

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015TY090
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Name of Service:	Brightsparks Childcare
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Address of Service:	Lr Ballingarry, Thurles, Co. Tipperary
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Eircode:	E41 HC63
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Name of Registered Provider:	James Maher
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Service type:	Full Day
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Dates of Inspection:	08/04/2026
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No of pre-school children:	AM	22	PM	22
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Address of the Early Years Inspectorate:	Glenmorgan Building, Ferryhouse, Clonmel, Co Tipperary E91RF38
Inspection undertaken by:	Antoinette McNamara & Lisa McGeeney
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).

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Description of service

The service operates from a purpose-built premises on the outskirts of Ballingarry, Co Tipperary. There are four pre-school rooms: a baby room, a toddler room, the blue room and the red room. Three rooms were in operation on the day of inspection. There are two sleep rooms on the ground floor adjacent to the baby room and toddler rooms. There is also a kitchen, sluice room, two utility rooms, two offices, sanitary accommodation, a nappy changing room, sensory room, children's library and a staff break room. There are two secure outdoor areas, one to the front of the premises and one to the side. The service operates Monday to Friday 08:00 to 18:00. The service also offers the Early Childhood Care and Education Scheme (ECCE) for eligible children, 09:00 to 12:00, Monday to Friday for 38 weeks of the year.

Staffing

There are 20 staff directly employed in the service, this includes one CE worker, a deputy person in charge and person in charge. There was a designated person in charge present on the day of inspection. A student was also present in the service on the day of inspection. The registered provider does not work directly in the service. Staff working directly with children held qualifications in Early Childhood Education and Care at Levels 5 and above on the National Framework of Qualifications.

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

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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 (1)(a)(b)(2)(a)(b)(c)(d)(4) Management and recruitment,
Regulation 11(1)(2)(8)(a) Staffing levels,
Regulation 15 (1) (a-i) (3)(c) Records in relation to a pre-school child,
Regulation 16 (1) (h, i, j, k) (3) Record in relation to pre-school service,
Regulation 17 Information for Parents,
Regulation 19 (1)(a) Health, welfare, and development of the child,
Regulation 22 Food and drink,
Regulation 23 Safeguarding health, safety, and welfare of the child,
Regulation 25 (1)(2)(a)(b) First aid

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, and*

(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 deputy who was able to deputise, as required.

(b) A person in charge was present on the day of inspection. From review of the roster a person in charge was present daily.

(2) Following a review of previous inspection information, information available on inspection and discussion with the person in charge it was determined that five new staff members, a community employment worker (CE) and a student had been employed since the previous inspection. All the new staff members work directly with the children. A total of seven files were reviewed. In addition, Garda vetting for five staff members whose disclosures were identified as due for renewal were requested for review.

(2)(a) Two written and validated references were available for each person working at the service.

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(b) Where past employer references were not available, there were references from sources such as previous schools and colleges.

2(c) Garda vetting disclosures had been obtained for 20 staff members, the registered provider and the student working in the service. In the case of two staff members, 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) Police vetting documentation was available for one person working in the service, who had lived outside of the state for a period of longer than six months.

(4) Certificates of qualifications for the staff working with pre-school children were available on file demonstrating that they held a qualification at level 5 and above on the National Framework of Qualifications.

Part III – Management and Staff

Regulation 11 - Staffing levels

(1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.

(2) Subject to paragraphs (4) and (5), a registered provider of a full day care service or a part-time day care service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 1 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) thereof at that reference number is satisfied.

Compliance Information

(1) On the day of inspection there were adequate numbers of staff working directly with the children.

(2) The person in charge ensured that the adult to child ratio was maintained throughout the day of inspection.

Morning:

- Toddler room: Seven children being cared for by three staff.
- Baby room: Three children being cared for by one staff.
- Pre-school room: 12 children being cared for by 3 staff.

Afternoon:

- Toddler room: Seven children being cared for by three staff.
- Baby room: Three children being cared for by one staff.
- Pre-school room: 12 children being cared for by 3 staff.

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(8) Documentary evidence indicated that there were always at least two adults on the premises while children were in attendance.

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

A sample of 10 completed registration forms were reviewed as part of the inspection process:

- (1) The registration forms contained the required information as detailed under parts (a) to (i) of this regulation.
- (3)(c) The registration forms were available on the premises for inspection by an authorised person.

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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.*

(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.

Compliance Information

- (1)
- (h) Detailed daily attendance of each child was available.
 - (i) A detailed staff roster was available.
 - (j) Fifteen medication administration records were sampled and were found to meet the necessary requirements. Written parental consent for staff to administer medication had also been obtained.
 - (k) A total of 20 accident and incident records were sampled and deemed satisfactory.
- (3) The written records were available on the premises for inspection by an authorised person.

Part IV – Information and Records

Regulation 17 – Information for parents

A registered provider shall ensure that a parent or guardian of a child proposing to attend the service is provided with the information referred to in subparagraphs (a) to (g) of Regulation 16(1).

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Compliance Information

Information for parents was available in several locations, namely: parent's handbook provided to new families entering the service, on information notice boards, in the services policies and procedures, via email and the service communication application.

The information provided to parents proposing to register their children in the service included: the details of staff members, the age profile of children who the service caters for, class of service and the hours which are on offer.

Details of the services policies and procedures and adult to child ratios. Details of the facilities and the programme of activities and care provided were available and accessible to proposed parents.

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) The following was observed on the day of inspection through direct observation, review of records and discussions with staff:

Basic needs:

The children enjoyed freedom of movement both indoors, in their rooms, and outdoors in the outdoor play areas. There were cosy areas in each room where the children could rest and relax during the day. There were two individual sleep rooms available directly accessible from the baby and toddler rooms. Cots were available for the younger children to sleep according to their individual sleep needs and routines. Camp beds were available if an older child required a sleep during the day. Food was provided by parents for the children. Adequate, suitable food was observed on the day of inspection. Drinking water was available to the children. Toilets and nappy changing areas were directly accessible from each activity room which supported the children to use the toilets independently when they needed to. Nappy changing was carried out at regular times throughout the day and when required.

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Physical and material environment:

Sanitary accommodation was accessible directly off each of the downstairs activity rooms. There were four main activity rooms in the service, each designated to a different age group of children. The rooms were well resourced with toys, materials and furniture suitable to the age and stage of development of the children who used the room. Interest areas available in each room included home corner, library, and labelled low-level shelving provided children with access to a wide selection of activities. There was direct access to the outdoor area from three of the care rooms. The children's artwork was displayed on the walls of the service. Pictogram timetables were used in some of the rooms displayed at the children's eye level so that they could see what was happening next. Staff had helped the children create areas of familiarity in the classrooms to promote each child's identity and belonging such as a birthday walls and individual personalised coat hooks with pictures of the children. The children's artwork was displayed on the walls of the service. The environment was inclusive and representative of the children attending the service, with different country flags and languages other than English were used to promote diversity and the inclusion of multilingual children. The outdoor spaces consisted of a secure enclosed area. Children's gross motor development was supported through access to games such as ride on toys. Messy, open-ended, sensory activities such as sand play and playing with soap suds were facilitated during outdoor play time on the day of inspection. Additional resources were available in the storage shed. There was also a sensory room and a children's library that was available to all the children and used by individual children or small groups of children as required.

Supporting relationships:

The children benefitted from favourable adult to child ratios which enabled each child to receive as much individual attention and support as they needed. Staff members were observed to treat the children with respect and a positive regard. Parent and guardian communication during collection and drop off periods, provided an opportunity for staff to share information with parents. Additional methods of communication such as the service's communication application were used to share information. Family relationships amongst the children, which included siblings and cousins, were supported through providing opportunities for the children to play and interact with each other during outdoor play, if children were not in the same care rooms during the day.

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Part V - Care of Child in Pre-school Service

Regulation 22 – Food and drink

A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.

Compliance Information

The service had a healthy eating policy. All foods eaten by the children were supplied by their parents. Children had access to their water bottles/beakers and were able to get a drink throughout the day. Perishable foods were stored in a fridge in the service. A morning and afternoon snack along with a main hot meal were provided for the full day care children. On the day of inspection dinners contained a variety of foods such as mash, vegetables, chicken, pasta and spaghetti bolognese.

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 door to the premises was locked and needed to be opened from the inside. Staff were required to answer a call bell system to grant access to the preschool area, therefore children could not exit the service unsupervised and unsupervised visitors could not enter. The outdoor play areas were secured to prevent children leaving. Pinch guards covered the hinges on all doors to prevent injury to children. All cleaning agents were stored inaccessible to children. A stair gate was present on the stairs to prevent children accessing the stairs. Blind cords were secured to the walls.

Infection control:

The service appeared clean and well maintained. There was warm running water, liquid soap and paper hand towels available for hand drying throughout the service. There were designated children's toilets available to the children. Designated staff toilets were also provided. Handwashing reminders and steps were present in the sanitary accommodation. Children were supported to wash their hands at appropriate times during the day such as after using the toilet. There was a sink in each of the activity rooms as well as in the sanitary accommodation areas to facilitate hand washing. A tissue station was available to the children in the classroom. Pedal bins were in

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operation to avoid cross contamination. Perishable foods were stored in a fridge. The nappy changing area had natural ventilation and was clean. Gloves and aprons were available to staff in the nappy changing area and in the sanitary facilities. Children had their own individual cots. Cots in the sleep room were positioned at least 50cm apart as required to ensure adequate ventilation around each cot and to prevent cross infection.

Administration of Medication:

The service had records for the recording of medication on their electronic application. Records reviewed indicated that staff were following the policy, records were correctly maintained, dated, signed and witnessed by staff and signed by parents. Individual care plans were in place for children who required administration of medication.

Safe Sleep:

The inspectors observed that children were placed down to sleep according to individual requirements. Each child who required sleep had a dedicated cot to use. Staff were familiar with best practices in safe sleep and carried out physical checks on individual sleeping children, every 10 minutes, recording individual children's sleep positions, colour and breathing on the service's electronic application.

Fire Safety:

Fire exits were found to be unobstructed on the day of inspection.
There were fire evacuation procedures displayed in a prominent area within the service.
Firefighting equipment was present in the service.

Non-Compliance Information

General Safety:

Garda vetting disclosures for two staff members were not dated within the previous three years in adherence to the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

Both Garda vetting's had been applied for in relation to the two staff members but not yet received back from the Garda Vetting Bureau by the service.

Supporting documentation submitted

General Safety:

Copies of new up to date Garda vetting for both the expired staff members was sent to the early years inspectorate.

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Summary Comment

All evidence submitted meets the requirements Child Care Act 1991 (Early Years Services) Regulations 2016.

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 staff trained in First Aid Response (FAR) available to the children attending the service.

(2)(a) There was a suitably equipped first aid box stored in an easily accessible position.

(b) The first aid box was available to the children attending the service.