

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015LK031
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<b>Name of Service:</b>	Buttercup Childcare
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<b>Address of Service:</b>	Main Street, Ballylanders, Co. Limerick
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<b>Eircode:</b>	V35 Y6H6
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<b>Name of Registered Provider:</b>	Georgina O'Brien
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<b>Service type:</b>	Part Time
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<b>Date of Inspection:</b>	11/10/2024
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<b>No of pre-school children:</b>	AM	22	PM	10
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<b>Address of the Early Years Inspectorate:</b>	Tusla, Early Years Inspectorate, Estuary House, Henry St, Limerick
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<b>Inspection undertaken by:</b>	E Browne & S O'Brien
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<b>Title:</b>	Early Years Inspectors
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### 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).

<b>Conditions if applicable</b>	Not applicable
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### Description of service

Buttercup Childcare is a part time service located in the village of Ballylanders in Co. Limerick. The service was opened in 2014. It operates Monday to Friday from 09:00 to 13:00 pm for the preschool children.

It caters for a maximum of 44 preschool children and 24 school aged children. The service operates from a converted refurbished retail premises located on the main street of Ballylanders. The service has 2 playrooms and an additional playroom for the school aged children located upstairs. There are adult and children's sanitary facilities on the premises. There is a large outdoor area to the rear and back of the premises.

### Staffing

There are 6 staff and the registered provider working in the service. The staff and the registered provider hold a recognised qualification in Early Childhood Care and Education ranging from Level 5 to 8 on the National Qualifications Framework. On the day of the inspection there were 4 staff members and the registered provider working with the children in the preschool service.

### Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Child Care Act 1991 (Early Years Services) Regulations 2016 define the duty of a registered provider to ensure the safety and well-being of children and to comply with these regulations. This Act also gives Tusla the authority to assess compliance with the regulations. The purpose of regulation in relation to early years services is to ensure that the care, safety, and well-being of children attending such services is upheld. Inspections of early years services are planned based on the following:

- Previous inspection history
- Any information received in relation to the service

The findings on inspection are based on:

- Information obtained through examination of documentation
- Direct observation
- Discussion with relevant staff

This inspection was unannounced and focused on the area of governance, health, welfare and development of child and safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations 9, 11, 15, 19, and 24 :however, on inspection additional non-compliance which posed a risk was identified under Regulation 23. These findings are outlined within the relevant regulations within this report.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The content of the report are compiled by the inspectorate body.

### Acknowledgments

The inspectors wishes to acknowledge the cooperation of the registered provider, 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) There was a person in charge and a deputy person in charge and both were present on the day of inspection.
  - (b) The person in charge or deputy person in charge were on the premises at all times.
  - (c) There was a clear management structure in the service and staff were aware of their roles and responsibilities.
- (2) Seven staff were identified as working in the service and all seven staff files were assessed.
- (a) Fourteen references were required for the seven staff and all of these references were validated.
  - (b) The references for the seven staff were from past employers and other sources.
  - (c) Garda vetting disclosures were available for all seven staff. The service also demonstrated compliance with the Early Years Inspectorate Regulatory notice requiring services to renew Garda Vetting every three years.
  - (d) No person had lived in another state for longer than 6 consecutive months.
- (4) All adults working in the service held appropriate qualifications in Early Childhood Care and Education from Level 5 to Level 8 on the National Qualifications Framework

### 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) The registered provider ensured that there were adequate number of adults working directly with the children in both of the care rooms on the day of inspection. On the day there were 2 adults present with 13 preschool children in the Hive playroom and in the Old Barn playroom there were 2 adults present with 9 preschool children. In the afternoon there 2 adults present with 10 preschool children availing of part time care. The registered provider was available to assist if required.

(2) The adult child ratios were correct in the care rooms as observed during the 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) Written records for the children were available for review on the day and a sample of twelve records were assessed.

(a) All records assessed contained the names and dates of birth for the children.

(b) All records assessed contained the date on which each child first attended the service.

(c) All the records assessed had the capacity for the service to the date that each child ceased attending the service.

(d) All records assessed had a record of the names and contact numbers of parents and guardians if required.

(e) All records assessed had a record of those authorised to collect each child.

(f) All records assessed had a record of any illness, disability, or allergies each child may have.

(g) All records assessed had a record of the registered medical practitioner for each child.

(i) All records assessed had written parental consent for the service to provide emergency medical treatment if required in the event of a medical emergency.

### Non-Compliance Information

(h) On assessing the children's records ten of the twelve child's registration forms had no written records of the immunisation details received by a child.

### Corrective & Preventive Action submitted by the Registered Provider

**Corrective and Preventive Action:** The registered provider has stated in the response that:

(h)The families have been contacted requesting a copy of immunisation records to be submitted and these will be on file in the children records.

New procedure for 2025/26 registrations will be followed to ensure the full immunisation record will be file for all the registered preschool children.

### Supporting documentation submitted

Copy of email to parents and the updated records for 2025.

### Summary Comment

The evidence submitted was assessed and deemed to meet the regulatory requirements of regulation 15 (1)(h).

### 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

##### Basic Needs

- Food and drinks were provided by the parents and guardians of the children. Children were supported if they required help during snack time. Drinking water and fruit were available to the children outside of mealtimes.
- Staff were observed supporting children with toileting when required and supervised children when handwashing.

##### Supporting Relationships

- Each staff member was assigned to a care room. The service used a key worker system for building relationships with children. The children were observed asking for support from the staff as required.
- The children were observed chatting to each other and the staff during snack time which made snack time a comfortable place for children.
- The children were observed playing in the outdoor

##### Physical and Material Environment

- Each of the two care rooms had a variety of toys and resources available to the children. The resources were specific to encourage the development of each child.
- Tabletop activities of jigsaws, bricks, pegboards and crayons allowed the children to develop skills.
- Dress up clothes were available in both rooms for the children to partake in role play as well as dolls houses and play kitchens.
- All shelving was accessible to children and children were observed picking toys and books after snack time.
- The service had an outdoor area with different materials for the children to explore. Sand, water, swings, climbing frames, slides and roll on cars were available for the children to use in the outdoor area. The grass, gravel and bark mulch surfaces of the outdoor allowed the children to partake in different types of play.

### 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

##### Infection Control:

1. Water temperatures recorded in the hand basins of the sanitary areas of the Hive playroom was 16.9 to 21.6 °C on the day of inspection increasing a risk of ineffective handwashing and cross infection for children and staff.

#### Action submitted by the Registered Provider

##### Corrective & Preventive Action

**Infection Control:** The registered provider has stated in the response that:

1. New water heaters have been fitted in each ECCE room with a temperature-controlled mixer valve pre -set to below 43 °C . Daily temperature checks are taken every day of the current water temperature.

##### Supporting documentation submitted

##### Infection Control:

Invoice and copy of temperature checks.

#### Summary Comment

The evidence submitted was assessed and deemed to meet the regulatory requirement of Regulation 23 Infection control.

### 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) The registered provider ensured that all children were checked in and out of the service each day by an employee. The attendance records were recorded on an electronic device which accurately recorded the checking in and out of each child.

(3) The registered provider ensured that no person could enter the premises without approval by an employee by a secured gate and keypad at the entrance to the building.