

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2022KE004
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Name of Service:	Shining Stars Academy Ltd
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Address of Service:	Glebelands, Athy, Kildare, Co. Kildare
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Eircode:	R14 TK25
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Name of Registered Provider:	Christine Bowden
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	22/04/2025
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No of pre-school children:	AM	40	PM	40
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Address of the Early Years Inspectorate:	Early Years Inspectorate TUSLA Child & Family Agency Suite 7, Vista Primary Care, Ballymore Eustace Road, Naas, Co. Kildare W91 X38W
Inspection undertaken by:	F. Maher, R. Flynn
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	Not applicable.
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Description of service

Shining Stars Academy Ltd. is one of three services operated by the registered provider in Athy and offers full day care, part time and sessional care and education to children aged 0-6 years old. Opening hours are from 08:00am-18:00pm, Monday-Friday. The service operates from a purpose-built premises located in a private residential estate on the outskirts of Athy. Five pre-school rooms, a sleep room and kitchen are provided. Play areas are located to the rear and side of the building and carparking is available outside the service.

Staffing

The registered provider does not work in the service and was not present for the inspection.

Twenty adults are employed in the service. On the day of the inspection there were seventeen adults present and of these, thirteen were working directly with the children, the person in charge and deputy person in charge provided additional support to the care rooms as needed. The cook and maintenance person were present during the inspection also.

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 and safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under,

- Regulation 9 (2)(a)(b)(c)(d), (4) - Management and recruitment.
- Regulation 11(1), (2), (8)(a) – Staffing Levels.
- Regulation 19 (1)(a) – 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 (1), (2)(a)(b) – First aid.
- Regulation 26 – Fire Safety.
- Regulation 27 – Supervision.

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 persons 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

(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 had a person in charge and a named person to deputise.

(b) Both the person in charge and a named person who could deputise were on the premises during the inspection.

The files of 5 staff members recruited since the last inspection were reviewed.

(2)(a)(b)

Two written and verified past employer references or references from a reputable source other than a past employer, were available in respect of 5 adults recently employed.

(c) Garda Vetting disclosures were available for all adults employed in the service.

The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) Police vetting was available for three adults who had resided outside the state for a period of longer than 6 consecutive months whose records were reviewed.

(4)

Of the 5 staff records reviewed, the adults employed were working directly with children attending the service and held at least 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 by the Minister.

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)

There were 40 children attending the service and they were supervised directly by 13 adults.

(2)

The minimum ratio of adults to children was adhered to during the day specified in column (3) of Part 1 of Schedule 6.

(8)(a)

There were at least two adults on the premises at all times for the duration of the Inspection. This was confirmed following review of the staff roster for the service.

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)

Basic needs of children

The service promoted healthy eating and parents provided the morning snack for their child. The snacks provided were observed to include sandwiches and wraps with healthy fillings, fresh fruit pieces, cheese and yoghurts. Water was freely available and each room had a water station area with a jug of water and drinks containers.

The service employed a cook to provide the main meal and evening tea which were freshly prepared daily. A three-week menu was displayed in the entrance lobby of the service and food served was observed to be varied and nutritious and included a variety of roast meat dinners, various rice dishes with meat and sauces, casseroles and pasta dishes with meat and vegetables added. Snacks and evening tea included a variety of sandwiches, wraps and pasta. The hot meal served on the day of inspection was mashed potato, cod fingers and vegetables with milk/water to drink.

Bibs were in use in the younger care rooms to protect the children's clothing when eating and aprons were available for messy play activities.

Regular hand washing was observed as children washed their hands before snack, after toileting, messy play and as needed. Self-toileting was supported, and children were supervised as necessary.

Nappy changing was carried out at set times or as needed in the younger care rooms and children less than 2 years old had their individual sleep needs met and were placed to sleep in the cot room adjacent to Caterpillar room as needed. A comfortable adult chair was available in the Caterpillar room.

The children availed of outdoor play on a rostered basis and enjoyed freedom of movement within the pre-school rooms and in the outdoor play area. The children were appropriately dressed in hats and coats when outdoors.

Supporting relationships

The children were observed happy and content as they moved about their individual rooms or engaged in various activities. The staff members ensured children in their care were supported in all aspects of their physical, emotional and social wellbeing and demonstrated warmth and affection in all interactions with the children. Staff members were very respectful towards the children in their care and positive body language and gentle voice

tones were used. All rooms had a family wall with pictures of the children with their families which helped reassure and keep the children connected to home. Communication with parents was through an electronic application that updated parents throughout the day regarding their child’s activities, how they slept and what they had eaten. Parents were also spoken to at the drop off and pick up times. Each pre-school room had their individual learning journals displayed in the lobby of the service for parents to browse and keep updated with the happenings in each room.

Physical and material environment

The pre-school rooms were equipped with low level child sized tables and chairs and the Caterpillar room was equipped with low level chairs with a removable tray and had straps to ensure the babies were seated securely. The play and learning materials were easily accessible on low level open shelving units in the pre-school rooms and shelving was kept to a minimum in the Caterpillar room as the babies could access their play equipment from containers placed on the floor. Materials and equipment included paint, paper, crayons, art and craft materials, play dough, blocks, puzzles, jigsaws, books, cars, animals and equipment to promote fine and gross motor development. Areas of interest included, home/kitchen corners, construction, dress up and rest areas with libraries. Children in the Bumblebee room had planted fruit and vegetables in the planter at the front of the service.

Suitable play equipment in the outside play areas included a wooden climbing frame with slides and swings, low level metal climbing equipment, ride on and push/pull equipment, balls and an outdoor kitchen with props.

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 gate and door to the service were electronically secured and controlled by staff to restrict unauthorised persons from gaining access to the pre-school and to prevent children from exiting the service unsupervised. A walk around of the outside of the premises and play areas, by the inspector, indicated all internal/external gates and access points were secure. Some building work was taking place in part of the play area but was observed to be completely fenced and inaccessible to the children.

Staff members advised the inspectors they were very aware of any food items provided that may cause a choking hazard and immediately cut/chopped food items if observed.

The service met the necessary safety requirements in respect of the indoor/outdoor environment and the safe storage of cleaning agents which were stored out of reach of the children.

Infection Control:

Thermostatically controlled hot water, liquid hand soap and paper towels were readily available for hygienic hand washing and drying. The staff members were familiar with the importance of handwashing practice as a means to control the spread of infection in the service. Foot pedal operated bins were provided for the disposal of used tissues, paper towel and soiled nappies. Written cleaning schedules were maintained for the room environments which were observed to be maintained in a clean and hygienic condition.

Children's soothers were stored in single labelled containers when not used.

Administration of Medication:

Medication was not given at the time of the inspection; written parental consent was available should medication be required to be administered to a child. The staff members were familiar with required safe practice when administering medication in the service.

Safe Sleep:

There was one sleep room with five cots provided for children less than 2 years of age and low-level sleep beds were available for all children aged over 2 years who slept at a designated time. The staff members were familiar with current safe sleep guidance and the required care of sleeping children and 10-minute sleep check observations were completed on all sleeping children as the staff documented the colour, position and breathing of sleeping children in their care.

Fire Safety:

Monthly fire drills had been carried out and staff members were familiar with fire safety evacuation procedures from the service. The fire exits were not obstructed.

Outing:

An outings policy is in place to guide staff when undertaking an outing with the children. The staff member in Sunflower room advised the inspector that a risk assessment and check list is completed along with parental consent prior to an outing taking place.

Non-Compliance Information

Infection Control:

1. The system in place in the Caterpillar room to sterilise soothers and mouthed toys was inadequate for infection control purposes. The staff did not have a measuring device to correctly constitute the sterilising liquid and as a result, the concentration was incorrect to effectively sterilise the items.

Administration of Medication:

2. An emergency care plan in the Butterfly room, had not been updated in over a year and the emergency medication was noted to be out of date since January 2025.

It is acknowledged the person in charge contacted the parent immediately when it was brought to their attention by the inspector; it was confirmed by the parent that the child no longer required any medication.

Action submitted by the Registered Provider

Infection Control:

Corrective Action

1. The sterilising fluid is no longer being used in the service, due to the absence of children under one year old— all items are now washed with soapy water.

Preventive Action

1. Not applicable.

Administration of Medication:

Corrective Action

2. After speaking with the child's parent, she confirmed that there is no need for any medication or care plan for her child.

Preventive Action

2. Assistant manager is now in charge of review of care plans every month.

Supporting documentation submitted

N/A

Summary Comment

The requirement for Regulation 23 has been met and may be subject to review at the time of the 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.

(2) Where there are more than 15 children attending a pre-school service in a drop-in centre, the registered provider shall ensure that one employee or unpaid worker is assigned responsibility for the checking in and out of children.

(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 registered provider ensured that each child was checked in and out of the service. This was confirmed by the electronic attendance records maintained in each care room.

(2)
Not applicable.

(3) (a)(b)
The registered provider ensured that any person entering the service was approved and a record in writing was maintained.

(4) The person in charge confirmed that the records were retained in storage for the required period.

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)
Persons were trained First Aid Response (FAR) and were immediately available to the children attending the service.

(2)(a)

The first aid equipment was safely stored, in conspicuous positions throughout the service.

(b) A suitably equipped first aid box for children was available at all times to the adults caring for the children attending the 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 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.

Compliance Information

(1)(a)

A written record was available of fire drills completed in the service. The last recorded fire drill was recorded on 4 March 2025.

(b)

Records were kept of the maintenance of the firefighting and the smoke alarm system in the premises which was last serviced 26 September 2024 and 18 February 2025 respectively.

(4)

A notice of the procedure to be followed in the event of a fire was displayed in the service.

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 observed being supervised at all times throughout the inspection; this included in each pre-school room as the children moved around the rooms, partook in activities, were eating snack and dinner, in the sanitary areas when using the toilet and washing hands and when playing in the outdoor play areas.