

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2018GY507
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<b>Name of Service:</b>	Happy Feet Creche
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<b>Address of Service:</b>	Unit 6, Creagán, Barna, Co. Galway
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<b>Eircode:</b>	H91 EW28
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<b>Name of Registered Provider:</b>	Aoife O'Brien
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<b>Service type:</b>	Full Day, Sessional, Part-time
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<b>Date of Inspection:</b>	03/03/2025
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<b>No of pre-school children:</b>	AM	31	PM	24
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<b>Address of the Early Years Inspectorate:</b>	Tusla - Child and Family Agency, Early Years Inspectorate, Quality Assurance Directorate, Clinical & Administration Building, Block A- (1st Floor-Green Corridor), Merlin Park, Galway.
<b>Inspection undertaken by:</b>	F. Nic Dhonnacha
<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 private childcare facility provides a full day care, sessional and part-time service. The preschool is based in a commercial and residential estate in the village of Barna on the western outskirts of Galway city. The service operates from 7.30am to 6.00pm Monday to Friday. An Early Childhood Care and Education (ECCE) pre-school care programme and sessional care programme between 9.00am and 12.00pm is also offered. The service also caters for school age children with a breakfast club and afterschool programme. There were four playrooms in the service and all rooms were in operation. The Big Room which accommodates children from age 3 to 5 years up until 12.00pm. The school age children are accommodated in this room in the afternoon. The Toddler room caters for children aged 1-2 years. The Preschool playroom caters for children aged 2-3 years while the Blue room caters for children aged 3-5 years. Additionally, there is a designated sleep room, kitchen, staff room, office, storage room, sluice room and both adult and children's sanitary areas. There was a secure outdoor play area to the back and side of the premises. A curriculum based on play based activities and the children's emerging interests is offered in the service. A child centred play-based pre-school curriculum focusing on emerging interests is provided.

### Staffing

There were 14 adults in total working in the service. The registered provider is the designated person in charge and is onsite daily. There is an assistant manager who was the deputy person in charge and seven adults who work directly with the preschool children. Additionally, there is a chef preparing, cooking, serving and storing the service meals and snacks daily, an administrator in the office and three adults who work directly with the school age children afterschool programme.

### 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, 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, 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 registered provider was the designated person in charge and there was a named person available to deputise in the service.

(b) The registered provider and deputy person in charge were on the premises for the duration of the inspection.

Staff rosters were reviewed, they indicated that either the designated person in charge or deputy were available, on the premises, when the pre-school children were present.

Fourteen staff files were reviewed on the day of inspection.

(2)(a) Twenty-three of the required 28 written validated references were available on file for the adults from a past employer.

(b) Three of the required 28 written validated references were available on file for the adults from a source other than a past employer.

- (c) Garda vetting disclosures had been obtained for 14 adults working in the service.
- (d) Police vetting was available for 4 of 5 adults that had lived outside the jurisdiction for longer than 6 months, while over the age of 18 years and thereby required police vetting.
- (4) Eight adults held a Quality and Qualifications Ireland (QQI) at a minimum of a Level 5, in Early Childhood Care and Education. Copies of qualifications were on file for the eight adults.

### Non-Compliance Information

- (2)(a)(b) One written validated reference was unavailable from a past employer or a reputable source for 2 staff members working in the service.
- (d) One of 5 police vetting's was unavailable for 1 staff member who lived and worked outside the jurisdiction for longer than 6 months while over the age of 18 years.

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

On the 26 /3/2025 the registered provider advised of the following.

#### Corrective and Preventive Action

A staff member had ceased employment in the preschool service. All staff files will have two written validated references on file and police vetting will be obtained if required for all staff who live and worked outside the jurisdiction over the age of 18 years for six months or longer.

#### Supporting documentation submitted

(2) (a)(b)

On the 5/3 2025 the registered provider provided a copy of one written validated reference from a past employer for one staff member. The other staff member had ceased employment in the preschool service.

(d)

The Police vetting was no longer required as the staff member has ceased employment in the preschool service.

### Summary Comment

The regulatory requirement has been met by the actions taken and evidence submitted by the registered provider.

### 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) Following review of the roster and discussion with the registered provider, an adequate number of adults were working directly with the preschool children attending the service.
- (2) The adult to child ratio was correct and maintained on the morning of the inspection.
- There were 7 staff working directly with and caring for 31 children.
- In addition, the registered provider assisted with the administration function of the inspection and provided relief in the playrooms when required. Additionally, there was a chef working in the kitchen.
- All the children were aged between 1 year and 5 years.
- In the afternoon, the adult child ratio was correct and maintained.
- There were 6 adults working directly and caring for 24 preschool children.
- Two adults were working with the school aged children's after school programme on the day of inspection.
- In addition, the registered provider assisted with the administration function of the inspection and provided relief in the playrooms when required. There was a chef working in the kitchen in the afternoon.
- All the children were aged between 1 year and 5 years.

### 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.

#### Compliance Information

##### Basic Needs

- Each child was given enough time to eat and enjoy their snacks and meals without being rushed. The atmosphere during mealtimes was relaxed, with pleasant social interaction among the children and staff.
- The crockery, cutlery and drinking utensils used were suitable for the children's ages and stage of development.
- The staff responded to children's individual personalities, sensitivities and needs in relation to nappy changing and toileting.
- On the day of the inspection, 11 children between the Playgroup room and Toddler room required nappy changing and were changed in a sensitive manner while having their dignity and privacy maintained in each of the 2 designated nappy changing areas.
- The older children had unrestricted access to the toilet and did not have to wait to use the toilet. Children were allowed to take their time during toileting. Children were encouraged and supported to manage their own personal care appropriate to their own level of independence, and to develop self-help and personal hygiene skills. Supervision by the adults was provided by staff if required.
- Children had plenty of opportunities to move themselves, to practice and improve their emerging skills, such as co-ordination and balance.
- The children had the opportunity to play in the outdoor play area with appropriate clothing and footwear.

##### Supporting Relationships

- The staff were observed encouraging children to think critically, ask questions and respond to them in a way that promoted sustained shared thinking; nurturing and comforting children;
  - using soft tones, the child's individual name, and getting down to their level and making eye contact.
- Visual aids (picture and word reminders) and instructions were displayed and used with the children to support their learning.

- The atmosphere in the learning environment was encouraging and unhurried in all four playrooms.
- The service provided parents and guardians with daily information, including significant events or activities involving their child, for example, verbal communication at drop of and collection times, a childcare interactive communication application, and via profile scrapbooks. Staff collated a profile scrapbook “my learning journal” for each individual child, showing the ‘child’s journey’ using observations and including samples of a child’s work. The themes to date included finger painting, all about me, Halloween, family tree, textiles, paintings, handprints, Christmas, Winter, and various pictures. Each child collated their adventures and photographs, stories and fun in a scrap book for all to see.
- Staff adjusted the level of support provided to children depending on the child’s abilities, allowing for children’s partial participation and participation with support.
- On the day of inspection, the children were observed to free play, at story time, at construction building, connecting, at sensory play, at pretend kitchen/house, and sorting stacking materials. The children played games, puzzles, and painted pictures. The children enjoyed playing with a selection of transport vehicles. The children played with small world items, little people, cuddly toys, and dolls. They enjoyed art and craft work including painting and sensory play. In the outdoor areas, the children were observed climbing the activity centre, running, chasing, playing on transport vehicles, climbing over the tyres, sorting, and exploring the mud kitchen.
- Staff responded to the younger children in a timely and appropriate way when they were crying or when becoming upset.
- Staff used positive strategies to support children’s inclusion. For example, the inspector noted that the staff acknowledged a child’s engagement in an activity ‘that is great’ ‘well done’ and used questions such as ‘what should we do next?’, ‘is there any other way to do this?’, to allow children to critically think and explore.

### Physical and Material Environment

- The space in the four playrooms was designed and arranged to: maintain a space that was clean, organised, and free of clutter.
- The environment was comfortable, inviting and laid out to accommodate the needs of all children and staff in the pre-school.
- The service had safe and comfortable spaces for infants, toddlers, or children not walking, to lie, roll, crawl, learn to walk, and to be protected from children who were more mobile.

- Staff had a comfortable place to sit, to hold and feed infants, and to read, interact and comfort children in each playroom.
- Materials and equipment were arranged so they were visible and readily accessible to promote independent access by children.
- The service had 1 designated sleep room with 6 cots and 10 stackable beds for older children's sleep provision. The Playgroup room was converted for sleep provision after lunch.

### Outdoor Play Area

- The outdoor environment provided children with activities and opportunities for fresh air and adventures.
- The area was secured with boundary walls, and secure gates. The ground surface was a combination of natural grass, bark and artificial grass.
- Materials and equipment included a climbing frame, slides, a mud kitchen with utensils pots and pans, tyres, seating, planting boxes, a climbing frame, a construction area and a bug hotel.
- Storage of extra play materials, bikes, scooters balls and more were stored in a secure shed in the outdoor area.

## 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:

- There was a buzzer access system, into the main entrance front door.
- The staff only areas, kitchen, staff sanitary area and storage areas were secure and thereby inaccessible to a pre-school child.
- The external outdoor play area was secure so that children could not leave the area unsupervised and unauthorised persons could not enter the area.
- Fire doors throughout the buildings were unobstructed. All cleaning agents were stored inaccessible to the children.

- Leads, cables, and flexes were secured and/or inaccessible to prevent any trips or strangulation hazard.
- The playroom temperatures were thermostatically controlled, to ensure the temperatures were maintained between 18°C to 22°C.
- Heavy equipment and furnishings were anchored appropriately.
- All toys and play equipment were observed to be safe and in good condition.

### Infection Control:

- Hand washing facilities were provided with a supply of warm water, liquid hand soap and disposable paper hand towels in the sanitary areas and nappy changing area.
- The children were supervised and encouraged by staff to wash their hands prior to eating, after nappy changing, after toileting, after using a tissue, and after playing outdoors.
- There were two designated nappy changing areas with two designated wash hand basins for each unit. The children in nappies were changed in a timely manner, on a regular basis. Staff involved in nappy changing wore a disposable apron and gloves. There was a foot pedalled airtight sealable bin for the disposal of nappies.
- Staff advised of the sterilisation procedures for infants feeding equipment and soothers. There was a steam steriliser in the kitchen and records were maintained.

### Administration of Medication:

- No medication was administered on the day. The staff advised they were familiar with the administration of medication policy and parents sign consent with the person in charge.

### Safe Sleep:

- Children were observed sleeping on demand following cues and signs of tiredness. Throughout the day infants and toddlers, were observed sleeping in cots in the designated sleep room. After the main meal children were observed sleeping on stackable beds in the Playgroup room and babies under two years were asleep in cots in the designated sleep room. The inspector observed that staff stayed in the room, supervising the sleeping children.
- Sleep records were kept for each child's sleep, recording the time an adult physically checks a child, and their signature. Additionally, the records included a sleeping child's colour, position, breathing and the temperature of the sleep room with the opportunity to document any necessary remedial actions taken.
- All linen provided was clean, dry, and stored in labelled containers.

### 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) The children's arrival and departure times were recorded daily. The attendance records were reviewed by the inspector on the electronic childcare application system.
- (3)(a)(b) A written record was available at the service entrance for persons not referred to in particulars (i) to (iv) to record their details and reason for visiting the service.

### 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 staff had up to date First Aid Responder (FAR) first aid training certificates on file. Four staff had first aid training with a paediatric module.
- (2)(a) A suitable first aid box was stored in a conspicuous area in the main office.
- (b) A first aid box with ample supplies was available for use by the adults in the event of an emergency.

### 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 firefighting 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) Records were available to demonstrate that monthly fire drills were carried out in the service. The last recorded fire drill took place on the 12/02/2025.
- (b) A record of the number, type and maintenance for the firefighting equipment and the smoke alarm system were available. The most recent firefighting equipment service history was dated 3/10/2024. The most recent smoke alarm system maintenance service took place on the 21/01/2025.
- (4) Fire action notices demonstrating the procedures to be followed in the event of a fire were displayed throughout the service.

### Part VI - Safety

#### Regulation 28 - Insurance

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

#### Compliance Information

Adequate insurance was available for the full day care service with cover for a maximum of 55 preschool children and an expiry date of 27/03/2025.

### 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 entrance door to the nappy changing area was too large and was unable to close, it needed maintenance and repair.
  2. The door handle was missing on one side of the door of the designated nappy changing area, it needed maintenance and repair.
  3. There was an area of no paint on the wall in the children's sanitary area adjacent to the Big room, this wall needed maintenance and painting.
  4. Skirting boards and areas of the walls where radiators were removed, and new heaters were installed in each playroom required maintenance and repainting.

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

On the 26/3/2025 the registered provider advised of the following.

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

The registered provider rectified all the issues following inspection. The registered provider will ensure more regular checks are carried out on the premises to ensure all maintenance issues are rectified in a timely manner.

#### **Supporting documentation submitted**

On the 5/3/3035 the registered provider submitted the following

- (1) Photographs of the repaired door into the nappy changing area was submitted.
- (2) A photograph of the repaired door handle now in place.
- (3) A photograph of the painted wall in the children's sanitary area nearest to the Big playroom.
- (4) A photograph of the painted walls and skirting boards in the Blue room, Playgroup room, Toddler room and Big room.

### **Summary Comment**

The regulatory requirement has been met for Regulation 29 (d) point 1-4 by the actions taken and evidence submitted by the registered provider.