

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015WD039		
Name of Service:	H & H Ladybird Daycare Limited		
Address of Service:	Moonvoy, Tramore, Co. Waterford		
Eircode:	X91 EOY7		
Name of Registered Provider:	Helen Power		
Service type:	Full day care		
Date of Inspection:	12/02/2025		
No of pre-school children:	AM	35	PM 24
Address of the Early Years Inspectorate:	Community Care Centre, HSE Buildings, Cork Road, Waterford City		
Inspection undertaken by:	A. Bradshaw		
Title:	Early Years Inspector		

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

The service is based on the outskirts of Tramore town. It is a purposely built premises at the side of the registered provider's home. There are three care rooms – the baby room, the toddler room and the preschool room. The baby room and toddler room each have a sleeping room adjacent to them. Each room has a sanitary area for toileting and nappy changing. There are two separate outdoor spaces adjacent to the building. The service is registered to care for up to 38 children aged 0 to 6 years of age. It operates from 07:30 to 18:00, Monday to Friday. The service also operates a school-age service.

Staffing

The service employs 11 staff members including the registered provider. On the day of the inspection, 9 staff were working directly with 35 children. The person in charge and registered provider were available for support if required.

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:

Regulation 9(1)(2)(4) – Management and Recruitment;

Regulation 11(1)(2)(4) – Staffing Levels;
Regulation 15(1) – Record of Preschool Child;
Regulation 16(1)(a)(b)(c)(d)(e)(f)(g)(h)(i)(j)(k) – Record in Relation to Pre-School Service;
Regulation 21 – Equipment and Materials;
Regulation 23 – Safeguarding Health, Safety and Welfare of Child;
Regulation 25 – First Aid;
Regulation 26 – Fire Safety Measures;
Regulation 28 – Insurance.

These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under Regulation 15(1) - Record of Preschool Child and Regulation 16 – Record in Relation to Pre-school Service.

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

An immediate action notice was issued to the registered provider on the 13th of February 2025 regarding a non-compliance identified under Regulation 9(2) Management and Recruitment. The registered provider submitted an adequate response to the office of the Early Years Inspectorate on the 13th of February 2025 to demonstrate the actions taken to correct the noncompliance.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, person in charge, staff and children who were present on the day of the inspection.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

- (a) the service has a designated person in charge and a named person who is able to deputise as required,
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, 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.

(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)(b)(c)

The service had a designated person in charge and a named person to deputise as required. A staff member verbally described the line management structure in the service.

(2) The inspector reviewed 11 files.

(a)(b) Validated references were available for the staff.

(c) Garda vetting disclosures were available for 10 staff employed. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years for all staff for whom vetting was in place.

(d) Police vetting from another jurisdiction was on file for one staff member.

(4)

All staff working directly with the children had documentation available to demonstrate that they held 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.

Non-Compliance Information

(2)(c)

A Garda vetting disclosure was not available for one staff. An immediate action notice was issued to the registered provider.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(c)

An immediate action notice was issued to the registered provider on the 13th of February 2025 regarding a non-compliance identified under Regulation 9(2) Management and Recruitment. The registered provider submitted an adequate response to the office of the Early Years Inspectorate on the 13th of February 2025 to demonstrate the actions taken to correct the non-compliance.

Supporting documentation submitted

Evidence of the Garda vetting was submitted on the 20th of February 2025.

Summary Comment

The action and plan submitted by the registered provider have addressed the non-compliance identified on inspection and the implementation of these actions will be reviewed on the 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.

Compliance Information

(1)(2) During the inspection, there was an adequate number of staff working directly with the children. There were 9 staff members working directly with 35 children. The registered provider and the deputy person in charge were available to provide support if required.

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.*

Non-Compliance Information

On review of a sample of children's registration forms, it was noted that these forms were not fully completed. Children's immunisation details, name and contact details for a child's doctor had not been recorded on these forms.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider has stated that each room leader has been requested to follow up the required details on each child's registration forms. All enrolment forms will be checked by management prior to the child starting in the service.

Supporting documentation submitted

A copy of the details required was submitted as evidence to the inspectorate.

Summary Comment

The action and plan submitted by the registered provider have addressed the non-compliance identified on inspection and the implementation of these actions will be reviewed on the 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:

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;*
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;*
- (c) details of the adult:child ratios in the service;*
- (d) the type of care or programme provided in the service;*
- (e) the facilities available;*
- (f) the opening hours and fees;*
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*
- (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)(a)(b)(c)(d)(e)(f)(g)(h)(i)(j)

The details required for regulation 16 (1) (a-j) were available to the inspector in the staff files, parental handbook or digitally.

Non-Compliance Information

(1)(k)

Details of children's accidents or incidents were not fully recorded in writing. The inspector reviewed 10 accident and incident forms, and of these, 5 did not have the required signatures.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider has stated the outstanding signatures have been completed on the service's online application forms. Staff have been reminded that all forms must be completed by the relevant persons and the deputy person in charge will check these forms weekly to ensure compliance.

Supporting documentation submitted

No evidence submitted.

Summary Comment

The action and plan submitted by the registered provider have addressed the non-compliance identified on inspection and the implementation of these actions will be reviewed on the next inspection.

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.

Compliance Information

The care rooms were bright and spacious, and the furniture and equipment placement allowed the children to move freely in the room. Each of the three care rooms had low shelving with containers and baskets for the children's play materials. The furniture in each room was suitable for the age and stage of the children using it. The toys and play materials were suitable to meet the children's developmental needs for example the baby room had push-pull toys for children developing their motor skills, while the toddler room had a variety of sorting toys for the older children. The preschool room had a wide mixture of construction toys, which could be used on the table or the floor for larger play activities.

Children's identity and belonging were reflected in each room with a birthday wall and family photographs displayed. The sleep rooms were darkened with music playing to promote restful sleep.

There was a covered outdoor area directly off the preschool room, with an artificial surface. This space was equipped with an outdoor play kitchen, wheeled toys, a playhouse and a slide. The children were observed using this area during the inspections. There was a larger outdoor space at the side of the registered provider's home.

This area had an artificial surface and tractor tyres, balance beams and goalposts. The staff described how this space was used when the children are playing outdoors for a prolonged space of time, for example in good weather.

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:

- Each room had an entrance from the car park, and each door had a child-safety gate preventing unauthorised access or exits.
- Cleaning agents were stored safely out of the children's reach.
- Emergency exits were clear and unobstructed.

Infection Control:

- Staff in the preschool room were observed to remind children to wash their hands before eating, after toileting and after playing outdoors.
- Cots, which are shared between children, were labelled, and each child had their own bed linen in a labelled basket.

Safe Sleep:

- The staff were observed to carry out 10-minute checks on the sleeping children and verbally explained that they were checking the child's position, colour and breathing. These checks were digitally recorded.
- Children over two years were supervised while sleeping on low beds in a separate sleep room.
- Staff described how children's sleep time depended on each individual child and their sleep requirements.

Non-Compliance Information

General Safety:

1. There was no written care plan for a child with medical needs. It is acknowledged that the staff discussed the initial procedures and actions required. However, the information was inadequate and posed a risk to the child in case of an emergency or escalation of the child's condition.

Infection Control:

2. There was no hot water in the toddler's sanitary area. As a result, effective hand washing could not take place after the children used the toilet or after staff had changed nappies.
3. The storage of soothers did not support infection control measures. Two soothers were observed at the side of a mattress in an empty cot, and one child was seen taking a soother off the floor and putting it in their mouth.

4. The radiator cover in the preschool sanitary area had peeling paint and was rusty. This did not allow for effective cleaning.
5. The cots and low beds were not placed 50 cm apart.

Safe Sleep:

6. The cot mattresses were old and worn. The washable cover on one mattress was torn, exposing the foam, and the mattresses did not fit snugly in the cots.
7. The temperature of the cot room adjacent to the baby room was recorded at 21.3°C while one child under 12 months slept. This exceeded the recommended temperature of 16°C to 20°C.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. An updated care plan was submitted. The registered provider stated that this plan was developed in collaboration with the parents. They stated that all staff members have received a copy of the plan.

Infection Control:

2. The registered provider has stated that the plumber has been contacted to adjust the water heater to cover the control so children cannot access it. In future, all heaters will have controls not accessible to the children.
3. The registered provider stated that new procedures have been put in place regarding the storage of soothers.
4. The radiator and cover have been cleaned and repainted.
5. The registered provider has stated that the sleeping accommodation has been re arranged to allow adequate space between sleeping children.

Safe Sleep:

6. The registered provider has stated that new cot mattresses have been purchased to replace the old, worn ones. They stated that staff have been reminded to contact management if material or equipment require replacing.
7. The registered provider stated that the heating in the cot room has been adjusted to ensure the room temperature does not exceed 20°C. Staff have been reminded to regularly check the temperature and adjust the heating and open the window if required.

Supporting documentation submitted

General Safety:

1. A copy of the care plan was submitted.

Infection Control:

2. No evidence was submitted.
3. A copy of the updated policy was submitted with photographic evidence of the storage containers.
4. Photographic evidence of the radiator and cover was submitted.
5. Photographic evidence of the reorganised cot room was submitted.

Safe Sleep:

6. Photographic evidence was submitted.
7. Evidence of recent room temperatures was submitted.

Summary Comment

The action and plan submitted by the registered provider have addressed the non-compliance identified on inspection and the implementation of these actions will be reviewed on the next 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)

The registered provider has ensured that a person trained in first aid was available to the children at all times. Eight staff members were trained to the first aid responder standard.

(2) A suitably equipped first aid box was safely stored in an easily accessible and conspicuous position in the lobby between the care rooms.

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.

(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) Fire drills were completed in the service; the last fire drill was recorded as being carried out on the 7th of February 2025.

(b) A maintenance record was available to demonstrate the number, type and maintenance of the firefighting equipment and smoke alarms. The maintenance was carried out on the firefighting equipment on the 1st of March 2024 and on the smoke alarms on the 7th of January 2025.

(4) A notice of the procedures to be followed in the event of a fire was displayed in each room in the service.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The service had insurance for up to 37 children at any one time from the 21st of November 2024 to the 27th of March 2025.