

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015SO017		
<b>Name of Service:</b>	Happy Days Creche		
<b>Address of Service:</b>	Clarion Village, Ballytivnan, Sligo, Co. Sligo		
<b>Eircode:</b>	F91 A2FP		
<b>Name of Registered Provider:</b>	Sandra Loftus		
<b>Service type:</b>	Full Day, Part Time, Sessional		
<b>Date of Inspection:</b>	15/01/2026		
<b>No of pre-school children:</b>	AM	93	PM 74
<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, TUSLA Child & Family Agency, Markievicz House, Barrack St, Sligo, F91 XC84		
<b>Inspection undertaken by:</b>	L Costello and K Folan		
<b>Title:</b>	Early Years Inspectors		
<b>Authority to Inspect</b>			
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.		

### Description of service

Happy Days Creche is situated within the Clarion village complex of Sligo town and is privately operated. The service is registered to provide a full day care service catering for children aged 0 - 6 years. The hours of operation are from 7.30am to 6.30pm catering for a maximum of 95 children. A school age service is also provided. The service has six care rooms in operation, a kitchen, dining room sanitary accommodation and office.

### Staffing

On the day of inspection there was 29 adults employed in the service. This included the deputy person in charge who was supernumerary on the day, two adults were working in the kitchen and a bus driver. There is one person employed in an administration capacity. The registered provider was not present on the day of inspection.

### 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.

The inspection focused on an examination of compliance under regulations 9, 11, 16, 19,23,28 and 30 however, on inspection additional non-compliance which posed a risk was identified under Regulation 21 and Regulation 27. 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.

## Additional Information

- The registered provider received two opportunities to submit a corrective and preventive actions on the 30 January 2026 and the 16 February 2026. Despite these opportunities the registered provider failed to provide assurances to the inspectorate that the non-compliances found on inspection would be rectified.
- A regulatory compliance meeting was held on the 04 March 2026, and the registered provider received an additional five days to respond to outstanding actions. A response and evidence were submitted on the 11 March 2025. Assurance regarding regulation 30 remain outstanding, please see body of report.

## Acknowledgments

The inspectors wish to acknowledge the cooperation of the deputy 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 person in charge and a person available to deputise as required.

(1) (b)

The deputy person in charge was on site for the duration of the inspection.

(1) (c)

There are clear lines of authority within the service including room leaders, childcare workers and deputy persons in charge.

(2)

Following a review of previous inspection information, information available on inspection and discussion with the deputy person in charge it was determined that three new staff members had been employed since the previous inspection on the 25 February 2025. A total of three files were reviewed. In addition, Garda vetting for three staff members whose disclosures were identified as due for renewal were requested for review.

(2) (a) (b)

Four written and verified past employer references and two written and verified references from an other source was available in respect of the three new staff members.

(2) (c)

Garda vetting disclosures had been obtained for all 29 staff members.

The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(2) (d)

International police vetting was available for two new adults who had lived outside the state for a period of six months or longer.

(4)

The three new staff members had attained major awards in Early childhood care and education at level 5 or above on the national framework of qualifications, or qualifications deemed by the Department of Children, Disability and Equality (DCDE) to meet the regulatory requirement.

### Non-Compliance Information

(9) (3)

The vetting procedures had not been carried out prior to an adult having direct access to the preschool child in relation to two adults employed since the last inspection.

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

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

In a written response the registered provider stated:

All vetting's are fully completed. No employee will commence employment until the vetting process has been fully completed.

### Supporting documentation submitted

No evidence submitted.

### Summary Comment

The corrective and preventive actions submitted by the registered provider have been reviewed by the inspectorate and deemed to be adequate. This regulation is now complaint and will be reviewed on next 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)  
There were an adequate number of adults working directly with children attending the preschool service. There were 19 adults working directly with 93 children in the morning of the unannounced inspection and 13 adults working directly with 74 children in the afternoon

(8) (a)

The registered provider ensured that at least two adults were on the premises at all times.

## Non-Compliance Information

- (2)
- The registered provider did not ensure that the minimum ratio of adults to children were maintained at all times as follows:
- On the afternoon of the inspection in the preschool room two adults supervised 18 children aged between three to five years of age. The correct ratio for children of this age is 1:8 adults to children.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

In a written response the registered provider stated:

The staff roster has been reviewed and adjusted to ensure required ratios are met at all times.

### Supporting documentation submitted

- Staff roster submitted.

## Summary Comment

The corrective and preventive actions submitted by the registered provider were reviewed by the inspectorate and deemed to be adequate. This regulation will be reviewed on next inspection.

## 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:
- (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;
  - (k) details of any accident, injury or incident involving a pre-school child attending the service.

*(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.*

*(4) A record referred to in paragraph (1) shall be open to inspection on the premises by a parent or guardian of a child but only in respect of information concerning that child.*

### Compliance Information

(1)

(b-f)

The details of ratios, type of care provided, opening hours and facilities provided were displayed on the service notice board.

(h)

A record of each child's daily attendance was recorded in attendance books in each room.

(i)

A record of the staff roster was provided to the inspector on arrival to the service.

(k)

Eighty accident and incident forms were reviewed, dating from September 2025 to January 2026. All forms contained the child's name and date of birth, details of the incident and were signed by staff and parents.

(3)

These records were made available to the authorised person on the day.

(4)

The registered provider demonstrated that these records were made available to the parent or guardian of the preschool child by evidence of signature.

### 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

(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)(a)

The children's learning, development and well-being was facilitated within the service through the provision of appropriate activities, interactions, materials, and equipment, having regard to the age and stage of development of the children. Six care rooms were in operation during the inspection.

#### Basic Needs:

The adults treated the children in a kind and caring manner, and positive behavioural strategies were used during interactions. The adults conversed with the children in a sensitive and respectful manner, used soft tones of voice, engaged with the children at their level and responded promptly to their cues for assistance and comfort.

The service had a healthy eating policy in place, and a four-week menu plan was displayed on the parents notice board. Mealtimes were observed to be a happy and relaxed environment where the older children attended the dining room for meals. In the dining room independence was promoted with children passing around platters of food. On the day of inspection, the main meal provided included roast potatoes, carrots roast chicken and gravy. The children helped themselves to extra portions and appeared to enjoy the meal. Drinks of milk and water were provided at mealtimes and water stations were available in all rooms throughout the day. Meals were served in the baby rom, where children were placed in highchairs and staff members sat alongside them at their eye level. Independence was promoted throughout with staff giving support if required.

Children who were toilet trained were encouraged to do so independently. Staff were observed to be checking the bathroom regularly to offer help if required. Nappy changes for the younger children were completed as required, ensuring the younger children were comfortable throughout the day.

### Supporting Relationships:

A key person approach was observed in each care room, the staff demonstrated an appropriate level of knowledge of the children's preferences, interests, and individual capabilities. Pictures of the children's families were located in each care room promoting the strong connection with family and home.

The children's care need observations of the younger children were shared daily with parent/guardians in a daily observation sheet which was sent home. The staff in each room worked effectively together to facilitate the programme of care and education. Staff communicated informally with parents/guardians during collection periods.

## 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 service was secure on the inspectors unannounced arrival to the service.
- The perimeter of the service was secure with block fencing and secured gates.
- Fire evacuation routes remained free from obstruction on the day.
- Risk assessments for outdoor play were on display and up to date.
- A critical information list was available in each room highlighting any allergies or emergency information for the children in that room.

#### Infection Control:

- Nappy changing areas were maintained hygienically. With access to cleaning products after each use.
- Rooms were observed to be maintained well, with cleaning schedules up to date in all care rooms.

#### Administration of Medication:

- On discussion staff were knowledgeable about safe administration of medication policy.

#### Fire Safety:

- Fire doors remained unobstructed on the day of inspection.
- Evacuation routes and hallways were observed to be clear and free of hazards.

### Non-Compliance Information

#### General Safety:

1. In the Toddler room, a blind cord was unsecured. It is acknowledged that it was out of the reach of children.

#### Infection Control:

2. Hand hygiene was observed not to be completed routinely in the following situations to prevent the risk of spreading infection:
  - Staff in the baby room were not observed to wash hands prior to nappy changes.
  - Children in the baby room did not have their hands washed after having their nappy changed.
  - Children in the baby room did not have their hands washed prior to mealtimes.
3. In the Toddler room a number of items posed a risk of contamination as follows:
  - Cushions in the rest area were stained and in need of cleaning.
  - The soft foam mats underneath the play slide were stained and in need of cleaning.
4. At sleep time in the Toddler room and tweenies floor beds and stackable beds were not spaced 50cm apart as required posing a risk of infection control.

#### Safe Sleep:

5. Contrary to the service sleep policy cot mattresses were not checked regularly for signs of damage and replaced. Three mattresses were observed to be torn with exposed foam posing a risk of safety to the preschool child
6. In the toddler sleep room, the time and position of the sleeping child was recorded on the sleep chart. However, the colour and breathing pattern of the sleeping child was not checked or recorded on the sleep record. When asked Staff confirmed to the inspector that colour and breathing pattern is not checked. This is contrary to the services own Safe sleep policy which outlines the steps for carrying out sleep checks.
7. In the Toddler room during sleep time, the room was dark which did not allow for accurate sleep checks to be carried out. This is at variance with the services own sleep policy which states that there should be ambient lighting in the sleep room when children are asleep.
8. Seven children under the age of 2 years were sleeping on floor beds, without the required sleep plan and written parental permission.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

##### General Safety:

##### In a written response the registered provider stated:

1. The blind chord has been secured; these will be checked regularly.

##### Infection Control:

2. Room meeting held with staff to remind them of the importance of hand washing
3. Cushions and foam mats were replaced as the stains proved impossible to remove. Regular cleaning will be completed to prevent stains reoccurring.
4. Toddler/Tweenie floor beds will be positioned 50cm between each bed to ensure appropriate spacing.

##### Safe Sleep:

5. Three new mattresses have been ordered. Mattresses will be checked regularly.
6. The sleep chart has been adjusted and now records the colour and breathing pattern of the sleeping child. Staff members have always been present in the room while children are sleeping.
7. Once the children are asleep the blind is raised up to allow light into the room to carry out accurate sleep checks.

#### Supporting documentation submitted

##### General Safety:

1. Photograph of blind chord submitted.

##### Infection Control:

2. Minutes of meeting submitted on the 04 March 2026.
3. Photograph submitted.
4. Photograph submitted.

##### Safe Sleep:

5. Invoice submitted.
6. Sleep chart submitted.
7. No evidence submitted

### Summary Comment

The corrective and preventive actions submitted in CAPA one and two and evidence received on foot of the regulatory compliance meeting have been reviewed and accepted. This regulation is now compliant and will be reviewed on next inspection.

### Part VI - Safety

#### Regulation 28 - Insurance

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

#### Compliance Information

The service provided certification of insurance for a full day care service for 95 preschool children up until the 27 March 2026.

### Part VII - Premises and Space Requirements

#### Regulation 30 - Minimum space requirements

*(2) A registered provider of a full day care service or a part-time day care service shall ensure that the minimum amount of clear floor space specified in column (3) of Schedule 7 opposite a particular reference number specified in column (1) of that Schedule in respect of the age range of children specified in column (2) thereof at that reference number is available for each child in that age range attending the service.*

#### Non-Compliance Information

(2)  
There was insufficient floor space provided for the children in attendance in the Toddler, Tweenies and Playschool play rooms on the day of inspection. The minimum floor space required in line with regulations for the children in attendance in correspondence with their age and length of time in the service.

Name of Room	Age range of Children	Type of care	No of children in attendance	Required clear	Available floor space	No of children Room can

				floor space		adequately support.
Tweenies	2 years to 3 years of age.	Full day Care	18	2.35m <sup>2</sup> Total required = <b>42.3m<sup>2</sup></b>	31.95m <sup>2</sup>	13
Toddlers	1 year to 3 years of age. (8 children aged 1-2 years, 6 children aged 2-3 years)	Full day care	14	2.35m <sup>2</sup> Total required= <b>36.8m<sup>2</sup></b>	31.31m <sup>2</sup>	13
Playschool	3 years to 4 years	Full day care	18	2.3m <sup>2</sup> Total Required = <b>41.4m<sup>2</sup></b>	33.742m <sup>2</sup>	14Children FDC

This noncompliance was identified on the most recent inspection on the 25 February 2025 and actions taken by the registered provider failed to prevent this non-compliance reoccurring.

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

#### Corrective and Preventive Action

In a written response the registered provider stated:

#### **Toddler Room:**

The toddler room was temporarily over the required capacity as we accommodated one additional child due to a family emergency. Measures have been put in place to ensure it will not exceed capacity again.

#### **Tweenie Room:**

The tweenie children have been split into groups of six and are utilising the physical room and the outdoor area. This will avoid congestion in their room. The service are currently restructuring the age range of children they cater for and so this will be a temporary measure until June 2026. This measure will be strictly enforced in the intervening time, and it will no longer be an issue from June 2026.

#### **Playschool Room:**

The response does not address the non-compliance found on inspection.

**Supporting documentation submitted**

No evidence submitted.

**Summary Comment**

This regulation remains non-compliant as the registered provider's response did not contain any corrective actions to address the findings in the Tweenie and Playschool room. Actions submitted are scheduled for June 2026, therefore this non-compliant remain outstanding at this time.

**Part V - Care of Child in Pre-school Service**

**Regulation 21 – Equipment and materials**

*A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.*

**Non-Compliance Information**

In the baby room, staff members could not sit comfortably and hold and comfort the young children when required throughout the day as there was no adult sized armchair provided. This was evident when adults were trying to comfort children prior to sleep time in a plastic chair with no arm support or on the floor and when feeding the younger children. This was identified on the services last inspection on the 25 February 2025 and actions submitted by the registered provider were not observed to be present on the day.

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

**Corrective and Preventive Action**

In a written response the registered provider submitted a picture of an adult-sized armchair.

**Supporting documentation submitted**

Picture of an adult sized armchair

**Summary Comment**

The corrective and preventive actions submitted in CAPA one and two and evidence received on foot of the regulatory compliance meeting have been reviewed and accepted. This regulation is now compliant and will be reviewed on next inspection.

### Part VI - Safety

#### Regulation 27 – Supervision

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

#### Non-Compliance Information

Contrary to the service sleep policy the physical sleep checks in the baby room were not completed every ten minutes, this poses a risk of sudden infant death syndrome where sleeping children are not physically checked to ensure they are positioned correctly, sleeping on their back and in an ambient temperature.

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

##### Corrective and Preventive Action

In a written response the registered provider stated:  
Staff members have been spoken with to ensure they carry out sleep checks.  
Ongoing review to ensure staff members comply.

##### Supporting documentation submitted

Minutes of staff meeting on the 10 February submitted.

#### Summary Comment

The corrective and preventive actions submitted in CAPA one and two and evidence received on foot of the regulatory compliance meeting have been reviewed and accepted. This regulation is now compliant and will be reviewed on next inspection.

### 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.*

#### Non-Compliance Information

The service sleep policy was last updated in august 2020. The policy did not include the most recent sleep guidance to ensure that children under two years of age sleeping on a floor bed had the required sleep plan and parental consent in place.

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

##### Corrective and Preventive Action

Sleep policy has been updated to include the updated guidance on sleep provision.  
Regularly review and update when required.

**Supporting documentation submitted**

Sleep policy submitted

**Summary Comment**

The corrective and preventive actions submitted adequately address the non-compliance found on inspection.  
This regulation is now compliant.

**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*

**Non-Compliance Information**

(d)

In the toddler room, a tap was missing from the sink in the sanitary accommodation.

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

**Corrective and Preventive Action**

Contacted landlord to replace missing tap.

**Supporting documentation submitted**

Picture of tap submitted.

**Summary Comment**

The corrective and preventive actions submitted adequately address the non-compliance found on inspection.