

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015LS046		
Name of Service:	Happy Days Creche Durrow Limited		
Address of Service:	The Square, Durrow, Co. Laois		
Eircode:	R32 DX80		
Name of Registered Provider:	Evelyn Clancy		
Service type:	Full Day, Part Time, Sessional		
Date of Inspection:	01/09/2025		
No of pre-school children:	AM	28	PM 22
Address of the Early Years Inspectorate:	Early Years Inspectorate, Tusla, Child and Family Agency, Primary Care Centre, Church Avenue, Tullamore, Co. Offaly.		
Inspection undertaken by:	K. Murphy & C. O'Connor Hughes		
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

The service is registered as a full day care service. The age range of children that the service can accommodate is 0 to 6 years of age. The service is operated by an independent provider.

The Early Years' Service is located in an adapted two storey residential premises. Four pre-school rooms, one break out room, one sleep room and a kitchen are provided. An outdoor play area is attached to the rear of the service. The service is situated in the village of Durrow, County Laois.

Staffing

There are nine adults working in the service. The registered provider, the designated person in charge and seven childcare practitioners.

Six adults including the registered provider, the designated person in charge and four childcare practitioners were present on the day of inspection. The designated person in charge and the registered provider were present for the closing meeting.

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.

- Regulation 9 -Management and Recruitment (1)(a)(b) (2)(a)(b)(c)(d) (4)

- Regulation 11– Staffing Levels (1)(2) (8)(a)
- Regulation 16 Record of a pre-school service – (1)(a)(b)(c)(d)(e)(f)(h)(i)(j)(k)
- Regulation 19 Health, Welfare and Development of Child (1)(b)
- Regulation 20- Facilities for Rest and Play
- Regulation 23 - Safeguarding Health, Safety and Welfare of Child
- Regulation 24 – Checking in and Out and Record of Attendance
- Regulation 25 - First Aid
- Regulation 26 – Fire Safety Measures
- Regulation 28 – Insurance

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, 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*

(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)

The registered provider, person in charge and deputy person in charge were available in the service.

(b)

A person in charge was present for the duration of the inspection.

Nine files including the file of the registered provider were reviewed and the following was noted:

(2)(a)(b)

The required number of written validated references were available for eight staff from past employers and from a source other than a past employer.

Two written references were available from a source other than a past employer in respect of the registered provider.

(c)
A Garda Vetting disclosure was available in respect of the nine files reviewed. In respect of five of the nine files reviewed the service demonstrated compliance with 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 in respect of one staff member who had lived outside the state for a period of longer than six consecutive months.

(4)
Staff working directly with children attending the service held a major award in Early Childhood Care and Education at levels 5 to 8 on the National Framework of Qualifications.

Non-Compliance Information

(2)(d)
Police vetting was not available for one staff member working in the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(d)
The registered provider stated in the response that the staff member applied for the police vetting. (Police vetting included).

Summary Comment

In respect of the corrective action taken documentary evidence was submitted to the office of the Early Years Inspectorate, reviewed by the Early Years Inspector and deemed to meet the regulatory requirement.

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)

The minimum ratio of adults to children was maintained during the inspection.

(2)

There were twenty-eight children attending the service in the morning and twenty-two children in the afternoon supervised by five adults.

(8)(a)

The staff attendance records reviewed indicated that two adults are on the premises during the hours of operation.

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:

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;
- (c) details of the adult: child ratios in the service;
- (d) the type of care or programme provided in the service;
- (e) the facilities available;
- (f) the opening hours and fees;
- (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)

The service kept and maintained written records of information in relation to the service in accordance with Regulation 16 (1)(a)(b)(c)(d)(e)(f)(h)(j) and (k).

Non-Compliance Information

(1)(i)

A staff roster was not in place to indicate that cover was planned for in advance in respect of the opening and closing requirements, the covering of staff breaks and nappy changing and to ensure that a person with first aid response (FAR) was always on duty during the operation of the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1)(i)

The registered provider stated in the response that a written system for a live roster, rather than just organising this amongst staff themselves is now in place.

The development of the new live roster will ensure this Regulation is adhered to. (Roster included).

Summary Comment

In respect of the corrective action taken documentary evidence was submitted to the office of the Early Years Inspectorate, reviewed by the Early Years Inspector and deemed to meet the regulatory requirement.

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)

There was a calm and happy atmosphere in the service. The care practices and routines were child led with the staff following the individual verbal and non-verbal cues of the child. Children were observed to move between the indoor and outdoor environments enjoying physical play and gross motor activities as well as imaginative and sensory play outdoors.

Children who went to the toilet independently were supervised by a staff member. Nappy changing was carried out regularly and as needed. Staff were observed to communicate and interact positively with the child during nappy changing. Younger children attending the wobbler room slept on an individual need's basis in a separate sleep room. At mealtimes children were encouraged to feed themselves. Younger children wore clothing protectors during mealtimes.

The staff were positive towards children and were familiar with each child, their personalities and their daily routines. Staff were observed to give comfort and reassurance to the children. Staff used individual names, maintained eye contact and conversed with the children during play activities, toileting and mealtimes.

Positive behaviour strategies were observed during the inspection. Staff used a calm approach using soft language tones, giving positive praise and encouragement to children. Good teamwork was observed amongst staff.

The registered provider stated a verbal handover is given to parents on collection, an introduction to pre-school newsletter is emailed to parents and a short messaging system (SMS) is used to communicate with parents of the ECCE session. Parents are invited into the service for the annual graduation and nativity play.

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-

(a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child to play indoors and, where required by these Regulations, outdoors, during the day, and

(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)(a)

Suitable and adequate play and work equipment were provided indoors and outdoors which included toys and equipment for construction, sensory, tabletop activities, arts and crafts, home corners and physical play.

(b)

A separate sleep room was available adjacent to the wobbler room. The sleep room was equipped with five standard cots for use by children under the age of two. Low level beds were available for children over two years of age to sleep in a separate sleeping area off the wobbler room. Soft furnishings provided rest facilities in the pre-school rooms for any child who wished to avail of rest and relaxation.

(3)(a)

An outdoor play area was located to the rear of the service. An all-weather surface was in place on a section of the outdoor play area. A sheltered area was available and equipped with mulch dig area. A canopied area was available to protect children from the sun and the rain. A large climb and slide unit was in place and a variety of bikes, trikes and other toys for physical play were also noted.

Non-Compliance Information

(1)(b)

The sleep room was not adequate or suitable due to the following:

1. The five cot mattresses in use did not conform to a recognised safety standard.

2. A foot hold was noted in two cots which posed a potential risk of entrapment for a young child.
3. One cot mattress was heavily stained and required replacement.
4. The required fifty centimetres was not in place in between three cots.
5. There was no window blind on the skylight window in the rest area off the wobbler room.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider stated in the response that:

1. The cot mattresses were replaced. (Receipt included).
2. The cot mattresses were replaced. (Receipt included).
3. The cot mattress was replaced. (Receipt included).
4. One cot has been removed to ensure that the required fifty centimetres is available between cots. (Photograph included).
5. A new blind has been installed on the skylight window in the rest area off the wobbler room. (Photograph included).

Summary Comment

In respect of the corrective actions taken photographic and documentary evidence was submitted to the office of the Early Years Inspectorate, reviewed by the Early Years Inspector and deemed to meet the regulatory requirement.

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:

The entrance to the service was secure to ensure the safety of the children within.

The service met the necessary safety requirements in respect of the indoor environment, toys and equipment and the safe storage of cleaning agents.

Infection Control:

The premises were visually clean. All toys and materials were easily cleanable. The pre-school rooms were ventilated by natural ventilation with windows open. The sanitary accommodation and nappy changing areas were ventilated by natural ventilation.

Warm water, hand paper towels and liquid soap was available in the pre-school rooms and the sanitary accommodation. The temperature of the water recorded at the wash hand basins was approximately 27.4 °Celsius.

Children were observed to wash their hands before snacks and after using the toilet under the supervision of staff.

A refrigerator was available for the storage of beverages and perishable foods. Soothers and bottles were stored correctly in the refrigerator.

Foot operated pedal bins were available in the pre-school rooms and in the associated sanitary accommodation for the hygienic disposal of waste.

Administration of Medication:

Temperature reducing medication was available in the service if a child presented with a high temperature and was stored safely in the service.

Safe Sleep:

Regular physical checks of the sleeping children were carried out by the staff member to observe the sleeping children. A record of the colour, position and breathing of sleeping children was noted in a sleep log. The sleep room temperature noted were 19.7 °Celsius.

Fire Safety:

Fire exit routes were unobstructed and a fire assembly point was located to the rear of the premises in the outdoor play area.

Outing:

Completed checklists and risk assessment documentation were available for review in respect of outings from the service.

Non-Compliance Information

General Safety:

1. Safety checklists were not available for review in respect of the pre-school rooms, the outdoor area and the sanitary accommodation to ensure that general safety was monitored on a frequent basis.

2. The lock on the storage cupboard was broken next to the children's rest area and the contents within were accessible to children.
3. An exposed bulb was noted in a toilet cubicle in the sanitary accommodation on the ground floor posing a potential risk of injury if the bulb shatters.
4. The most recent Garda vetting disclosure presented in respect of four staff members was not dated within the previous three years in adherence with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

Infection Control:

1. The nappy changing procedure observed was inadequate for infection control due to the following;
 - The staff member redressed the child wearing the gloves used for to change the child's nappy.
 - The staff member cleaned the nappy changing mat wearing the used gloves.
 - The child's hands were not washed after nappy changing.
 - The nappy changing procedure displayed was not suitable as it did not outline a step-by-step nappy changing procedure.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

The registered provider stated in the response that:

1. Safety checklists are now in place and carried out each morning for the pre-school rooms, the outdoor area and the sanitary accommodation. (Checklists included).
2. The lock has been replaced. (Photograph included).
3. The bulb in the toilet has been replaced with an appropriate light fitting. (Photograph included).
4. An in-date Garda vetting disclosure is now in place in respect of four staff members. Dates have been added to the service diary to prevent this happening again in the future. (Garda vetting disclosures included).

Infection Control:

The registered provider stated in the response that:

1. The nappy changing policy has been updated and all staff members re-trained in the practice. (Revised nappy changing procedure included).

Summary Comment

In respect of the corrective actions taken photographic and documentary evidence was submitted to the office of the Early Years Inspectorate, reviewed by the Early Years Inspector and deemed to meet the regulatory requirement.

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.

(4) A registered provider shall ensure that a record in writing referred to in paragraph (3)(b) is retained for a period of one year from the date to which it relates.

Compliance Information

(1)

The records of arrival and departure reviewed verified that each child attending the service was checked in and out of the service by a nominated staff member.

(3)(a)

All entry to the service with the exception of (i), (ii), (iii) and (iv) has to be approved by a staff member.

(b)

A visitor log was in place to record the details and purpose of all visitors to the service.

(4)

The visitor log is retained throughout the annual operation of the service.

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)

Four adults were qualified in First Aid response (FAR) and were available on the premises during the hours of operation on a rostered basis.

(2)(a)

A first aid box was readily available on the ground and first floor of the service.

(b)

A first aid box was accessible to the adults caring for the children in the pre-school service.

Non-Compliance Information

(2)(a)

The first aid boxes were not stocked in line with TUSLA requirements as outlined in the Quality Regulatory Framework document.

1. The first aid boxes did not contain the following required items:

- Individually wrapped sterile unmedicated wound dressings of assorted sizes
- Sterile eye pads
- Water based burns dressings
- Crepe bandages
- Paramedic shears

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(a)

The registered provider stated in the response that:

Both first aid boxes have been refilled and the checking of the contents of the first aid boxes has been added to the safety checklist. (Receipt included).

Summary Comment

In respect of the corrective actions taken photographic evidence was submitted to the office of the Early Years Inspectorate, reviewed by the Early Years Inspector and deemed to meet the regulatory requirement.

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)

A written record for the completed monthly fire drills was available on the premises. The last fire drill was recorded as taking place on the 13 August 2025.

(b)

A record was available demonstrating the number, type and maintenance of the firefighting equipment and the smoke alarms on the premises. The firefighting equipment in the premises was serviced on the 4 June 2025 and the smoke detection system was serviced on 26 September 2024.

(4)

A notice of the procedures to be followed in the event of a fire was displayed in a conspicuous position in the service.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

There was evidence of current insurance cover for the number of children attending the service. The expiry date noted was 27 March 2026.