

# TUSLA PRE- REGISTRATION REGULATORY INSPECTION REPORT

## Inspection Due to a Proposed Change of Circumstances



**Tusla I.D.:** TU2022FL001

**Name of Service** By Your Side Early Intervention Preschool

**Address of Service:** Mulhuddart Community Centre, Church Road, Mulhuddart, Dublin 15, D15R2VF

**Email Address:** Fatima-abbes@hotmail.com

**Name of Registered Provider:** Fatima Abbès

<b>Type of Proposed Service:</b>	<b>Full Day Care</b>		<b>Part-Time</b>	x	<b>Sessional</b>	
	<b>Drop-In</b>		<b>Childminding</b>		<b>Temporary</b>	

<b>Proposed change:</b>	Operate the afternoon session from separate building within the campus of the Mulhuddart Community Centre
<b>Proposed Number of Children:</b>	6
<b>Recommended Change Following Inspection:</b>	Operate the afternoon session from separate building within the campus of the Mulhuddart Community Centre
<b>Registered change:</b>	Operate the afternoon session from separate building within the campus of the Mulhuddart Community Centre from 13:30 – 17:30

<b>Date of Inspection:</b>	0	8	0	5	2	0	2	5
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**Inspection undertaken by:** C. Harte  
**Title:** Early Years Inspector

**Tusla Early Years Inspectorate Address:** Early Years Inspectorate 2<sup>nd</sup> Floor, Unit 4/5  
 The Nexus Building, Blanchardstown Corporate Park  
 Ballycoolin, Dublin 15 | D15 CF9K

**Rationale for Inspection:**  
 Proposed Change of Circumstance

**Note: For Office use only, to be completed by Registration Office**

<b>Registration Status:</b>	Registered Part-Time Service for 6 Children
<b>Date of Registration</b>	28 <sup>th</sup> July 2025

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### Authority to Inspect

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

<b>Description of Service</b>	The proposed service will provide part-time care for children with autism spectrum disorder aged 3-6 years. The service will operate Monday-Friday 1.30pm-5.30pm. The service currently operates a morning session from 9.00am-1.00pm providing care for children with autism spectrum disorder aged 3-6 years from a room located in the community centre building.
<b>Premises</b>	The proposed service will operate from a prefabricated building beside the community centre. The building consists of sanitary facilities and one care room.  The existing care room is located within the community centre.
<b>Staffing</b>	The registered provider will employ up to four staff to work directly with the children including the pre-school manager. The registered provider will manage oversight of the service and provide cover where needed.
<b>Methodology</b>	The inspection was an announced inspection to assess compliance with the Childcare Act 1991 (Early Years Services) Regulations 2016 and Childcare Act 1991 (Early Years Services) (Amendment) Regulations 2016. The Inspection focused on regulations under the following themes: Governance, Health, Welfare and Development of the child, Safety and Premises.  The findings on inspection based on information obtained through examination of documentation, direct observation, and discussion with relevant staff are documented in the inspection report and taken into consideration when making a decision in relation to registering the change in circumstance. 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.

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<b>Additional Information</b>	The service was found to be operating the additional room prior to approval from the Registration Office.
<b>Acknowledgements</b>	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.*

**Requirement met:**

The requirement has been met.

(1) (a) The proposed service has a designated person in charge and a named staff member to deputise 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.*

**Requirement met:**

The requirement is met.

(1) The registered provider will ensure that an adequate number of adults will work directly with the children to attend the service. It is proposed there will be up to 4 adults caring for up to 6 part time children.

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.*
- (2) *A registered provider—*
- (b) *of a full day care service, a part-time day care service, a sessional preschool service or a childminding service that moves premises on or after 30 June 2016, shall ensure that a suitable, safe and secure outdoor space to which the preschool children attending the service have access on a daily basis is provided on the premises.*

**Requirement met:**

The requirement is met.

(1)(a)

The proposed service will have two care rooms in operation. One care room will operate in the main building of community centre in the morning, and one care room will operate from a prefabricated building beside the community centre in the afternoon.

- There is defined areas of play in the care rooms including small world, imaginative play and arts and crafts.
- There is an adequate supply of toys and resources available to support the age and stage of development of the purposed age range of the children.
- Toys and equipment are stored on low level shelving making them accessible for children.
- There is appropriately sized tables and chairs available.

(1)(b)

- There is a cosy area available in the care rooms for children to take a break from activities.

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(2)(b)

There is an enclosed outdoor play area with a grass surface and a small section of tarmac at the rear of the prefabricated building available to children attending in the afternoon. A separate outdoor play space on the grounds of the community centre campus is available for children attending in the morning. A range of outdoor toys is available to facilitate physical play experiences for the proposed age range of children is available.

### 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.*

#### Requirement met:

The requirement is met.

- A healthy eating policy is in place.
- Food will be provided by parents and refrigerated appropriately.
- Drinks will be available in the purposed care rooms.

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### 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.*

<b>Requirement met:</b>	<p>The requirement is partially met.</p> <ul style="list-style-type: none"> <li>• A daily risk assessment is available for the purposed outdoor area.</li> <li>• A daily risk assessment is available for the purposed care room.</li> <li>• There are suitable storage facilities with locks for medications and cleaning agents.</li> <li>• Play materials are safe and suitable for use.</li> <li>• Cleaning schedules are in place and the care rooms were visually clean on the day of inspection.</li> </ul>
<b>Requirement not met:</b>	<p>The following poses a potential injury risk to children:</p> <ol style="list-style-type: none"> <li>1. There was no process in place to check and record the water temperatures.</li> <li>2. There was no process in place to record the care room temperatures.</li> </ol> <p>The following poses a potential infection control risk for children:</p> <ol style="list-style-type: none"> <li>3. There was no foot pedal bin present in the sanitary area of the main building.</li> <li>4. There was no dispensed handtowels or hand dryer available in toilet 2 for care room 2 in the prefabricated building.</li> </ol> <p>The following poses a risk of safe evacuation in the event of an emergency:</p> <ol style="list-style-type: none"> <li>5. The mechanism on an additional slide latch placed on the door of the prefabricated building was damaged.</li> </ol>
<b>Response from Provider:</b>	<ol style="list-style-type: none"> <li>1. Evidence was submitted to show the purchase of equipment to record water temperatures.</li> <li>2. Evidence was submitted to show equipment to record care room temperatures.</li> <li>3. Evidence was submitted of a foot pedal bin present in the sanitary area.</li> <li>4. Evidence was submitted of a hand towel Evidence was submitted dispenser.</li> <li>5. Evidence was submitted to show the damaged latch has been removed from the door.</li> </ol>
<b>Summary Comment:</b>	<p>The requirement is met.</p>

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### 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.

#### Requirement met:

The requirement is met.

- (1) Evidence is available that four staff members are trained to First Aid responder level.
- (2) (a) A suitably equipped first aid box is stored in the care rooms.
- (b) The first aid box was easily accessible and available.

### Part VI – Safety

#### Regulation 26 – Fire Safety Measures

- (1) A registered provider shall ensure that a record in writing is kept of—
- (a) any fire drill that takes place in the premises, and
  - (b) the number, type and maintenance record of fire fighting equipment and smoke alarms in the premises.
- (4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.

#### Requirement met:

The requirement is partially met.

- (1) (a) There is a template available to record fire drills that take place in the service.
- (b) A written maintenance record was available for the smoke alarms. They were serviced on 7 April 2025.
- (4) There is a notice displayed in the care rooms of the procedure to be followed in the event of a fire and fire assembly point is clearly indicated.

#### Requirement not met:

(1)(b)

There was no record available to demonstrate the firefighting equipment on the premises was maintained.

#### Response from Provider:

(1) (b) Evidence was submitted of a maintenance certificate for the firefighting equipment.

#### Summary Comment:

Requirement is met.

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### Part VI – Safety

#### Regulation 28 – Insurance

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

#### Requirement met:

The requirement is met.

The current insurance certificate was submitted to the registration team prior to the inspection and was available on the day of inspection. The registered provider has evidence of insurance for a maximum of 12 children valid from 28 March 2025 to 27 March 2026.

### Part VII – Premises and Space Requirements

#### Regulation 29 – Premises

*A registered provider shall ensure that the premises of the service are—*

- (a) of sound and stable structure,*
- (b) safe and secure,*
- (c) kept adequately lit, heated and ventilated,*
- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

#### Requirement met:

The requirement is partially met.

- (a) The premises appears to be of a sound and stable structure.
- (b) The entrance to the care rooms is secure. Staff will attend the door to allow access.
- (c) The premises is adequately lit and heated.
  - Windows provide natural light in the care rooms. There is also ceiling lights fitted with protective covers.
  - Heating is provided by gas filled radiators.
  - The care rooms had openable windows to allow for ventilation.

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	<p>(d) The rooms are clean and in good repair. There is a cleaning schedule available to ensure regular cleaning of the premises.</p> <p>(e) There is an adequate number of toilets and wash handbasins for the purposed age range and number of children attending.</p> <ul style="list-style-type: none"> <li>• There are two toilets and two wash hand basins available for care room 1 in the main building.</li> <li>• There are two toilets and three was hand basins available for care room 2 in the prefabricated building.</li> <li>• There are staff sanitary facilities located in the main building.</li> </ul>
<b>Requirement not met:</b>	<p>(c) The mechanical ventilation is not operating in the sanitary area of the main building for the children attending in the morning.</p> <p>(e) There are no suitable nappy changing facilities for the proposed age range of children in attendance in the main building. The fold down unit in place is not designed for the purposed age range in attendance.</p>
<b>Response from Provider:</b>	<p>(c) Evidence was submitted to demonstrate the mechanical ventilation is operating.</p> <p>(e) The registered provider has confirmed that they will no longer be using the nappy changing unit; all children registered are now toilet trained.</p>
<b>Summary Comment:</b>	<p>Requirement has been met; however, the registered provider is required ensure adequate nappy changing facilities are provided for any children should this be required in future.</p>

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### 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.

#### Requirement met:

The requirement is met.

(1) There is adequate clear floor space available on the premises for the work, play and movement of children proposed to attend the care room. A total of 45 square meters available in the prefabricated building for the proposed 6 children in the 3-to-6 year age range.

(2) The amount of clear floor space is demonstrated below.

Room name	Age group	Service provision	Room size
Room 1 main building	3-6 years	Part time	31.5 m <sup>2</sup>
Room 2 prefabricated building	3-6 years	Part time	45 m <sup>2</sup>

Above is sufficient for the purposed 6 children to attend part time per session.