

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015WD070
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Name of Service:	Sallywags Lismore Community Childcare Centre Ltd.
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Address of Service:	Bothar Mochuda, Lismore, Co. Waterford
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Eircode:	P51 TP97
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Name of Registered Provider:	Rachael Kelly
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Service type:	Full Day
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Date of Inspection:	25/03/2025
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No of pre-school children:	AM	25	PM	19
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Address of the Early Years Inspectorate:	Community Care Centre, HSE Buildings, Cork Road, Waterford City
Inspection undertaken by:	Aileen 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	n/a
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Description of service

Scallywags Lismore Community Childcare Centre is a community-run service based in Lismore. It is in a purposely built premises with an outdoor area. There are three care rooms, the Caterpillar room, the Butterfly room and the Ladybird room. The rooms have sanitary areas adjacent to each one. The Caterpillar room and the Butterfly room have sleeping areas adjacent to the rooms. The service has a kitchen, staff room and office facilities.

The service offers sessional, part-time and full-time care for up to 60 children aged 0-6 years. It operated from 8:00 to 18:00, Monday to Friday.

The service also offers school-age care.

Staffing

The service employs a total of 16 staff members, including the registered provider and auxiliary staff. On the day of the inspection, 9 staff members were working directly with 25 children. The registered provider does not work with the children.

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 20(1) – Facilities for rest and play;
Regulation 23 – Safeguarding Health, Safety and Welfare of Child;
Regulation 24(1)(3)(b) - Checking in and out and record of attendance;
Regulation 26 – Fire Safety Measures.

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.

Acknowledgments

The inspector wishes to acknowledge the cooperation of 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

2) The person in charge confirmed that seven staff members had joined the service since the last inspection. The inspector reviewed these files.

(a)(b) Evidence was available to demonstrate that references for the staff were considered. Validated written references for each staff member were available.

(c) Garda vetting was available on the day of the inspection for the seven staff members. The service also demonstrated compliance with the Early Years Regulatory Notice requiring services to renew Garda vetting every three years.

(d) Records available demonstrated that the registered provider had assessed that police vetting was not required for the staff.

(4)

Evidence was available on the day to demonstrate that all staff members who work directly with children qualified at the minimum level 5 or above on the National Qualification Framework or a qualification deemed by the minister to be equivalent.

Non-Compliance Information

(1)(a)(b)(c)

The person in charge was not on the premises when the inspector arrived; however, they arrived on the premises within one hour. Staff verbally confirmed that there was no named deputy person in charge if the person in charge was not available. There was no management structure in place in the absence of the person in charge, which would have identified the lines of authority.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider stated that a recruitment campaign has commenced to employ additional management personnel. The role has been advertised and the position will be filled by the 21st of May 2025.

Supporting documentation submitted

A copy of the job advertisement was submitted as evidence.

Summary Comment

The action submitted by the registered provider has addressed the non-compliance identified on inspection.

Part III – Management and Staff

Regulation 11 - Staffing levels

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

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

Compliance Information

(1)(2)

During the inspection, there were an adequate number of staff working directly with the children. There were 9 staff caring for 25 children. A review of the staff and the children's attendance records demonstrated that the registered provider ensured that the minimum ratio of adults to children was maintained.

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.*

Compliance Information

A sample of 10 children's registration forms were reviewed. Details required from (a) to (i) were included in the sample reviewed.

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

The information required in this regulation from (a) to (i) was available to the inspector. This information was available in the staff files, included in the parents' handbook and on the services website.

Non-Compliance Information

(j) A sample of 12 administrations of medication forms was reviewed, and of these, 5 had not been completed as they did not include the parents' signatures as required by the services' medication policy, which stated that completed forms must have two staff signatures and a parental signature.

(k) A sample of accidents and incident digital and paper reports were reviewed, and they were found not to include necessary information. For example, the children's details were not completed fully, and parental or staff signatures were absent. The services' accident and incident policy indicated that records of incidents or accidents must have the child's full name, be signed by the staff member, the person in charge and the parent of the child when they have been informed of the incident or accident.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider stated that a decision has been made that records will not be stored on the digital application. Medication forms and records of accidents and incidents will be completed on paper going forward and will include the relevant information and required signatures. This decision has been added to the agenda for the next staff meeting, and the correct completion of these forms will be discussed.

Supporting documentation submitted

A copy of the staff meeting agenda was submitted as evidence.

Summary Comment

The action submitted by the registered provider has addressed the non-compliance identified on inspection.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

- (1) Subject to this regulation, a registered provider shall ensure that-
- (a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child to play indoors and, where required by these Regulations, outdoors, during the day, and
 - (b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

Compliance Information

- (1)
- (a) Each of the care rooms was well equipped with furniture and equipment suitable for the age and stage of the children accessing the rooms. The rooms were laid out with definite areas of interest, for example:
- Home corners with a play kitchen and accessories, dolls and buggies;
 - Construction areas with a large mat to facilitate floor play;

- Boxes of wheeled toys and train sets;
- Dress-up clothes for imaginative play.

Each room had an activity table; the Butterfly room had sand, trucks, and diggers on their tray, and the Ladybird room had playdough.

The room layout allowed ease of access for children to independently manage their activity. For example, the table top activities, (jigsaws, sorting materials and writing materials) were displayed on low shelving and near a table. Each room had a low sink to allow children to access for water play with plastic aprons stored nearby.

The care rooms had direct access to the outdoor area, and children were observed to use these spaces during the day. The outdoor space had a canopy to allow for outdoor play during inclement weather. Children's wellington boots were stored on labelled stands outdoors.

The outdoor area had an artificial surface with a second space called 'the field,' which was a secured grassed area beyond the service.

The outdoor space had buddy benches, construction toys, wheeled toys, chalk boards, mud kitchens and a playhouse. Staff were observed to bring out a table, two chairs and jigsaws for children who wanted to continue their work outdoors.

(b) Each room had a dedicated quiet area away from the main play area if a child wanted a break or a rest. Low couches, cushions, and soft mats were available in this space. The Caterpillar room had a sleep room adjacent to the care room with a cot for each child. The Butterfly room had a sleep room off the main playroom. Each child had a low bed, which was labelled. These rooms were darkened, with soft music playing to support restful sleep.

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:

- Staff members in the office could visually see who was entering the building. The main door was secured and access was gained by the use of the intercom system operated by a staff member.
- The double doors to the children's care rooms were accessed with a keypad.
- The changing units had low steps to allow children to access the changing tables with support from the staff members.

- The outdoor area was secured with a low wall and railings.

Infection Control:

- A reminder to parents regarding the service's illness exclusion policy was displayed at the door of each care room.
- Warm water, liquid soap and disposable paper towels were available to encourage children's hand-washing practices.
- Up-to-date cleaning records were displayed in each room.

Safe Sleep:

- Sleep checks were carried out every 10 minutes and recorded.
- The cot room temperature was maintained at 19°C while children were sleeping.
- There were reminders for staff displayed in the Butterfly room regarding the children's sleeping habits.

Non-Compliance Information

General Safety:

1. There was a trampoline in the Caterpillar room; this is not suitable in a pre-school setting due to the risk of injury.

Infection Control:

2. The material on the large soft floor mats was torn, and the foam was evident meaning it could not be cleaned effectively.
3. The sanitary areas in the Caterpillar room and the Butterfly room were used for storage for space furniture and staff items. This created a risk of cross-infection.
4. The children's low beds in the Butterfly room were not 50 cm apart, which created a risk of cross infection.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The registered provider stated that the trampoline had been removed on the day of inspection. Management will ensure that the equipment available to the children is suitable for their age and stage of the children.

Infection Control:

2. The registered provider stated that they are in the process of purchasing soft floor mats for both Butterfly and Caterpillar rooms and are awaiting a stock alert.
3. The registered provider stated that staff have been provided with a space to store personal items. This will be highlighted at the next staff meeting.
4. The registered provider stated that the team are reviewing the number of toddlers who may need naps and will organise the sleep room accordingly, with children's beds placed 50cm apart.

Supporting documentation submitted

General Safety:

No evidence was submitted

Infection Control:

A copy of the floor mat order was submitted.

A copy of the agenda for the next staff meeting was submitted

Summary Comment

The action submitted by the registered provider has addressed the non-compliance identified on inspection.

Part VI - Safety

Regulation 24 - Checking in and out and record of attendance

(1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.

(3) (b) a daily record in writing is kept of the entry on the premises of any such person.

Compliance Information

(1) The registered provider ensured that children's attendance was recorded. The service used an online application to record the times of arrival and collection of each child.

(3) (b) The inspector was required to sign in and out of the building on their arrival and departure.

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 firefighting 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)(b) Evidence was available to demonstrate the fire-fighting equipment had been serviced in May 2024, and maintenance on the smoke alarms was completed in July 2024.

Non-Compliance Information

(1)(a) Fire drills were not carried out frequently. Staff verbally stated that fire drills are not carried out monthly. A written record of the last fire drill was reviewed by the inspector – this was dated the 13th of February 2024. Staff described a recent evacuation of the premises due to an alarm going off.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider stated that an internal fire safety officer has been named and management has committed to complete a fire drill at 4 weekly intervals. This has been added to the meeting agenda for discussion.

Supporting documentation submitted

A copy of the meeting agenda was submitted.

Summary Comment

The action submitted by the registered provider has addressed the non-compliance identified on inspection.