

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2024KE004
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Name of Service:	Cookies Early learning Centre
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Address of Service:	Aughamore, Loughbollard, Clane, Co. Kildare
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Eircode:	W91 XPV3
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Name of Registered Provider:	Megan Cooke-Smith
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	16/04/2025
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No of pre-school children:	AM	41	PM	41
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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, LA. Webster
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

Cookies Early Learning Centre is one of three private services operated by the registered provider in counties Kildare and Meath, full daycare, part time and sessional care and education is offered to children aged 1-6 years old. The service is registered to provide school age childcare.

Opening hours are from 7:30am-18:30pm, Monday-Friday. The service is located in a purpose-built premises in a private residential housing development on the outskirts of Clane. Five pre-school rooms, a sensory room, a kitchen and an office are provided and play areas are located at the front and side of the building. The sessional pre-school room was not operational due to the Easter holidays.

Staffing

There were eighteen adults employed in the service including the registered provider who spends time between the three services. There were nineteen adults present in the service on the day of the inspection, this included the registered provider, the person in charge, three students on work placement, nine adults working directly with the children, two relief staff members, one cook and two staff members caring for school aged children.

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 and premises and facilities. 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 20 – Facilities for rest and play.
- Regulation 21 – Equipment and materials.
- 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.

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

1. A written immediate action notice under Regulation 9 – Management and Recruitment was issued to the registered provider on 16 April 2025.
2. A written response was submitted by the registered provider on 16 April 2025 outlining the measures taken to address the immediate concern, please see body of the report for details.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, 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*

(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)

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

(b) The named person in charge remained on the premises for the duration of the inspection.

(2)

The files of twenty-one adults employed and/or present in the service, including the registered provider and three workplace students were reviewed on inspection.

(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 17 adults whose files were reviewed.

One written and verified past employer reference or a reference from a reputable source other than a past employer, was available in respect of two adults employed.

(c) Garda vetting disclosures had been obtained for seventeen staff, this demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) Police vetting was available for two adults who had lived in a state other than the State for a period of longer than 6 consecutive months.

(4)

Ten employed childcare staff members working directly with pre-school children attending the service held a major award in Early Childhood Care and Education at Level 5 on the National Framework of Qualifications or a qualification deemed equivalent by the Minister.

Non-Compliance Information

(2)(a), (b)

1. Two written and verified past employer references or references from a reputable source in the absence of a past employer reference were not available in respect of one adult employed and one written and verified past employer reference or reference from a reputable source was not available in respect of two adults employed in the service whose records were reviewed.

(c)

2. Garda vetting disclosures were unavailable for three adults employed by the service.

A written immediate action notice was issued to the registered provider 16 April 2025.

(d)

3. Police vetting was required for two adults who had lived in a state other than the State for a period of longer than 6 consecutive months.

(3)

4. The procedures specified in paragraph (2) in relation to the mandatory Garda vetting and police vetting was not carried out in respect of three adults employed since the last inspection, prior to being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

This was a non-compliance on the last inspection 19 November 2024.

(4)

5. There was no documentary evidence provided to state that one employed adult, working directly with children in the service, held at least a major award in Early Childhood Care and Education at Level 5 or equivalent on the National Framework of Qualifications.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. Every staff file on the premises of staff who are currently working for Cookies ELC were reevaluated and updated with any missing documents.
2. The three adults were taken off the premises until Garda vetting was fully completed. Garda vetting disclosures were received and the documents were added to their files.
- 3/4. International police vetting has been received for two adults and placed on file.
5. The staff member will be helping in the office and cleaning within the building and will not be working directly with children until full award received.

Preventive Action

1. We have updated our staff file check list to ensure that we have every document needed for their file.
2. Once the candidate obtains employment by Cookies ELC, we will ensure the Garda vetting process is completed prior to the successful candidate starting with us.
- 3/4. On our new staff file check list, we added international police vetting check. During hiring stages, in an interview we ask if the possible candidate has lived outside of the country for longer than 6 months. If they have, they must produce international vetting prior to starting with Cookies ELC.
5. During hiring stage, we ask candidates to bring a copy of their major awards or equivalent certificates along with any other documents for interviews.

Supporting documentation submitted

Documents x 16

Photograph x 1

Summary Comment

Following review of the response to the immediate action notice issued and of the subsequent documentary evidence submitted the inspectorate is satisfied the requirement for Regulation 9 (2)(a)(b)(c), (3), (4) has been met.

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 41 children attending the service being supervised directly by 9 adults, the registered provider and one relief staff member were available to support the rooms as necessary during the day.

(2)
The minimum ratio of adults to children was adhered to during the day as 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 20 – Facilities for rest and play

- (1) Subject to this regulation, a registered provider shall ensure that-
- (b) there are adequate and suitable facilities for a pre-school child to rest during the day,

Compliance Information

(1)(b)

Suitable rest areas with child sized couches and soft floor mats provided spaces for children to sit and relax during the day in each pre-school room.

Two cot rooms equipped with eight cots were provided for the sleep needs of children less than 2 years old attending the service. A further eight floor beds were available for children less than 2 years old with a documented sleep plan in place.

A sufficient number of low-level beds were in place for any child aged 2 years and above wishing to avail of a period of sleep when attending on a part time or full day care basis.

Part V - Care of Child in Pre-school Service

Regulation 21 – Equipment and materials

A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.

Compliance Information

The pre-school rooms inspected had suitable age-appropriate play and learning materials/equipment for the children attending the rooms. The room environments were constructively planned with dedicated play/interest areas with a variety of props and real-life materials. There was sensory materials, puzzles, jigsaws, art and craft materials and equipment for fine and gross motor development and skills. A sensory room had been developed with mood lighting and soft areas which provided an alternative space for the children to use. A sufficient number of age-appropriate child sized tables and chairs were available in each room and low-level shelving units displaying the materials and equipment were easily accessible to the children.

There were two outdoor play areas provided, to the front and side of the building. The play surfaces had artificial grass, bark and shingle. Suitable play equipment included ride on equipment, large wooden climbing frames with

slides and swing set, wooden balance beams, water play, and outdoor kitchen and large blocks for building, music wall and playhouse.

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 doors to the service were secure and controlled by staff to prevent children from exiting the service unsupervised and to restrict unauthorised persons from gaining access to the pre-school service.

Daily indoor room and outdoor risk assessments were completed and maintained to ensure a safe play and work environment for the children and staff.

Staff members in each room advised the inspector they would remove any beaded necklace if observed that a child may be wearing them and would immediately cut/halve any food items that may pose a choking hazard.

Cleaning materials were observed stored out of reach or in locked cupboards in the service.

Infection Control:

Thermostatically controlled hot water, liquid hand soap and paper hand towel, hygienically dispensed from wall mounted units, were readily available for hygienic hand washing and drying and handwashing routines were well established and observed.

Four nappy changing procedures were observed and carried out in a hygienic manner for infection control purposes.

Foot pedal operated bins were provided for the disposal of soiled nappies, used tissues, paper towel and waste.

Cleaning schedules were in place and maintained by the staff members in their respective rooms.

Administration of Medication:

An emergency medical care plan was in place in Éin Mhuire room for one child with a specific food allergy and staff members were fully aware of their roles and responsibilities in the event of a medical emergency occurring; the medication was easily accessible within the room and in date.

Parental consent is required should any medication be required to be administered to a child while attending the service.

Safe Sleep:

The staff members, caring for sleeping children, in conversation with the inspector, advised that ten-minute sleep checks were recorded to check the colour, position and breathing pattern of sleeping children.

The sleep room environmental temperatures were maintained between 16°C - 20°C to ensure a comfortable and safe sleeping environment for the children when checked by the inspector at 11:25am.

Fire Safety:

All main fire exits on the premises were easily recognisable and unobstructed and staff were familiar with the evacuation routes to exit the building in the event of an emergency occurring.

Outing:

Outings are not conducted from the service; this was confirmed by the staff in the service when asked by the inspector.

Non-Compliance Information

General Safety:

1. A Large amount of small hard beans that were store cupboard ingredients, approximately .5-1cm in size, were being used for sensory play in Dreoilín room; these were observed in the sensory tray and some had also spilled onto the floor. These beans posed a choking risk to the children attending this room as they ranged in age from, 1-2 years x 8 children and 2-3 years x 1 child.

Immediate corrective action was taken by the registered provider and the room staff when it was brought to their attention by the inspector and the beans were immediately removed, swept from the floor and discarded.

Infection Control:

2. The toilet rolls in the sanitary areas attached to Dreoilín/Feilecháin and Spideog/Éin Mhuire rooms, were observed placed on the toilet cisterns in each cubicle and not hygienically dispensed from the wall mounted units, this posed a risk of cross infection.
3. Two insert toilet seats were observed placed on the floor of two toilet cubicles in the sanitary area between Spideog/Éin Mhuire rooms and posed an infection control risk.

Action submitted by the Registered Provider

Corrective Action

General Safety:

1. Discussion had with staff members regarding choking hazards and child safety and how we can provide a safe edible/sensory environment for children. During this discussion, we discussed the Childcare Act, 1991 and discussed topics within the Health and Safety Act 2006. Topics discussed included toy safety, safety measures for furniture and outdoor access, food preparation, hygiene and space provision.

Infection Control:

2. Discussed with staff members about infection control and that we need to be placing toilet paper into the correct place. Also reminded staff of our infection control policy and to read the health protection surveillance centre booklet.
3. A deep clean of the toilet seats has taken place, staff reminded to place them onto main toilet seats and not on floor to prevent spread of infection. Also reminded staff of our infection control policy and to read the health protection surveillance centre booklet.

Preventive Action

1. In all our 2.5 year of age children's rooms, we have added a document with a list of appropriate foods for sensory activities and the safest way for the children safety.
2. We added hygiene posters/ reminders to guarantee that staff are placing every item in the correct place. Management to spot check this regularly.
3. We have added hooks to our walls to allow the insert toilet seats to hang from when not in use. These are cleaned between children using them and prevent infection spread.

Supporting documentation submitted

General Safety:

Photograph x 1

Infection Control:

Photographs x 3

Summary Comment

Following review of the corrective actions taken and a review of the submitted evidence, the inspectorate is satisfied the requirement for Regulation 23 has been met. This area of the regulation will be reviewed 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.

Compliance Information

(1)
The staff members ensured that each child was checked in and out of the service. This was confirmed by the written attendance records observed being maintained in real time in the pre-school rooms.

(2)
Not applicable as this was not a drop-in service.

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

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)
Staff members present were trained in first aid response (FAR) and were immediately available to the children attending the service.
- (2)(a)
The first aid equipment was safely stored, in a conspicuous position in each pre-school room.
- (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 19 March 2025.

(b)

Records were kept of the maintenance of the firefighting and the smoke alarm system in the premises which was last serviced 19 February 2024 and 3 May 2024 respectively.

(4)

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