

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2016FL031		
Name of Service:	The Nest/Kinsealy Childcare Ltd		
Address of Service:	13 Drynam Square, Kinsealy, Co. Dublin		
Eircode:	K67 CF72		
Name of Registered Provider:	Colm Bowers		
Service type:	Full Day, Part Time, Sessional		
Date of Inspection:	11/02/2025		
No of pre-school children:	AM	39	PM 32
Address of the Early Years Inspectorate:	Early Years Inspectorate, 181-189 Lakeshore Drive, Airside Business Park, Swords, Co. Dublin K67 Y5C6.		
Inspection undertaken by:	AM Coyle & Y Kelly		
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

The Nest/ Kinsealy Childcare Ltd is one of 5 early years services operated by the registered provider in the Dublin area. This service is located on the ground floor of an apartment complex in a residential housing development in Swords, north Dublin. There are 4 care rooms in the service namely the Baby room, the Tweenie room, the Toddler room and the Montessori room. A separate sleep room is located adjacent to the Baby room. The service operates from 7:30am to 6:00pm Monday to Friday and participates in the Early Childhood Care and Education scheme (ECCE) for eligible children between 9:15am and 12:15pm.

Staffing

The service employs 14 staff members, 12 of whom were present on the day of inspection. A manager is employed in the service who coordinates the day-to-day operations of the service. Two staff members were employed in the service to reduce the adult to child ratio and if necessary to work with a child with additional needs, a post which is funded by the Minister as part of the Access and Inclusion Model scheme. A chef was engaged in cooking and catering duties and a cleaner is employed to assist with household chores. The registered provider was not present in the service during the 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/ safety/ premises and facilities. 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 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.

Compliance Information

(1)(a) The service manager was the designated person in charge of the service and there was a named person to deputise as required.

(b) The service manager was present and in charge of the service when the inspectors arrived unannounced to the service at 09:00am.

The files for 14 staff members including the were reviewed.

(2)(a) &(b)Two validated written references were available for 14 staff members whose files were reviewed.

(c) Garda vetting disclosures were available for the 14 staff members whose files were reviewed. The service also demonstrated compliance with the Early Years Inspectorate regulatory notice requiring services to renew Garda vetting every 3 years.

(d) International police vetting was available for 13 staff members who resided outside of the Irish jurisdiction for longer than 6 consecutive months as adults.

(4) Documentary evidence was available to confirm that 12 staff members whose files were reviewed and who may work directly with the children in the service held an appropriate childcare qualification at Level 5 or higher on the National Framework of Qualifications or a qualification deemed by the Minister to be equivalent.

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) On the day of inspection there was an adequate number of staff members working directly with the children attending the service.

(2) The adult to child ratios were correct in the service when the inspectors arrived unannounced at the service and remained so throughout the inspection.

The following adult to child ratios were observed during the inspection:

- In the Baby room there were 5 children aged 13 months to 19 months being cared for by 1 staff member.
- In the Tweenie room there were 5 children aged 1 year 8 months to 1 year 11 months being cared for by 1 staff member.
- In the Toddler room there were 11 children aged 2 years to 3 years being cared for by 3 staff members.

- In the Montessori room there were 18 children aged 3 years 3 months to 4 years 8 months being cared for by 4 staff members including 2 staff members employed as part of the Access and Inclusion Model scheme.

(8)(a) The registered provider ensured that 2 adults were present in the service at all times. This was confirmed by the staff roster and sign in records.

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

(1)(a) The following observations were made on how each child's learning, development and well-being was facilitated within the daily life in the service:

Basic needs:

- Mealtimes in the service were observed to be a social occasion for the children. The service provides all meals to the children attending on a full day care basis with the children attending on a sessional basis bringing their own snack with them from home. Throughout the service the staff members engaged the children in conversation whilst they ate providing assistance to them as needed. The staff member in the Baby room sat in front of the children who required assistance with eating warmly engaging with the children at their eye level.
- The children's personal care needs were attended to promptly. Nappies were changed at scheduled times and more frequently as needed. The staff members used the opportunity to engage with and chat to the children. The children who were toilet trained used the toilet independently with discreet supervision. Bibs were placed on younger children before eating with children's hands and faces cleaned after eating. When going to the garden, staff ensured the children were appropriately dressed.
- The children in the Baby room were observed to be placed to sleep when they were tired in the sleep room adjacent to the care room and if mealtimes coincided with their sleep times they were provided

with their meals when they woke up. The children in the Tweenie room slept in either cots in the sleep room or on appropriate floor beds at their scheduled sleep time after they had their dinner. The children aged over 2 years in the service who required sleep slept on stackable beds in the Toddler room after dinner. Rest areas were provided in the care rooms should the children chose to take a break from activities during the day.

- The staff were observed to support children during moments of minor conflict or upset in a calm and supportive manner.
- All of the children attending the service on the day of inspection were afforded the opportunity to spend time in the outdoor area to the rear of the service during the inspection.

Supporting relationships

- The staff members demonstrated sensitivity, warmth and positive regard for the children for whom they were caring through the use of gentle language, speaking in soft tones, using the children's names and positioning themselves at the children's level during interactions. The staff members in the Montessori room were observed offering the children regular praise and encouragement for their involvement in activities and on completion of tasks. Additionally, the staff members in the Montessori room were observed to use the periods when the children were engaged in free play as an opportunity to engage children in one-to-one interactions, engaging in shared conversation and extended the children's learning through the use of open-ended questions.
- The children were encouraged to develop good social skills with each other with staff members observed to encourage and support the children to take turns, listen, wait, share and be mindful of each other. In some of the care rooms family walls were in place which bridged the connection between home and the service.
- The service uses a mobile application (an 'App') to communicate children's routines and progress with their parents and guardians throughout the day. The staff members were observed greeting parents and guardians by name and sharing information in a friendly manner at drop-off and collection time.

Physical and material environment:

- Overall, throughout the care rooms the play materials and resources were available on low level shelving allowing children access to resources and facilitating independent choice. The children in the care rooms demonstrated familiarity with their environment to access the toys and play resources they chose to play

with. Throughout the care rooms it was evident that the service has been engaging with a quality development service since the last inspection of the service on the 03/04/2024.

- The Baby room provided space for the children to crawl, explore and move around to support children with walking. A well-resourced home area was available to support the children’s imaginary play in addition to transport toys, musical instruments, arts and crafts materials and construction resources.
- The Montessori room was well resourced with a wide variety of Montessori play resources in addition to a range of well-resourced interest areas including a home area with a well-resourced play kitchen, a dressing table with play resources including hair care and dress up resources. A construction corner, art materials and an art easel were provided along with sensory play material which included dried food and sand. The Toddler Room consisted of a Cosy Area where children could relax and read books, a kitchen area with wooden kitchen and play materials and dolls area with dolls, cots and doctors kit for dramatic and imaginative play, transportation and tabletop resources were also available to the children. A cosy corner with a tent, cushions and books were accessible to the children in the Tweenie room along with a kitchen area with play materials, dolls, workbench, transportation toys and road mat, jigsaws and cause and effect toys which provided opportunities for children’s freely chosen play.
- Sensory play materials were available throughout the care rooms including dried food such as rice, lentils and pasta in addition to play dough and a sensory play basket in the Baby room.
- A fully enclosed outdoor area is located to the rear of the service and is directly accessible from the main hallway. The area was divided into 2 sections, the upper level was covered in safety tiles with ride on toys and 2 small rockers available for the children to use. The lower part of the outdoor area was not available to the children on the day of inspection.

Non-Compliance Information

Basic needs:

1. In the Baby room the children’s water bottles were stored in a container on a high shelf both out of sight and reach of the children, this did not facilitate the children in asking for or gesturing that they wanted a drink of water throughout the day.

Physical and material environment:

2. There were no supporting play materials available for the play kitchen or the construction bench that were available in the outdoor play area to enable the children to extend their play.

- The family wall that was on display in both the Tweenie room and the Toddler room was positioned at too high a level for the children to view this does not enable the children to develop a sense of belonging and connectedness in the service and to maintain links with family and home.

Programme of Activities and its Implementation:

- The inspectors were informed that an individualised care plan had not been developed for a child who may at times require additional support from staff members when in attendance in the service, taking account of the child's strengths, interests and preferences in order to facilitate meaningful interactions and activities.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

Basic needs:

- The baby room now has a low-level designated small table for children to access their drinks throughout the day.

Physical and material environment:

- Manager added more supporting materials for the play kitchen in the outdoor play area. Also added supporting play materials for the construction bench in the outdoor play area to enable the children to extend their play.
- Staff is offering family books to all age groups so they can identify their family and demonstrate with their peers their family photos at any time of the day.

Programme of Activities and its Implementation:

- Staff in the Montessori room received individual training to make sure they are using a care plan. Educators were urged to maximise the chances for the children-initiated activities and focus on their planner and daily activities.

Preventive Action

Basic needs:

- Manager and Assistant Manager to check the room on a daily basis to ensure that children have access to their drinks to support throughout the day.

Physical and material environment:

2. Manager and assistant Manager will make weekly checks to make sure the defined areas are kept well maintained. All adequate toys are available for different age groups at all times.
3. Manager and assistant Manager will make daily checks to make sure the Family book will be accessed by the children at any time of the day.

Programme of Activities and its Implementation:

4. Manager and assistant manager will check the room once a week, and management will make sure that staff members receive yearly and ongoing training for their care plan.

Supporting documentation submitted

Photographic evidence of the following was submitted:

Water available to the children in the Baby room.

Supportive play equipment.

Copy of individualized care plan for child.

Summary Comment

The inspectors have reviewed the actions and evidence submitted. The noncompliance identified under regulation 19 - Health, welfare and development of child has been adequately addressed.

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-

(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)(b) There is one sleep room in the service which is located immediately adjacent to the Baby room where 7 standard cots were provided for the children attending the Baby room in addition to one child in attendance in the Tweenie room. Additionally, 3 cocoon beds were available along with stackable beds for the children aged over 2 years to use. Based on a review of the children's attendance records there were sufficient cots available for the children aged less than 2 years.

Part V - Care of Child in Pre-school Service

Regulation 22 – Food and drink

A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.

Compliance Information

The service provides all snacks and meals to the children attending on a full day care. The children who attend the ECCE programme bring their own snack with them from home. All other snacks and meals are prepared on site by the chef, a 3-week menu indicating that a varied and nutritional choice of food is available in the service was on display in the service. Dietary requirements specified by the parents were accommodated, as stated on the menu, and observed in practice during the inspection. The food available on the day of inspection reflected the menu provided and was in keeping with the service's healthy eating policy.

Breakfast of cereal and milk or toast with butter was available to the children who require breakfast up until 9am.

A selection of fresh fruit including banana, chopped apples and orange slices were provided to the children at 10am.

Spaghetti Bolognese was served for dinner at 11:30 am in the Baby, Tweenie and Toddler room and from 12 midday in the Montessori room.

Hummus with breadsticks was provided for the afternoon snack and homemade broccoli and cauliflower soup with freshly made soda bread was served for tea.

The children attending the Baby room who required formula brought their milk with them from home which was stored in the fridge until required.

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 doors leading into the service were appropriately secured.
- The kitchen was inaccessible to the children.
- Cleaning agents were stored safely out of the reach of children.

Infection Control:

- With the exception of the noncompliance listed below thermostatically controlled running water, liquid soap and paper hand towels were available at the wash hand basins in the service.
- Tables were observed to be appropriately cleaned before and following meals and snacks.
- The children were facilitated to wash their hands before eating, after using the toilet, after nappy changing and following messy play and outdoor play.
- Appropriate disposable gloves and aprons were available and observed being worn for each individual nappy change. The services nappy changing policy was observed being implemented when children were having their nappies changed during the inspection.

Administration of Medication:

- Medication was not required to be administered during the inspection. Medication was stored safely out of reach of the children.

Safe Sleep:

- The temperature in the sleep rooms was monitored and maintained within the safe sleep temperature range of 16 - 20°C.

Fire Safety:

- The records reviewed indicated that fire drills were practiced on a monthly basis to familiarise both adults and children of the procedures to follow in order to evacuate the premises in a safe manner.

Non-Compliance Information

General Safety:

- The rear door of the service which leads to the outdoor play area was partially blocked by a child's bed and art easel, this could pose a risk of obstructing exiting the building in the event of an emergency.

Infection Control:

- The inspector was informed by a staff member in the Baby room that she placed soothers under running water to sterilise them. The absence of robust procedures in respect of soother management poses a risk of contamination for the children in attendance.
- The water at both the sink in the Baby room and at the sink in the sanitary facilities used by the children attending the Baby room was cold. Cold water does not achieve effective hand washing.
- The staff member in the Baby room informed the inspector that modelling dough is made once weekly in the care room, this is shared amongst the children, used repeatedly and then disposed of. Based on the age range and development stage of the children attending this care room this practice could increase the risk of cross contamination.

Safe Sleep:

- A staff member was observed checking the children who were sleeping in the sleep room adjacent to the Baby room by standing at the door of the sleep room and looking towards the cot. The children were not individually checked to ensure that their colour, breathing and position were satisfactory.

Action submitted by the Registered Provider

Corrective Action

General Safety:

- The bed that was blocking the rear entrance has now been removed. Clear exits are always available through the back door.

Infection Control:

2. Baby room staff members received individual training on the Soothers policy and the proper sterilisation protocol.
3. Both the sanitary area sink, and the baby room sink have warm water for efficient hand washing. Manager fixed the thermostat to the recommended temperature between 38c -41c and will keep an eye on the temperature on a regular basis.
4. Play dough is made on a specific day separately for each room. After children have finished playing, teachers will put the play dough in the bin at the end of the day.

Safe Sleep:

5. Individual training/instructions provided on how to conduct sleep checks in compliance with rules and in accordance with Safe Sleep Policy and Procedure, given to staff members working in the baby room. They will be making sure that each child is checked (physically) on for their colour, breathing, and positioning every 10 mins.

Preventive Action

General Safety:

1. To ensure that there are never any risks on the premises, the manager and assistant manager will conduct regular inspections. Educators will document any risks discovered on the premises using the risk assessment.

Infection Control:

2. Staff members will receive annual/ frequent training if needed. Manager and assistant Manager to make sure that the proper Soother protocols are monitored on a regular basis and stay compliant.
3. Manager has created a record sheet for taking the temperature throughout the day. The temperature of the sanitary and baby room sinks will be monitored and checked by the manager and assistant manage.
4. Following children's use, the manager and assistant manager will ensure that the play dough is disposed of in the bin after use and not shared in other rooms.

Safe Sleep:

5. Every ten minutes at bedtime, the manager and assistant manager will make sure that the educators are checking on each child's colour, breathing, and posture, physically.

Supporting documentation submitted

Photograph of clear exit.

Staff training records in relation to soother care and conduction of sleep checks.

Copy of water temperature recordings.

Summary Comment

The inspectors have reviewed the actions and evidence submitted. The noncompliance identified under regulation 23 - Safeguarding health, safety and welfare of child has been adequately addressed.

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.

Compliance Information

(1) Accurate records of children's daily attendance were maintained. Children were signed in and out of the service with the use of a childcare software programme accessible on a tablet in each care room.

(3)(a)(b) A system was in place to ensure that no person other than the children and their parents or guardians, employees, approved students or authorised visitors could enter the service. A visitor's book was maintained and on arrival to the service the inspectors were requested to record their attendance on the premises and the purpose of their visit.

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) Following review of staff files and the staff roster, it was evident that the registered provider ensured that there was a member of staff trained in First Aid Response (FAR) on the premises at all times.

(2)(a)(b) Suitably equipped first aid boxes were available on the premises and these were stored in accessible and conspicuous locations out of the reach of children.

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) A record was maintained of fire drills which had been completed in the service. Fire drills were conducted on a monthly basis in the service. The last fire drill was conducted on the 22/03/2024.

(b) A record was kept of the number, type and maintenance of the fire extinguishers in the premises. The fire extinguishers were certified as having been serviced on the 30/06/2024.

(4) Notices of the procedures to be followed in the event of a fire were conspicuously displayed in the premises.

Non-Compliance Information

(b) A record was not kept of the number, type and maintenance of the smoke alarms in the premises.

This non-compliance was observed at the last 2 inspections of the service on the 21/03/2023 and the 02/04/2024 and remains outstanding.

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

(b)

The service Smoke Alarm report was submitted.

Preventive Action

Every six months, the Manager and Assistant Manager will check and verify that smoke alarm reports are available on site for inspections.

Supporting documentation submitted

Copy of maintenance record for smoke alarms dated 13/12/2024.

Summary Comment

The inspectors have reviewed the actions and evidence submitted. The noncompliance identified under regulation 26 - Fire safety measures has been adequately addressed.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

An insurance certificate was available to demonstrate the preschool service was adequately insured. The service is currently insured to accommodate 60 preschool children attending on a full day care basis , with an expiry date 27/11/2025.