

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DR076
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Name of Service:	The Park Academy Childcare Cherrywood
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Address of Service:	Tullyvale, Cherrywood, Dublin 18, Co. Dublin
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Eircode:	D18 YX28
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Name of Registered Provider:	Dearbhala Cox Giffin
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Service type:	Full Day
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Date of Inspection:	15/07/2026
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No of pre-school children:	AM	62	PM	65
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Address of the Early Years Inspectorate:	Early Years Inspectorate - Tusla Child and Family Agency Brunel Building, Floor 7 Heuston South Quarter Dublin 8, D08 X01F
Inspection undertaken by:	M Bermingham and S Quigley
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).

Early Years Inspectorate Regulatory Report

Pre School

Description of service

The Park Academy childcare Cherrywood is registered to provide full day care for up to 102 children aged 0 – 6 years and operating hours are 07:30 - 18:30. The service operates from a purpose built creche located on the ground floor of residential apartments. Four rooms are in operation to include Butterflies (age 1-2), Jellytots (age 1 and 2), Rascals (age 2 and 3) and Smarties (age 3 - 5). There is a dedicated sleep room and multiple outdoor areas to the rear of the building.

Staffing

There are 24 adults employed with the service. On the day of inspection there were 17 adults working directly with children, and the person in charge and deputy provided additional support and cover when required. In addition, there was a cook and housekeeper present. The regional manager arrived after the inspection commenced to support the facilitation of the inspection.

Methodology

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

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

The findings on inspection are based on:

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

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

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

Early Years Inspectorate Regulatory Report

Pre School

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 regional manager, 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*

Early Years Inspectorate Regulatory Report

Pre School

(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) The service had a named person in charge and a named person to deputise as required.
- (b) The person in charge and/or the deputy were rostered to be present on the premises for the duration of the opening hours.
- (c) A clear management structure was in place, evidenced by observing the operation of the service and through discussion with staff.

(2)

There were 24 adults employed with the service, of which 19 commenced since Regulation 9(2) was last inspected on 26 February 2024. This was determined through a review of previous inspection records, the current roster, and discussion with the person in charge. Recruitment documentation was reviewed for these 19 newly commenced adults plus 1 additional adult, whose documentation was not previously inspected. Garda vetting renewals were reviewed for existing adults. The following vetting considerations were found;

- (a) Thirty-five written and verified references from past employers were available.
- (b) Five written and verified references from sources other than past employers were available.
- (c) Nineteen new Garda vetting disclosures were available, as required, and renewals of Garda vetting disclosures were available in accordance with the Early Years Inspectorate's regulatory notice requiring renewal every three years for all adults employed.
- (d) International police vetting certificates were available for 17 adults who lived outside of the state for a period of more than 6 months as an adult.

(4)

Qualification records were reviewed for 17 staff working directly with children, all of whom were found to hold the required qualification or recognised equivalent.

Early Years Inspectorate Regulatory Report

Pre School

Non-Compliance Information

(2)(d)

1. International police vetting was not available for one adult who had lived outside the island of Ireland for a period of more than six months as an adult.
2. One international police vetting certificate for one adult, that was written in a language other than English, had no translation available.

(3)

The procedures specified in regulation 9(2)(a)(b) and (d) were not completed prior to one adult commencing in the service as required, evidenced through a review of recruitment vetting documentation. Allowing adults work with children before their suitability is established may result in individuals who are not appropriate having access to children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider stated that:

1. Following further conversation with the adult it transpires that the adult did not live in Germany for more than six months. A checklist for CVs was designed which will be used moving forward, to carry out checks on all CVs to ensure that there are no discrepancies.
2. Translation of the international police vetting certificate was received immediately.

Supporting documentation submitted

Supporting documentation was submitted.

Summary Comment

The actions stated and documentation submitted by the registered provider were reviewed and found to adequately address the non-compliances identified on inspection under Regulation 9.

Early Years Inspectorate Regulatory Report

Pre School

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*

Compliance Information

- (1)*
- An adequate number of adults were working directly with the children at all times during the inspection.
- (2)*
- The minimum ratio of adults to children was adhered to at all times during the inspection. There were 17 adults working with 62 children in the morning and 65 children in the afternoon.
- (8)(a)*
- There were at least two adults on the premises at all times, as evidenced by the current staff roster.

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*
- (b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.*

Early Years Inspectorate Regulatory Report

Pre School

Compliance Information

(1)(a)(b)

The following observations demonstrated how children's learning, development and well-being was facilitated within the daily life of the service and how appropriate and suitable care practices were in place:

Children were provided with regular meals and snacks according to the displayed menu. Children ate lunch at 11:30 consisting of soup and garlic bread. Staff reported that breakfast was provided from 7:30 - 09:00, dinner, consisting of potato mash, vegetables and meat, at 15:30, and banana bread at 17:00. Additional helpings and alternatives were available according to individual preferences and dietary requirements. Adults sat and chatted sociably with children during lunch. Children ate at their own pace and were free to resume play, activities or rest when finished. Drinking water was served at lunch and was accessible to children throughout the day. Children's individual sleep needs were facilitated and adults offered soothing reassurance to help children settle into sleep naturally. The atmosphere in the room was conducive to sleep with blinds pulled down, soft lighting and relaxing music. Adults were knowledgeable about and responded to children's individual care needs in a gentle and kind manner. Examples of this included changing children's clothes when needed, changing nappies and supporting toileting, suncream application, and ensuring children wore bibs and had clean hands and faces after eating. Children were dressed appropriately for warm weather and played in the shade when outside.

Relationships around children were supported and children were content and familiar within the daily routine. Adults praised, encouraged and guided children through the routine, for example inviting children respectfully and in a child-led manner for nappy changing. Transitions through the routine were managed appropriately aided by visual displays and including children as helpers. Children were involved in setting the table in preparation for lunch and pouring water; this supports children's independence. Adults supported each other in busy transition periods and extra support was also available from management. Children's emotional wellbeing was supported as they were immediately comforted and reassured when upset. Children's sense of identity and belonging was supported through displays of, family photographs, children's artwork, photographs and birthdays, and photographs of local community landmarks. Effective relationships and communication with families was evident as a parent and child was observed being warmly greeted on arrival. Staff reported that information recorded in a room diary is exchanged on collection to include activities, development items; information on food, sleep and nappy changes are recorded and communicated to parents via a digital app.

Early Years Inspectorate Regulatory Report

Pre School

The environment supported children's learning and development and was laid out in areas that were organised and labelled. There were imaginary play, construction and manipulation, nature, rest, creativity and art, and music area. Each area was well resourced, and materials were inviting and accessible from low open shelving. Children were observed occupying all areas and freely using a wide range of resources while engaged in play and activities. A written record of planned activities and learning topics was displayed. Adults engaged with children in their play and activities at children's level and children also played within their own peer social groups. Children were excited with the activities which included opportunities for sensory experiences. Adults read stories and sang songs with children. When outside children played with large blocks and water, engaged in running, riding wheeled toys, and playing pretend games.

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 were taken to safeguard the health, safety and welfare of children, and provide a safe environment. This was evidenced by observation of practice, a review of the environment and documentation, and discussion with staff:

General Safety:

- The entrance into the service was appropriately secured to prevent unauthorised access or children exiting the service unsupervised.
- The outdoor area was enclosed and secure.
- Windows were safe to prevent children exiting or falling and had visibility strips to prevent collision.
- Blind cords were secured.
- Cables and flexes were secured and out of reach of children.
- Cleaning agents were stored out of reach of children.
- Storage presses were secured and inaccessible to children.
- Toys and play equipment were maintained in good condition.

Early Years Inspectorate Regulatory Report

Pre School

Infection Control:

- The premises, environment, equipment and materials appeared clean and were maintained in a clean and hygienic condition. Cleaning records were updated.
- Appropriate hand washing was facilitated through the provision of warm running water, liquid soap, and dispensed paper towels.
- The children were supported to wash their hands at regular intervals including after nappy changing and toileting, after outdoor play, and before meals. Adults were observed washing their hands.
- Individual cloths for cleaning children's hands and faces were colour coded and managed appropriately.
- Children's soothers were managed appropriately to include, being cleaned after use, and stored in individual containers.
- Children's milk bottles were managed in line with the service's procedures to include being pre-made at home, stored in the fridge, and warmed using a bottle warmer.
- Children's nappy creams were individually labelled.
- Waste was inaccessible to children and managed appropriately through the use of pedal bins.
- Cots, mattresses and floor beds were in a clean condition and adequately spaced.
- Children's bed linen was stored individually in labelled bags, and staff described the system in place for laundering linen weekly.

Administration of Medication:

- Staff demonstrated their knowledge with the procedures and practices in place for administering and recording medication in line with the services policy on medication. Records were completed appropriately.
- Prior parental consent was recorded to administer medication with procedures in place to safely administer if required, including in the case of an emergency.
- Medication was clearly labelled, within its expiry date, stored in the original container and out of reach of children.

Safe Sleep:

- Temperatures in rooms where children slept were maintained within the required ranges.
- Cots and floor beds were maintained in good condition with mattresses and sheets fitting appropriately, and cellular blankets used.
- Staff consistently described the physical sleep checks that were carried out on sleeping children in line with national safe sleep guidance. Records of same were updated.

Early Years Inspectorate Regulatory Report

Pre School

- Children sleeping on floor beds were supervised at all times.

Fire Safety:

- Emergency escape routes and exits were unobstructed and clearly signposted.
- Staff outlined the procedures to evacuate children in the event of a fire and knew the location of the assembly point in line with the services procedures that were displayed.

Non-Compliance Information

The following measures were not in place to adequately safeguard the health, safety and welfare of children and provide a safe environment;

General Safety:

- In Jellytots, items of children's furniture were piled high beside a cot occupied by a child. This posed a risk of a furniture item falling on the child potentially causing an injury. It is acknowledged that when brought to the attention of the person in charge the hazard was immediately removed.
- There was a hole in the ground that ran the length of the gateway between Jellytots outdoor area and the natural grass area. The hole posed a risk of injury to a child if their foot entered the hole while walking or running.
- The air temperature in Smarties was not maintained within the required ranges. Temperature readings were 25.6°C at 12:37 and 25.1°C at 13:24. It is acknowledged that a cooling unit was in place, but it did not sufficiently reduce the air temperature of the room.

Infection Control:

- Some practices during nappy changes were at variance with the service's nappy changing procedures and posed a cross-contamination risk. Gloves were not removed on disposal of a soiled nappy and children were returned to a room and records updated before the adult washed their hands.

Action submitted by the Registered Provider

Corrective & Preventive Action

The registered provider stated that:

- The furniture was removed immediately and the team reminded of the correct storage of furniture during sleep time. Management will do ongoing spot checks at sleep time to ensure the room is laid out correctly and correct storage of furniture is adhered to.
- The hole in the ground was filled in and fencing was replaced. The surface of the Jellytots outdoor area is being completely relayed in the coming weeks.

Early Years Inspectorate Regulatory Report

Pre School

3. Additional air conditioning units were placed in the room during the day. An air conditioning system for the whole centre is being looked at. The aim is that these works will be done by next summer.
4. The staff were retrained on the nappy changing procedure and the infectious control policy. Management will consistently spot check nappy changes and hand washing to ensure the procedure is followed correctly.

Supporting documentation submitted

Supporting documentation and photographs were submitted by the registered provider.

Summary Comment

The actions and evidence submitted by the registered provider was reviewed and deemed to adequately address the non-compliances identified on inspection under Regulation 23.

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)

A person trained as a first aid responder was available to children at all times, as evidenced by a review of the current roster. A current certificate of first aid responder (FAR) training was available for two staff.

(2) Suitably equipped first aid boxes were available.

(a) The first aid box was stored safely in conspicuous signposted positions in a high press in the rooms.

(b) The first aid boxes were available to children at all times.

Early Years Inspectorate Regulatory Report

Pre School

Part VI - Safety

Regulation 28 - Insurance

A registered provider shall ensure that the pre-school service is adequately insured.

The certificate of insurance available for review demonstrated that insurance was in place for 102 full time equivalent children, expiry date 30 April 2027.