

# Early Years Inspectorate Regulatory Report

## Pre School

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| <b>TUSLA Identifier:</b> | TU2024DY006 |
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| <b>Name of Service:</b> | The Diverseminds Academy |
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| <b>Address of Service:</b> | 60/61 Manor Street, Stoneybatter, Dublin 7, Co. Dublin |
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|-----------------|----------|
| <b>Eircode:</b> | D07 CY53 |
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| <b>Name of Registered Provider:</b> | Jigna Rokadia |
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| <b>Service type:</b> | Full Day, Part Time, Sessional |
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| <b>Date 1 of Inspection:</b> | 19/03/2026 |
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| <b>Date 2 of Inspection:</b> | 20/03/2026 |
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|-----------------------------------------|----|----|----|-----|
| <b>No of pre-school children DAY 1:</b> | AM | 30 | PM | 24  |
| <b>No of pre-school children DAY 2:</b> | AM | 22 | PM | N/A |

|                                                 |                                                                                                                                         |
|-------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| <b>Address of the Early Years Inspectorate:</b> | Early Years Inspectorate,<br>Child and Family Agency,<br>Unit 4&5 Nexus Building Block 6A, Blanchardstown Corporate Park,<br>Dublin 15. |
| <b>Inspection undertaken by:</b>                | Á Dunne & E Hosford                                                                                                                     |
| <b>Title:</b>                                   | Early Years Inspectors                                                                                                                  |

| Authority to Inspect                                                                                                                                                                                   |  |
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| 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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| <b>Conditions if applicable</b> | Not applicable |
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### Description of service

The Diverseminds Academy operates an early years service from the ground floor of a two-storey premises in Dublin 7. It provides full day, part time and sessional care to children aged between 2 to 6 years. The service operates a full day care service for children from 8.00am to 6.00pm, Monday to Friday, for a maximum of 55 children. In the service there are two care rooms - the Bright Moon room and the Shining Star room, an enclosed outdoor area situated to the side of the building, sanitary facilities for children and staff, a service kitchen for the preparation of meals, and an administration office. A school age service is operated upstairs in the premises.

### Staffing

The registered provider works in the service and employs fourteen staff members to include the deputy person in charge, two cooks, two relief staff and nine childcare staff who work directly with the children. Two of these staff members are employed in a post which is partly funded by the Minister under the Access and Inclusion Model scheme for children with additional needs. The service is currently facilitating three students for work experience, all of whom were present on Day 1 of inspection and none of whom were present on Day 2 of inspection.

### Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Child Care Act 1991 (Early Years Services) Regulations 2016 define the duty of a registered provider to ensure the safety and well-being of children and to comply with these regulations. This Act also gives Tusla the authority to assess compliance with the regulations. The purpose of regulation in relation to early years services is to ensure that the care, safety, and well-being of children attending such services is upheld. Inspections of early years services are planned based on the following:

- Previous inspection history
- Any information received in relation to the service

The findings on inspection are based on:

- Information obtained through examination of documentation
- Direct observation
- Discussion with relevant staff

This inspection was unannounced and focused on the area of governance, health, welfare and development of child, safety, premises and facilities. The inspection may also focus on other areas as required.

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The inspection focused on an examination of compliance under regulations 9, 11, 16, 19, 23, and 32. These findings are outlined within the relevant regulation within this report.

A sampling process was used to assess compliance under Regulation 16 Record in relation to Preschool service (k), regulation 23 Safeguarding Health, Safety and Welfare of Child. The scope of the inspection included the two care rooms - the Bright moon room and the Shining stars room.

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.

### Additional Information

The inspection was triggered by information received by the inspectorate.

### Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, staff and children who were present on the day of the inspection.

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### Part III – Management and Staff

#### Regulation 9 – Management and recruitment

*(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.*

*(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;*

*(b) Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act, and*

*(c) these Regulations.*

#### Compliance Information

The files of the 15 staff and 3 students were reviewed on inspection.

(2)(a) Twenty-seven validated written references were available from a past employer.

(b) Seven validated written references were available from a source other than a previous employer.

(c) Garda vetting disclosures had been obtained for the 15 staff employed in the service and 3 students attending the service. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) Police vetting was available for 14 staff employed in the service and 2 students attending the service who had lived outside of the state for six consecutive months as an adult.

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(4) Documentation was available to demonstrate that the 13 adults working directly with children in 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

(7) Detailed induction training records were available for 3 staff, and a declaration was available for 11 staff and 3 students, declaring that a review the policies and procedures were read and completed by each staff member. Evidence was available to demonstrate team meetings held and ongoing training was completed and planned for staff to ensure staff continue to be aware of policies and procedures of the service.

### Non-Compliance Information

(2)

(a)(b) One written and validated reference was not available for one student.

(a) One written reference for one staff member was not validated.

(3) Documentary evidence available to demonstrate that the procedures outlined in paragraph (2)(a)(b), had not been completed prior to staff and students starting in the service and allowed access to the children.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

(2)(a)(b) Immediate corrective actions were taken in relation to non-compliance of Reg 9(2)(a) and (b).

A checklist has been created for student file to ensure all relevant documents including two written verified reference letters are organised in the student file.

A full audit of all existing staff files will be conducted on a monthly basis to ensure that staff files have all documents. For new staff, the service will ensure that all documents will be organised before the commencement of the employment of the staff. A checklist has been introduced for staff files.

(3). The person in charge will ensure that students and staff are not permitted access to children until the regulatory requirements relating to verification of two written references are met. The person in charge will ensure evidence is documented by completing the student and staff file checklist.

#### Supporting documentation submitted

(2)(a)(b) Checklist for Student file

(2) Staff file Checklist

### Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliances identified under Regulation 9 have been adequately addressed.

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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*

*(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) The registered provider ensured that at all times, there was an adequate number of adults working directly with the children attending the pre-school service.

Day 1 - There were 9 adults working with 30 children in the morning and six adults were working with 24 children in the afternoon.

Day 2 - There were 8 adults working with 22 children in the morning.

(2) The adult to child ratios were maintained on the day of inspection as outlined below.

#### Day 1 -Morning

- **Bright moon Room** - 3 adults were caring for 9 children aged 2 - 3 years and two students present
- **Shining stars room** –
  - Group 1 - 4 adults were caring for 12 children aged 3 - 5 years and one student present
  - Group 2 - 2 adults were caring for 9 children aged 3 - 5 years and one student present

#### Day 1 - Afternoon

- **Bright moon Room** - 2 adults were caring for 8 children aged 2 - 3 years.
- **Shining stars room** – Group 1 - 2 adults were caring for 9 children aged 3 - 5 years
  - Group 2 - 2 adults were caring for 7 children aged 3 - 5 years

#### Day 2 – Morning -

- **Bright moon Room** - 2 adults were caring for 4 children aged 2 - 3 years.
- **Shining stars room** – Group 1 - 3 adults were caring for 8 children aged 3 - 5 years.
  - Group 2 - 3 adults were caring for 10 children aged 3 - 5 years.

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The registered provider was available to offer support in the rooms when required for example, for nappy changes and to cover breaks.

(8)(a) The registered provider ensured 2 adults were present on the premises during the operation of the early years service

### 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:*

- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

#### Compliance Information

- (h) Details of attendance by each pre-school child on a daily basis was completed accurately in attendance record books.
- (i) The staff roster was available with details for each day of the week.

#### Non-Compliance Information

- (k) On review of ten accident and incident forms, information was missing as follows:
  - The parent's signature was missing from two forms.
  - The date of the parent's signature was missing from four forms.
  - The surname of the child was missing from one form

#### Corrective & Preventive Action submitted by the Registered Provider

##### Corrective and Preventive Action

- (k) An audit of completed accident and incident reporting forms was immediately conducted, and the missing details were completed. Staff were provided refresher training on accurately completing the accident and incident reporting form.  
  
To prevent the non-compliance in the future, a separate accident and incident reporting book has been provided to both care rooms. The lead educators of both rooms have been assigned the responsibility. A member of the management team will regularly conduct an audit of accident and incident reporting book. Also, new staff members will be specifically trained on the completion of accident and incident form as a part of the induction process.

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### Supporting documentation submitted

- (k) Sample of accident-incident reporting form.

### Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 16 have been adequately addressed.

### 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

#### Basic Needs:

- The service provided meals and snacks at regular intervals and a hot meal to the children. On Day 1 of inspection, the inspector observed a hot meal, prepared in the service but supplied by external catering company but prepared in the service kitchen, was served at 12.30pm in the care rooms of fishfingers, mashed potato, gravy, tomatoes and cucumber.  
Breakfast was served between 8.30 and 9am, morning snack at 10.30am and an afternoon snack was served at 3.00 pm.
- Water was available in each care room for the children to drink.
- Nappy changing and toileting were observed to be respectful and positive experiences for the children. Nappies were changed at regular intervals and when required, at 10am, 11.30/12pm, 3pm and 5pm and all changes are recorded.
- The children were observed to move freely in the care rooms while exploring their environment.
- All children in each room were observed to enjoy outdoor play during the inspection and dressed in wet suits and wellington boots as suitable outdoor clothing.
- Children's need for sleep and rest was met through the provision of comfortable rest areas available in each care room. Low stackable floor beds with individual bedding were available to the children who required sleep, in the Bright Moon room. At sleep time, the care room was darkened creating a restful environment.

#### Supporting relationships:

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- The service communicates with parents through the use of an electronic application, email and verbal updates at collection.
- In the Shining stars room:
  - Staff were observed to have respectful and responsive interactions with the children by using soft tones and positive non-verbal communication strategies such as being at the children's level.
  - Staff were observed to be engaged with and sit with the children during play time and having positive interactions during play activities of painting and threading.

### Physical and Material Environment

- The care rooms were clean and bright.
- Low level shelving and child sized accessible and available tables and chairs supported children's independence.

### Non-Compliance Information

#### Basic Needs:

1. In the Bright moon room, the changeover of staff in the care room and lack of staff consistency led to lack of coordination of transitions and impacted the continuity of care for the children. This created an atmosphere of disorganisation and poor child engagement resulting in children becoming upset. It is acknowledged the room leader was absent during the 2 days of inspection. The following was observed:
  - At 12pm the children were instructed to sit at the table for dinner. Initially the children appeared happy and sang songs with a staff member. Dinner arrived at 12.22pm by which time the children were restless, had left the table and begun to argue and fight with each other.
  - The provision of food at lunch time was disorganised and unplanned. Initially the children were provided with potato, gravy and sliced cucumber and tomato at 12.22pm followed by fish fingers at 12.36pm. This created confusion for the children and did not create a relaxed and sociable atmosphere for dinner.

#### Physical and Material Environment:

2. The layout and materials available in both care rooms did not promote a child led, inviting, engaging and explorative environment for the children. For example:
  - **In the Bright Moon room:** Areas of interest were not established; the home area was disorganised with dress up clothes in baskets , dolls with no clothes , no play kitchen; The art area was empty; The book area was poor with damaged and torn pages; farmhouses and trucks had missing pieces; battery toys were not working; family wall and artwork at a high level and not visible to children.

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- **In the Shining Stars room:** Boxes of equipment had an assortment of toys equipment and dolls. Labels on boxes or shelves did not match the contents of the boxes. Storage of jigsaws in a large box with loose jigsaw pieces. Two play kitchens were empty of play food and supporting equipment. Play food boxes contained other toys limiting the visibility of the contents of three boxes and where not directly accessible to the play kitchens. The art trolley contained a pile of soft toys and dolls with no clothes. Books were limited and damaged and four torn toy catalogues books blocked visibility of the books present. No family wall or family books were available to the children to provide comfort and a sense of identity for the children.
- 3. The fully enclosed outdoor area located to the side of the service was not adequately equipped with toys and materials to enable the children to enjoy the space throughout the year.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

##### Basic Needs:

1. The person in charge of the service coordinated with the kitchen staff to make meal time a pleasant and uninterrupted experience. The mealtime routine was reviewed to ensure food is prepared and ready prior to children being seated. The kitchen staff was also instructed to serve the meal all at once rather than in separate stages. Management have reviewed staffing arrangements and room support procedures to ensure greater consistency of educators within the room during future staff absences. This will also support to maintain consistent routine, facilitate smooth transition and meaningful engagement of children in absence of the key educator of the classroom. To ensure smooth mealtime routine, staff will be provided refresher training on creating a positive and calm mealtime experience for children. Management will encourage daily communication between kitchen staff and classroom staff regarding meal readiness. For the future, the relief kitchen staff will be provided training on mealtime routine.

##### Physical and Material Environment:

2. The learning environment of the Bright Stars classroom was reviewed, and clearly defined areas of interest and play are created. Additional resources have been added to the environments. To prevent the reoccurrence the person in charge will conduct a monthly environment and resource audit for both Bright Moon and Shining Stars rooms. Management will conduct spot checks to ensure that the classroom environments and resources are well maintained by the classroom staff. At future staff meetings, the team will review physical learning environments

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based on Aistear Siolta Practice Guide. Staff will undertake free e-learning training on the learning environment. The service has also applied to a Quality Development Service (QDS) for support in creating child centred and quality indoor and outdoor learning environment.

3. The outdoor play equipment and materials were reviewed, and additional resources have been added to support children's exploratory play opportunities. The person in charge will conduct a monthly environment and resource audit for outdoor area. Management will conduct spot checks to ensure that the outdoor environment is well maintained by the staff. The service will continue to enhance the outdoor environment with open-ended materials, sensory resources and other play equipment.

### **Supporting documentation submitted**

2. Photographic Evidence, Application to Quality Development Service.
3. Photographic Evidence.

### **Summary Comment**

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

## **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:**

- On the unannounced arrival at the service by the inspectors, the entrance door leading into the premises was appropriately secured to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the premises throughout the inspection.
- The kitchen area was inaccessible to the children.
- Windows of the service were secure and inaccessible to children.
- Cleaning materials were stored out of children's reach on high shelves.

#### **Infection Control:**

- Handwashing facilities for hand hygiene included soap and paper towels and pedal operated lidded bins for disposal of paper waste.
- Nappy changing was completed in accordance the service nappy changing policy and procedure.

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### Safe Sleep:

- The sleep needs of children over two years of age were met through the provision of low floor mats.
- Shoes and clothing were removed from children while they slept.
- Ten-minute sleep checks were completed on the children for colour, breathing, position while children slept.

### Non-Compliance Information

#### Infection Control:

1. Poor infection control practices were observed in the service, leading to poor hygiene procedures and a risk of cross infection and were at variance with the service policy and best practice guidelines follows :
  - Thermostatically controlled water was not available in the wash hand basins in the Sanitary facility or in the sink in the corridor.
  - Handwashing was not completed after outdoor play or before mealtimes.
  - In the three toilets in the sanitary facility, the toilet paper was not hygienically dispensed from the holders available. No toilet paper was present in one toilet and in the remaining two toilets, the toilet paper was observed to be sitting on the back of two toilets, which was not accessible for the children to reach or use.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### Infection Control:

1. The person in charge undertook an immediate review of infection and control procedures. A mixing valve has been added to the water heating unit in children's toilets to regulate the water temperature as per the regulations. Staff were reminded and re-instructed regarding hand washing routine before meals, after outdoor play and at other crucial times of the day. Toilet facilities were immediately restocked with toilet paper. New child friendly toilet paper dispensers have been added to replace the old ones. A member of the management team will conduct regular audits of sanitary facilities to ensure toilet papers are easily accessible to children and hygienically maintained.

#### Supporting documentation submitted

#### Infection Control:

1. Copy of invoice for mixing valve and toilet paper dispensers, Handwashing Routine

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### Summary Comment

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

- (1)(a)(b)(c) There was a complaints policy available detailing the procedures to be followed for making a complaint, the manner in how the service deals with a complaint, and the procedures for keeping the complainant informed of this process.
- (2)(a) The service had a record in writing of any complaints made in respect of the service.
- (b) The service had documentary evidence to demonstrate that any complaints received were dealt with according to the service complaints policy
- (3)(a) Documentation was available of any complaints made against the service and the way in which they were dealt with.
- (b) These records were available for inspection by an authorised person