

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2015MO014

Name of Service: Ballyheane Buttercups

Address of Service: Ballyheane, Castlebar, Co. Mayo

Eircode: F23 WP92

Name of Registered Provider: John McGovern

Service type: Full Day, Part Time, Sessional

Date of Inspection: 06/03/2025

No of pre-school children:	AM	36	PM	21

Address of the Early Years Inspectorate:	Early Years Inspectorate, TUSLA, Child and Family Agency, 2nd Floor, St. Mary's HQ., Castlebar, Co. Mayo.
Inspection undertaken by:	M Farrell and L Costello
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
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Description of service

Ballyheane Buttercups is a 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 daily 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. A separate sensory garden accessed via a carpark at the front of the building was not in use at the time of inspection. The service is registered to provide school aged services.

Staffing

There were seventeen staff members including a manager, childcare staff, administrative staff and a cook working in the service at the time of the inspection. 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/ safety/ premises and facilities. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under sections of regulations 9, 10, 11, 16, 23, 25, 27 and 28; however, on inspection additional non-compliance which posed a risk was identified under Regulation 29. 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

(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.

(7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:

(a) the policies, procedures and statements of the service specified in Schedule 5.

Compliance Information

(2)

Following review of documents and discussion with staff it was confirmed with the designated person in charge that vetting files for twelve staff members had been reviewed on previous inspections. The following vetting documentation and qualifications were available on file for the five staff members whose vetting information had not previously been reviewed:

(a) Two written validated references from past employers in particular the most recent employers for four staff and one written validated reference from a past employer for one staff member.

(b) One written reference for a staff member from a source other than a past employer.

(c) Garda vetting disclosures had been obtained for all 17 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) International police vetting was available for two staff members.
- (4) Evidence of the required qualification in Early Childhood Care and Education or equivalent was available on file for four staff whose vetting had not previously been reviewed who worked directly with the preschool children.
- (7) (a) Records signed by staff showed that the service's induction process for new staff was adhered to including the provision of the service's policies for new staff members. There were written records kept of the regular staff supervision meetings in the service.

Part III – Management and Staff

Regulation 10 - Policies, procedures etc. of pre-school service

A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.

Compliance Information

The service had written copies of policies in place that were made available by the designated person in charge for review by the inspectors on request. The following policies were reviewed and found to contain the required information to meet the regulatory requirements:

- (c) policy on administration of medication,
- (f) policy on safe sleep.

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 with 9 staff working directly with the 36 preschool children present. The manager worked directly with the children providing relief for breaks and additional support during the inspection.
- (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: Two staff cared for five children aged between one and two years of age.
- Wobbler room: Two staff cared for six children aged from one to three years of age.
- Early Preschool room: Three staff cared for fifteen children aged from three to four years of age.
- Preschool room: Two staff cared for ten children aged four to five years of age.
- (8)(a) There were more than two adults always present during the unannounced inspection. The attendance records and staff rosters reviewed showed that at least two adults were always present in the service during opening hours.

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:

- (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)
- (h) Accurate records of the children’s attendance in attendance record books were kept by staff in the playrooms.
 - (i) A detailed daily staff roster was available for inspection.
 - (j) The staff kept detailed records of medication administered to children in the service in a record book.
 - (k) A sample of accident and incident forms reviewed found that they had been completed and signed by parents.

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 main entrance doors were secured on the inspectors unannounced arrival to the service with staff controlling access to the service. The internal entrance doors on the ground floor and at the top of the stairs to the first floor had keypad systems in place preventing unauthorised entry and children from leaving the areas unnoticed. The alarm system on the emergency exit doors upstairs was checked by the inspectors and found to be in working order when. The kitchen door leading from the Early Preschool room was secured by staff after entering and exiting and the area was inaccessible to children. The gates in the outdoor area adjacent to the building had securing mechanisms in place to prevent children from leaving the area unnoticed. Windows had been risk assessed with restrictor devices in place where needed. Blind cords on the windows in playrooms were secured with securing devices. The toys and play equipment the children played with during the inspection were suitable for the age and developmental stage of the children playing with them. Cleaning products were stored out of reach of the children.

Infection Control:

Warm water, hand soap and paper towels were available at the wash hand basins. Children's hands were washed at appropriate intervals throughout the day including after using the toilet, and before eating. Signs were displayed in sanitary units to provide prompts to children to clean their hands. Aprons and gloves were provided for staff to wear when changing nappies in accordance with the nappy changing policies displayed in changing areas. Cleaning schedules were in place with checklist records completed by staff after cleaning procedures were carried out. There was separate individual storage provided for the children's personal belongings. Children's snack food provided from home was stored in the service's refrigerators. Foot pedal operated bins were provided throughout the service for waste disposal.

Administration of Medication:

There was no medication observed to be administered to a child during the inspection. During discussion, the staff showed awareness of the service policy on administration of medication.

Safe Sleep:

Five standard cots with the required safety mattress and waterproof cover were provided for children in the baby room for safe sleep. The children in the Wobbler room depending on age had access to a standard cot or if over two years of age a stackable bed.

Fire Safety:

Emergency exits and routes were observed to be free from obstruction during the inspection.

Non-Compliance Information

General Safety:

- Garda vetting available for one staff member was not dated within the previous three years and not in adherence to the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

Action submitted by the Registered Provider

The service advised in writing that:

Corrective & Preventive Action

General Safety:

- Garda vetting was applied for the team member on the day of the inspection. Renewed vetting for the team member was received from the appropriate body on 19 March 2025.
The manager will apply for all outstanding vetting due for expiry in 2025. The manager will then review garda vetting in January of each year and organise the timely renewal of Garda vetting for team members.

Supporting documentation submitted

General Safety:

- A copy of the garda vetting renewal.

Summary Comment

The actions taken and evidence submitted by the service has been reviewed by the Early Years Inspectorate and found to have addressed the regulatory non-compliance found on inspection.

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) There were First Aid Response (FAR) certificates with expiry dates of the 16 May 2026 available on file for three staff members. A number of these staff were working in the service during the inspection providing adequate cover if first aid treatment was needed by a child.
- (2) (a) Appropriately stocked first aid boxes were safely stored in easily accessible locations in the playrooms and in a signposted storage area in the downstairs hallway.
- (b) The first aid equipment was readily accessible to the staff if children needed first aid treatment.

Part VI - Safety

Regulation 27 – Supervision

A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Compliance Information

The required adult: child ratios were adhered to during the inspection. The children were supervised by the adults mainly by sight, but older children were out of view remaining within earshot of the adults if using the toilet independently. The staff from the Preschool playroom were observed to supervise the children closely when using the stairs to go downstairs to access the outdoor play area. When the children from the Preschool were playing outdoors the staff were observed to move around the area to keep them in their line of vision. Staff in playrooms were observed to sit with the children at mealtimes and supervise them closely.

Children were supervised when sleeping as evidenced by written records of physical sleep checks which were completed every ten minutes and observed the position and breathing pattern of the child. In the Wobbler room a staff member remained in the room while the children slept on floor beds.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

Insurance was available for the preschool service valid from the 22 August 2024 until the 21 August 2025.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-
(c) kept adequately lit, heated and ventilated.

Non-Compliance Information

(c) The mechanical ventilation system in the nappy changing area on the ground floor did not appear to be working correctly on the day of inspection as evidenced by the strong malodour at 11.34am.

Corrective & Preventive Action submitted by the Registered Provider

The service advised in writing that:

(c)

Corrective and Preventive Action

The caretaker cleaned around the ventilation extract valve and it appeared to be working correctly. A maintenance company then inspected the ventilation system and it was found to be working efficiently. The caretakers will clean the ventilation extract valves once every quarter and check that the ventilation system is working. In the event the ventilation system is not working, it will be serviced.

Supporting documentation submitted

Photographic evidence and documentation from the maintenance company.

Summary Comment

The actions taken and evidence submitted by the service has been reviewed by the Inspectorate and been found to have addressed the non-compliance found under this regulation on inspection.