11 - Staffing levels

(1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.

(3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) therefore at that reference number is satisfied.

Compliance Information

(1) On the day of inspection when the inspector arrived unannounced to the service there was 1 room in operation. During the inspection there was an adequate number of adults working directly with the preschool children attending the service.

(3) The adult: child ratio observed in the care room was correct, there were 2 adults caring for 10 preschool children aged 3-4 years of age.

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,

Compliance Information

There was 1 care room in operation on the day of the inspection.

(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:

- All children had access to a change of environment to the outdoor area. Children were dressed appropriately to go outside.
- Assistance was given to the children who required help with opening lunches and certain foods. The children's drinks cups were readily accessible to them in the care room and the children could go to their bags to take a drink whenever they required one.
- Independence with toileting was promoted and the children were brought immediately by a staff member to the toilet when they requested to go. Discreet supervision was also provided by staff. Gentle handwashing reminders were also given to the children and hands were washed after toileting.
- Tissues were available in the room and noses were observed to be cleaned when necessary.

Supporting Relationships

- The children were observed to be provided with sensitive care and nurturing interactions by the staff. Soft tones, positive and respectful language were observed in interactions between the staff and children in the room. For example, "...thank you so much", "*well done.... good boy.*" And "when ... is finished with it we will give you a go".
- Staff were observed to sit and engage with children during tabletop activities and provided care and supported a child who was having difficulty settling in on and off throughout the session.
- Transitions between activities were supported by ringing a bell to get the children's attention, the use of a timer and a pictorial chart of the daily activities so children could see what activity was next.

- Communication with parents was predominantly informal at drop off and collection times.

Physical and Material Environment

- The room was well resourced with a variety of interest areas. These supported many areas of development such as fine motor skills, role play and sensory development.
- Toys and equipment were positioned on open low-level shelving in the room which promoted independence and facilitated choice for the children enabling them to choose which items they wished to play with.
- The outdoor area was a section of the tarmacked school playground to the front of the building where the children were observed to play running games.

Part V - Care of Child in Pre-school Service

Regulation 22 – Food and drink

A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.

Compliance Information

Lunches were provided by the parents and removed from the children's bags and placed in the fridge. Drink bottles were stored in the children's bags and the children could access them as when they requested to do so. The children were given plates for their lunches and the lunches were observed to consist of fruit, custard, sandwiches, cheese, yogurts, waffles, and crackers. Additional jugs of water and cups were also available in the room. The staff placed any uneaten food back into the children's bags so that the parents could see what their child had eaten.

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:

- Sharp corners in the care room were protected.
- All radiator surfaces were cool to touch.
- Under sink cupboards were secured and inaccessible to the children.
- Cleaning sprays were stored to the back of the sink and worktop out of the reach of children.

- Blind cords were up high and restricted.
- The television was wall mounted.
- Staff completed a visual outdoor risk assessment prior to the children going outside.

Infection Control:

- There was thermostatically controlled hot water and liquid hand soap in the boy's sanitary accommodation to facilitate effective hand washing.
- Staff reported that toys were cleaned where possible with hot soapy water and steamed.

Non-Compliance Information

General Safety:

1. Garda vetting was reviewed for both staff members and both 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. There was no hot water in the girl's sanitary accommodation and this does not allow for effective hand washing.
3. Tabletop surfaces in the care room were not observed to be cleaned down after tabletop activities before lunch. This is an infection control risk.

Corrective & Preventive Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. Garda Vetting was immediately applied for staff after inspection.

We have added a section to our staff training policy in relation to applying for garda vetting. This is to ensure the re-vetting process is sought prior to the expiration of the current vetting.

Infection Control:

2. Staff have been shown how to check the water temperature in girls bathroom through the use of the thermostat. A checklist has been developed to ensure the water is checked in both girls and boys bathroom – checked before both sessions begin.
3. Staff will ensure cleaning schedule is adhered to so that tabletop surfaces are wiped down correctly for both sessions. A cleaning schedule and cleaning checklist are in place.

Supporting documentation submitted

General Safety:

Garda vetting disclosures x 2 and copy of staff training policy.

Infection Control:

Bathroom water checklist, cleaning schedule and cleaning schedule checklist/log.

Summary Comment

The Inspectorate have reviewed the registered provider's response and supporting documentation to the non-compliances identified in Regulation 23. The non-compliances have been addressed.

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 in First Aid Response (FAR) for children, on the premises at all times. One FAR certificate was reviewed.

(2)(a)(b) A first aid box was available to the preschool children.

Part VI - Safety

Regulation 28 - Insurance

A registered provider shall ensure that the pre-school service is adequately insured.

Compliance Information

The registered provider had adequate insurance cover for a maximum of 36 children expiring 30/11/25.