

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2023DY002
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Name of Service:	First Steps Academy
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Address of Service:	Churchwell Gardens, Belmayne, Dublin 13
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Eircode:	D13 HXR8
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Name of Registered Provider:	Shirley Flannery
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	25/05/2026
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No of pre-school children:	AM	78	PM	59
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Address of the Early Years Inspectorate:	Early Years Inspectorate Area 1 2 nd Floor, Unit 4/5 The Nexus Building Blanchardstown Corporate Park Ballycoolin Dublin 15 D15 CF9K
Inspection undertaken by:	T. Nelson and C. Harte
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).

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Description of service

First Steps Academy is a full day care service located in a residential area of Dublin 13 and is registered to provide early childhood care and education to a maximum of 132 children aged 1 to 6 years old, Monday to Friday. The service operates an Early Childhood Care and Education (ECCE) programme sessional service from 9.00am to 12.00pm. The service is one of three services operated by the registered provider.

First Steps Academy operates from the ground and first floor of a purpose-built premises of an apartment building and has six care rooms. These include the Boo Boo Bears Room (12 to 20 months old), Snuggle Bears room (18 to 24 months old), Cub Bears room (2 to 3 years old) and Panda and Teddy Bears rooms (2 to 5 years old). On the first floor is the Buddy Bears room which operates as a sessional and part-time service in the mornings and provides school age care in the afternoons. There are sanitary facilities located off each of the care rooms, and a cot room located off Boo Boo Bears room. Further sanitary facilities are available for staff. Two fully enclosed outdoor areas are located to each side of the premises.

Staffing

The registered provider employs 23 staff to work in the service, including two area managers, the person in charge, 18 staff who work directly with the children, a cleaner and an administrator. There were 19 staff present on the day of the inspection including the two area managers, the person in charge and 16 staff working directly with the children, which included a staff member from another service operated by the registered provider. The registered provider does not work in the service.

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

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- 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.

A sampling process was used to assess compliance under the following:

- Regulation 9(7) Management and Recruitment
- Regulation 19 (1)(a)-Health, Welfare and Development of child
- Regulation 23 – Safeguarding Health, Safety and Welfare of Child

As a result, the scope of the inspection included the Snuggle, Panda and Teddy Bears rooms. Regulation 11 was assessed across all rooms.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the management team, 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.

(7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:

- (a) the policies, procedures and statements of the service specified in Schedule 5.*

Compliance Information

(1) The registered provider ensured that;

- (a) The service had a designated person in charge and named person to deputise as required.*
- (b) A review of the roster showed either the person in charge or the deputy person in charge were rostered to be present during the operational hours of the service.*
- (c) There was a clear management structure in place, and staff reported being aware of this.*

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(2) Following a review of previous inspection information, information available on inspection and discussion with management it was determined that 20 new staff members had been employed since the previous inspection and 19 of these new staff members work directly with the children. On the day of inspection, a staff member from another service operated by the registered provider providing cover in the rooms was present. A total of 21 full files were reviewed. In addition, Garda vetting disclosures for two adults were requested for review. The registered provider had completed the following checks:

- (a) Twenty-three validated written references were available from recent past employers.
- (b) Nineteen validated written references were available from a source other than a past employer.
- (c) Garda vetting disclosures had been obtained for all 23 reviewed. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (d) Documentary evidence was available that established that 20 adults required international police vetting and this was available for review.

(4) The 20 staff who worked directly with children attending the service held at least a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications or a qualification deemed eligible by the Department of Children, Disability and Equality.

- (7)
- (a) A review of documentation showed that the following information was available:
 - A sample of eight induction files reviewed showed new staff had been provided with information and had received training on the policies and procedures in the service required under Schedule 5.
 - A sample of eight files showed staff had been provided with an opportunity to meet with management for support and supervision.

This was in line with the service staff training and supervision policy which was reviewed on the day.

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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.

Compliance Information

(1) On the day of inspection there were an adequate number of adults available to the children attending the service to meet their care needs.

- There were 19 qualified staff available to the 78 children present on the morning of the inspection,
- There were 13 qualified staff available to the 58 children present on the afternoon of the inspection

(2) The adult to child ratios were maintained correctly throughout the inspection, for example the two managers and the person in charge were available to provide cover for breaks.

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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) The registered provider ensured the following activities, interaction, materials and equipment was in place to facilitate the child's learning and development:

Basic Needs

- Drinks of water were accessible and available to the children throughout the day.
- Alternative meal options for children with additional or alternative diets were available.
- Staff were observed to promptly respond to a child after a toileting incident.
- Prompt transitions between activities such as play to meal time and sleep were observed, where staff worked as a team to plan and prepare for the transition.

Supporting Relationships

- The staff appeared to be familiar with the children in their care and interacted with them according to their needs.
- Staff were observed to engage with the children in a warm, responsive manner, offering comfort when required, and using strategies such as low tones, getting to the child's level, and facilitating children to participate in activities at their own pace.

Physical and Material Environment

- The furniture provided in the rooms was low level and appropriate for the age and stage of the children attending.
- Toys, equipment and play materials were easily accessible and visible to the children on low-level units which nurtured independence and facilitate choice.
- An area was available in each care room which allowed a child to take a break from activities and rest.
- There was a sensory room available where children could have a break from the care rooms if required.

Programme of Activities

- Children were observed to enjoy both free play and structured play activities facilitated by adults.

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- Documentary evidence was available to show that staff had observed children in play and used these observations to plan for future activities to extend the children's learning.

Non-Compliance Information

- (1)
- (a) The registered provider did not ensure the following:
- Basic Needs**
- An additional portion of food was not available to a child. The child was observed to request more food on two occasions after they had finished their meal, however none was made available.
- Physical and Material Environment**
- There were insufficient resources available for two groups of children who shared garden time on the morning of inspection which led to frustration and reduced play opportunities for some children. Children were observed to request additional resources and engage in disputes over singular items including the one ball and one ride on car present. It is acknowledged the service has two permanent climbing frame garden structures.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- The service report that staff were reminded that additional portions of food must be available to children who request more food and that these are now prepared and available at mealtimes to ensure children's individual needs can be met. The service will ensure sufficient quantities of food are available for all children and this will be monitored through regular room observations conducted by management.
- The service reports a review of outdoor play resources was undertaken. Additional outdoor equipment was made available to children. Staff were reminded to take resources from the storage when in the garden. Regular audits of the outdoor resources has been introduced to ensure sufficient equipment is available to meet the needs and interests of all children.

Supporting documentation submitted

- No evidence submitted.
- Photography and documentary evidence.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliances identified under Regulation 19 have been addressed.

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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.

Compliance Information

The following measures to safeguard children were observed to be in place when the inspectors arrived unannounced to the service:

General Safety:

- The entrance to the service was secured by a magnetic door lock system which was managed and monitored by staff. This restricted unauthorised persons from gaining access to the premises and prevented children from exiting the service unsupervised.
- The staircase had an anti-slip floor covering with a low hand rail for children.
- The kitchen was inaccessible to children throughout the inspection.
- Staff were observed to be positioned effectively in the outdoor area to provide for adequate supervision of the children.
- Staff were observed to apply suncream to children prior to going outdoors.

Infection Control:

- Children's beakers were individually labelled.
- Warm water, liquid soap and single use hand towels were available at all wash hand basins used by the children and the staff members.
- Staff were observed to support children to handwash after outdoor play and before mealtime.
- Windows were opened in the care rooms to provide for adequate ventilation.
- The nappy changing procedure observed was in line with safe practice where the staff member wore disposable gloves and apron, handwashed before and after the nappy change, cleaned the nappy mat before and after use and disposed of the nappy appropriately.

Administration of Medication:

- There were documented care plans available detailing the administration procedures for children on prescribed emergency medication.

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Safe Sleep:

- Staff were observed to complete physical checks on the colour, breathing and position of sleeping children every 10 minutes, and a log was maintained of these checks.

Fire Safety:

- Emergency exits were unobstructed.

Non-Compliance Information

Infection Control:

1. One of the nappy mats in the nappy changing room off the Snuggle Bears room was torn with the foam exposed, leaving an ineffective surface for cleaning. This increased the potential risk of infection.

Administration of Medication:

The following posed a risk in administering medication in a prompt and safe manner.

2. Medication was not stored in a manner that clearly indicated individual children's medication.
3. Medication which has passed the expiry date had not been disposed of.

Safe Sleep:

4. Sleep practices were not in line with current safe sleep guidance. Children under 2 years old were observed to sleep on mattresses which were placed directly onto the floor, and the mattresses were less than the recommended depth of between 6 and 15 cm.

Fire Safety:

5. The details of the attendance of a child in a care room was not accurately recorded in the attendance book. Contemporaneous accurate attendance logs must be maintained to support the safe evacuation of children in an emergency.

Action submitted by the Registered Provider

Corrective & Preventive Action

Infection Control:

1. The damaged nappy changing mat was removed from use immediately on the day of inspection and replaced with a new mat. The service report regular checks will be carried out to identify damaged equipment.

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Administration of Medication:

- The service report that medication storage procedures were reviewed. Each child's medication is now stored in a clearly labelled individual bags, identifying the child's name. All medications going forward will remain appropriately labelled and stored and compliance will be monitored by the Person in Charge through regular checks.
- The service report that all expired medication was removed from the service immediately and disposed of safely and that monthly medication checks will be completed to identify any medications approaching expiry.

Safe Sleep:

- The service report that suitable sleep mattresses and beds meeting current safe sleep guidance have been purchased and that the Safe Sleep Policy has been reviewed to reflect current Tusla guidance.

Fire Safety:

- The service report that staff were reminded of the requirement to maintain accurate attendance records throughout the day and that spot checks of attendance records will be completed daily by room leaders and monitored by management to ensure records accurately reflect children's presence in each room at all times.

Supporting documentation submitted

Infection Control:

- Documentary evidence.

Administration of Medication:

- Photographic evidence.
- No evidence submitted.

Safe Sleep:

- Documentary evidence.

Fire Safety:

- No evidence submitted.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliances identified under Regulation 23 have been addressed.

Part VIII - Notifications and Complaints

Regulation 32 – Complaints

- (1) A registered provider shall ensure that the complaints policy of the service specifies-
- (a) the procedure to be followed by a person for the purposes of making a complaint in relation to the service,
 - (b) the manner in which such a complaint shall be dealt with, and
 - (c) the procedures for keeping a person who makes such a complaint informed of the manner in which it is being dealt with.
- (2) A registered provider shall ensure that-
- (a) a record in writing is kept of a complaint made to the provider in respect of the pre-school service, and
 - (b) the complaint is duly dealt with in accordance with the provider's complaints policy.
- (3) A record in writing referred to in paragraph (2)(a) shall-
- (a) include the nature of the complaint and the manner in which the complaint was dealt with, and
 - (b) be open to inspection on the premises by an authorised person.

Compliance Information

The registered provider ensured the following:

- (1) There was a complaints policy maintained which outlined the following:
- (a) The procedures to be following when making a complaint.
 - (b) The way complaints would be dealt with.
 - (c) The procedures for keeping the complainant informed on how the complaint is being dealt with.
- (2) The registered provider ensured:
- (a) A record of complaints was maintained.
 - (b) That complaints were handled in line with the service policy.
- (3) A review of records referred to in (2)(a):
- (a) Detailed the nature of a complaint and how it was handled.
 - (b) The record was made available on the day of the inspection.