

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015WW125
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Name of Service:	Scallywags Childcare
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Address of Service:	25 Bentley Avenue, Bray, Co. Wicklow
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Eircode:	A98AK65
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Name of Registered Provider:	Deirdre Lally
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Service type:	Sessional
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Date(s) of Inspection:	24/09/2025
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No of pre-school children:	AM	15	PM	0
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Address of the Early Years Inspectorate:	Level 7 Brunel Building, Heuston South Quarter, Kilmainham Dublin 8
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Inspection undertaken by:	R Phillips
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Title:	Early Years Inspector
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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 Childcare operates from a purpose-built premises at the back of the registered providers home in a residential area in Bray Co. Wicklow. The service provides sessional care and education to children aged 2-6 years. The provider facilitates the Early Childhood Education (ECE) programme from 09:30-12:30. There are two care rooms ECCE 1 and ECCE 2 and a small outdoor area.

Staffing

The service employs three adults including the manager of the service who works directly with the children and the registered provider as relief staff.

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 (1)(2)(4) Management and recruitment,
- 11(1)(3) Staffing levels,
- 16(1)(a) (h)(i)(j)(k) Records of a preschool service,
- 19 (1)(a) Health Welfare and Development of the child,
- 23 Safeguarding health, safety and welfare of child,

26 (1)(a)(b) (2)(c) (4) Fire Safety measures and
29 (d) Premises.

The inspection findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under regulation 16 Records in relation to a preschool 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 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
- (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) The registered provider had appointed a designated person in charge and named persons to deputise as required.

(b) The designated person in charge was present throughout the inspection and attended the closing meeting at the end.

(c) It was evident that there was a clear management structure in the service.

All staff files were reviewed, three in total.

(2)(a)(b) The following references were made available in respect of the three staff files:

six written validated references, three from previous employers, three from reputable sources.

(c) Garda vetting disclosures were available for all three staff. However, the Garda vetting records demonstrated that 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 for two adults. Please refer to the information outlined under regulation 23 of this report.

(d) Police vetting was not required for the three staff.

(4) Three staff members including the manager held a major award in Early Childhood Care and Education at least level 5, or equivalent qualification.

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.

(3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 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) therefore at that reference number is satisfied.

Compliance Information

(1) On the day of inspection, the inspector observed that there was an adequate number of staff working directly with the preschool children.

(3) There were 15 children being cared for by 2 adults with the person in charge also working directly with the children.

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;

(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)(a) There was a Curriculum Vitae available in each staff file with pertinent details as required.

(h) Details of children's registration and daily attendance were recorded on the register. The register detailed the number of children present when the inspector arrived for the inspection unannounced.

(i) The service maintains a staff roster indicating attendance, starting and finishing times.

(j) The service had a record available for staff to document the pertinent details when a child requires medicine administration. None of these have been filled in for this preschool year. The staff were aware of the procedures to be carried out when medicine administration is required. The administration of medication policy also detailed these procedures and the use of the record available.

(k) A record was maintained of accidents and incidents that occurred in the service, involving preschool children with the pertinent details and signatures of staff who witnessed same and parent /guardian signature as required. A sample of ten records were reviewed.

(3) The records were made available for inspection.

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

Basic Needs:

Healthy eating was promoted within the service. Children brought a packed lunch from home, which was varied and healthy. The children's drinks were available to them.

The children ate in an unhurried atmosphere; staff sat with the children encouraging social interaction and conversation as they ate.

The staff were responsive to the children's needs, providing comfort when they were upset.

The children were encouraged to manage their own belongings and to exercise independence in going to the toilet and personal care. Staff supervised them by sight and sound as necessary.

Aprons were provided for painting and messy play.

Supporting Relationships:

The staff displayed team work as they discussed the children's individual needs.

The staff communicate with parents at drop off and collection of the children to and from the service, as well as via a messaging application.

Settling in was supported within the service by staff offering some children who required it additional support and affection, providing a soothing effect.

Transitions were well managed by staff, letting the children know in advance what to expect.

Physical and Material Environment:

A new construction corner has been recently developed and was popular with the children in ECCE 2

A sensory corner with mirrors and buckles and switches at the children's level was being enjoyed by children in ECCE 1.

There was a good range of age-appropriate toys and play materials for the children's use. The play materials were arranged on low level accessible shelving to facilitate choice.

A range of books were available in a library area in each care room, supporting children's language development.

Programme of Activities:

The children took part in a variety of multi sensorial activities, including painting, playing with home-made modelling dough, and enjoyed water play at the low-level sink.

Ongoing observations and assessments were documented, which helped create a complete picture of each individual child.

Non-Compliance Information

The children did not get to play outdoors daily. The outdoor area had been used for storage of furniture, reducing the space available to the children to play safely. The person in charge stated that the children had not yet played outside this September. No outdoor play opportunities were organised for the children, during the inspection despite one child asking to play outside. Children need opportunities for outdoor play every day to ensure their social, cognitive gross and fine motor developmental needs are met.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The outdoor area was cleared of stored furniture.

Children will be given the choice to play outside each day

Supporting documentation submitted

Photo submitted of children playing in outdoor area.

Summary Comment

The actions taken and evidence submitted have been reviewed and deemed to address the noncompliance.

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

The inspector found by observation of practice, review of documentation, discussion with staff and inspection of the premises that the registered provider had taken the following steps to safeguard children attending:

General Safety:

The entrance door to the service was adequately secured to ensure the safety of the children within and to avoid unauthorised persons accessing the service or children exiting unsupervised.

All storage facilities were inaccessible to children.

Thermostatically controlled warm water was available which did not exceed 43°C.

Infection Control:

The materials and equipment appeared clean and well maintained.

The person in charge discussed cleaning schedules which included regular laundering of fabric items such as the covers for the child sized couch.

The sanitary facilities were equipped to support handwashing. The inspector observed children washing their hands at required times including before eating, after messy play and after using the toilet or blowing their noses to prevent the spread of infection.

Waste was properly managed using pedal-operated bins, to facilitate hands-free disposal.

Administration of Medication:

The policy on administration of medication for the service sets out the procedures to ensure it is carried out in a safe way. The children's enrolment forms included consent for administration of antipyretic medication and care in an emergency.

There were no recent completed medicine administration forms. The Person in charge stated that children are rarely given medicine, that if a child appears unwell, they contact their parents.

Fire Safety:

Fire exits were unobstructed throughout the service.

Emergency and evacuation procedures were displayed in conspicuous areas.

Staff were aware of the location of the fire assembly point.

Outing:

The service has a risk assessment and consent for local outings to a green area within the housing estate.

However, the person in charge stated no other outings take place.

Non-Compliance Information

General Safety:

- Garda vetting was available for all staff members. However, two staff members' vetting disclosures were not dated within the previous three years contravening the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

Garda vetting was applied for for the two staff members.

A renewal form has been completed to remind the person in charge when garda vetting needs to be renewed.

Supporting documentation submitted

General Safety:

Evidence of one staff members garda vetting certificate submitted with CAPA 1 response.

Evidence of Renewal form to identify when renewal is next due was submitted

Evidence submitted with CAPA 2 response of application for garda vetting for second staff member.

Summary Comment

The actions taken and evidence submitted has been reviewed, and deemed to address the non-compliance.

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.

(2) The record referred to in paragraph (1) shall be open to inspection by-

(c) an authorised person.

(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) The service maintained a record of monthly fire drills that had taken place in the premises. The last fire drill was recorded as having taken place on 19 September 2025.

(4) Notices of the procedure to be followed in the event of a fire were displayed in conspicuous places within the service.

Non-Compliance Information

(1)(b) (2)(c) There was no record available of the last maintenance check of firefighting equipment and no record available of the type of, number, or maintenance of smoke alarms or fire detection system.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Fire fighting equipment replaced and serviced in September 2025. Fire detection/alarm system serviced September 2025

Supporting documentation submitted

Receipt for new fire extinguishers submitted

Receipt for Fire alarm service submitted

Evidence of above service and replacement of fire fighting equipment and service submitted.

Evidence of record to highlight renewal dates for servicing of fire fighting equipment and alarm system

Submitted with CAPA 1 .

Summary Comment

Actions taken and evidence submitted reviewed and deemed to address the non-compliance.

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

Compliance Information

(d) The service was appropriately decorated.

The premises appeared clean on the day of inspection. The service had daily and weekly cleaning schedules in place.

The person in charge pointed out recent maintenance.

The flooring was smooth, easily cleaned and non-absorbent, but is aging, and the person in charge discussed plans to replace same.