

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2022LM001
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Name of Service:	Ballinamore Childcare
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Address of Service:	Aghadark Road, Ballinamore, Co. Leitrim
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Eircode:	N41 H660
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Name of Registered Provider:	Paul Gilmartin
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	23/10/2025
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No of pre-school children:	AM	68	PM	61
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Address of the Early Years Inspectorate:	Early Years Inspectorate, TUSLA Child & Family Agency, Markievicz House, Barrack St, Sligo, F91 XC84
Inspection undertaken by:	L Costello & K Folan
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

Ballinamore Childcare is a community run service located in a renovated vocational school. The service consists of five playrooms, which were all operating on the day of the inspection. There is an outdoor area to the side of the building. The children also have access to an enclosed grassed area accessed via the carpark at the rear of the building. The service is located on the outskirts of Ballinamore town in County Leitrim.

Staffing

On the day of inspection 17 adults were working in the service with 15 adults working directly with children. The person in charge is largely in the office but provides break cover. One adult worked in the kitchen and one adult worked in the office. There was one student on a educational placement in the service at the time of 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 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 regulations 9, 10, 11, 15, 16, 20, 22, 23, 26 and 27 however, on inspection additional non-compliance which posed a risk was identified under Regulation 29 These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under regulation 10 (c) (h) (j) and 15.

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).

There was a designated person in charge and a named person to deputise as required.

(2) (a) (b).

Following a review of previous inspection information, information available on inspection and discussion with the person in charge it was determined that seven new staff members had been employed since the previous inspection, and one student had commenced in the service.

A total of eight files were reviewed. In addition, Garda vetting for three staff members whose disclosures were identified as due for renewal were requested for review.

Six written and verified past employer references or references from a reputable source in the absence of a past employer, were available in respect of the seven adults employed in the service.

(c)
Garda vetting disclosures had been obtained for the seven new staff members. The service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.

(4)
Three adults had attained major awards in Early childhood care and education at level 5 or above on the national framework of qualifications, or qualifications deemed by the Department of Children, Disability and Equality (DCDE) to meet the regulatory requirement.

Non-Compliance Information

(2) (a) (b)
Six written and validated references in relation to the four new staff members were not available for review on the day of inspection.

Four references on file were not validated.

(3)
A review of documentation evidenced that the requirements of Regulation 9(2) had not been completed prior to 4 staff members being appointed, assigned, or allowed access to or contact with a child attending the preschool service as outlined above under point 2(a)(b)

(4)
The registered provider could not furnish the required certification of qualification for two adults who were observed to be working directly with the preschool children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

In a written response the registered provider stated:

(2) (a) (b)
All validated references have been submitted. A staff checklist has been introduced to ensure all paperwork is in place.

(3)

A staff checklist has been introduced.

(4)

Evidence of qualifications for the two staff members has been provided.

Supporting documentation submitted

- Validated references submitted.
- Staff checklist submitted.
- Qualifications submitted.

Summary Comment

The corrective and preventive actions submitted by the registered provider adequately address the non-compliance found on inspection. This regulation is now compliant.

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

For the purpose of this inspection, a sample of the required written policies, procedures and statements that are specified and required under schedule 5 of these regulations were reviewed.

(c) Administration of medication.

(h) Inclusion policy

(j) Accidents and Incidents.

Documentation reviewed evidenced that the above policies were available and in operation in the service.

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 14 adults working directly with 68 children on the inspectors' unannounced arrival to the service. A review of a sample of attendance records showed that an adequate number of adults worked directly with the children during service hours of operation. One adult student was also present in the care rooms.

(2)

The minimum adult to child ratios were provided on the morning of the unannounced inspection in accordance with the required ratios considering the ages of the children and the length of time each child spent in the service.

At approx. 10:08am the following ratios were observed:

- Toddler Room: Three adults cared for 16 children aged from one year of age to three years of age.
- Wobbler Room: Two adults cared, or two children aged from one year of age to two years of age.
- Busy Bees/Wobbler 2: Two adults cared for eight children aged from one year to two years of age.
- Mini Movers: Three adults cared for 21 children aged from 2.8 years of age to 4 years of age.
- Rainbows Room: Four adults cared for 21 children aged from 4 years of age to 5 years of age.

In the afternoon at approximately 14.30 the following ratios were observed:

- Toddler Room: Three adults cared for 16 children aged from one year of age to three years of age.
- Wobbler Room: One adult cared for two children aged from one year of age to two years of age.

- Busy Bees/Wobbler 2: Two adults cared for eight children aged from one year to two years of age.
- Mini Movers: Three adults cared for 18 children aged from 2.8 years of age to 4 years of age.
- Rainbows Room: Four adults cared for 17 children aged from 4 years of age to 5 years of age.

(8) (a)

The registered provider ensured that there were always at least two adults on the premises when children were present in the service as evidenced in a sample of attendance records reviewed.

Part IV – Information and Records

Regulation 15 – Record of pre-school child

(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:

- (a) the name and date of birth of the child;*
- (b) the date on which the child first attended the service;*
- (c) the date on which the child ceased to attend the service;*
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
- (e) authorisation for the collection of the child;*
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
- (g) the name and telephone number of the child's registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.*

(2) A registered provider of a pre-school service in a drop-in centre or of a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the particulars specified in subparagraphs (a), (d), (e) and (f) of paragraph (1).

(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-

(c) an authorised person.

(4) A registered provider shall ensure that a record in writing referred to in paragraph (1) is retained for a period of 2 years from the date on which the child to whom it relates ceases to attend the service.

(5) A registered provider shall ensure that a record in writing referred to in paragraph (2) is retained for a period of 2 years from the date on which the child attends the service.

Compliance Information

1) (a-i)

Thirteen records of the children attending the service were reviewed. The required information including the authorisation to collect the child, details of illness or special needs of the child and emergency contact were fully completed for each child.

(3) (c)

The records in writing were available for inspection by the early year's inspector.

(4)

The person in charge confirmed that the records are retained for the required period as set out in the regulations.

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;

(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.

(2) A registered provider shall ensure that-

(b) a record referred to in subparagraph (h), (j) or (k) of paragraph (1) is retained for a period of 2 years from the date on which the child to whom it relates ceases to attend the service, or in the case of a preschool service in a drop-in centre or of a temporary pre-school service, for a period of 2 years from the date on which the child attends the service.

(4) A record referred to in paragraph (1) shall be open to inspection on the premises by a parent or guardian of a child but only in respect of information concerning that child.

Compliance Information

(1) (a-k)

The registered provider demonstrated compliance in ensuring that details of the service including the type of care provided, ratios, the facilities available, opening hours and fees were clearly displayed on the services noticeboard. A record of children's and staff attendance were recorded in record books in each of the care rooms

Medication administration records and accident and incident records were available in record books in each of the care rooms.

(2) (b)

The person in charge is aware of the statutory requirement to retain these records for a period of two years.

(4)

These records were made available to the parent /guardian as evidenced by parents signatures.

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 19 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-

(a) of a full day care service, a part-time day care service, a sessional preschool service or a childminding service that is registered for the first time on or after 30 June 2016, or

(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.

Compliance Information

(1) (a)

There are adequate facilities for the preschool children to play indoors and outdoors throughout the day as follows:

- All care rooms are brightly decorated with children’s artwork and educational posters.
- Care rooms are organised, clean and free of clutter.
- Care rooms are divided into various interests to stimulate the imagination of the preschool child.
- All care rooms have a wide variety of materials and resources creating opportunities for children to participate in various forms of play. Imaginary play is created for in the forms of home corners, dress up and construction areas, sensory play is facilitated with nature tables and tuff trays with Halloween inspired pasta, noodles and eyeballs. The care rooms have extensive libraries with age-appropriate books creating opportunities for language development. An array of tabletop activities and puzzles allow for fine motor skill development.

(1) (b)

The service provided adequate facilities for rest as observed on the day:

- Soft furnishings such as sofas and soft matting were provided in all areas to ensure a child could rest or opt out of an activity.
- Two designated sleep rooms were available providing 14 standard cots.
- Stackable floor beds were available for children over two years of age.
- Appropriate bed linen was provided for each preschool child.
- Room temperatures remained in the safe sleep limits of 18°C to 22°C.

(2) (a)

The outdoor play environment supports the development and well being of children. The outdoor area consists of a variety of wooden structures, houses, climbing frames, mud kitchens to facilitate imaginative play and develop gross motor skills. A smaller secure area is provided for the younger children with age and stage appropriate toys.

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.

Compliance Information

The service operated a healthy eating policy and provided a variety of nutritious and varied meals in line with this policy. On the day of inspection, a main meal of chicken curry and rice was provided to the preschool children.

Fresh hot meals are prepared on site and on discussion with staff members allergies and food preferences are considered in the provision of meals.

The older children bring in their snacks from home and consist of a variety of sandwiches, fruit and yoghurts.

Non-Compliance Information

On the day it was observed that no hot meal alternative was provided to a child who refused the main meal. On discussion with the staff members the inspector was informed that the child does not eat hot meals, and a snack is provided from home. When asked if another child refused the meal, could an alternative be provided the inspector was informed no. This was later confirmed by the person in charge at the closing meeting.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

In a written response the registered provider stated:

The staff members have been made aware of Ballinamore Childcare CLG healthy eating policy, attention has been drawn to the issue if a child is refusing the hot meal that they are provided with an alternative meal. This issue is also on the agenda for the next staff meeting as a revision of policies.

Supporting documentation submitted

- Minutes of staff meeting submitted.

Summary Comment

The corrective and preventive actions submitted by the registered provider adequately address the non-compliance found on inspection. This regulation is now compliant.

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 entrance was secure on the inspectors unannounced arrival to the service.
- All cleaning products in the care rooms were stored on high level shelving out of the reach of children s
- Materials and resources were maintained in a good state of repair
- Leads and flexes were secure and inaccessible to the preschool children.
- The outdoor perimeter was secure with waste bins stored out of reach of children.

Infection Control:

- Warm water liquid soap and paper towels were provided for the hygienic hand washing.
- Tables were observed to be cleaned prior to mealtimes and after messy play and snack times in all care rooms.
- The materials and resources throughout the service were visually clean, with cleaning schedules displayed and up to date in each care room.

Safe Sleep:

- The service had two designated sleep room with a total of 14 standard cots.
- The sleep room temperature measured 19.7°C on the day of inspection which is line with the required safe sleep temperatures.

Fire Safety:

- Fire doors were unobstructed throughout the service.
- Fire evacuation procedures were clearly displayed in the care rooms

Non-Compliance Information

General Safety:

1. There was no safety protection on the bathroom doors in the 'mini movers' sanitary accommodation. On a review of accidents and incidents, two children caught their finger in the bathroom door within a two-month period resulting in injury to the child. Contrary to the service 'incident and accident policy' no risk assessment was completed after these incidents which could have prevented an injury to the preschool child.
2. Garda vetting was available for all staff members. However, one of these vetting disclosures were not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.
3. Blind cords in the rainbow room were not secured. It is acknowledged that on the day of the inspection, none of the blind cords were within children's reach.

Infection Control:

4. The Nappy bins in the nappy changing areas were not the required foot pedal operated bins resulting in a risk of cross contamination.
5. In the toddler sanitary accommodation, adults' coats and jackets were hung beside wash hand basins posing a risk of contamination.
6. Snacks were served to the preschool children directly onto the table, posing a risk of infection control. No plate was observed to be given to the preschool child.
7. Wall and ceiling vents contained a large build-up of dust, reducing their effectiveness in reducing odour and air exchange.
8. At nappy changing time, adults and children's hands were not washed posing a risk of infection.
9. In the Wobbler 2 room, the bin for disposal of hand towels was an open top bin, not the required foot operated pedal bin.
10. In the wobbler room, cots were not placed 50cm apart, posing a risk of infection control.

Administration of Medication:

11. On discussion with some staff members, they were not aware of the service administration medication policy, stating that they 'do not administer' temperature reducing medication. On discussion with the person in charge the service does administer temperature reducing medication when required. Staff members not being aware of the service policy on the administration of temperature reducing medication poses a risk of safety to the preschool child.

Safe Sleep:

12. Four children under two years of age were placed to sleep on stackable beds. On discussion with staff members no risk assessment had been completed for the children under two years of age contrary to the service policy on safe sleep.
13. One child under two was placed to sleep with a pillow which is at variance with the services own safe sleep policy.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

In a written response the registered provider stated:

1. Safety guards have been installed on the bathroom door. All doors were risk assessed and we plan to install safety mechanisms across all doors.
2. Garda vetting renewal has been applied for and is now on file. We will complete a review annually to ensure all garda vetting is up to date.
3. Blind cords have been secured. Staff will complete morning checks to ensure cords are secure.

Infection Control:

4. Nappy bins have been replaced with foot pedal operated bins.
5. Coats and jackets have been removed, and this area is free from personal belongings.
6. Plates are provided for all snacks.
7. Cleaning company has cleaned all vents and are aware to monitor for build-up of dust.
8. Staff have been reminded of the infection control policy and nappy changing policy and the importance of hand hygiene. This will be on the staff meeting agenda.
9. The bin has been replaced with a foot pedal operated bin.
10. Cots have been reduced in the room, ensuring the appropriate spacing between each cot.

Administration of Medication:

11. Staff have been reminded of the administration of medication policy. This will be discussed at our staff meeting.

Safe Sleep:

12. The children in this room have now turned two years of age and are on stackable beds. All under twos will sleep in a standard as required.
13. The pillow has been removed, and staff have been informed of the service sleep policy.

Supporting documentation submitted

General Safety:

1. Photographic evidence
2. Documentary evidence
3. Photographic evidence

Infection Control:

4. Photographic evidence
5. Documentary evidence
6. Photographic evidence
7. Documentary evidence
8. Documentary evidence
9. Photographic evidence
10. Photographic evidence

Administration of Medication:

11. Documentary evidence
12. Documentary evidence

Safe Sleep:

13. Photographic evidence
14. Documentary evidence.

Summary Comment

The corrective and preventive actions submitted by the registered provider adequately address the non-compliance found on inspection. This regulation is now compliant.

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.
- (2) The record referred to in paragraph (1) shall be open to inspection by-
- (c) an authorised person.
- (3) A registered provider shall ensure that a record referred to in paragraph (2) is retained for a period of 5 years after its creation
- (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) (b)

The service demonstrated that adequate monthly evacuation drills occur within the service the most recent occurring on the 14 October 2025.

A list of firefighting equipment was provided to the inspectors with a maintenance date of the 23 October 2025.

Smoke alarms were serviced on 02 September 2025.

(2) (c)

These records were made available to the inspectors on the day.

(3)

The registered provider is aware of the regulatory requirement to retain these records for a period of five years.

(4)

Emergency evacuation plans were clearly displayed in the care rooms 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

The registered provider ensured that the preschool children attending the service were adequately supervised. In the care rooms, good communication was observed between the supervising staff, ensuring that each staff were informed of who was leaving the room and what children they were bringing. Head counts were observed to be completed transitioning from inside to outside. In the outdoors the staff members positioned themselves to ensure all children were in view while playing outdoors. At mealtimes the staff members sat alongside the older children offering support if required.

During sleep time in the toddler room, staff members sat supervising the children as they slept. The younger children room, sleep supervision was completed by physical checks every ten minutes.

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 a current insurance cover valid until the 27th of March 2026. The insurance provided cover for 100 Children.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-
(d) cleaned, maintained and repaired, as required, and

Non-Compliance Information

- (d)
- In the mini movers sanitary accommodation, there was a hole in the wall with rubble and exposed pipes that required securing.
 - In the wobbler 2 room, the children's handwashing tap was broken

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

In a written response the registered provider stated:

- The hole in the wall has been replaced.
- The handwashing tap has been fixed.

Supporting documentation submitted

- Documentary evidence submitted.

Summary Comment

The corrective and preventive actions submitted by the registered provider adequately address the non-compliance found on inspection.