

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2019LS002
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<b>Name of Service:</b>	Darling Buds Montessori and Daycare
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<b>Address of Service:</b>	165 The Hermitage, Rathevan, Portlaoise, Co. Laois
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<b>Eircode:</b>	R32 T850
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<b>Name of Registered Provider:</b>	Niamh Walshe
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<b>Service type:</b>	Full Day
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<b>Date of Inspection:</b>	24/02/2025
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<b>No of pre-school children:</b>	AM	38	PM	35
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Tusla, Child and Family Agency, Primary Care Centre, Church Avenue, Tullamore Co. Offaly
<b>Inspection undertaken by:</b>	K. Murphy & C. O'Connor Hughes
<b>Title:</b>	Early Years Inspectors

### Authority to Inspect

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

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

This full day care service provides full day care, part time and sessional places for children. The service operates from 08:00 – 18:00 on a Monday to Friday basis. The service is part of a multiple.

The early years' service is located in a purposely adapted single storey premises. The service consists of the wobbler room, toddler room, ECCE rooms 1 and 2, two sleep rooms, an office and a kitchen. The early years' service is located in a residential area on the outskirts of the town of Portlaoise, Co. Laois. Onsite car parking and set down facilities are available.

### Staffing

The registered provider and eight adults were present on the 24 February 2025. A cook is employed in the service to prepare and cook meals. The registered provider 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.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the

registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

## Acknowledgments

The inspectors wish to acknowledge the co-operation 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.

(2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-

- (a) consideration of references from the person's past employers, if any, and in particular the most recent employer, if any,
- (b) consideration of references from reputable sources in the case of a person who has no past employers,
- (c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and
- (d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.

(4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

#### Compliance Information

(1)(a)

The service has a designated person in charge and a person to deputise in the absence of the designated person in charge.

(b)

The registered provider was present for the duration of the inspection

Eleven staff files including the registered provider were reviewed and the following was noted:

(2)(a)(b)

The required number of written validated references were available for the eleven staff members from past employers and from a source other than a past employer.

- (c)  
A Garda Vetting disclosure was available in respect of the eleven staff files reviewed. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d)  
Police vetting was available for two staff members who had lived outside the state for a period of longer than six consecutive months.
- (4)  
Staff members working directly with children attending the service held a major award in Early Childhood Care and Education at levels 5 to 8 on the National Framework of Qualifications.

## 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)  
The minimum ratio of adults to children was maintained during the inspection.
- (2)  
There were thirty-eight children attending the service supervised directly by eight adults in the morning.

Thirty-five children were present in the afternoon supervised by seven adults.

(8)(a)

The staff roster reviewed indicated that two adults are on the premises at all times.

## 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;*
- (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.*

### Compliance Information

(1)

The service kept and maintained written records of information in relation to the service in accordance with Regulation 16 (1) (a)(b)(c)(d)(e)(f)(h)(i)(j)(k).

## 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)

Children were engaged and enjoyed play activities that included free play, story time, painting and outdoor play supported by staff.

Children were encouraged to be independent as they washed their hands before snacks and mealtimes. At 12:05 approximately the main meal served consisting of turkey in gravy, potatoes, broccoli with milk to drink was served to the children by the cook. Bibs were worn to protect children's clothes while eating. Younger children slept in a restful atmosphere in the sleep rooms and were physically checked every ten minutes by staff. Regular nappy changes were carried out as required for children attending the wobbler and toddler rooms. Good communication was observed between the staff member and child during nappy changing.

The staff were positive towards children and were familiar with each child, their personalities and their daily routines. Children were happy and content with their carers in the various pre-school rooms. Access and inclusion plans were in place for children requiring extra support and assistance.

Staff used children's individual names, maintained eye contact and conversed with the children during play activities, nappy changing, toileting and mealtimes. Good teamwork was observed amongst staff.

Communication between parents and the service was shared using a daily diary depicting the child's daily routine in the wobbler room. A short messaging system (SMS) is used to communicate information and updates to other parents. Children had their own learning journal depicting their play and work activities. This learning journal is shared with parents at the end of the pre-school term.

## 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 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 which included toys and equipment for construction, tabletop activities, arts and crafts, sensory play and home corners in the toddler room, ECCE room 1 and ECCE room 2.

(b)

Rest areas were noted in the pre-school rooms. Separate sleep rooms were available connected to the wobbler and toddler rooms equipped with seven cots. Low level beds were available for children over two years to sleep on.

(3)(a)

An outdoor play area was located to the rear of the premises. The surface areas consisted of natural grass, concrete and all-weather absorbent tiles. A high-level wooden fence secured the perimeter. A storage shed was in place for the storage of bikes and trikes. Wall mounted chalk boards, a climb and slide unit, mini slide, a playhouse and planting boxes were in place.

### Non-Compliance Information

(1)(a)

The layout of the wobbler room required further review to allow for sensory, imaginative and child led play.

(1)(b)

1. The rest areas in the wobbler room required review as cushions for children to rest on were located next to the radiator.
2. Three mattress covers were stained in the wobbler sleep room. One mattress cover was stained in the toddler sleep room. It is acknowledged that a corrective action was taken by the registered provider and the covers were removed and replaced during the inspection.

(3)(a)

The following hazards were noted in the outdoor play area:

1. The surface of the “mushroom” table and a water tray container unit were noted to be cracked with exposed edges which posed a potential injury risk to children.
2. The protective rubbers on the handles of a white tricycle were missing leaving exposed metal bars which posed a potential injury risk.
3. One of the Perspex windows in the elevated playhouse was cracked and broken which posed a potential injury risk to children if they were playing in the playhouse.

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

#### Corrective and Preventive Action

(1)(a)

1. The layout of the wobbler room has been revised. (Photographic evidence included)

(1)(b)

1. Cushions have been removed from the radiator area of wobbler room. (Photographic evidence included)
2. New mattress protectors that were replaced on the day of inspection are on the cots. (Photographic evidence included.)

(3)(a)

1. The “mushroom” table has been removed from the garden. Water and sand containers from the bench have been removed. (Photographic evidence included).
3. The tricycle was removed from the outdoor play area.
4. The playhouse window that had been damaged by the storm has been removed and a new one fitted. (Photographic evidence included).

Staff have been reminded of the need for risk assessments to be carried out and all items that need to be fixed or replaced and to be brought to managers attention immediately.

### Summary Comment

In respect of the corrective action taken photographic evidence was submitted to the office of the Early Years Inspectorate, reviewed by the Early Years Inspector and deemed to meet the regulatory requirement.

## Part VI - Safety

### Regulation 23 - Safeguarding health, safety and welfare of child

*A registered provider shall ensure that all reasonable measures are taken to safeguard the health, safety and welfare of a pre-school child attending the service and that the environment of the service is safe.*

### Compliance Information

#### General Safety:

The entrance to the service was secure to ensure the safety of the children within. The inspectors signed the visitors book on arrival. The service met the necessary safety requirements in respect of the indoor environment, toys and equipment and the safe storage of cleaning agents.

#### Infection Control:

The premises were visually clean. A cleaning schedule was available for the service. All toys and materials were easily cleanable.

Children were observed to wash their hands before snacks and after using the toilet.

Soothers were stored correctly in individual containers.

Natural ventilation was available through openable windows in the pre-school rooms and in the sanitary accommodation.

Pedal bins are 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. Documentation reviewed indicated the correct medication administration procedure was in operation in the service.

### Safe Sleep:

A record of the colour, position and breathing of sleeping children was noted in sleep logs. Staff were observed to carry out physical sleep checks every ten minutes. The wobbler sleep room temperature was recorded at 16 degrees Celsius. The toddler sleep room temperature was recorded at 18.7 degrees Celsius. A wall mounted thermometer was noted in both rooms.

### Fire Safety:

A fire assembly point was noted to the front and side of the premises.

### Non-Compliance Information

#### General Safety:

1. The safety catch on the door leading to the storeroom was not in place which posed a potential risk of harm should a child gain access to the contents stored within.

#### Infection Control:

1. The child's hands were not washed after the nappy changing procedure was carried out and before returning the child to the pre-school room. In the nappy changing area, the liquid hand soap dispenser was located out of the reach for children's use.
2. In the nappy changing area cleaning solutions were decanted into a bottle without content label or instructions for use attached.
3. The nappy disposal bin had a flap top access system which required the staff to handle the surface area which posed a potential risk of cross contamination.
4. Children's clothes were stored in the nappy changing area which posed a potential risk of cross contamination.
5. A brush pan and brush were stored directly onto children's art aprons in the wobbler room which was not suitable for infection control purposes.

#### Fire Safety:

1. There were no self-illuminated fire exit signs in place to identify the appropriate evacuation routes from the pre-school rooms and sleep rooms in the event of an emergency.
2. Exit doors identified with paper fire exit signage were obstructed with toys and play equipment in the wobbler and toddler rooms. A wooden unit used to store wellington boots was located along the corridor leading to a fire exit which may impeded the prompt evacuation of children in the event of a fire in the premises.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

##### General Safety:

1. A safety catch on the door leading to the storeroom has been put in place. (Photographic evidence included).

##### Infection Control:

1. The hand soap has been replaced with a liquid soap container that is now within the child's reach. (Photographic evidence included).
2. The cleaning solution has been refilled and labelled with instructions. All staff have been retrained in the correct method of storing and mixing the cleaning solution. (Photographic evidence included).
3. The nappy bin has been replaced with foot operated pedal bin. (Photographic evidence included).
4. Children's clothes have been removed from the boxes in the nappy changing area. (Photographic evidence included).
5. Children's art aprons have been removed from the corner of classroom and have been stored back in the art press. (Photographic evidence included).

A staff meeting was held with the staff regarding non-compliances detailed in the report and reminded of the correct practice of storage of items such as clothes, aprons, boots etc.

##### Fire Safety:

1. New running man lit signage have been installed in all classrooms and sleep rooms. (Photographic evidence included).  
All new signage has been installed for fire safety and layout of rooms have been changed to ensure there is no obstruction to the doors.
2. The wobbler room layout had been changed and the door is no longer obstructed. (Photographic evidence included).  
Wellington boot stands on both ends of the building have been removed. (Photographic evidence included).

### Summary Comment

In respect of the corrective action taken photographic evidence was submitted to the office of the Early Years Inspectorate, reviewed by the Early Years Inspector and deemed to meet the regulatory requirement.

### 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.*

*(4) A registered provider shall ensure that a record in writing referred to in paragraph (3)(b) is retained for a period of one year from the date to which it relates.*

### Compliance Information

(1)

The records of arrival and departure reviewed verified that each child attending the service was checked in and out of the service by a staff member.

(3)(a)(b)

All entry to the service with the exception of (i), (ii), (iii) and (iv) was approved by a staff member.

(4)

The visitor log is retained throughout the annual operation of the service.

## art 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)

Five adults were qualified in First Aid response (FAR) were available on the premises during the hours of operation.

(2)(a)

A free standing and wall mounted first aid box were available in the service.

(b)

A first aid box was accessible to the adults caring for the children in the pre-school 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 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)

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 4 February 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 in the premises were serviced in August 2024. The smoke alarms in the premises were serviced in September 2024.

(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 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 2025.