

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2021WW001

Name of Service: LMNO Childcare Ltd

Address of Service: 9A Purcell Lane, Rear Main Street, Bray, Co. Wicklow

Eircode:

Name of Registered Provider: Eileen Gill, Kieran McWilliams

Service type: Full Day, Part Time, Sessional

Date of Inspection: 11/04/2025

No of pre-school children:	AM	19	PM	18
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Address of the Early Years Inspectorate:	Tusla Child and Family Agency First Floor Trinity Building IDA Business Park Southern Cross Road Bray Co. Wicklow
Inspection undertaken by:	H. Bourke EYI and S. Faherty IRM
Title:	Early Years Inspector and Inspection Registration Manager

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

Description of service

This full day care service was first established in 2021. It is located in the town centre of Bray Co. Wicklow. The premises consists of a single storey building which has been modified to accommodate the childcare service. A second building has been modified as a sessional room but is not yet opened.

There are two care rooms that are opened up into one space, a sanitary area, staff office and kitchen area. There is a large enclosed outdoor space to the front of the premises. The service is registered to provide care and education to children from two years to six years of age. The service is open from Monday to Friday from 07.30 to 18.00 hrs

Staffing

The registered providers currently employ three adults in the service and all three members of staff were present on the day of inspection. The registered provider works in the service but was not present on the day of 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 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

Regulation 9 Management and Recruitment.

Regulation 10 Policies, Procedures of a pre-school service.

Regulation 11 Staffing Levels.

Regulation 16 Records in Relation to Pre-school service.

Regulation 19 Health, Welfare and Development of Child.

Regulation 23 Safeguarding Health, Safety and Welfare of Child.

Regulation 24 Checking in and out and Record of Attendance.

Regulation 25 First Aid.

Regulation 27 Supervision.

However, on inspection additional non-compliance which posed a risk was identified under

Regulation 22 Food and Drink

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 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.

(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

Following a discussion with the person in charge and inspecting the staff roster it was confirmed that four adults work in the service, these files were reviewed.

(1)(a)

The service had a person in charge and a named person who was able to deputise as required.

(b)

The person in charge was on the premises at the time of the arrival of the inspectors and remained on the premises for the duration of the inspection.

(c)

There was a clear management structure within the service.

(2)(a)(b)

Written validated references were available in respect of four adults.

(c)

The required three-year Garda Vetting Disclosures were available for four adults employed.

(d)

International police vetting was available for one adult working in the service who had lived outside the jurisdiction for more than six consecutive months as an adult.

(4)

Four staff members held a major award in Early Childhood Care and Education at Level 5 or higher on the National Framework of Qualifications or a qualification deemed equivalent.

Part III – Management and Staff

Regulation 10 - Policies, procedures etc. of pre-school service

A registered provider of a pre-school service shall ensure that the written policies, procedures and statements specified in Schedule 5 are in place for the service.

Compliance Information

The following policies were requested and reviewed

1. Accident and Incident policy
2. Termination policy
3. Healthy Eating policy
4. Complaints policy
5. Child protection policy

Non-Compliance Information

1. The service provides all the meals and drinks for the children during their day. Following a review of the Healthy Eating policy, the policy did not contain the core components of what healthy eating should be. A robust and comprehensive Healthy Eating policy is essential to meet the nutritional needs of the children, while attending the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. Our policy regarding healthy eating has been updated to reflect the changes in practice. The policy will be reviewed annually to ensure it reflects practice and continues to be in line with healthy eating guidelines.

Supporting documentation submitted

1. A revised healthy eating policy was submitted with the CAPA response.

Summary Comment

The above actions have addressed the non-compliance found on the day of inspection in relation to Regulation 10 and will be reviewed on the next inspection.

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)
Throughout the inspection there were an adequate number of adults working directly with the children attending the pre-school service.
- (2)
The correct adult/child ratio was maintained at all times. There were three adults employed to work directly with 19 children on the day of inspection.
- (8)(a)
The person in charge ensured that there were two adults on the premises at all times. This was confirmed by reviewing the staff roster.

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;*
 - (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*
 - (h) details of attendance by each pre-school child on a daily basis;*
 - (i) details of staff rosters on a daily basis;*
 - (j) details of any medication administered to a pre-school child attending the service with signed parental consent;*
 - (k) details of any accident, injury or incident involving a pre-school child attending the service.*
- (3) *A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.*

Compliance Information

(1)(a), (g)-(k).

The person in charge made sure that a record in writing was kept of the above information in relation to the service.

(3)

The person in charge ensured that these records were available for inspection to an authorised person.

Non-Compliance Information

(k)

Following a review of the Accident and Injury records of the service, details of a serious injury to a child in the service had not been documented correctly.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(k)

The assistant manager was mistaken in their understanding that the manger had to be the person to sign the accident reports. They are now aware that they can also sign these reports. Accident reports will be signed by whoever is acting as PIC on any given day where a report needs to be completed.

Supporting documentation submitted

(k)

An amended accident and injury form was submitted with the CAPA response.

Summary Comment

The above actions will address the non-compliance found on the day of inspection in relation to regulation 16 (k) and this 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)

Basic Needs:

- Children were supported and encouraged to be independent with using the toilet but were supervised appropriately. Hand washing was observed at this time.
- The staff members in the pre-school room, assisted the younger children with their personal care. Nice interactions were noted, staff chatted to children about their day.
- Children had continual access to all available activities within the pre-school room and were given opportunities to make choices as to which activities they wished to do and were supported in their choice. Examples of available activities that children were observed part-taking in were, craft making, painting, playing with farm animal toys, role playing and dress up.
- All pre-school children were observed enjoying freedom of movement within their room and the outdoor area.
- Children were given plenty of time to eat their food in a relaxed and unhurried environment.

Non-Compliance Information

(1)(b)

On the day of inspection, the inspectors observed the care needs of a child not being met by the adults in the service. The child was displaying visible signs of hunger and these needs were not being observed or acted upon by the adults present.

The inspectors asked the manager to give more food to the child, they did so, and the child's behaviour improved dramatically.

This happened, despite the adults having recorded in a journal that on several occasions, that the child has arrived, in the morning to the service hungry and with additional care needs.

No care plan had been put into place to meet the specific needs of the child.

Service providers have a duty of care, where possible, to meet the individual needs of the children in their care.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Attached is an account to provide context regarding this child.

The child no longer attends the service as of 28/06/2025

Supporting documentation submitted

A care plan was submitted with a complex care plan for the child was submitted with the CAPA response.

Summary Comment

The child is no longer in the service but regulation 19(b) will be reviewed on 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.

Non-Compliance Information

On the day of inspection, the children in the service were given fish fingers, potato waffles and baked beans for their lunch. All food is provided by the pre-school for the children who attend the service.

This meal was not in keeping with the Healthy Eating Policy of the service, which stated that they do not offer processed food to the children and do offer milk to the children at every meal.

Children were not offered milk to drink, until the inspectors requested the service to do so.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

This policy has been updated to reflect the day-to-day practice of the service. Policy will be reviewed annually to reflect any changes in practice over time

Supporting documentation submitted

A copy of a revised healthy eating policy was submitted with the CAPA response.

Summary Comment

The evidence submitted has addressed the non-compliance found on the day of inspection in relation to regulation 22 and will be reviewed on next inspection.

Part VI - Safety

Regulation 23 - Safeguarding health, safety and welfare of child

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

Compliance Information

General Safety:

- The main door to the service was securely locked on arrival of the inspectors to the service.
- All toys examined were in good condition and equipment was suitable and in good working order.
- The kitchen area was inaccessible to the children.
- All cleaning products were stored safely out of the reach of children.
- The emergency exit route from each care room was free from obstruction and clearly marked.

Infection Control:

- A cleaning schedule for the pre-school room was available and maintained.
- Hand washing by adults and children was observed before meals.
- A foot pedal bin was available in all sanitary area for the safe disposal of used paper towels. Foot pedal bins were also available in the pre-school room.
- Table cleaning was observed before and after snack time as was hand washing by adults and children before snacks and after using the toilet.

Non-Compliance Information

General Safety:

1. On the day of inspection, following a review of the outdoor kitchen area, ten steel pots and frying pans of a type used in a household kitchen were found.
The pots and frying pans had a mixture of reinforced steel bottoms and/or so sharp stainless-steel rims that could cause serious injury to a child or an adult.
When this was brought to the attention of the manager, they were removed immediately.
2. The wooden radiator cover in the pre-school room was broken and could pose an injury risk to a child.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1&2

The pots were removed on day by the assistant manager. The radiator cover was fixed later that day

Any other maintained issues are notified on a weekly basis and are fixed as soon as possible once identified.

Supporting documentation submitted

General Safety:

1&2

Photographic evidence of the repaired radiator cover and the outdoor kitchen area were submitted with the CAPA response

Summary Comment

The above actions have addressed the non-compliances found on the day of inspection in relation to regulation 23 General safety and will be reviewed on next inspection.

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 person in charge ensured that all children attending the pre-school were checked in and out on the service register.
- (3)(a)(i-iv)
The person in charge ensured that no other person other than the agreed list of people had access to the pre-school.
- (b)
The person in charge had a record in writing in the form of a visitors' book of all such persons who accessed the pre-school.
- (4)
The person in charge was able to demonstrate that the visitors' book was kept for a period of one year from the dates to which it

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)
The person in charge was trained in FAR first aid and available to the children throughout the inspection.
- (2)(a)
A suitably equipped first aid box was located in an accessible place within the premises.
- (b)

The first aid box was available to the children attending the service at all times

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

Children were adequately supervised by the adults in the service in the outdoor area.

Non-Compliance Information

During the morning snack time, despite there being three adults present with the children having their food, the adults failed to intervene and stop a child from repeatedly wandering around the table trying to eat the other children's snack.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

Children are not permitted to take each other's snacks or wander around while eating, with the exception of this child as per his care plan.

The child no longer attends the service as of 28/06/2025. The children are not permitted to wander around during snack times or take each other's snack.

Supporting documentation submitted

A care plan supporting supervision of the child was submitted with the CAPA response.

Summary Comment

The evidence submitted and proposed practice will address the non-compliance found on the day of inspection in relation to regulation 27 and will be reviewed on the next inspection.

Part VIII - Notifications and Complaints

Regulation 31 - Notification of incidents

A registered provider shall notify the Agency in writing within 3 working days of becoming aware of any of the following incidents occurring in the preschool service:

(d) a serious injury to a pre-school child while attending the service that requires immediate medical treatment by a registered medical practitioner whether in a hospital or otherwise;

Non-Compliance Information

(d)

The registered provider failed to notify the Agency within three working days, in writing of an incident where a child had to receive medical treatment following a serious injury sustained while attending the pre-school.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(d)

A full account of this incident has been provided to Tusla, In the future, if we have a similar incident, we will be notifying Tusla.

Supporting documentation submitted

(d)

A copy of the report sent to Tusla was submitted with the CAPA response.

Summary Comment

The above actions have addressed the non-compliance found on the day of inspection in relation to regulation 31 (d) and will be reviewed on the next inspection.