

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015WH072			
Name of Service:	Jolly Mariner Childcare Centre			
Address of Service:	Brick Island, Abbey Road, Athlone, Co. Westmeath			
Eircode:	N37 E008			
Name of Registered Provider:	Cyril Dully			
Service type:	Full Day, Part Time, Sessional			
Date of Inspection:	01/07/2025			
No of pre-school children:	AM	37	PM	31
Address of the Early Years Inspectorate:	Early Years Inspectorate, Tusla, Child and Family Agency, SAP Office, St. Loman's Campus, Springfield, Mullingar, Co. Westmeath.			
Inspection undertaken by:	C. O'Connor Hughes & K. Murphy			
Title:	Early Years Inspectors			
Authority to Inspect				
The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).				
Conditions if applicable	Not applicable.			

Description of service

This community service provides a full day care, part time and sessional service. The service is open from 08:30 to 18:00 Monday to Friday. The service is part of a multiple and operated by Athlone Community Services Council CLG. The Early years' service is located to the ground floor of an adapted residential building. The service consists of three pre-school rooms, namely the wobbler/ toddler room, junior pre-school room and the senior pre-school room. A sleep room, an office, a small kitchen and staff room are provided. Outdoor play areas are located at the rear of the service. The service is situated in a residential area in the town of Athlone, Co. Westmeath.

Staffing

There are seventeen staff employed in the service. The designated person in charge and eleven adults were working directly with children on the 1 July 2025. One adult was employed under the Community Employment scheme and two office administrators were present. The head of childcare services ACSC attended the closing meeting. The registered provider does not work with children and was not present.

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 -Management and Recruitment (1)(a)(b)(c) 9(2)(a)(b)(c)(d) (4) (7) (a).

- Regulation 10 – Policies, Procedures of Pre-School Service.
- Regulation 11– Staffing Levels (1)(2) (8)(a).
- Regulation 19 Health, Welfare and Development of Child (1)(a) (b).
- Regulation 23 - Safeguarding Health, Safety and Welfare of Child.
- Regulation 24 – Checking in and Out and Record of Attendance.
- Regulation 25 - First Aid.
- Regulation 26 – Fire Safety Measures.
- Regulation 27 – Supervision.
- Regulation 28 – Insurance.

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 in respect of Regulation 9 Management and Recruitment was issued to the registered provider on 02 July 2025. The response submitted by the registered provider on the 03 July 2025 was accepted by Tusla.

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.

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

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

Compliance Information

(1)(a)

The person in charge and deputy were available in the service.

(b)

The person in charge was present for the duration of the inspection.

Twenty files including the file of the registered provider, head of childcare services and a contractor were reviewed and the following was noted:

(2)(a)(b)

The required number of written validated references were available for nineteen adults from past employers and from a source other than a past employer. Two written references were available in respect of the registered provider.

(c)

A Garda Vetting disclosure was available in respect of the twenty files reviewed. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d)

Police vetting was available in respect of five adults who had lived outside the state for a period of longer than six consecutive months.

(4)

Staff members working directly with children attending the service held a major award in Early Childhood Care and Education at levels 5 to 8 on the National Framework of Qualifications or a qualification deemed to be equivalent.

(7)(a)

An induction period is provided to allow new employees time to familiarise themselves with the practices of the service. Evidence reviewed indicated that staff had read and understood the policies and procedures of the service.

Non-Compliance Information

(2)(c)

Garda vetting procedures were not carried out by the service in respect of one staff member who had recently transitioned from a student placement to becoming recently employed by the service. It is acknowledged that in date student Garda vetting was available for review.

An immediate action notice was sent to the registered provider on the 02 July 2025 by the Early Years Inspectorate. The registered provider response submitted on the 03 July 2025 was accepted by TUSLA.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Immediately the staff member was asked to remain absent from the service until her new vetting was received. A vetting application was submitted on the day of inspection 1/07/2025 and received on 16/07/2025.

As part of our induction process/policy, we have added a checkbox to ensure any new employees vetting has been received and documented before commencing work.

Supporting documentation submitted

Garda vetting for the staff member.

Staff induction checklist.

Summary Comment

Evidence submitted and reviewed by the Early Years Inspector addressed the non-compliance.

Part III – Management and Staff

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

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

Compliance Information

The following policies and procedures were selected by the inspector and reviewed and found to be in keeping with the regulatory requirements.

- Supervision of staff policy.
- Staff training policy.
- Policy on managing behaviour.

Part III – Management and Staff

Regulation 11 - Staffing levels

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

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

(8) Without prejudice to paragraphs (2) to (7)-

(a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times,

Compliance Information

(1)

The minimum ratio of adults to children was maintained during the inspection.

(2)

There were thirty-seven children attending the service supervised directly by eleven adults in the morning. There were thirty-one children present in the afternoon supervised by nine adults.

(8)(a)

The staff roster and attendance records reviewed indicated that two adults are on the premises during the hours of operation.

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)

Junior pre-school room

The corrective and preventive actions stated from the last inspection on the 29 August 2023 had been implemented in the Junior pre-school room.

(1)(b)

Toddler room, Junior pre-school room and Pre-school room

The care practices implemented to support the children's daily routine met the needs of the children attending the service. An "intimate care policy" and practice was in place in the service. Children were encouraged to be independent and to feed themselves. Staff sat with children and assisted them as needed during mealtimes. Children wore bibs to protect their clothes at mealtimes. Children enjoyed the vegetable soup and potato served for the main meal with milk and water to drink. Children took their time to enjoy the meal. Younger children were prepared for sleep time by staff and they slept in a quiet restful atmosphere in the toddler sleep room. Other children not wishing to sleep played in the cosy rest area supported by staff. Children in the toddler room had their nappies changed on a regular basis and as required. Staff were supportive of younger children learning to toilet train. Personal care needs were attended to in a caring manner. Spare clothes were available for each child if needed.

A key person system was in operation in the service which helped to promote the emotional security of children attending the service. Good communication was observed between staff and children as the staff used individual names, maintained eye contact and conversed with the children during play activities, nappy changing, toileting and mealtimes. Upset children were reassured and comforted in a caring manner by staff. Positive redirection

strategies were used by staff for minor behaviour issues in line with the service’s behaviour management policy. Smooth transitions were observed as a five-minute warning was given for notice of a change in activity in the junior and pre-school rooms.

Children enjoyed the freedom of movement to the outdoor play environment and played happily in the outdoor play area supported by staff. Small group work was observed in the three pre-school rooms as the staff sat with and supported a small number of children at their various play activities. Younger children enjoyed singing songs and various play activities supported by staff. Children were encouraged to be independent; a little helper system was observed in the toddler room at mealtime. Children had the opportunity to choose what activity they wished to participate in, in the pre-school rooms.

The child’s daily routine including feeding, nappy changing and sleep patterns in the toddler room is shared with parents via an electronic handheld tablet by the staff. Parents of older children have the same access to the two-way communication for updates and information for older children. Staff stated a verbal handover is given to parents at collection time. The child’s learning journal depicting the child’s play and work activities are shared with parents at the end of the pre-school term. The designated person in charge stated there was an open-door policy in the service and an introduction to pre-school evening for parents is to be held on the 3 July 2025.

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 entrance to the service was secure to ensure the safety of the children within. Access is gained through a bell and coded system at the main entrance door. The inspectors signed the visitors book on arrival. The service met the necessary safety requirements in respect of the indoor environment, toys and equipment and the safe storage of cleaning agents. Monthly safety audit checklists were available for review.

Infection Control:

Children were observed to wash their hands before snacks and after using the toilet. Soothers were stored correctly in individual containers in the toddler room.

Correct hygiene procedures were observed as staff cleaned runny noses. The nappy changing procedure was carried out correctly by staff in the toddler room.

Toys and equipment were easily cleanable. Cleaning schedules were available for review. The wash hand basins were plumbed with an instantaneous supply of hot and cold water.

The sanitary accommodation was stocked with a sufficient supply of liquid soap and paper hand towels.

The air to water system in the service provided the required mechanical ventilation in the toddler sanitary accommodation. Windows were open to allow for natural ventilation in the pre-school rooms.

Refrigerators were available in each room for the storage of perishable goods. A record of the fridge temperatures was maintained.

Administration of Medication:

The medication forms indicated that correct procedures were in place for the administration of medication to children attending the service. Individual care plans were in place for children requiring medication. Signage displayed indicated that the service is a nut free zone.

Safe Sleep:

A record of the colour, position and breathing of sleeping children was noted on a sleep log for children attending the toddler rooms. Staff carried out a visual check every ten minutes on sleeping children. Upon discussion staff demonstrated knowledge of safe sleep procedures. The sleep room temperature was recorded 20.5 degrees Celsius. A wall thermometer was noted in the toddler sleep room. Air conditioning units were in place in the toddler and junior pre-school room sleep rooms.

Fire Safety:

Fire exit routes were unobstructed in the service and a fire assembly point was in place to the front of the building.

Non-Compliance Information

General Safety:

An auto adrenaline injector (AAI) for use for children with a defined medical condition was out of date in December 2024. Upon request of the inspector a corrective action was taken by the designated person in charge. The parent was contacted and they brought an in-date AAI to the service. A checklist was put in place to check the date of expiry of the AAI by the designated person in charge.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

The parent was contacted immediately and they brought a new in date AAI to the service.

A check list is now displayed in each room, to be checked monthly, displaying the date of expiry of all medication.

Supporting documentation submitted

New auto adrenaline injector with expiry date and checklist.

Summary Comment

Evidence submitted and reviewed by the Early Years Inspector addressed the non-compliance.

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) A registered provider shall ensure that-

(a) no person other than-

(i) pre-school child attending the service,

(ii) a person dropping or collecting such a child,

(iii) an employee, or

(iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and

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

(4) A registered provider shall ensure that a record in writing referred to in paragraph (3)(b) is retained for a period of one year from the date to which it relates.

Compliance Information

(1)
The records of arrival and departure reviewed verified that each child attending the service was checked in and out of the service by a nominated staff member.

(3)(a)

All entry to the service with the exception of (i), (ii), (iii) and (iv) has to be approved by a staff member.

(b)

A visitor log was in place to record the details and purpose of all visitors to the service.

(4)

The visitor log is retained throughout the annual operation of the service.

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)

Four adults were qualified in First Aid response (FAR) and were available on the premises during the hours of operation on a rostered basis.

(2)(a)

A fully equipped first aid box was readily available in the three pre-school rooms. The first aid checklist in line with the Quality Regulatory Framework document had monthly checks dated and signed.

(b)

A first aid box was accessible to the adults caring for the children in the pre-school service.

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)(a)

A written record for the completed monthly fire drills was available on the premises. The last fire drill was recorded as taking place on the 26 June 2025.

(b)

A record was available demonstrating the number, type and maintenance of the firefighting equipment and smoke alarms on the premises. The firefighting equipment in the premises were serviced in October 2024. The smoke alarms in the premises were serviced in June 2025.

(4)

A notice of the procedures to be followed in the event of a fire was displayed in a conspicuous position in the service.

Part VI - Safety

Regulation 27 – Supervision

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

Compliance Information

Children were under adult supervision when playing in the indoor and outdoor environments during the inspection. Adults supervised children when using the toilet.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

There was evidence of current insurance cover for the number of children attending the service. The expiry date noted was 28 February 2026.