

Early Years Inspectorate Regulatory Report

Pre School

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| TUSLA Identifier: | TU2016FL009 |
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| Name of Service: | Gingerbear Daycare |
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| Address of Service: | Portersfield, Clonsilla, Dublin 15. |
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| Eircode: | D15 TD42 |
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| Name of Registered Provider: | Jennifer Lynch |
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| Service type: | Full Day, Sessional |
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| Date of Inspection: | 26/11/2025 |
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| No of pre-school children: | AM | 22 | PM | 20 |
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| Address of the Early Years Inspectorate: | Early Years Inspectorate 7 th Floor Brunel Building Heuston South Quarter, St. John's Road West Dublin 8 D08X01F |
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| Inspection undertaken by: | L.A Webster |
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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).

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| Conditions if applicable | Not applicable. |
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Description of service

Gingerbear Daycare is a full daycare service located in a residential area in Dublin 15. The service operates between 8:00am to 6:00pm Monday to Friday and participates in the Early Childhood Care and Education scheme (ECCE) from 9:00am-12:00pm. The premises is a two-storey building with two main care rooms; the Toddler room (1 year-3 years) which is located on the ground floor and the Preschool room (3-5 years) which is located on the first floor. There is a third room which is currently not in use. Additionally, there is an office, kitchen, and sanitary facilities. There is a large, secure outdoor area at the rear of the premises.

Staffing

The registered provider works within the service and employs 8 adults that work in the service. This includes a person in charge, a deputy person in charge, 5 childcare staff, and 1 ancillary staff which is the chef. On the morning of the inspection there were 6 adults present including the registered provider, 2 deputy persons in charge, and 2 adults working directly with the children and the ancillary staff member.

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.

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 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) The service had a designated person in charge and a named person to deputise as required.
- (b) A review of the roster evidenced that either the person in charge or the deputy person in charge were rostered to be present during the operational hours of the service.
- (c) There was a clear management structure in place, and this was further evidenced throughout discussion with staff.
- (2) A review of paperwork and discussion with the person in charge showed that there are currently 8 staff employed by the registered provider to work within the service. The files of 2 new staff who had commenced employment following the previous inspection on the 12 January 2024 were reviewed. Garda vetting disclosures were reviewed for all staff that are currently employed within the service.
- (a) There were 3 written and validated references available from past employers.
- (b) There was 1 written and validated reference available from a source other than a past employer.
- (c) Garda vetting disclosures had been obtained for all 9 adults. However, the service did not demonstrate compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d) Police vetting was not required, as no adult had lived in a state outside of Ireland for a period longer than 6 consecutive months.
- (4) Evidence was available to show that the 2 adults who worked directly with the children held a major award in Early Childhood Care and Education at a minimum of level 5 on the National Framework of Qualifications, or a qualification that is deemed of equivalence by the minister

Non-Compliance Information

(2) (c) Although a Garda vetting disclosure was available for one adult, there was no consideration of the disclosure such as a risk assessment undertaken by the service. Any disclosures should be assessed to determine any potential risk to the children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider advised they have carried out a risk assessment, and in future risk assessments will be carried out immediately should a disclosure appear on Garda vetting.

Supporting documentation submitted

Documentary evidence submitted.

Summary Comment

The inspector has reviewed the actions taken and documentary evidence submitted. The non-compliance identified under Regulation 9 (2)(c) has been addressed.

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) On the day of inspection, there were 22 children being cared for by 4 adults in the morning and 20 children being cared for by 4 adults in the afternoon. Additionally, the registered provider was available to provide support in the care rooms as needed.
- (2) The adult child ratios were correct when the inspector arrived unannounced to the service and throughout the inspection. Staff were aware of the required ratios for the age range of the children within the rooms.

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-

(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) (b) The following practices were observed to be in place to support the children in the service:

- Staff were observed to be kind, respectful and caring towards their interactions with the children, which created a calm and nurturing atmosphere within the service.
- Throughout the inspection, children were engaged in various musical, sensory, and reading activities to support their developing language and fine motor skills.
- Individually labelled beakers of water were available to the children at all times.
- Mealtime was observed to be very interactive, and children were supported by staff to eat independently. It was also observed that staff would sit with the children to eat and was later reiterated to the inspector that they try to model good eating habits, and trying new food, particularly if a child may seem adverse at the beginning. Children were given ample time to sit down, eat and digest their food. In discussion with staff and the chef, fresh food is prepared on site on a daily basis and should a child request additional food, it was available.
- Designated cosy areas were available within the rooms that included comfortable materials such as cushions, and soft toys.
- The equipment within the rooms were themed and labelled, promoting a sense of spontaneous play for the children.
- In discussion with staff, it was reiterated that the staff work alongside the children, and their emergent interests to create various play spaces in the room. For example, the children were beginning to show a strong interest in block play, and the staff ensured to create a large, designated space for the children to build, play, and store their creations safely.
- Adequately sized chairs and tables were available to the age and developmental stage of children who wished to engage in tabletop activities.
- Transitions were observed to be smooth and considerate during nappy changing times. Children were gently directed to the changing area and the staff ensured to explain to the children what was

happening. Nappy changes were observed to be in line with the procedures visible on the wall and staff ensured that these interactions were meaningful and created a strong sense of safety for the children.

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 appropriately secured upon the inspectors' arrival. The service entrance operated through a buzzer system that allowed entry into a main hallway to prevent children from leaving the service unsupervised and restrict any unauthorised access to the service. Additionally, the outdoor area was securely fenced and gated.
- The care rooms were in good condition, with no visible hazards or trailing wires observed.
- Blind cords were securely attached to the wall and out of reach of children.
- Cleaning agents were stored safely and locked away out of reach of children.
- Shelving units were firmly anchored to the wall to ensure stability and safety.
- The kitchen area was inaccessible to children and the door remained closed throughout the inspection.

Infection Control:

- Upon arrival, it was observed that the service was clean and hygienic and up to date cleaning schedules were available and observed within the care rooms and sanitary facilities.
- Thermostatically controlled warm water, liquid hand soap and wall mounted paper towels were available for appropriate hand washing practices. Both staff and children were observed to show familiarity with routine handwashing after nappy changing, and dinner time.
- Foot operated pedal bins were in use for the appropriate disposal of waste in the care rooms and sanitary facilities. These were observed to be in good working order.
- An ambient temperature of 16-22°C was maintained within the care rooms, and the windows were open to allow fresh circulation of air.
- Within the changing room, children had individually labelled storage areas for their nappies, creams and wipes to avoid any cross contamination.
- Upon observation, it was evident that children had individual bed linen that was clean and in good condition.

Administration of Medication:

- Medication was not given at the time of inspection. Through discussion, staff were familiar with the practices required for the administration of medication to children attending the service.
- Observation showed that medication was stored safely, in date and out of reach of children.
- In discussion with staff, it was evident that they were aware of medical care plans for children and where the emergency medication is stored. In addition to this, staff were aware of the procedures to take in relation to potential anaphylaxis and the administering of emergency treatment if the event occurred.

Safe Sleep:

- Staff were noted to be aware of safe sleep practices and children were observed to be monitored while sleeping every 10 minutes. Staff ensured to document this through electronic format, highlighting the children's breathing, position, and colour of each child.
- Cots were positioned at 50cms apart, cots and mattresses were observed to be in good condition.
- Appropriate bedding in line with Tusla's guidance on safe sleep was provided to children who were under two years of age.
- An ambient temperature of 18-22°C was maintained for sleeping children over two years of age.

Fire Safety:

- All fire emergency exit doors were clear from obstruction. This helped ensure the safe effective evacuation of children and staff in the event of an emergency.

Non-Compliance Information

General Safety:

1. Garda vetting was available for nine adults; however, seven of the nine disclosures were not dated within the previous three years in adherence to the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years for all staff employed. This posed a safeguarding risk.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

The registered provider has applied for Garda vetting for nine adults. Renewal reminders have been put into calendars to ensure timely completion.

Supporting documentation submitted

General Safety:

Photographic evidence.

Summary Comment

The inspector has reviewed the actions taken and documentary evidence submitted. The non-compliance identified under Regulation 23 has been addressed.

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 person in charge was trained in First Aid Response (FAR), expiry date of December 2026 and was immediately available to the children attending the service. Additionally, the person in charge ensured that six staff held up to date FAR certification and were immediately available to the children as needed.

(2) (a) The first aid equipment was safely stored, and unobstructed if needed to access quickly.

(b) A suitably equipped first aid box was available at all times to the adults caring for children attending the 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 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) The records available demonstrated that fire drills are held monthly within the service and the service conducted a fire drill on the 18 November 2025.
- (b) A record was available detailing the number, type and maintenance of the firefighting equipment and smoke alarm systems in the premises.
- Records demonstrate that the firefighting equipment had been serviced annually, with the last service taking place on the 13 November 2025
 - Records demonstrate that the smoke alarms have been serviced on a quarterly bases with the last service taking place on the 11 November 2025.
- (4) A visual notice of the procedures to be followed in the event of a fire was consistently displayed around the service.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The registered provider ensured that the pre-school service was adequately insured, with an expiry date of 27 March 2026.