Early Years Inspectorate Regulatory Report
Pre School

TUSLA Identifier:	TU2015DR189
Name of Service:	ABA Preschool Academy
Address of Service:	Stonebridge Community Facility 2-38, Stonebridge Grove, Shankill, Dublin 18, Co. Dublin
Eircode:	D18 FH04
Name of Registered Provider:	Jennifer James
Service type:	Part Time, Sessional
Date of Inspection:	22/05/2026

No of pre-school children:	AM	4	PM	4

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:	Margaret Bermingham
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).

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Description of service

ABA Preschool Academy is registered to provide part time and sessional care for up to 12 children aged 3 – 6 years. Registered operating hours are 08:25 to 12:45 and 13:00 to 16:30. The service operates from one room on the ground floor in a community centre which has direct access to two fully enclosed outdoor areas. The service caters for children on the autistic spectrum and operates an adult child ratio above the minimum requirements.

Staffing

The service employs five staff, of which three were present and working directly with children on the day of inspection. The registered provider was not present on the day 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, and safety. The inspection focused on an examination of compliance under regulations 9, 11, 16, 19, 23, 25, 26 and 28. On inspection an additional non-compliance which posed a risk was identified under regulation 29 and findings are outlined in the relevant section within this report.

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

A regulatory compliance meeting (RCM) was held with the registered provider on 13 August 2026 as corrective and preventive actions submitted by the registered provider did not address the non-compliance found under Regulation 9(4). The registered provider confirmed that one of the three staff left the organisation and provided assurance that two employees have committed to enrolling on a course to obtain the required qualification. This assurance was accepted by the inspectorate, subject to the submission of further evidence that the two employees have enrolled. It is acknowledged that the staff will be working through their accredited course until November 2027.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the deputy 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

©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,

© 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) The service had a named person in charge and a named person to deputise as required.

(b) The deputy person in charge was 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)

Five adults were employed in the service and relevant documentation was reviewed for these five adults; the following vetting considerations were found:

(a) Six written and verified references from past employers were available.

(b) Four written and verified references from sources other than past employers were available.

(c) Four Garda vetting disclosures were available. Garda vetting renewal was found to be in line with the Early Years Inspectorate regulatory notice requiring three-year renewals.

(d) International police vetting certificates were available for four adults who lived outside of the state for a period of more than six months as an adult.

(3)

The procedures specified in Regulation 9(2) above were completed prior to five adults commencing in the service, as required.

(4)

Qualification records were reviewed for five staff working directly with children and it was found that two adults held a recognised equivalent of the required qualification.

Non-Compliance Information

(4)

Of the five qualification records reviewed for staff working directly with children it was found that three staff did not hold the required qualification, which is at least a major award in Early Childhood Care and Education at level 5 on the National Framework of Qualifications or a qualification deemed by the minister to be equivalent. There was evidence to suggest that an application for recognition was unsuccessful for one of the qualifications.

On the last inspection dated 22 March 2023, five adults working directly with children were found not to hold a required qualification or recognised equivalent and this non-compliance was not sufficiently addressed by the registered provider.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The registered provider stated that following the inspection the qualification status of all staff was reviewed. An additional staff who holds a recognised Early Childhood Care and Education (ECCE) qualification was recruited. Two staff are submitting applications for qualification recognition with the Department of Children, Disability and Equality (DCDE). Staff whose qualifications are not recognised for ECCE purposes are not assigned sole responsibility for children. Staff rotas were reviewed to ensure that at least one staff member with a recognised ECCE qualification is present with the class of five children at all times. The service will continue to recruit staff with recognised ECCE qualifications and support existing staff in obtaining qualification recognition where

possible. The qualification status of all staff will be reviewed prior to recruitment before allocation to classrooms and thereafter as part of regular compliance with Regulation 9 staff rosters will continue to be checked to ensure that each class is always assigned at least one ECCE qualified staff member.

Supporting documentation submitted

Supporting documentation was submitted and reviewed by the inspector.

Summary Comment

Corrective and preventive actions submitted by the registered provider did not adequately address the non-compliance under regulation 9(4); the regulatory requirement is not met. Following an RCM held 12 August 2026 the registered provider gave assurances to the inspectorate that compliance will be met by November 2027. The regulation will be assessed on next inspection.

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)

An adequate number of adults were working directly with 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 three adults working with four children in the morning and afternoon.

(8)(a)

There were at least two adults on the premises at all times, as evidenced by the staff sign-in sheets.

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;*
Compliance Information
16(1)(h) A review of attendance records showed that details of attendance of each child were recorded appropriately.

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.*
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 ate at regular intervals during the inspection at 10:22 and 11:55. The food was provided by parents and children ate healthy items to include strawberries, blueberries, crackers, bread sticks and bread. Children drank water from individual beakers at mealtimes and the beakers remained available to children throughout the morning on a low shelf and were also brought outside. Adults sat and chatted with children during both mealtimes, and the atmosphere was calm and relaxed. Children were supported to use the toilet, and practices around personal care were child led. Consistency was embedded into the personal care routines for the familiarity

and ease for the children. Nappy changes were completed in a caring and gentle manner, and the adults were mindful of the children's needs.

Children's preferences were honoured and facilitated by the adults throughout the daily routine and within children's play. Adults used pictures and prompts containing steps to communicate with and support children. Adults responded to children in a playful way using kind words and affirming children's words and actions. Adults encouraged and supported children using a range of visual tools, interaction strategies and prompts. The deputy person in charge reported that communication with parents about their child's day is conducted via a digital app along with daily conversations and pictures of children's activities are also shared via the app.

Children participated in a variety of play and activities indoors and outdoors. The adults engaged with children in both small groups and on a one-to-one basis singing songs, reading stories, playing with bubbles, playing football and using language to extend children's learning. Children were playing on a seesaw, with pebbles, participating in a pretend game about the fire brigade. The children's enjoyment of the play and activities was evident by their chat and laughter.

Low size tables and chairs were available for children and arranged flexibly to allow children engage in activities and eat together. A large foam seat-bed provided a resting place for children and was used by children throughout the morning. Some toys and equipment were freely accessible to children from a low shelf. The outdoor area was paved with artificial surface in parts and available equipment included wheeled toys, number games, a slide, mirrors and sound tubes.

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, as evidenced by observation of practice, a review of the environment and documentation, and through 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 areas were enclosed and secure. • Cleaning agents were stored out of reach of children. • Storage and kitchen areas were secured and inaccessible to children. • Toys and play equipment were in good condition.
Infection Control: • 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 outdoor play and before meals. • Waste was inaccessible to children.
Administration of Medication: • Staff were familiar with the procedures and practices in place for the administration of medication in line with the services policy and procedures on medication. • Medication held by the service was within its expiry date and stored in the original container and was stored out of reach of children.
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 service did not ensure that adequate measures were taken as follows, to safeguard the health, safety and welfare of children and to provide a safe environment:

Infection Control:

1. Waste was not managed in line with the service's cleanliness and hygiene policy, posing a risk of cross contamination, and detailed as follows:
    - Staff and children did not consistently operate the foot pedal when disposing of items and used their hands instead.
    - The foot pedalled waste bin in the room was not maintained in a clean and hygienic condition with visible dirt on the inside of the lid and on the outer surface.
    - The service's documented nappy changing procedure was not in line with the Early Years Inspectorate regulatory notice requiring nappies be disposed of in a foot-operated bin.
2. Staff did not wash their hands after changing a child's nappy which is at variance with the service's nappy changing procedures.

Action submitted by the Registered Provider

Corrective & Preventive Action

Infection Control:

1. The registered provider stated that the nappy changing policy was reviewed and updated to highlight opening via the pedal and that the cleaning policy was updated to include cleaning of the bin lids and inside. The nappy changing policy was reviewed with all staff.
2. The registered provider stated that staff were immediately reminded of the requirement to wash their hands after every nappy change in accordance with the service's nappy changing policy. The person in charge observed staff practice to ensure hand hygiene was completed correctly following every nappy change. All staff completed a refresher review of the nappy changing and infection prevention and control policies, with particular emphasis on hand hygiene following every nappy change. The person in charge will undertake weekly observations of nappy changing practices for the next month and ongoing spot checks thereafter. Hand hygiene compliance will be monitored through supervision and discussed at staff meetings to ensure continued adherence to the services procedures.

Supporting documentation submitted

Infection Control:

Supporting documentation was submitted by the registered provider and reviewed by the inspector.

Summary Comment

The actions stated by the registered provider adequately address the non-compliances identified.

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)

The registered provider ensured that a person trained as a first aid responder was available to children at all times, as evidenced by a review of the staff sign-in sheets. A current certificate of First Aid Responder (FAR) training was available for two staff members.

(2)

First aid boxes, which were suitably equipped, were:

(a) Stored safely in a conspicuous position on a shelf in the preschool room and in an outside bag.

(b) Available to children at all times.

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) Fire drills were completed monthly and the last fire drill was recorded to have taken place on 27 April 2026, as evidenced through a review of written records and discussions with staff.

(4)

Notices of the evacuation procedures to be followed during a fire drill and in the event of a fire were displayed in conspicuous locations at both doorways to the outside play areas in the preschool room.

Non-Compliance Information

(1)

(b) There were no records available to show that the firefighting equipment and smoke alarm system was serviced within the previous 12 months, as required.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1)(b) The registered provider stated that the documents that were unavailable on the day of inspection were sent to the inspectorate and that the community centre was asked to furnish a yearly record of the fire safety documents.

Supporting documentation submitted

Supporting documentation was submitted by the registered provider and reviewed by the inspector.

Summary Comment

The response submitted by the registered provider adequately address the non-compliance identified.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The service had a valid certificate of insurance displayed showing an expiry date of 27 March 2027 for 20 children.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-

(d) cleaned, maintained and repaired, as required,

Non-Compliance Information

(d)

1. The handle of a low window in the room was wrapped by heavy duty tape. Staff reported that the tape was in place to prevent children from opening the window which is not an appropriate solution and requires a maintenance fix.
2. The room that the children attend was not adequately cleaned as required. There was visible dirt present on the following surfaces:
    - Windowpanes
    - Shelves holding children's toys and materials
    - An electrical conduit running the perimeter of the room
    - Low window frames
    - Skirting boards

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. The registered provider stated that the tape was removed from the low-level window handle and an appropriate child safety restrictor will be installed to ensure the window operates safely while preventing children from opening it.
2. The registered provider stated that a deep clean of the room was carried out immediately. All identified areas including the windowpanes, toy and resource shelving, electrical conduit, low window frames, and skirting boards were thoroughly cleaned. The room was inspected by the person in charge to ensure an acceptable standard of cleanliness was achieved. The service will do a monthly check of the classroom to see if there are items that are missing from the cleaning list that need to be added in future.

Supporting documentation submitted

Supporting documentation was submitted by the registered provider and reviewed by the inspector.

Summary Comment

The response submitted by the registered provider were reviewed by the inspector and were found to adequately address the non-compliances identified on inspection under Regulation 29.