

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2016WH035
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<b>Name of Service:</b>	Bright Star Academy
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<b>Address of Service:</b>	Main Street, Ballynacargy, Mullingar, Co. Westmeath
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<b>Eircode:</b>	N91 WE12
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<b>Name of Registered Provider:</b>	Sylwia Kalamarz
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date of Inspection:</b>	28/01/2026
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<b>No of pre-school children:</b>	AM	37	PM	28
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Tusla, Child and Family Agency, SAP Office, St. Loman's Campus, Mullingar, Co Westmeath
<b>Inspection undertaken by:</b>	C.O' Connor Hughes
<b>Title:</b>	Early Years Inspector

### Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

<b>Conditions if applicable</b>	Not applicable.
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## Description of service

This service provides full day, part time and sessional places to children aged between 1 to 6 years. The service is open from 07:30 to 18:00 on a Monday to Friday basis. A school age childcare service is provided.

The premises consists of an adapted two storey residential building. On the ground floor two pre-school rooms are available namely the Butterfly room and Bumble Bee room. The third room on the ground floor, the caterpillar room was not in operation. The Ladybug room is located on the first floor of the premises. There is an outdoor play area provided to the rear of the service.

## Staffing

The registered provider employs ten adults in the service. The designated person in charge and five adults were working directly with children on the 28 January 2026. A cook was employed on a part time basis. A student on work experience was present in the service. The registered provider arrived to the service after the inspectors' arrival and attended the closing meeting.

## 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.

Regulation 9- Management and recruitment - (1)(a)(b) (2)(a)(b)(c)(d) (4)

Regulation 11 -Staffing levels - (1) (2) (8)(a)

Regulation 19- Health, welfare and development of child - (1)(a)(b)

Regulation 20 – Facilities for Rest and play

Regulation 23- Safeguarding health, safety and welfare of child

Regulation 25- First aid - (1) (2)(a)(b)

Regulation 26- Fire Safety Measures (1)(a)(b) (4)

Regulation 27- Supervision

Regulation 28 – Insurance

Regulation 33-Furnishing of Information to Agency

A sampling process was used to assess compliance under

Regulation 19- Health, welfare and development of child - (1)(a)(b)

Regulation 20 – Facilities for Rest and play

Regulation 23- Safeguarding health, safety and welfare of child

As a result, the scope of the inspection included the Butterfly room (aged 1 to 2 and 8 months) and the Bumble Bee room (aged 2 and 8 months to 5 years).

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, designated 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 designated person in charge and deputy were available in the service.

(b)

The designated person in charge was present for the duration of the inspection.

Following a review of previous inspection information, information available on inspection and discussion with the person in charge it was determined that a relief staff member, a student and a cook had commenced in the service since the last inspection on the 9 May 2024. The three files were reviewed, and the following was noted.

(2)

(a)(b)

Two written references were available from past employers or sources other than a previous employer in respect of the three adults.

(c)

A Garda Vetting disclosure was available in respect of the three new adults present in the service.

The service did not demonstrate compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years, as an in date garda vetting disclosure was not available for one staff member, which required renewal since the last inspection on the 9 May 2024. Refer to Regulation 23.

(d)

Police vetting was not required as the three adults had not lived outside the state for a period of longer than six consecutive months.

(4)

The new relief staff member working held a major award in Early Childhood Care and Education at level 5 on the National Framework of Qualifications or the equivalent.

### Non-Compliance Information

(2)(a)(b)

Six written references were not validated in respect of the three new adults working in the service.

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

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

On 30/01/2026, written references for the staff members identified during the inspection were requested, validated, and copies of these validated references were placed on the staff member's personnel file in the office. Current employee files were audited in order to ensure that two written and verified references are in place for each staff member, in line with Regulation 9 (2)(a)(b). Any gaps identified were addressed immediately.

- Have a Recruitment and Vetting Checklist developed and implemented. This means that no new employee will commence employment until: two written references have been received, and these references have been validated directly, as well as holding record of validation documented and retaining them on file.
- A Personnel File Audit Schedule will be conducted quarterly (every 3 months) to ensure ongoing compliance. All future recruitment will follow this documented procedure without exception.

### **Supporting documentation submitted**

Validated references.

### **Summary Comment**

The non-compliance 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.*

*(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)

There were thirty-seven children attending the service being supervised directly by six adults in the morning. There were twenty-eight children supervised by six adults in the afternoon.

(8)(a)

The staff roster indicated that there were two adults on the premises at all times in the service.

### Non-Compliance Information

- (2)
1. At 10:40 to 10:52, it was observed that a child was brought from the outdoor play area to be cared for, by the designated person in charge, into the Bumble Bee room. The other staff member was in the outdoor play area supervising 16 children which left the adult child ratio incorrect for that duration of time.
  2. An adequate number of adults were not available at all times to care for the children attending the Bumble Bee room as an adult noted on the staff roster to work directly with the children on the day of the inspection was on leave. It is acknowledged that the registered provider was contacted by the designated person in charge to come to the service to provide relief cover.

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

#### Corrective and Preventive Action

1 & 2 On the day of inspection, one full-time staff member was absent due to illness, which resulted in a temporary staffing shortfall. Immediately upon notification of the absence, the service contacted relief staff from the approved relief panel. A qualified relief staff member attended the creche the same morning to cover the kitchen duties and staff breaks, ensuring adult to child ratios were restored and maintained for the remainder of the day.

To prevent a recurrence of staffing shortages due to unexpected staff illness, the service will source and contact qualified relief staff immediately when a full-time staff member is absent to ensure required adult to child ratios are maintained. When notified of any staff absence, the service will: review the daily roster, contact available relief staff the same day and arrange cover before ratios are impacted.

This procedure is effective immediately from 28/01/2026 and will apply to all future unplanned absences. The service will monitor staffing levels daily to ensure compliance with Regulation 11(1).

#### Supporting documentation submitted

Staff roster

### Summary Comment

The actions submitted are appropriate to address the non-compliances. The implementation of these actions will be reviewed on the next inspection.

## Part V - Care of Child in Pre-school Service

### Regulation 19 - Health, welfare and development of child

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

(a) each child's learning, development and well-being is facilitated within the daily life of the pre-school service through the provision of the appropriate activities, interaction, materials and equipment, having regard to the age and stage of development of the child, and

(b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.

#### Compliance Information

(1)(a)(b)

#### Butterfly Room and Bumble Bee Room

Younger children enjoyed tabletop activities, free play and crawling and exploring their environment in the Butterfly room. Children got the opportunity to go outdoors as staff assisted them to put all their all-in-one suits and wellies. Children were encouraged to be independent and to feed themselves at mealtimes and assisted as required. Children had their nappies changed on a regular basis and as required. Children who were toilet trained were supported by staff to use the toilet. Spare clothes were available for each child if needed. Younger children slept in a restful atmosphere in the sleep room and were checked every ten minutes by a staff member.

Older children enjoyed the freedom of movement in the indoor and outdoor environments as they played happily in the interest areas supported by staff members.

The staff held the children in positive regard and were familiar with their personalities and daily routine.

Good communication was observed between staff and children as the staff used individual names, maintained eye contact and conversed with the children during play activities, nappy changing, toileting and mealtimes.

The service communicated with parents in the following ways; a verbal handover on collection, information and updates were shared via a electronic messaging system (SMS), staff stated one to one parent meetings were held as required and the child's learning journal depicting the child's play and work activities are shared with parents

regularly and at the end of the pre-school term. "Our community display board" was noted in the main corridor showcasing Ballnacargy's local amenities.

The pre-school rooms were bright and colourful. Low level tables and chairs were in place. Age and stage appropriate toys and play materials were accessible to children on low level shelving. Photographs artwork and posters were displayed in the rooms.

### 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-*

*(a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child 19 to play indoors and, where required by these Regulations, outdoors, during the day, and*

*(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.*

*(3) A registered provider of a full day care service, a part-time day care service or a childminding service, other than such a service to which paragraph (2) applies, shall ensure that-*

*(a) a suitable, safe and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises*

#### Compliance Information

(1)(a)

Suitable play equipment was provided indoors which included toys and equipment for construction, tabletop activities, sensory boards, arts and crafts and home corners in the Bumble Bee and Butterfly rooms.

(b)

A separate sleep room was provided for the children equipped with five cots. Four sleep beds were provided for older children to rest and relax. Cosy rest areas and soft furnishings were provided in the pre-school rooms.

(3)(a)

The outdoor play areas were safe and secure surrounded by high walls and fencing and a locked gate. A sheltered play area was noted consisting of benches and a play kitchen. A playhouse, wooden boat, swing set and slide were available to children.

### Non-Compliance Information

(1)(b)

1. The cot sheets were too small on two cot mattresses and caused buckling of the mattresses which posed a risk of entrapment of a young child. It is acknowledged that a corrective action was taken and new cot sheets were put in place by the staff member.

(3)(a)

#### Outdoor play area

1. Since the last inspection on the 9 May 2024 the absorbent surface area of the outdoor play area was noted to have deteriorated. Accumulations of soil and debris had formed along the surface area and the play area was mucky.

*This non compliance was noted on the inspection dated 19 October 2023.*

The following was noted in the outdoor play area.

2. An overhanging branch required to be cut as it posed a potential risk of injury to a child.
3. Two wooden slats with a loose nail required removal.
4. The material covering the teepee was saturated wet and stained requiring removal.
5. The toy tractors and bicycles had accumulated soil and debris built up on the surface and around the wheels.
6. The plastic playhouse was weather beaten from the elements and soil had accumulated on the floor of the playhouse which required replacement.

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

#### Corrective and Preventive Action

(1)(b)

Following the inspection, the service purchased new appropriately sized cot sheets and mattresses to ensure that all bedding fits securely and safely on the cots in use, and these will be put in place as soon as they are received to ensure compliance and to provide a safe and hygienic sleep environment for all children attending the service.

To prevent this issue from reoccurring, the service will carry out regular checks of all cot sheets and mattresses to ensure they are the correct size, fit securely and remain in good condition. The service will review bedding

whenever new equipment is purchased or replaced to ensure it meets required safety standards, with this procedure taking effect immediately and ongoing as part of our routine health and safety checks.

(3)(a)

1. At the time of inspection the outdoor area had been dirty in places due to the winter season, with heavy rain and wind contributing to surface build-up and debris, and once this was identified the service cleaned the outdoor area thoroughly and arranged for it to be power hosed to ensure it was safe, hygienic and suitable for children's use.
2. The service removed the fallen and overhanging branches from the outdoor area to eliminate any potential hazard and to ensure the space was safe and suitable for children's use. The area was checked fully afterwards to ensure no remaining loose branches were present or further debris remained.
3. The wooden slats were removed from the outdoor area to eliminate any potential risk to the children and to ensure the space was safe and suitable for use.
4. The teepee was removed.
5. The service washed and cleaned all outdoor toys to ensure they were hygienic and safe for children's use.
6. The plastic playhouse was removed.

To prevent this from reoccurring, the service will ensure that the outdoor area is checked and cleaned on a regular basis, with particular attention during periods of bad weather. The registered provider has met with the assistant manager to reinforce the importance of completing and reviewing outdoor risk assessments to identify any hazards arising from seasonal conditions, with ongoing monitoring of the outdoor environment now forming part of our routine health and safety checks.

**Supporting documentation submitted**

Photographic evidence

**Summary Comment**

The actions submitted are appropriate to address the non-compliances. The implementation of these actions will be reviewed on the next inspection.

## 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

A three-week menu plan was in place depicting the main meals provided to children each day. The service provides the main meal and afternoon snack to children attending on a full day care basis. Parents provide the snacks for children attending the ECCE session. Snack consisted of sandwiches, crackers, fruit and yoghurt with water to drink. At approximately 13:00 the cook served the main meal which consisted of spaghetti bolognese with broccoli and garlic bread to children.

A refrigerator was available in the pre-school rooms for the storage of perishable goods.

## 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 service was secure from unauthorised access as an intercom system was in operation at the front door of the service to allow parents/ guardians and authorised visitors access to the service.

The service met the necessary safety requirements in respect of the indoor environment, toys and equipment and the safe storage of cleaning agents. The inspector signed the visitors book on arrival.

##### Infection Control:

The nappy changing procedure observed was carried out as per the service nappy changing procedure.

Children were observed to wash their hands before snacks and mealtimes.

Soothers were stored correctly in individual containers.

A cleaning schedule was available for the service. Toys and materials in the indoor environment were easily cleanable.

The sanitary accommodation was stocked with a sufficient supply of liquid soap and paper hand towels.

Pedal bins were in place in the sanitary accommodation and in the pre-school rooms for the hygienic disposal of waste materials.

### **Administration of Medication:**

Temperature reducing medication was available in the service if a child presented with a high temperature and stored safely in the service.

### **Safe Sleep:**

A record of the colour, position and breathing of sleeping children was noted in the sleep log. The environmental temperatures recorded was 16.9 degrees Celsius in the sleep room. A thermometer was noted in the sleep room.

### **Fire Safety:**

Emergency exits were unobstructed from the pre-school rooms and the main corridors in the service. The fire assembly point was noted in the outdoor play area to the rear of the service.

### **Non-Compliance Information**

#### **General Safety:**

The most recent Garda vetting disclosure presented in respect of a staff member was not dated within the previous three years in adherence with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

#### **Infection Control:**

1. The straps and the surface material of the highchair were soiled and stained which was inadequate for infection control purposes.
2. The aprons used for nappy changing were faulty and not fit for purpose as they came to waist level and had no strings to tie the apron onto the staff member. This provided an inadequate barrier to protect the staff members clothes against fluid or soiling whilst nappy changing.

#### **Outing:**

1. There were no risk assessments in place for local outings from the service. The outings checklist reviewed had inadequate detail to ensure children's safety on outings.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

##### **General Safety:**

The service immediately applied for new Garda vetting for all members of staff and the provider to ensure full compliance with Regulation 23 and to confirm that all personnel working in the service are appropriately vetted in line with current requirements.

To prevent this from reoccurring the service will implement a system to regularly monitor and review Garda vetting expiry dates for all staff and the provider to ensure applications are submitted in advance of that expiry and that all vetting remains valid and up to date at all times.

##### **Infection Control:**

1. The highchair was removed from use and replaced to ensure that all baby equipment is safe, clean and suitable for use. The service will ensure that all baby equipment including highchairs are cleaned and washed regularly and checked before use so that any wear, damage or hygiene concerns are identified and addressed promptly as part of our infection control procedures.

2. New aprons were purchased immediately to ensure that appropriate protective clothing is available for staff in line with infection Control requirements and to maintain high standards of hygiene within the service.

The service will ensure that the quality and condition of aprons are checked regularly and that adequate supplies are maintained at all times so that any worn or damaged items are replaced promptly as part of our infection control procedures.

##### **Outing:**

A detailed risk assessment of the local area was developed and documented to ensure that all potential hazards are considered and managed appropriately before outings take place.

A specific risk assessment will be completed and reviewed before each outing and that staff follow established procedures to identify and manage any potential risks to ensure the safety and wellbeing of all children during outings.

#### Supporting documentation submitted

Garda Vetting disclosure

Photographic evidence of highchair and new aprons.

Risk assessment for outings.

### Summary Comment

The non compliances have 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)  
Three adults were qualified in First Aid response (FAR) and available on the premises during the hours of operation.

(2)(a)  
First aid boxes were located in the kitchen, office and the Bumble Bee room.

(b)  
A first aid box was accessible to adults caring for children 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.*
- (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 written record for the completed monthly fire drills was available on the premises. The last fire drill was recorded as taking place on the 15 December 2025.

(b)

A record was available demonstrating the number, type and maintenance of the firefighting equipment and smoke alarms on the premises. The firefighting equipment and the smoke alarms in the premises were serviced on the 18 December 2025.

(4)

A notice of the procedures to be followed in the event of a fire was displayed in a conspicuous position in the service.

### Part VI - Safety

#### Regulation 27 – Supervision

*A registered provider shall ensure that pre-school children attending the service are supervised at all times.*

#### Compliance Information

The children were observed to be supervised by sight or sound in the indoor and outdoor environments with the exception of the non-compliances outlined below.

#### Non-Compliance Information

1. At 11.35, the inspector observed a young child leave the Butterfly room unsupervised to go to the toilet area. The child was observed to stand up and balance on a small pedal bin in the sanitary accommodation. The inspector asked a staff member to assist the child.
2. At 12.20, a child was observed to leave the Bumble Bee room unsupervised to use the toilet and was observed to leave the sanitary accommodation without washing their hands until prompted by the inspector.
3. At times during the inspection, it was observed that children left the Bumble Bee room to put items in their bags hanging in the corridor unsupervised by sight or sound by the adults in the room.

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

##### Corrective and Preventive Action

1. All staff were immediately reminded of the importance of supervision requirements to ensure all children are supervised by sight or sound at all times during toileting to ensure appropriate supervision at all times.

To prevent this from reoccurring the service will provide ongoing staff training and regular reminders regarding supervision procedures to ensure that all children are accompanied appropriately and that supervision standards are consistently maintained throughout the service.

2. All staff were informed again of their responsibility to accompany children to the toilet and hall to ensure that adequate supervision is maintained.

To prevent this from reoccurring the service will ensure that supervision procedures form part of regular staff training and team meetings so that all staff remain aware of their responsibilities and consistently follow safe supervision practices at all times.

3. All staff were reminded of their responsibility to accompany children to the toilet and hall to ensure

that appropriate supervision is maintained at all times.

To prevent this from reoccurring the service will provide ongoing staff training and regular reminders regarding supervision procedures to ensure that all children are accompanied appropriately and that supervision standards are consistently maintained throughout the service.

**Supporting documentation submitted**

Minutes of staff meeting.

**Summary Comment**

The actions submitted are appropriate to address the non-compliances. The implementation of these actions will be reviewed on the next inspection.

**Part VI - Safety**

**Regulation 28 - Insurance**

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

**Compliance Information**

There was evidence of current insurance cover for the number of children attending the service. The expiry date noted was 27 March 2026.

**Part IX - Inspection and Enforcement**

**Regulation 33 – Furnishing of information to agency**

*A registered provider shall furnish the Agency with such information as the Agency may reasonably require for the purpose of enforcing and executing these Regulations and the information shall be in such form, if any, as may be specified by the Agency.*

**Compliance Information**

The registered provider furnished the required information for the inspection.