

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015LK018
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Name of Service:	Banogue Community Creche
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Address of Service:	Banogue Croom Co. Limerick
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Eircode:	V35PW27
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Name of Registered Provider:	Michael Curtin
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Service type:	Full Day, Part Time, Sessional
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Dates of Inspection:	27/01/2025 28/01/2025
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No of pre-school children: Day 1	AM	53	PM	52
No of pre-school children: Day 2		48		46

Address of the Early Years Inspectorate:	Tusla Early Years Inspectorate 2nd Floor Estuary House Henry Street Limerick
Inspection undertaken by :	J Ryan J Hayes 27/01/2025
Inspection undertaken by :	J Ryan 28/01/2025
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 community not for profit service was established in 2008. It operates a full day care service from 07:30 – 18:00 hours Monday – Friday from a purpose-built facility in a rural setting. Curriculums for each age group are play based. Children are accommodated in five different rooms according to their age group i.e., baby room, wobbler room, toddler room, junior pre-school room and senior pre-school room. The children have access to sanitary accommodation areas and two sleep rooms. Outdoor play facilities are available directly off each playroom. School aged children are accommodated in a separate building adjacent to the creche and also in the school premises directly across the road from the creche.

Staffing

There are twenty-two staff working directly with the children in the service which includes both managers. The registered provider does not work on site.

Two additional staff members work in the kitchen preparing snacks and meals and an additional staff member has an administrative role. All staff have childcare qualifications that range from QQI Level 5 - QQI Level 8 on the national qualification's framework document. Staff have engaged in on going professional development including first aid training.

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. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9,11,19,23,24,25,26,28 and 29.

A sampling process was used to assess compliance under regulation 19 as a result, the scope of the inspection included the baby room, wobbler room, toddler room and the junior preschool room.

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

28/01/2025:

An immediate action notice was issued on site in relation to non-availability of garda vetting for one staff member. Please refer to Regulation 9 in the body of the report.

30/01/2025:

Garda vetting documentation was submitted by the person in charge to the early years inspectorate for the staff member.

13/02/2025:

A referral was made to the local authority Chief Fire Officer with regard to fire safety concerns. Please refer to Regulation 23 under the heading Fire Safety in the body of the report.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the 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.

(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) There was a designated person in charge and a named person who was able to deputise as required.

(b) The designated person in charge or the deputy person in charge was available on the premises as outlined in the staff roster.

(c) There was a clear management structure in the service that identified the lines of authority, roles and responsibilities of each employee.

(2) Records for all twenty five staff documented on the staff roster were reviewed on the day of the inspection.

(a)(b) References from the person's past employers and in particular the most recent employer and sources other than past employers were available for twenty three of the twenty five staff. Of the available references forty two of the forty six had been validated by management.

(c) Vetting disclosures received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 were available in respect of twenty four of the twenty five staff. 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 was available for a staff member who had lived in another state for a period of longer than 6 consecutive months.

(4) All staff working directly with children had childcare qualifications.

Non-Compliance Information

The person in charge had not ensured that each employee working in the service was suitable and competent as the following documents were not available on file for some staff employed.

(2) (a)(b)

Two written and validated references each from the person's past employers and in particular the most recent employer were not available for two staff working in the service on the day of the inspection.

Four of the forty six references which were available had not been validated by management prior to commencing work in the service.

(c) A Vetting disclosure from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 was not available in respect of one staff member.

On the 28/01/2025 an immediate action notice was issued in relation to non-availability of Garda Vetting for one staff member.

It is acknowledged that on the 30/01/2025 the required Garda Vetting documentation was submitted by the person in charge to the early years inspectorate for the particular staff member.

(3) The vetting procedures for all staff were not carried out prior to staff being appointed, assigned or allowed access to or contact with children who attended the pre-school service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a)(b) Staff references have been verified and filed since the date of inspection.

(c) Garda vetting for the staff member has been approved and filed since date of inspection

(3) All staff files moving forward will be solely the managers priority and not any other member of staff.

Supporting documentation submitted

The garda vetting disclosure and references were submitted.

Summary Comment

The corrective and preventative actions submitted by the registered provider adequately addressed the non-compliances under regulation (9) (2)a, c and (3).

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.

Compliance Information

(2) At all times during the period of the inspection the person in charge ensured that an adequate number of staff were working directly with the children.

On 27/01/2025 there were 22 staff working across 5 rooms with 53 children present in the morning and 52 children present in the afternoon. The minimum ratio of staff to children was maintained and an adequate number of staff were working directly with the children in each room.

Baby Room – There was 1 child (0-1 years) and 1 staff present.
There was 1 child (1-2 years) and 1 staff present.

Wobbler Room - There were 7 children (1- 2 years) and 3 staff present.

Toddler Room - There were 15 children (2-3) and 3 staff present.

Junior Preschool Room - There were 16 children (3-4 years) and 5 staff present.

Senior Preschool Room - There were 13 children (4 years plus) and 4 staff present.

Additional staff were available to cover for staff breaks /office management.

On 28/01/2025 there were 22 staff working across 5 rooms with 48 children present in the morning and 46 children present in the afternoon. The minimum ratio of staff to children was maintained and an adequate number of staff were working directly with the children in each room.

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

(1)(a) BASIC NEEDS:

A healthy eating policy was available in the service. Each child had their own drinking bottle for water labelled and placed on a shelf accessible to the children. Chicken nuggets, pasta, vegetables, gravy and grated cheese were served for dinner, and children were offered second helpings.

Toilet training was based on the child's stage of development and their readiness to start training rather than their age. Children under 2 years of age slept in cots when staff observed the cues that they were becoming tired.

Children over 2 years of age slept on sleep beds in a room adjacent to the toddler room whilst the staff remained in the room to ensure the children's safety.

Staff were observed interacting well with the children, using soft tones of voice, using the child's name and getting down to their level and making eye contact. The key person system was evident in the service where lists demonstrated which staff member worked with a particular group of children. This supported children in forming and sustaining positive relationships with staff. Staff were observed to be actively involved in children's play in each of the rooms of the service where they initiated play and joined in the games when invited by the children. Children were observed to play outdoors in the afternoon and were appropriately clothed for the weather conditions at the time.

The younger children from the baby and toddler rooms were taken for walks in double buggies off the premises whilst maintaining the adult /child ratio. Staff in the baby and toddler rooms were observed to lift, cuddle and comfort children as required.

PHYSICAL AND MATERIAL ENVIRONMENT:

This full day care service comprised of 5 playrooms, two sleep rooms, an afterschool room, sanitary accommodation areas and separate outdoor play areas located directly off each playroom. Adequate and varied play equipment suited to the age and stage of development of the child was available in each room. Surplus play equipment was in storage and used on a rotational basis.

Children were observed playing in the secure outdoor play areas at the entrance to the service which was resourced with outdoor play equipment such as playhouses, picnic benches, ride on toys, mud kitchens, climbing frames and sand boxes. A large, canopied area allowed more outdoor play in adverse weather conditions. Rest areas were developed in each room which had two adult sized couches and children were observed to have some quiet time in these areas when they choose to. Adults comforted children when required in the rest areas.

Children have opportunities to move about freely and explore their environment, both indoors and outdoors. The service had safe and comfortable spaces for infants, toddlers, or children not walking, to lie, roll, creep, crawl, pull themselves up and learn to walk. Children had plenty of opportunities to move themselves, to practise and improve their emerging skills, such as co-ordination and balance.

Non-Compliance Information

PHYSICAL AND MATERIAL ENVIRONMENT:

1. There was no sand available to support sensorial play activities in the sand boxes in the outside play area for the children in the wobbler room.
2. The junior preschool room was set up as a single large group space with toys, play equipment and shelving units located along the walls. This playroom did not have child sized interest areas developed to support childrens learning and engagement with the toys and play equipment.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. Sand has been supplied in the wobbler room.
2. Clearly defined interest areas have been created in the junior preschool room

Supporting documentation submitted

Photographic evidence has been submitted.

Summary Comment

The corrective and preventative actions submitted by the registered provider adequately addressed the non-compliances under regulation (19)

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

General Safety:

1. During nappy changing in the area off the toddler room a staff member left the changing area to bring a soiled nappy to the bin in the hallway. The child was left unattended on the changing mat at this time and was at risk of falling off the changing unit.
2. Garda vetting was available for twenty four of the twenty five staff members on the staff roster, however for seven of the staff their vetting disclosures were not dated within the previous three years in adherence to the early years inspectorate regulatory notice 'EYI-RN12.3 Renewal of Garda Vetting'.
3. The gate adjacent to the prefabricated building was off its hinges and broken and posed a safety hazard to both staff and children.
4. In one sanitary area off the junior preschool room children's potties were stored on top of each other on a heater overhead the sink and posed a safety hazard.
5. In the second sanitary area off the junior preschool room children's nappies were stored on top of each other on a heater overhead the sink and posed a safety hazard.

Infection Control:

6. Childrens soothers were observed to be placed on window ledges and shelves and did not have individual containers whereby children could identify their own soother and also support the prevention of cross infection.
7. Infection prevention and control measures were not adequate in the nappy changing area in the sanitary accommodation (off the toddler room) as the waste disposal bin for the nappies and a storage unit for childrens nappies was stored in the hallway outside of the changing area. A staff member was also observed to retrieve a clean nappy from the storage unit in the hallway after removing a soiled nappy from a child.

8. Three barrier creams belonging to children stored on top of the nappy changing unit were not labelled with a child's name to ensure individual use. A staff member was observed to use creams from this area during nappy changing and it posed a risk of cross infection.
9. In the junior preschool room nappies were not disposed of in a foot-operated, lined, lidded bin that was leak proof, sealable and easy to clean. This was not in compliance with the regulatory notice 'EYI-RN12.1 Use of nappy disposal bins in Early Years Services'.
10. A child's hands were not washed following nappy changing and it was not documented in the policy and procedure for nappy changing which posed a risk of cross infection.
11. Cots in the baby sleep room did not have waterproof protectors on the mattresses to facilitate cleaning and support the prevention of cross infection when cots were shared.
12. There was insufficient space between cots in the baby sleep room where the required space of 50 cm was not available. The measurements recorded between cots was between 14cm and 30cm. The 50cm space between cots is required in order to prevent germs from spreading.
13. There was insufficient space between the eight sleep beds in the toddler sleep room where the required space of 50 cm was not available. The measurements recorded between sleep beds was between 10cm and 45cm. The 50cm space between sleep beds is required in order to prevent germs from spreading.
14. In the senior preschool room large boxes of toys and play equipment were stored in the sanitary accommodation and posed a potential risk of cross infection.
15. A worn and dirty toilet brush and holder was located on the floor in the sanitary accommodation in the senior preschool room and was accessible to children.
16. Doors leading in to the two toilets off the junior preschool room remained wedged open throughout the day and posed a risk of cross infection and spread of odours.

Safe Sleep:

17. The toddler sleep room was darkened and did not allow ambient light in the room to allow sleeping children to be safely observed and checked.

Fire Safety:

18. There were seven cots in the baby sleep room with insufficient space between each cot and one cot partially obstruct a fire exit door. This would pose a risk to the safety of both staff and children in the event of an evacuation of the premises.

19. Shelving storing childrens personal belongings in the hallways outside the toddler room and the baby room reduced the space available and posed a safety hazard in the event of a fire as it impeded safe evacuation.

Outing:

20. Staff took a group of six children in buggies for a walk on the road outside the premises however they omitted to take the first aid box with them which was at variance with the outings policy for the service. The outings policy stated that 'a first aid box will accompany the children on each outing'. This posed a risk to the children in the event of an emergency.

Action submitted by the Registered Provider

Corrective & Preventive Action

1. Bin has been moved in to the changing area of the toddler room.
2. All garda vetting is up to date.
3. Maintenance have been contacted to repair the gate.
4. All potties in the ECCE room have been moved to lower ground in the bathroom.
5. Nappies have been moved to a box inside the bathroom on the windowsill in the Ecce room.
6. Soothers have since been removed and returned to the parent as those children no longer needed them.
7. The bin has been moved to inside the changing area in the toddler bathroom.
8. Staff have been reminded of the policy around nappy changing.
9. All creams have been labelled and stored.
10. Staff have been sent and reminded of the nappy changing policy.
11. Cots have been moved to allow for 50cm space.
12. Sleep beds were re arranged to allow for a 50cm space.
14. Boxes have since been moved.
15. Brush has since been removed.
16. Doors have since remained closed.
17. One blackout blind has since been removed.
18. Maintenance work will be completed within the next 6-8 weeks.
19. New bins have been ordered and will be delivered this month. New waterproof mattresses have been ordered and will be delivered this month.
20. Staff have since been reminded of the policy regarding safe outings.

Supporting documentation submitted

Photographic evidence was submitted where required.

Summary Comment

The corrective and preventative actions submitted by the registered provider adequately addressed the non-compliances under regulation (23)

Part VI - Safety

Regulation 24 - Checking in and out and record of attendance

(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.

(3) A registered provider shall ensure that-

(a) no person other than-

(i) pre-school child attending the service,

(ii) a person dropping or collecting such a child,

(iii) an employee, or

(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and

(b) a daily record in writing is kept of the entry on the premises of any such person.

Compliance Information

(1) Each child who attended the service was checked in and out of the service by a staff member on a childcare app on arrival and on departure.

(3)(a) No persons other than the following could enter the service without being approved by a staff member.

(i) A pre-school child attending the service.

(ii) A person dropping or collecting such a child.

(iii) An employee.

(iv) An unpaid worker.

(b) A visitor book was maintained which recorded the name of every adult who entered the service, the time they spent in the service, the reason they entered, contact phone numbers and the person who allowed them to enter.

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) Thirteen staff members held current certification in first aid responder for children and a member of staff with first aid responder certification was at all times immediately available to the children attending the pre-school service.
- (2)(a) A first aid box was stored in the Managers office and in each playroom.
- (b)The first aid box was available on the premises at all times if required by a child.

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) The fire drills were practiced on a monthly basis. The last recorded fire drill took place in January 2025.
- (b)The firefighting equipment was serviced on an annual basis. The maintenance record demonstrated that the firefighting equipment were last service in November 2024. The smoke alarm system was serviced in January 2025.
- (4) A notice of the procedures to be followed in the event of a fire was displayed each playroom and the manager's office.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

Adequate insurance was available to cover the number of children who attended and had an expiry date of 27/03/2025.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-
(d) cleaned, maintained and repaired, as required, and
(e) equipped with adequate and suitable sanitary facilities.

Non- Compliance Information

(d) The premises was not cleaned and repaired as required and maintenance work was not completed in a timely manner.

Outdoors

1. The outside play area at the rear of the building contained large pools of stagnant water. The drainpipes from the roofed area drained onto the all-weather surface and allowed water to pool.
2. Toys and play equipment in this area were dirty and had black staining.
3. Broken toys and two plastic containers of stagnant water were evident in the area behind the prefabricated building.
4. A child sized picnic table in the outdoor area was worn and in a poor state of repair.
5. The perspex light covering on the roof of the sheltered space in the outdoor area at the entrance to the service was broken and posed a safety hazard to the children and staff.
6. The gutters on the roof at the rear of the main building were broken.

Indoors

7. There were no cleaning checklists displayed in any area throughout the building for staff and contract cleaners to sign when they had completed cleaning tasks. This was at variance with the cleaning policy for the service and the nappy change policy which stated that 'the nappy changing room is cleaned and checked at regular intervals throughout the day and this is documented on the cleaning chart

8. Rust was observed on the radiator in the sanitary accommodation adjacent to the toddler room.
9. The wall was not repaired and repainted in the sanitary accommodation off the toddler room where a towel dispenser had been removed.
10. The floors in the sanitary accommodation off the junior preschool room were dirty and stained.
11. The paint work on the skirting boards and windowsills was not maintained in the junior preschool room.
12. Paint work on the walls of the senior preschool room was not maintained.
13. Paint work on the door leading to the wobbler room was stained and worn.
14. Two florescent lights in the senior preschool room were not in working order.
15. The hallway leading to the senior preschool room in the prefabricated unit was cluttered with childrens coats and bags and posed a tripping hazard. It was acknowledged that this was addressed on day two of the inspection on 28/01/2025.

(e) Adequate sanitary facilities were not provided for adults working in the service as there were 24 staff present on 27/01/2025 however there was only one adult toilet in use. The second adult toilet was used for storage and could not be used by staff and the third adult toilet was for use by the kitchen staff. Three adult toilets are required for the number of adults present on the day of the inspection.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. The drainage issue will be dealt with before the new academic year 2025/2026.
- 2-3. All broken toys and toys with black staining have been dumped
4. New picnic table has been ordered and will be delivered this month.
- 5-6. The perspex roofing and gutters will be repaired before the new academic year 2025/2026.
7. Checklists have been given to each room to be checked by cleaning staff and also by childcare staff. Manager will sign off on this each week.
- 9-13. The painting in the building will be completed before the new academic year 2025/2026.
 14. Electrician will be coming in the next 6-8 weeks.
 15. Regular checks will be done on toys by staff. Regular maintenance checks will be done by the Manager.

(e)
The toilet in the back area of the creche is not for sole use of the kitchen staff. It is used by all staff as staff are able to access the toilet without entering the kitchen. The third toilet is used for storage until the new extension gets built this coming year.

Supporting documentation submitted

Not Applicable

Summary Comment

The registered provider has stated the non-compliances have been addressed and dates have been given for the completion of repair works. Evidence to support these actions has not been submitted and therefore remain outstanding. These actions will be reviewed at next inspection.