

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2025FL007		
Name of Service:	By Your Side Early Intervention		
Address of Service:	Tyrrelstown Community Centre, Hollywood Road, Dublin 15, Co. Dublin		
Eircode:	D15 PWY2		
Name of Registered Provider:	Fatima Abbes		
Service type:	Part Time		
Date of Inspection:	12/02/2026		
No of pre-school children:	AM	6	PM Not applicable.
Address of the Early Years Inspectorate:	2 nd Floor, Unit 4/5 The Nexus Building, Blanchardstown Corporate Park, Ballycoolin, Dublin 15		
Inspection undertaken by:	Y Kelly		
Title:	Early Years Inspector		
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.		

Description of service

By Your Side Early Intervention is an early years service located in Tyrellstown Community Centre, Dublin 15. The service is a private educational preschool service provided to children with autism and is one of two services operated by the registered provider. The service is registered to provide part time care Monday to Friday to children from 3 to 6 years. The service is registered to operate from 9.00am to 5.30pm. There is one care room, sanitary accommodation and an outdoor play area located on the grounds of the adjoining primary school. There is associated car parking to the front of the building.

Staffing

The registered provider who is also the Head Teacher employs an Assistant Lead and 2 Classroom Helpers who work directly with the children on a daily basis. In addition, a Behaviour Specialist is employed as an external contractor.

Methodology

Tusla 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 announced and focused on the area of governance and health, welfare and development of child. The inspection may also focus on other areas as required.

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

As a result, the scope of the inspection included the Tyrellstown morning group.

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 inspector wishes to acknowledge the cooperation of the registered provider, 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.

(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)(a) There was a designated person in charge of the service and there was a named person to deputise as required.

(b)The registered provider was present and in charge of the service when the inspector arrived announced to the service at 09:30am.

(2) The files for 6 adults were reviewed to include the Assistant Lead, External Contractor and Behaviour Specialist, 2 Classroom Helpers and 2 students. Garda vetting was reviewed for 7 adults including the registered provider.

The following was recorded:

(a) Eight validated and written references were available from past employers.

(b) Four validated and written reference was available from a reputable source other than a past employer.

(c) Garda vetting disclosures were available for 7 adults whose Garda vetting was reviewed. Garda vetting disclosures that were available demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring the service to renew Garda vetting every three years.

(d) International Police vetting was available for 3 adults who had lived outside of the state for a period of more than six months.

(4) Documentary evidence was available to confirm that 2 adults whose files were reviewed and who may work directly with the 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 or a qualification deemed eligible by the Department of Children, Disability and Equality.

(7)(a) The registered provider ensured that employees were supervised and provided with appropriate induction. The registered provider discussed that staff completed Children First, Child Protection training and Manual Handling training during induction. The services policies and procedures and staff handbook are shared with the staff and staff sign to acknowledge that they have read the policies and procedures. In house training is also provided to staff members as needs arise and the team attend Psychology of Ireland training during the year.

Non-Compliance Information

(4) Documentary evidence was not available to confirm that 2 staff members whose files were reviewed and who work directly with the 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 or a qualification deemed eligible by the Department of Children, Disability and Equality. The 2 staff members held qualifications in the following:

Bachelor of Arts degree in Law and Psychology

Bachelor of Arts in Social Science

Corrective & Preventive Action submitted by the Registered Provider

Corrective Action

The registered provider stated that the 2 staff members are not part of the ratio and have psychology backgrounds as the service works with children with autism. The registered provider has asked the 2 staff members to complete an application to the DCDE for an exemption of QQI level 5.

Preventive Action

Hiring staff with a QQI level 5 minimum such as SNA or similar. The registered provider is hiring a new staff member who has a QQI level 8 and will submit this file once her Garda vetting has been received.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance under Regulation 9 (4) remains outstanding. However, the inspector acknowledges that the registered provider employs an adequate number of qualified staff to meet the regulatory ratio requirements. The service receives funding to provide an ASD programme to the children in attendance with staffing requirements that differ to the requirements of Tusla Early Years Regulations.

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) On the day of the inspection there was an adequate number of staff members working directly with the children attending the service.

(2) The adult to child ratios were correct in the service when the inspector arrived unannounced and remained so throughout the inspection.

The following adult to child ratios were observed during the inspection:

- In the Tyrellstown morning group there were 2 staff members working with 6 children aged 3 years and 6 months to 5 years and 4 months. The registered provider works as the head teacher with an assistant lead teacher. In addition, there were 2 classroom helpers and 1 student working with the children.

(8) (a) The registered provider ensured that there are 2 adults on the premises at all times.

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 following observations were made on how each child's learning, development and well-being was facilitated within the daily life in the service:

Basic needs:

- Children's lunches and water bottles were brought from home and stored in the fridge in the care room. The children were observed having morning snack at 10.25am consisting of crackers, rice cakes and fruit. The children eat lunch at 12.30pm. The mealtime experience was observed to be a leisurely sociable occasion, where the staff sat together with the children and chatted and offered support and encouragement when needed.
- Children's water bottles were accessible to the children throughout the morning and stored on the table in the care room and children were observed having drinks of water independently.

- The children's personal care needs were attended to promptly. Nappy changing occurred as required during the morning. Staff members engaged positively with the children during this time using it as an opportunity for one-to-one interactions with the children.
- Staff supported children to wash their hands before snack time which promoted self-care practices amongst the children.
- There was no outdoor play on the day of the inspection due to adverse weather conditions. However, the staff facilitated a movement activity using a parachute which supported gross motor and fundamental movement skills for the children.

Supporting relationships:

- The staff interacted with the children in a respectful, warm and sensitive manner. Children were responded to when they required attention. Appropriate communication using soft tones was observed and children were provided with comfort when needed. This supported the development of relationships and a sense of belonging.
- Staff were responsive to children's cues and engaged positively, using redirection and supporting children with emotional self-regulation when children showed signs of emotional distress or dysregulation.
- Staff members were observed interacting with children at their level and engaging in tabletop activities with the children.
- Staff discussed that they communicate with parents to share information using an online messaging group and weekly updates to parents on children's learning and development. Meeting with parents were also held in September. Staff communicate with parents each day through discussions at arrival and departure times to share information about children's care needs.

Physical and material environment:

- The furniture provided in the care rooms was low level and appropriate to accommodate children whilst they played and ate in the care rooms.
- The rooms were divided into different areas of interest which provided opportunities for a variety of spontaneous play experiences and choice for children. There were home corner resources to include a kitchen, dolls and buggies, dress up clothes for pretend play and small world items such as a wooden train and train tracks, cars, trucks and table with a road for transporting. Construction materials included magnets and plastic building blocks and bricks. There was a wooden structure frame for physical play and activity. There were jigsaws, stacking toys and tabletop resources for fine motor development.

- There was a cosy corner for rest and relaxation with soft mats on the floor, cushions and bookshelf at children's level with a selection of books which supported the children's language development. Children were observed sitting and relaxing in this area when they chose.

Programme of Activities:

- Staff discussed that the curriculum is an ABA Programme based on the Early Start Denver Model. Individualised Educational Programmes are developed for each child to support children's learning and development. The registered provider discussed that this included approaches such as visual prompting, imitation, matching and play.
- Visual schedules are used as a means of supporting communication approaches and choice with the children including 'first' and 'then' and social stories which are used with the children.
- A Picture Exchange Communication System (PECS) and communication devices are used to support communication and social skills.
- A key person approach is implemented in the service.
- Transitions were observed to be well managed; children were given verbal prompts such as 'It's 5 minutes to tidy up time' and a timer to support them with the transitions. Routines provided for predictability and comfort for young children.