

# Early Years Inspectorate Regulatory Report

## Pre School

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| <b>TUSLA Identifier:</b> | TU2015MO014 |
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| <b>Name of Service:</b> | Ballyheane Buttercups |
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| <b>Address of Service:</b> | Ballyheane, Castlebar, Co. Mayo |
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|-----------------|----------|
| <b>Eircode:</b> | F23 WP92 |
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| <b>Name of Registered Provider:</b> | John McGovern |
|-------------------------------------|---------------|

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|----------------------|--------------------------------|
| <b>Service type:</b> | Full Day, Part Time, Sessional |
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| <b>Date of Inspection:</b> | 26/01/2026 |
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|-----------------------------------|----|----|----|----|
| <b>No of pre-school children:</b> | AM | 38 | PM | 17 |
|-----------------------------------|----|----|----|----|

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| <b>Address of the Early Years Inspectorate:</b> | Early Years Inspectorate,<br>TUSLA, Child and Family Agency,<br>2nd Floor, St. Mary's HQ.,<br>Castlebar,<br>Co. Mayo. |
| <b>Inspection undertaken by:</b>                | M Farrell and L Costello  |
| <b>Title:</b>                                   | 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).

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

Ballyheane Buttercups is a not for profit community service registered to provide full day, part time and sessional services to children aged from 0 to 6 years of age. The service opens from 8:00hrs to 18:00hrs and sessional services are provided from 9:15am until 12:15 midday. The premises is in a two-storey building part of which is used as a community centre. There are four playrooms in use for the preschool children. Three of these playrooms are located on the ground floor and the other preschool playroom is on the first floor of the building. There are dedicated sleep areas in the Baby and Wobbler playrooms. Sanitary areas, a kitchen, staff room/kitchenette, office and a reception area are provided in the building. The children have access to an enclosed pre-school playground beside the building and there is a separate sensory garden accessed via a carpark at the front of the building. The service is registered to provide school aged services

### Staffing

There were thirteen staff members including a manager, childcare staff, administrative staff and a cook working in the service at the time of the inspection. There was also an adult student on educational training placements. The registered provider does not work directly in the 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/ safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under sections of regulations 9, 11, 15, 19, 24 and 26. 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 contents of the report are compiled by the inspectorate body.

## 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.*

*(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 designated person in charge and a named adult to deputise in the event of her absence.  
(b) The designated person in charge and deputy were present in the service throughout the inspection.

(2)  
Following a review of previous inspection information, information available on inspection and discussion with the person in charge it was determined that one new staff member who worked directly with the children had been employed since the previous inspection. There was also a student on an educational work placement programme in the service. A total of two files were reviewed. In addition, Garda vetting for one staff member whose disclosures were identified as due for renewal were requested for review.

- (a) Two written validated references from past employers particularly the most recent employers for two adults.
- (c) Garda vetting disclosures had been obtained for all three adults whose files were reviewed. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d) International police vetting was not required for the two adults.

### Non-Compliance Information

- (4) The documentation available for inspection regarding the qualification for a staff member who worked directly with the children was insufficient to show that the qualification met the regulatory requirements.

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

The service advised in writing that:

(4)

#### **Corrective and Preventive Action**

Clarification in relation to the qualification was sought from the relevant bodies however the staff member left the service before a final outcome was received.

In future, the manager will conduct a more through review of qualifications. In cases where a full qualification certificate may not be available, the manager will seek confirmation from the relevant Government department to ensure the service remains compliant with all regulatory requirements and the documentation will be kept on file for inspection.

#### **Supporting documentation submitted**

Documentary evidence of correspondence regarding qualification with the Department of Children, Disability and Equality.

### Summary Comment

The actions taken and evidence submitted by the service has been reviewed by the Early Years Inspectorate and been found to have addressed the regulatory non-compliance found under Regulation 9(4) on 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) The inspectors found that there was an adequate number of adults working directly with the children on their unannounced arrival to the service. There were 9 staff working directly with the 36 preschool children present. The designated person in charge worked directly with the children in the Wobbler room and provided relief cover for breaks. It is acknowledged that the designated person in charge had taken steps to address a staffing issue on the day in the Wobbler room.
- (2) The minimum adult to child ratios were provided on the morning of the unannounced inspection in accordance with the required ratios considering the ages of the children and the length of time each child spent in the service as outlined below:
- Baby room: One staff cared for three children aged between one and two years of age during the day.  
An additional child had spent a short time in the playroom as a part of the service's settling process.
- Wobbler room: Two staff cared for six children aged from one to three years of age until 13:00 hours.
- Early Preschool room: Two staff cared for ten children in the morning and six children in the afternoon aged from two to four years of age.
- Preschool room: Two staff cared for 17 children aged three to five years of age in the morning. In the afternoon at 13:50 hours two staff cared for eight children aged three to five years of age.  
Four school aged children were also cared for by the staff in the room
- (8)(a) There were more than two adults always present during the unannounced inspection. The attendance records and staff rosters reviewed and discussion with staff found that at least two adults were always present in the service during opening hours.

### 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.*

- (3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-*
- (c) an authorised person.*

### Compliance Information

- (1) (a) to (i)

A random sample of ten records of children who currently attend the service were selected for review by the inspectors. The required information required was available in records.

- (3) (c)

The designated person in charge made the required information readily available to the inspectors on request.

## 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) There were four playrooms in operation in the service named the Baby, Wobbler, Early Pre-school and Preschool rooms, each catering for a specific age group of children. The children had access to a wide range of age-appropriate toys and play equipment in the playroom and were observed to choose toys to play with. Children had access to jigsaws and puzzles to encourage fine motor development and were observed to play in home corners and wear dress up outfits supporting imaginary play. Each playroom had access to art and craft equipment and musical instruments. An interest in books was encouraged with

age-appropriate books provided in the playrooms. The staff included group play activities in the playroom daily routines encouraging children to play together. For example, the staff in the Wobbler room used a large activity tray table, waist-high to the children, to play in a group with farm equipment following on from a child's emergent interest. The staff first encouraged the children to identify different animals, separating farm animals from jungle animals and dinosaurs. Once the children had identified the farm animals, they were placed in the activity tray table with artificial grass. The staff then gave the children wheat cereal biscuits to use as "hay" to feed the animals and the children had great fun playing this game, laughing and smiling together.

The younger children had diaries containing information in relation to sleep, eating and drinking, nappy changes that were sent home daily. The diaries were used to request families to provide additional supplies of personal items and clothes when needed. The staff informed the inspectors that electronic messages were also used in addition to verbal communication with parents.

The younger children's sleep needs were observed to be met in response to their needs on the day. The children in the Baby playroom were placed to sleep in standard cots in the sleep area of the playroom after they had eaten their dinner. The room was darkened and soft music was played. A staff member always stayed in the Baby playroom to supervise them and respond promptly to them when they awoke keeping written observations of their colour, position and breathing at 10-minute intervals. There were rest areas in each playroom and children in the Wobbler playroom were observed to sit on soft seating playing with baby dolls.

The children's morning snacks were provided from home with perishable food item stored in the refrigerators. At morning snack time in the Wobbler playroom the children were observed to sit together in a group to eat. The staff served their food on plates or in bowls and encouraged the children to chat with each other. A warm main meal of mashed potatoes, sweetcorn, peas and chicken goujons was served midday. The children in the Baby playroom sat together to eat their dinner and a staff member was observed to supervise them closely encouraging and supporting them to feed themselves. The staff member placed bibs around their necks when eating to protect their clothes and cleaned their faces and washed their hands after eating. Each child had an individual drink container that was accessible to them during the day.

The children in the Wobbler playroom had their nappies changed at regular intervals and when needed with records kept by staff. The staff included the children in the process, speaking with them and telling

them what they would do next. Children's individual personal items were stored separately in storage areas.

The staff were observed to promote positive behaviour and encourage the children to be kind and respectful to each other. When younger children pushed each other, they were observed to be reminded to be gentle by the staff who got down their levels to speak with the children. The interactions between the staff and children were observed to be warm and positive throughout the service with staff showing an awareness of the children's likes and dislikes.

There was a settling in process in the service to allow new children to become familiar with the service before starting to stay for longer periods. Parents were encouraged to be part of the settling in process and to stay for periods to help children settle in. The playrooms had daily routines with the Wobbler routine displayed on the door for parents/guardians to see. Playrooms had family walls and birthday walls with photographs of the children developing links between the service and home.

### 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) All the children in attendance during the inspection were checked in and out of the service by an employee. Written records were available in the service of the checking in and out of the children by the staff.

(3) (a) The designated person in charge approved the entries of the inspectors following review of their identification documents.

(b) Attendance details for the inspectors were recorded in a visitor book which contained records of previous visitors to the service.

## 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 fire fighting equipment and smoke alarms in the premises.
- (2) The record referred to in paragraph (1) shall be open to inspection by-
- (c) an authorised person.
- (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) Written records of the monthly fire drills undertaken in the service were kept by the staff. Records showed that the last fire drill was undertaken on the 10 December 2025.
- (b) Records were available of the number, type and maintenance of the firefighting equipment and smoke alarms in the service. The records showed that the firefighting equipment was last serviced on the 04 November 2025 and the smoke alarms were last maintained on 22 December 2025.
- (2) (c) The fire records were made available by staff to the inspectors for review on request.
- (4) Notices of the procedures to be followed in the event of a fire with maps of escape plan were clearly displayed in the service.