

# Early Years Inspectorate Regulatory Report

## Pre School

<b>Not applicable TUSLA Identifier:</b>	TU2016SO008			
<b>Name of Service:</b>	Ballintogher Community Childcare CLG			
<b>Address of Service:</b>	Ballintogher Enterprise Unit B, Ballintogher, Co. Sligo			
<b>Eircode:</b>	N/A			
<b>Name of Registered Provider:</b>	Paul O Rourke			
<b>Service type:</b>	Full Day, Part Time, Sessional			
<b>Date(s) of Inspection:</b>	09/04/2025			
<b>No of pre-school children:</b>	AM	21	PM	13
<b>Address of the Early Years Inspectorate:</b>	Early Years Services, Markievicz House, Barrack St, Sligo. F91 XC84			
<b>Inspection undertaken by:</b>	L. Costello			
<b>Title:</b>	Early Years Inspector			
<b>Authority to Inspect</b>				
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>	Not applicable			

### Description of service

The service caters for children aged 2years 6 months to 6 years, operating from 08:00am to 18:00hrs five days per week, 38 weeks per year. The service is located in enterprise units in the village of Ballintogher, County Sligo. There are 2 large adjoining playrooms which are divided into 2 designated play areas, a kitchen. Sanitary accommodation for adults and children is also available. An outdoor play area is available to the side and the front of the building.

### Staffing

There are a total of 6 adults employed within the service, all of whom work directly with the children, to include the person in charge. The Registered Provider does not work in the service. All staff who work directly with the children hold the required Quality and Qualifications Ireland (QQI) to a minimum Level in Early Childhood Care and Education.

### 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, 11, 16, 19, 23, 25, 26 and 28. however, on inspection additional non-compliance which posed a risk was identified under Regulation 29. These findings are outlined within the relevant regulation 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.

### 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*

*(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) (b).

There was a designated person in charge who was available throughout the inspection. A named person was available to deputise as required.

(2) (a) (b).

The records of all seven adults employed and one student in the service were reviewed.

Fifteen written and verified past employer references and one references from a reputable source in the absence of a past employer, were available in respect of all eight adults in the service.

(c)

A garda vetting disclosure was available for all eight adults in the service. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years

(d)

International police vetting was available for the one adult employed in the service that had lived outside the state for a period of longer than six consecutive months.

(3)

The vetting procedures outlined had been completed prior to an adult having access to preschool children.

(4)

Six adults had attained major awards in Early childhood care and education at level 5 or above on the national framework of qualifications, or qualifications deemed by the Department of Children, Equality, Disability, Integration and Youth (DCEDIY) to meet the regulatory requirement.

### 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) There were five adults working directly with 21 children on the inspectors' unannounced arrival to the service.

(2) The minimum adult to child ratios were provided on the morning of the unannounced inspection in accordance with the required ratios considering the ages of the children and the length of time each child spent in the service as outlined below:

- Preschool One: Three adults provided care to 11 children aged from 4 years to 5 years of age.
- Preschool Two: Two adults provided care to 9 children aged 2.8 years to 4 years of age.

In the afternoon the following ratios were observed:

- Preschool One: Two adults provided care to six children aged 4 years to 5 years of age. This room also catered for school age children with one adult providing care to the school age children.
- Preschool Two: Two adults provided care to seven preschool children aged 3 years to 4 years of age.

### Part IV – Information and Records

#### Regulation 16 – Record in relation to pre-school service

*(1) A registered provider shall ensure that a record in writing is kept of the following information in relation to the service:*

*(a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;*

- (b) details of the class of service and the age profile of children for which the service is registered to provide services;*
- (c) details of the adult:child ratios in the service;*
- (d) the type of care or programme provided in the service;*
- (e) the facilities available;*
- (f) the opening hours and fees;*
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*
- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

*(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.*

*(4) A record referred to in paragraph (1) shall be open to inspection on the premises by a parent or guardian of a child but only in respect of information concerning that child.*

### Compliance Information

(1)

The following records were reviewed on the day of inspection and deemed to be compliant.

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor.
- (b) details of the class of service and the age profile of children for which the service is registered to provide services.
- (c) details of the adult: child ratios in the service.
- (d) the type of care or programme provided in the service.
- (e) the facilities available.

- (f) the opening hours and fees.
- (h) Attendance records were available in each of the care rooms.
- (j) Details of medication records were made available for review.
- (k) accidents and incidents records.

- (3)  
These records were made available on the day of inspection to the inspectors.
- (4)  
The service demonstrated that parents were made aware of any accidents or incidents occurring in the service involving their child or administration of medication by evidence of parent signature on a sample of records reviewed.

## 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)
- Meals and snacks were provided at regular intervals for the children. The morning and afternoon snack was provided by parents in line with the service healthy eating policy. On the day snacks observed included sandwiches with a variety of fillings, chopped fruit, yoghurts and cheese and crackers. A catering company provided the main meal of the day which the parents ordered through an application. The parents had an option to choose a hot dinner from a menu selection or provide a cold meal from home. On the day the main meals observed included sausage and mash and chicken curry.
  - Older children who were toilet trained were encouraged to use the toilet by themselves when they felt that they needed to. Younger children in the Preschool two room in the process of toilet training were reminded by staff to use the toilet. The children who were not toilet trained had their nappies changed in a timely manner.
  - Children were observed to wash their hands prior to snack times and after messy play supervised by the adults in the room.

- The children were observed to move around freely in the care rooms during the inspection. The children in both care rooms spent time playing outdoors. The adults were mindful to ensure sunblock was applied to each child prior to outdoor play in the sunshine.
- The staff were observed to manage the children’s behaviour consistently during the inspection with praise and encouragement provided to the children. The staff encouraged the children to share and take turns with toys and intervened quickly when a disagreement arose between children.
- Family tree walls with photographs of children and their families and birthday walls with children’s birth dates were displayed in the care rooms creating links between the service and home. The children’s art work decorated the walls in both care rooms and evidenced the children’s learnings.
- The service took measures to support children who may not have English as their first language. Posters of familiar phrases in Russian and Polish were displayed as prompts to include the children’s native language.
- There are two care rooms in operation in the service. The care rooms were resourced with different toys and play equipment depending on the children’s ages. In preschool room 1 the resources were displayed in a variety of interest areas including home corners, dress up, construction areas and office. Some toys were stored on low level shelving ensuring children can access them as they choose. Preschool 2 had resources and equipment stored on shelving and introduced them to the room as required throughout the session. The care rooms had selections of tabletop activities and age-appropriate books for the children to look at. On the day of inspection, the children were focussed on art and craft activities with a theme of Easter.
- The care rooms had direct access to the outdoor play area which was equipped with ride on toys, balance blocks and a large sand and gravel area where children explored digging and playing with cars and trucks. On the day some children enjoyed playing football with one of the adults while others played in the sand enjoying time spent in the outdoors.

### 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 main entrance into the service was found to be secured upon the inspectors unannounced arrival to the service, which prevented persons entering unauthorised and children from leaving the building unsupervised.
- All cleaning products in the care rooms were stored on high level shelving out of the reach of children.
- The kitchen was inaccessible to the preschool children.
- Leads and flexes were secure and inaccessible to the preschool children.

### Infection Control:

- There was adequate handwashing facilities provided throughout the service with warm water, liquid soap and paper towels.
- Tables were observed to be cleaned prior to mealtimes.
- The materials and resources throughout the service were visually clean, with cleaning schedules displayed and up to date in each care room.
- Children were observed to wash their hands prior to snack time.

### Administration of Medication:

- The service had a medication administration policy in place and on discussion with staff they were aware of their responsibilities for the safe administration of medication.
- A detailed support plan was in place for one child who had an allergy with a step-by-step procedure of what to do if staff observed symptoms.

### Fire Safety:

- Fire doors remained unobstructed on the day.

### Non-Compliance Information

#### General Safety:

1. There were exposed wires from an electrical cable in both of the preschool rooms which may pose a risk to the preschool child.
2. The window in the bathroom had no restrictor in place and was accessible from the children's toilet out of view of adults. This could pose a risk of unsupervised egress from the service.
3. A pipe in the bathroom was secured with expanding foam that had become worn and flaking resulting in a risk to the preschool child.
4. The outdoor perimeter fencing was damaged in several places. One area was loose and at risk of falling, a second area was broken resulting in sharp wooden splinters.

- An unused bathroom adjacent to preschool 1 was accessible. This bathroom was being used as a storage room with cleaning products available to the preschool child.

### Infection Control:

- The nappy changing procedures observed in the service posed a risk due to infection control breaches as follows:
  - Children's hands were not washed after nappy changes.
  - Adults did not wash their hands after nappy changes.
  - Aprons and gloves were not changed between nappy changes.

### Action submitted by the Registered Provider

In a written response the registered provider stated:

#### Corrective & Preventive Action

##### General Safety:

- The exposed wires have been removed from both preschool rooms. This has now been added to our daily indoor risk assessment.
- A window restrictor has been ordered from the hardware shop but has not come into stock yet. A temporary measure in place is that the window will be locked in the short term to prevent the possibility of unsupervised egress from the service and staff members will have a key.  
All windows in the service have been checked for restrictors to prevent this non-compliance reoccurring
- The pipe with exposed expanding foam has been completely covered by being boxed off. We will not use expanding foam in the service again.
- The outdoor fence has been made more sturdy with extra screws placed in posts to hold them in place better. The broken panel was replaced with a new panel to prevent any splinters. We are currently devising a plan to upgrade our outdoor area during the summer when we are closed. This will be completed by the end of August 2025.
- The bathroom holding cleaning equipment has been locked and only accessible by adults with a key.

### Infection Control:

- All staff have been reminded of the nappy changing policy The nappy changing policy is displayed on the wall above the nappy changing unit.

## Supporting documentation submitted

### General Safety:

1. Photographic evidence submitted.
2. Photographic evidence submitted.
3. Photographic evidence submitted.
4. Photographic evidence submitted.
5. Photographic evidence submitted.

### Infection Control:

6. Photographic evidence submitted.

## Summary Comment

The corrective and preventive actions submitted by the registered provider adequately address the non-compliance found on inspection. This regulation is now compliant.

## 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)  
There are two adults trained in first aid for training who are available to the preschool children while the service is in operation.

(2) (a) (b)  
A fully stocked first aid box stored in a conspicuous location is available to the preschool children at all times while in 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.*
- (2) The record referred to in paragraph (1) shall be open to inspection by-*
- (a) a parent or guardian of a pre-school child attending or proposing to attend the pre-school service,*
  - (b) an employee, and*
  - (c) an authorised person.*
- (4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.*

### Compliance Information

(1) (a)

The service demonstrated that adequate fire evacuation drills take place with the most recent occurring on the 12<sup>th</sup> of March 2025.

(1) (b)

The service had a list of all firefighting equipment available in the service and a record of the most recent maintenance check as the 2<sup>nd</sup> of September 2024.

(2) (c)

These records were made available to the inspector on the day.

(4)

Emergency evacuation plans were clearly displayed on the walls of the care rooms.

## Part VII - Premises and Space Requirements

### Regulation 29 - Premises

*A registered provider shall ensure that the premises of the service are-  
(e) equipped with adequate and suitable sanitary facilities.*

#### Non-Compliance Information

(e)  
The service was not equipped with an adequate nappy changing facility. Nappy changes were completed on a mat on the bathroom floor.

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

##### Corrective and Preventive Action

(e)  
A nappy changing unit has been installed and a box with all necessary materials to change nappies is brought into the area for the changes and brought back out again when not in use  
The nappy changing unit will remain in the service.

##### Supporting documentation submitted

Photographic evidence submitted.

#### Summary Comment

The corrective and preventive actions submitted by the registered provider adequately address the non-compliance found on inspection and this regulation is now compliant.