

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2016LK013
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Name of Service:	TLC Childcare
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Address of Service:	Woodfield Grove, Killeline, Newcastle West, Co Limerick
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Eircode:	V42 X934
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Name of Registered Provider:	Joan Hester
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Service type:	Full Day
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Date of Inspection:	10 th March 2025
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Regulatory Compliance Meeting	23 rd June 2025
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No of pre-school children:	AM	93	PM	88
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Address of the Early Years Inspectorate:	Tusla, Early Years Inspectorate, Estuary House, Henry St, Limerick
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Inspection undertaken by:	E Browne and J Ryan
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Title:	Early years inspectors
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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	Not applicable
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Description of service

This full day service was set up in 2016 and it offers full day care and part time care from 07:30hrs to 18:00hrs Monday to Friday. It also offers an Early Childhood Care and Education (ECCE) pre-school programme and a sessional care programme from 09:00hrs to 12:00hrs. The premises are a purpose built two storey childcare facility located in the town of Newcastle West, Co Limerick close to shops, schools and residential settings. The service has seven playrooms, four sleep rooms, a kitchen, nappy changing and sanitary facilities for children and adults and an outdoor play area to the back of the premises.

Staffing

On the day of inspection there were 18 childcare staff working with the children and this includes the person in charge who is available to cover breaks.

The registered provider visits the service and was present in the afternoon on the day of the inspection and will covers breaks and office duties as required.

There were two additional staff working in the kitchen and a staff available to work with the school aged children. All staff working directly with the children have childcare qualifications which range from level 5 to level 8 on the National Qualifications Framework.

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, 10, 11, and 19: however, on inspection additional non-compliance which posed a risk was identified under Regulations 23 and 29. These findings are outlined within the relevant regulations within this report.

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

23rd of June 2025

A regulatory compliance meeting was held by the Inspection and Registration Manager with the registered provider to discuss the inadequate responses to the non-compliances identified in Regulation 19.

Acknowledgments

The inspectors wish 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.

(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) There was a designated person in charge and a named person who was able to deputise as required.

(b) The person in charge and the deputy person in charge were available on the premises as outlined in the staff roster. The registered provider arrived in the service approximately 2.00pm on 10th March 2025.

(c) There was a clear management structure in the service that identified the lines of authority and roles and responsibilities of each employee. Team leaders were appointed in each room of the service.

(2) The files of all staff members were checked, and the following documents were available for inspection:

(a) References from the person's past employers and in particular the most recent employer was available for the staff.

- (b) References from sources other than past employers in the case of a person who had no past employers were available where required.
- (c) Vetting disclosures received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 were available in respect of all the staff. The service did adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years.
- (d) Police vetting was in place for the 13 staff members who had lived in another state for a period of longer than 6 consecutive months.
- (3) The vetting procedures specified in paragraph (2) (c), (d) Garda and Police vetting were completed for all staff members prior to commencing employment in the service.
- (4) All staff working directly with children attending the service had an award in Early Childhood Care and Education ranging from Level 5 to 8 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

Part III – Management and Staff

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

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

Non-Compliance Information

1. There was an unsettled child crying from 12.00 hrs to 12.45 hrs in the Bunny room, and staff were having difficulty trying to settle this child into the routine of the room. Staff stated it was the child's first day in the service, and the child attended for up to five hours.

The settling in policy was not available for the inspectors to review on the day of the inspection.

The person in charge was unable to download the policy from the computer and there was no hard copy available. This may potentially impact on the care of the settling in child as staff may not have been aware of the correct procedures to follow to support the child to settle.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action: The registered provider has stated in Corrective and Preventive Action (CAPA) response 1 and response 2 that:

Additional measures are now in place to ensure all staff have access to the policies on the services laptop/desktop.

A copy of the Settling in Policy was submitted to the Inspectorate and service is currently working to update this current policy.

Supporting documentation submitted:

Settling in Policy

Summary Comment

The evidence submitted was assessed and deemed to meet the regulatory requirement.

Part III – Management and Staff

Regulation 11 - Staffing levels

(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

(2) At all times during the period of the inspection the person in charge ensured that an adequate number of staff were working directly with the children.

There were 18 staff working across 7 playrooms with 93 children present in the morning and 88 children present in the afternoon.

- Bunny room - there were 11(6mts- 1.5 years) children and 3 staff present.
- Ducky room - there were 9(1.5- 2 years) children and 2 staff present.
- Dolphin room- there were 12(1.5-2 years) children and 2 staff present.
- Octopus room- there were 9(2-3years) children and 2 staff present.
- Elephant room - there were 16(2-3) children and 2 staff present.
- Giraffe room - there were 18(3-4 years) children and 2 staff present.
- Zebra room - there were 18(3-5 years) children and 2 staff present.

The deputy manager and three additional staff were available to cover for staff breaks /busy periods in the playrooms, office management and other service duties.

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) Basic Needs:

The healthy eating policy of the service detailed a well-balanced and nutritious menu. The full-time cooks freshly prepare all meals daily. Dinner consisted of pasta, mashed potatoes, vegetables and a meat-based sauce. Snack consisted of a selection of fresh fruit. Drinking water was available throughout the day in each room if a child was thirsty and needed a drink.

The children who were toilet trained toileted on their own with assistance given to those who needed it. Nappy changing facilities were provided close to the playrooms for ease of access for the staff and children. All toiletries for the children were safely stored and clearly labelled and were located within easy reach of all staff.

Paper towels and liquid antibacterial soap were accessible at the wash hand basins.

Children could rest and relax as desired throughout the day in each room in the library area on child sized couches, cushions and on the floor mats. Children under two years of age slept in traditional type cots and were observed to be checked by staff every seven minutes in line with the safe sleep policy of the service.

Children were encouraged to behave appropriately for their age and stage of development through having simple rules to follow and a good level of choice of activities. The adults modelled positive behaviour for the children and the children were praised for their good behaviour.

The staff used the keyperson system in each room of the service, and they had a good understanding of the benefits of the use of the keyperson system.

Physical and Material Environment:

The rooms were equipped with open shelving units where children could access play equipment and materials independently. Shelving units were also used effectively as room dividers to create play spaces, such as the library area, home corner, construction area, small world area and arts and crafts area. Other interest areas included: sand and water play areas, homemade play dough and tabletop activities area.

The children from all the playrooms had the opportunities to be outdoors throughout the morning and into the afternoon. Each child was appropriately dressed for the cold weather with hats, coats, and some had their all-

weather clothing in place. The children were observed to have many moments of fun and laughter with their friends and their key workers.

In the outdoor area the old equipment and surface materials were removed, and the areas were covered in cement. This work will be ongoing.

Non-Compliance Information

1. An infant younger than 12 months in the Bunny room was not held in a staff member's arm while bottle feeding. The child was self-feeding, drinking a bottle while placed in a stationary piece of play equipment which posed a potential risk of choking or suffocation to the child.
2. Two children aged younger than 12 months were observed placed in two different pieces of stationary equipment where they had limited movement and were confined for up to 40 minutes. The children did not have the opportunity to move about freely, explore their environment and learn to crawl, sit and pull themselves up to a standing position.
3. Staff were unable to respond to the infants in a timely manner if they became upset as the two staff present were busy comforting an unsettled child and comforting a child that was settling into the service. This had the potential of impacting on meeting the basic needs of the other children in a timely manner.
4. A child who was settling into the service on its first day was unsettled having arrived at the service at 08:30hrs and wasn't to be collected by its parents until 13.00hrs. The staff member caring for this child was unable to put this child down as it was crying from 12.00 hrs to 12.45 hrs and therefore was unable to attend to the needs of the other children in the room. The settling in policy was not available when the inspector requested it from the person in charge.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action:

In the CAPA document received on the 3rd of July following the regulatory compliance meeting on the 23rd of June the registered provider has stated:

1. At all times children will be held by a member of staff member while bottle feeding and provided with sufficient time to enjoy their bottle. At the staff meeting the importance of adult and child interaction was addressed particularly when bottle feeding a child.
2. The service has decided to remove the stationary play equipment from the playroom.
3. and 4. Additional support is available and will be available to the staff members working in the Baby room to support and assist during the busy times and also when an early year's inspection is taking place in the service. The updated setting in policy was submitted and the parents were requested to participate in the review.

Supporting documentation submitted

No evidence submitted with CAPA 1 and CAPA 2 responses.

Following the regulatory compliance meeting a copy of the updated settling in policy was submitted.

Summary Comment

Following three opportunities to respond by CAPA and a regulatory compliance meeting the actions taken by the registered provider have addressed the non-compliances identified.

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

Infection Control:

It was observed that the babies and toddlers in the Bunny room did not have their hands washed by staff before they ate their dinner. This increased the risk of cross infection between children and between staff.

Action submitted by the Registered Provider

Corrective & Preventive Action: The registered provider has stated in the CAPA 1 response that:

Infection Control:

Staff have undergone refresher training in food safety along with the infection control policy

Supporting documentation submitted

Photograph of training log completed by staff.

Summary Comment

The evidence submitted was assessed and deemed the regulatory requirements of Regulation 23 Safety Infection control.

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.*

Non-Compliance Information

- (d)
1. The walls of the sanitary accommodation on the first floor were dirty and stained.
 2. Flexes and wires were trailing from the ceiling to the floor in the lobby leading to the nappy changing area in the Ducky room. This posed a safety hazard to both the children and the staff.
 3. Refurbishment work was incomplete in the small kitchen area off the Bunny room and posed a safety hazard to both the children and the staff. Babies' bottles were being reheated in this area which was unclean and posed a risk of cross contamination.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action: The registered provider has stated in the CAPA response 1 and CAPA response 2 that:

1. The walls in the upstairs toilets have been repainted.
2. New fibre broadband had been installed, and the fibre cable has been secured to the wall.
3. The work in the small kitchen has been completed.

Supporting documentation submitted

Photographic evidence was submitted of actions taken as stated in the CAPA responses 1 and 2.

Summary Comment

The evidence submitted was deemed to meet the regulatory requirements of Regulation 29, points 1,2 3.