

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2016DR027
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<b>Name of Service:</b>	Castle Park School
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<b>Address of Service:</b>	Castle Park Road, Dalkey, Co. Dublin
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<b>Eircode:</b>	A96 DP48
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<b>Name of Registered Provider:</b>	Anna Kennedy
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<b>Service type:</b>	Full Day Care Part time and Sessional
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<b>Date(s) of Inspection:</b>	12/02/2025
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<b>No of pre-school children:</b>	AM	56	PM	37
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<b>Address of the Early Years Inspectorate:</b>	Floor 7, Brunel Building, Heuston South Quarter, Kilmainham, Dublin 8 D08X01F
<b>Inspection undertaken by:</b>	R Phillips and E Mulhern
<b>Title:</b>	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).

<b>Conditions if applicable</b>	N/A
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### Description of service

Castlepark is an independently operated private school providing full day care, part time and a sessional service to preschool children from two to six years of age. It consists of four classrooms within the main school building. The service operates from 08:30 -18:30hrs 38 weeks of the year. The children have access to a large enclosed outdoor area.

### Staffing

Thirteen staff members were employed to work with the preschool children. The registered provider works directly with the children in her role as Assistant Principal and Head of Early Years. There were 11 staff working directly with the children on the day of inspection.

### 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 and Safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under regulations

- 9 (1)(2)(3)(4) Management and Recruitment
- 11(1) (2) Staffing levels
- 15 (1) Records of a Preschool child
- 19 (1)(a)(b) Health Welfare and Development of child

- 27; Supervision

However, on inspection additional non-compliance which posed a risk was identified under Regulation 23 Safeguarding Health Safety and Welfare of child.

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

A sampling process was used to assess compliance under Regulation 15 Records of a Preschool Child.

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

### Immediate Action Notice

Regulation 9(2)(c): An Immediate Action Notice was issued on 13 February 2025 as a mandatory Garda vetting disclosure was not available for one person who was present in the service on the day of the inspection, contrary to the National Vetting Bureau (Children and Vulnerable Persons) Act 2012. A response was received from the registered provider on 13 February 2025 outlining actions taken to address the risk including making an application for garda vetting and the adult not working in the service until Garda vetting disclosure was received.

## Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, 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.

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(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 service had a person in charge and a named person to deputise.
  - (b) The person in charge was always on the premises during the inspection. The staff roster provided for the person in charge or a person who could deputise to be present at all times of opening.
  - (c) Adults demonstrated an understanding of their roles and responsibilities and the lines of authority within the service.
- (2) Employment records for 13 adults were reviewed

(d) Four adults' files had police vetting as required from other states where they lived as adults for six months or more.

### Non-Compliance Information

The registered provider did not take appropriate measures to ensure that all employees were suitable to work in an early years' service prior to their commencement as outlined below:

(2)(a) & (b)

Appropriate consideration had not been given to references of three adults as outlined:

There were no references available for one adult.

Only character references had been sourced for a second adult despite them having had previous employers.

There were no records to show that references for a third adult had been verified. This regulation was non-compliant on inspection on 25/02/2023. The corrective and preventive actions submitted following that inspection have not prevented the reoccurrence of the noncompliance under regulation 9 (2)(a) and (b).

(c) A Garda vetting disclosure was not available for one adult who had been employed since 04/09/2024.

An immediate action notice was issued on 13/02/2025 due to the risk posed. The registered provider submitted a response on 13/02/2025 that appropriately addressed the risk.

It is acknowledged that Garda Vetting disclosures were available for 12 adults, 11 of which were dated within the last three years. However, 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, in the case of one employee. Please refer to the information outlined under regulation 23 of this report.

(3)

Appropriate consideration had not been given to references and Garda vetting disclosures prior to staff commencing work in the service as outlined above. One staff file contained records of validation of references six weeks after the adult started working in the service. In addition, the dates of Garda vetting disclosures for three staff members were dated between three and four weeks after they commenced working in the service. This regulation was non-compliant on inspection on 25/01/2023. The corrective action and preventive action plans submitted by the registered provider following that inspection have not been effective in addressing the noncompliance.

(4) It was not evidenced that one adult employed to work directly with children held at least a major award in Early Childhood Care and Education at Level 5 on the National Framework of Qualifications or a qualification deemed equivalent by the Minister. It is acknowledged that 12 of the staff employed did.

### Corrective & Preventive Action submitted by the Registered Provider

#### **Corrective and Preventive Action**

(2)(a)(b) References have been followed up and verified since the inspection.

(2)(a)(b) Going forward set questions will be asked to verify references when hiring a staff member.

(2)(c) The registered provider applied for garda vetting and re vetting as required.

(2)(a)(b)(c) (3) An emergency meeting of the senior management team to review all staff files and non-compliances with regulation 9 was carried out and a new on boarding system will be followed when employing new staff. Staff will not commence employment until their documentation has been verified.

#### **Supporting documentation submitted**

(2)(a)(b) Verified references were submitted as required by the registered provider.

(2)(a)(b)(c) (3)(4) A checklist for use when recruiting new staff was submitted as evidence by the registered provider.

(2)(c) Garda vetting certificates were submitted to the Early Years Inspectorate as required.

(4) Certificates of Qualification for staff as required were submitted to the Early Years Inspectorate.

### Summary Comment

The actions taken and supporting documentation submitted has been deemed to address the non-compliance.

### 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) There was an adequate number of adults working with the children attending the preschool service at all times during the inspection. There were 11 adults working with 56 children the morning of inspection and 37 children in the afternoon.

### 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

- (1) A sample of 10 records for children were reviewed. The information required was documented as outlined below:
- (a) The name and date of birth of each child.
  - (b) The date when each child first attended the service.
  - (d) The name, address and telephone number of parents and information where parents can be contacted.

## Non-Compliance Information

- (1) The information required that was not documented is outlined below:
- (c) A section was not available for recording the date when the child ceases attending.
  - (e) Names and contact details of other persons authorised to collect the child.
  - (f) Medical information, allergies, additional needs, and other information specific to the child.
  - (g) The name and telephone number of the child's medical practitioner.
  - (h) Immunisation details.
  - (i) Signed parental consent for medical treatment in the event of an emergency.

## Corrective & Preventive Action submitted by the Registered Provider

### **Corrective and Preventive Action**

We have changed school portals this year and only had paper files on the day of inspection. Some of the required information is on the school portal. We will add a checklist of immunisation records to the online parent's portal for parents to complete.

### **Supporting documentation submitted**

Example of portal information submitted .

## Summary Comment

The action taken and supporting documentation submitted has been deemed to address the non-compliance. This regulation will be inspected on the next 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*

*(1) A registered provider shall, in providing a pre-school service, ensure that-*

*(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)(b);

##### Basic Needs:

There were water stations on low level shelving in each of the four care rooms, so the children had access to drinking water at all times. There was a healthy eating policy in place in the service, and parents provide healthy snacks from home which were appropriately stored in fridges in the care rooms. Children ate a hot meal at lunchtime in the dining room. All the preschool children ate together in a relaxed sociable environment. There was a vegetarian option, and one child was observed enjoying that. Staff stated that the children would be offered an alternative, where they didn't want to eat the meal on offer. Staff were heard offering further portions. There was a three-week rolling menu, and chefs prepared the food on site for the whole school community.

Older children went to the toilet independently in the sanitary areas available. Staff supported the children to be independent with toileting and prompted them to wash their hands after outdoor play, prior to meals and snacks and after using the toilet.

Staff in kindergarten 1 supported the younger children with toilet training and change of pull up as necessary, engaging with the children in conversation at these times.

##### Supporting relationships

Throughout the inspection warm interactions were observed between the staff and children. Children were observed choosing activities they wished to engage in during outdoor play and free play time indoors. The staff were heard encouraging children to express their feelings, and the staff were observed promoting inclusion in the outdoor play area. The staff were observed acknowledging the children's efforts and accomplishments focusing on their actions and interactions in play activities

Communication with parents was facilitated by conversation at drop off and collection times, by communication via a software application, and one to one parent teacher meetings. The children's families' photos were displayed at the children's eye level in the care rooms, to facilitate a link between home life and preschool.

Transitions were well managed in kindergarten 1 room from snack time to activities, by staff informing the children what to expect.

### **Materials and Equipment:**

The outdoor area was safe and secure, accessible directly from each care room, with impact absorbing material on the ground, and artificial grass. There was a large climbing structure, and a smaller one with a slide, a wooden playhouse and benches at a low level to facilitate a rest from activities. There was a selection of outdoor games on the boundary wall, wooden outdoor kitchens and a wobble board. Opportunities were provided for challenge and safe risk by the climbing structures under close supervision of the staff.

Each kindergarten room facilitated a range of developmentally appropriate play experiences for children. Each had low level tables and chairs for tabletop activities and snacks. Each room had ample resources and play materials. Each care room had clearly defined interest areas, airport check in desks, kitchens, construction areas, tuff tables where the children were observed engaging in sensory play. There were suitable rest areas in each room and low-level beds were available for rest and sleep. Low couches, cosy corners and library areas were also observed in each kindergarten room.

### **Programme of Activities:**

Inspectors observed folders for each individual child where ongoing observations and assessments were documented. Art and crafts were stored in trays labelled with the children's names for sharing with parents. Children's language development was supported through songs, storytelling and group activities and conversations. Children were encouraged to express their views take the lead and exercise choice.

## 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.*

#### Non-Compliance Information

##### General Safety:

1. One staff member's vetting disclosure was not dated within the previous three years in adherence with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'. This poses a risk to the safety of the children in the care of the service.

#### Action submitted by the Registered Provider

##### Corrective & Preventive Action

##### General Safety:

Ensure that all staff's garda vetting documentation is up to date and in their staff file, and do yearly checks to make sure we are fully compliant.

##### Supporting documentation submitted

##### General Safety:

The registered provider submitted garda vetting certificates as required and a checklist indicating that garda vetting will be carried out prior to any staff working directly with children.

#### Summary Comment

The actions taken and documentation submitted have been deemed to address the non-compliance.

## 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

The children were adequately supervised at all times during the inspection. The staff were observed to count the children and call them by name at times of transition from the classroom out to the outdoor play area, to the sanitary area to wash their hands and use the toilet, and on route to the dining room for dinner.