

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2020DR003
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Name of Service:	Chatterbox Childcare
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Address of Service:	Dwarf Oaks Shopping Centre, Church Road, Ballybrack Village, Glenageary, Co. Dublin
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Eircode:	A96PC62
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Name of Registered Provider:	Kerrylee Hempenstall
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Service type:	Full Day
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Date of Inspection:	06/05/2025
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No of pre-school children:	AM	65	PM	62
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Address of the Early Years Inspectorate:	Floor 7, Brunel building, Heuston South Quarter, Kilmainham Dublin 8
Inspection undertaken by:	R Phillips, E Mulhern
Title:	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).

Conditions if applicable	N/A
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Description of service

Chatterbox Childcare is a privately owned full day care service which is one of four services operated by the registered provider. It is located in an urban setting in Ballybrack, Co. Dublin. A service is provided to children aged between 3 months and 5.5 years. The service is open from Monday to Friday between 07:30 and 18:00 hours including a sessional service from 9:15 and 12:15 for 38 weeks of the year. The premises is located within a former retail premises with five care rooms, namely the Little Joeys, Wombats, Koalas, Kookaburras and Kangaroos rooms, a cot room and a kitchen. An outdoor play area is located to the rear of the building.

Staffing

There were 20 adults employed in the service. Sixteen staff were employed to work directly with the children. On the day of inspection, the centre manager was available to assist in the care rooms when required and there was also a cook present. The registered provider does not work in the service and was not present for the inspection.

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 areas 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 (1)(2)(3)(4) Management and Recruitment,
- 11 (1)(2)(4) Staffing levels

19 (1) (b) Health, Welfare and Development of Child

23 Safeguarding Health, Safety, and Welfare of Child and

30 Minimum space requirements

These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under regulation 19 (1)(b) As a result, the scope of the inspection included the Joeys, Wombats and Koalas rooms.

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 cooperation of the person in charge, staff and children who were present on the day of the inspection.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

- (a) the service has a designated person in charge and a named person who is able to deputise as required,*
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and*
- (c) there is a clear management structure in the service that identifies the lines of authority and accountability in the service and the specific roles and responsibilities of each employee and unpaid worker.*

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

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

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

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

Compliance Information

(1)(a)(b)(c)

The service had a designated person in charge and a named person to deputise as required who were both on the premises throughout the inspection. A clear management structure was in place throughout the service.

(2)

Following a discussion with the manager it was confirmed that four adults commenced working in the service since the last inspection on the 11th June 2024. Documentation was reviewed in respect of these adults and one other and met regulatory requirements as follows:

(a)(b)

Of the ten references that were required, eight were available from a past employer and two were available from reputable sources.

(c)

A Garda vetting disclosure from the National Vetting Bureau of An Garda Síochána was available for each of the five staff members. 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 one employee who had lived outside of the Irish jurisdiction for a period of six months or longer as an adult, as required.

(3)

Through a review of the new staff files it was confirmed that the procedures specified in paragraph (2) were carried out prior to all adults being employed

(4)

Of the staff files reviewed, all staff employed to work directly with the preschool children held at least a major award in Early Childhood Care and Education at level 5 on the National Framework of Qualifications or a qualification deemed to be equivalent by the minister as required.

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.

(4) Subject to paragraph (5), where a registered provider contemporaneously provides-

(a) a sessional pre-school service, and

(b) a full day care service or a part-time day care service, or both, the minimum ratio of adults to children applicable for the duration of the sessional pre-school service in respect of the children attending that service shall be the ratio specified in paragraph (3).

Compliance Information

- (1)
An adequate number of adults were working with the children.
- (2)(4)
The minimum adult to child ratio requirement for the age of children and type of service was maintained at all times. When the highest number of children were present, there were 14 adults working directly with 65 children, with the service manager also working directly with the children as required.

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-

(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)(b)

The service had a healthy eating policy and meals were provided at regular intervals throughout the day.

The children had access to drinking water at all times during the day, on low level shelving. The staff spoke kindly to the children and were gentle when assisting with their care needs.

The practices observed during the inspection were child led. For example, children were offered an alternative if they didn't like their meal and offered more portions if required. The babies' nappies were changed as required, and they were facilitated to sleep as and when required.

There was a relaxed atmosphere observed as children chose which activities to engage with in Joeys, Wombats and Koalas throughout the inspection. The majority of children in Koalas room slept at a planned sleep time, but some children had been facilitated to go for a nap earlier in the day as needed.

The children were encouraged to feed themselves, and care for their belongings. Children who were toilet trained were supported to go to the toilet independently, with supervision by sight and sound as required.

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

The following are examples of the measures undertaken by the manager and staff to safeguard the health, safety and welfare of the children attending the service:

General Safety:

The entrance doors and outdoor area were appropriately secured preventing children from exiting the premises unsupervised and prevented unauthorised persons from gaining access to the service.

The toys and equipment observed in use by the children on the day of inspection were safe and in good working order.

Cleaning agents were appropriately stored in locked cupboards and on high level shelving in rooms the children didn't have access to.

Children did not have access to the kitchen or storage rooms.

Infection Control:

The inspectors observed staff wiping down tables before and after eating.

The children washed their hands on return from playing outside, after messy play, after using the toilet, and before eating, to prevent cross contamination.

There was thermostatically controlled warm water which didn't exceed the safe maximum temperature of 43°C.

The inspectors observed staff carrying out nappy changing. Staff used personal protective equipment as provided and carried out handwashing in accordance with the service's nappy changing procedure guide which was displayed adjacent to the nappy changing area.

The staff were observed wiping the mat and nappy changing area before and following the procedure and washed their own and the children's hands at the appropriate times.

The cots and floor beds appeared clean, with fresh linen, which staff stated was washed weekly or more frequently as required.

Soothers were stored in individual containers, labelled until their sleep time.

Staff in the baby room detailed the cleaning procedures for the ball pool, and Joeys room in general.

Waste was appropriately managed throughout the service with the use of pedal operated lidded bins.

Administration of Medication:

Medicines were stored out of reach of children. Medicines were stored in their original packaging as required. Staff demonstrated an understanding of the appropriate measures to be taken to safeguard children if medicine administration was required. A sample of medication administration records were reviewed. The forms were completed with all the information required.

No child was observed having medicine on the day of inspection.

Safe Sleep:

The children were observed to be facilitated to sleep in cots or low beds as appropriate. The sleep room temperature was 18°C.

Staff remained in the room with the children on the low-level beds. Staff were observed to carry out sleep checks at ten-minute intervals and documented same. Observations included the children's breathing pattern, sleep position, colour, room temperature, staff comments and signatures, as required.

Fire Safety:

Fire exits were clearly marked and unobstructed throughout the service.

There was a sign in the hallway, indicating the steps to follow in the case of a fire. Staff outlined the procedures carried out during a fire drill and identified the assembly point.

Outing:

The manager of the service stated that they do not take the children on outings.

Part VII - Premises and Space Requirements

Regulation 30 - Minimum space requirements

(1) Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.

(2) A registered provider of a full day care service or a part-time day care service shall ensure that the minimum amount of clear floor space specified in column (3) of Schedule 7 opposite a particular reference number specified in column (1) of that Schedule in respect of the age range of children specified in column (2) thereof at that reference number is available for each child in that age range attending the service.

(3) A registered provider of a sessional pre-school service or a pre-school service in a drop-in centre shall ensure that a minimum of 1.818 square metres of clear floor space is available for each child attending the service.

(4) Where a registered provider contemporaneously provides-

(a) a sessional pre-school service, and

(b) a full day care service or a part-time day care service, or both,

the minimum clear floor space applicable for the duration of the sessional preschool service in respect of the children attending that service shall be the floor space specified in paragraph (3).

(6) Subject to paragraph (7), a registered provider of a sessional pre-school service shall ensure that there are no more than 22 children in a room in the service at any time.

(7) Paragraph (6) shall not apply where a registered provider contemporaneously provides-

(a) a sessional pre-school service, and

(b) a full day care service or a part-time day care service, or both.

Compliance Information

(1) There was sufficient clear floor space available for the children in Joeys, Koalas, Kookaburras and Kangaroos rooms, on the day of inspection. Please see table below.

Room	Joeys	Koalas	Kangaroos	Kookaburras
m ² available	23.36m ²	44.05m ²	37.97m ²	39.63m ²
m ² required for ages and no. of children present	10.5m ²	36.8m ²	34.5 m ²	32.2m ²
No. and Age of children present	2 children X 0-1year	3X 3-6years 13X 2 year olds	14 X 3 & 4 year olds	13 X 4 & 5 year olds

	1 child X 1-2 years			
Total number present for Full Day Care	3	16	14	13

Non-Compliance Information

(1) There was inadequate clear floor space to facilitate the children in the Wombats room on the day of inspection.

There was eleven one year old children and three two year olds, for full day care in this room during the inspection.

Please see table below.

Room	Wombats
m ² available	33.7m ²
m ² required for ages and no. of children present	37.05m ²
No. and Age of children present	3X 2 year olds 11X 1 year olds
Total no. present for Full Day Care	14

Age Range	Clear Floor Space per Child for Full Day Care
0-1 year	3.5 square meters
1-2 years	2.8 square meters
2-3 years	2.35 square meters
3-6 years	2.3 square meters

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The service has rearranged the staff and children to ensure the space requirements are available to the children. The preventive action is to plan to double check the room sizes in future if changes of numbers or ages of children are to occur to ensure adequate space is available.

Supporting documentation submitted

Updated drawings indicating new room layout and sizes of each room submitted.

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Summary Comment

The actions taken and planned by the service have been reviewed by the inspectorate and have been deemed to address the non compliance.