

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015LH007
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Name of Service:	Mary's House Ballapousta
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Address of Service:	Ballapousta, Smarmore, Ardee, Co. Louth
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Eircode:	A92 C437
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Name of Registered Provider:	Anthony McLeod
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	01/07/2026
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No of pre-school children:	AM	13	PM	13
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Hampton Court, Cootehill Road, Drumalee, Co Cavan. H12 YY84
Inspection undertaken by:	S Mc Kenna
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

Mary's House Ballapousta is a privately owned early years' service which commenced in 2012 and was acquired by the current registered provider in July 2024, the second of two services owned by the registered provider. The service accommodates a maximum of 40 pre-school children aged 2-6 years on full day, part time and sessional basis. The service is conducted from the ground floor of a purpose-built premises located in a rural setting outside Ardee in Co Louth. There are three care rooms provided on the premises, namely the Busy Bees room, the ECCE Room and the Afterschool Room. A further, smaller room is currently used for small group activities and storage of additional play materials. Ancillary accommodation includes a spacious reception area, an office, a kitchen, a staff room and a sluice room. A school aged service is also provided. Parking facilities are available at the front of the building and a fully enclosed outdoor play area is provided to the rear of the building.

Staffing

The registered provider employs a service manager and 11 staff members, of whom 11 staff are employed to work directly with children and one person is auxiliary staff. The registered provider is not present in the service on a daily basis.

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.

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The inspection focused on an examination of compliance under Regulation 9 Management & Recruitment, Regulation 11 Staffing Levels, Regulation 16 Record in relation to Pre-school Service, Regulation 19 Health, Welfare & Development of Child, Regulation 22 Food and drink, Regulation 23 Safeguarding Health, Safety and Welfare of Child, Regulation 24 Checking In and Out and Record of Attendance, Regulation 25 First Aid and Regulation 28 Insurance.

However, on inspection an additional non-compliance which posed a risk was identified under Regulation 29. These findings are outlined within the relevant regulations within this report.

The scope of the inspection included the Busy Bee room only, as the ECCE room was closed for the summer months, and school-aged childcare operated from the after-school 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.

Acknowledgments

The inspector wishes 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
- (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
- (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.

(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 designated person in charge, who is the service manager and a named person to deputise in their absence.

(b) Following discussion with the person in charge, it was confirmed that when the preschool service was in operation, the designated person in charge or the named person in charge was on the premises.

(c) A management structure was in place, which was clearly identifiable through review of the staff roster on display and in discussion with the staff team.

(2) The files for the registered provider and 12 staff were reviewed.

(a) (b) Two written and validated references were on file for 13 adults.

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A total of 17 written and validated references from a previous employer were on file.

A total of 9 written and validated references from a reputable source were on file.

(c) Garda vetting disclosures had been obtained for the registered provider and 12 staff. The service demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years for all employed staff.

(d) A review of the employment history for the registered provider and 12 staff demonstrated that 2 adults had lived outside the State for a period of longer than 6 consecutive months. The required police vetting for one adult was available on file.

(4) Documentary evidence was available to confirm that 11 staff employed to work with the preschool children held an appropriate childcare qualification at Level 5 or above on the National Framework of Qualifications, or a qualification deemed by the Minister to be equivalent. A qualification for the one auxiliary staff member is not required, as they are not employed to work directly with preschool children. The registered provider works in an administrative capacity and does not work directly with the children; therefore, a qualification was not required.

Non-Compliance Information

(9) (2) (d)

A translation for one police vetting certificate on file for one staff member was not available.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The staff member concerned had their police vetting certificate translated. For future employees, police vetting certificates will need to be translated prior to starting in our service for anyone living outside of Ireland for a longer period of 6 months. A translated copy will be kept as part of their staff file.

Supporting documentation submitted

Copy of police vetting translation.

Summary Comment

The response from the registered provider and supporting documentation submitted have adequately addressed the non-compliance in Regulation 9 (2) (d).

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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 (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 inspection, there was an adequate number of adults working directly with the children attending the pre-school 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:

- Three adults cared for 11 children aged 2 years 7 months to 3 years 3 months in the Busy Bees room who attended on a full day care basis.
- Two preschool children aged 3 years 9 months and 4 years 11 months were present in the After School room who attended on a full day car basis and were cared for by two adults. Four school-aged children were also present in this room.

(8) A review of the staff roster demonstrated that the registered provider ensured that 2 adults were present on the premises at all times.

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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:

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;*
- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*

Compliance Information

- (1) A record in writing was kept of the following information in relation to the service:
- (a) The name, position, qualifications and experience of the registered provider, person in charge and of every other employee.
 - (h) Details of attendance of each pre-school child who attends the service.
 - (i) Details of a weekly staff roster.

Non-Compliance Information

(h) The roster available for review was not reflective of the staff present in the service on the day of inspection, for example, two staff who were working on the day were not included on the staff roster. The staff roster also did not include details of staff break cover.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

A new staff roster is completed weekly on a Monday morning with the expected staff and breaks for the week. This will include staff break times and which staff member will provide cover for breaks. There is also a comment section to allow it to be updated during the week for unexpected changes such as illness/appointments. Manager updates every Monday morning; if the manager is absent, the assistant manager will update.

Supporting documentation submitted

Updated weekly staff roster to include break cover.

Summary Comment

The response from the registered provider and supporting documentation submitted have adequately addressed the non-compliance in Regulation 16 (h).

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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

The following examples demonstrate how children's learning, development and well-being were facilitated in the service:

Basic Needs

The younger children had their nappies changed at scheduled times and outside of these times when their care needs required. Staff used this time to have conversations with the children. The older children used the toilet independently, and the younger children who were recently toilet trained were provided with gentle reminders and encouragement to use the toilet.

Aprons were provided for messy play activities, and children had spare clothing if changes were needed. The children in Busy Bees' room slept after their second morning snack within the care room. Staff were observed to sit with the children, nursing and soothing them to sleep.

The children in attendance, experienced a change of environment and played in the outdoor areas on a number of occasions during the inspection.

Rest areas to include soft child sized sofas, mats, and cushions provided an area for children to rest and relax during their day.

Supporting Relationships

The atmosphere upon the inspector's arrival was warm and welcoming; the children in attendance were all playing in the outdoors, being supervised by staff. The children appeared familiar with those who cared for them and were observed to seek out the staff for support where needed.

The staff were observed to promote positive behaviour, with praise given for positive behaviour interactions. The staff were observed to treat each child with respect. During free play activities, the staff were observed to sit with the children at the table and on the floor, engaging in the children's play and creative activities. Staff praised

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children for their “great work” during their play. Discussions between staff and children about their home life occurred, which demonstrates familiarity with the child’s family.

Communication with parents is at arrival and collection times, where parents ring the doorbell and staff arrive at the door to take the parents to their care rooms, or to take the child to their parents for home time. There are written daily books for the children attending the Busy Bees room, as well as verbal conversations. The manager advised that a digital messaging service is also used to inform parents of service updates.

Staff communicated frequently with one another, ensuring transitions were smooth. The inspector was advised that a ‘free flow system between indoor and outdoors’ has recently commenced in the Busy Bees room, where children can choose to play inside or outside at certain times of the day. The staff advised the children enjoy this new routine, which was observed on the day of inspection.

Part V - Care of Child in Pre-school Service

Regulation 22 – Food and drink

A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.

Compliance Information

The service provides all snacks and meals to the Busy Bees room except during term time. The children in the ECCE room bring in their own lunches, and in the summer months, the children attending the After School room take in their own snacks. Breakfast options include toast or cereal. A morning snack was served at 10 am, consisting of cheese and ham sandwiches, melon and vegetable crisps. Another snack served at 12 midday included crackers with butter and jam, rice cakes and carrot melts. A hot meal was scheduled for 3 pm of creamy pasta, which was purchased from an outside catering company and reheated onsite. The registered provider and service manager advised that from the week commencing 6th July, the hot meal will then be served at 1 pm daily, and the second snack time will move to the afternoon, parents have been advised of the changes.

The menu detailing the week's hot meals was on display at the front door for parents. The service manager advised that a record of snacks and meals served to the children is recorded in the kitchen and shared with parents via individual daily books or digital messages. The hot meals listed on the menu, while taking into consideration the age of children, provided a suitable, nutritious and varied choice for children.

The children’s drink bottles were available and accessible in the care rooms throughout the day.

The staff member who carries out cooking duties advised the inspector that additional food items are available in the kitchen should a child have insufficient amounts, irrespective of their age and the time spent in the service on

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a particular day. The staff advised the inspector that children could also avail of food outside of scheduled meal times if required, and alternatives would be available where children disliked the food options.

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 inspector observed the following safety measures in practice within the service:

The main entrance door was secured upon the inspector's arrival. The entrance door remained locked when not in use during the inspection, ensuring no unauthorised person could enter the building or no child could leave the building unsupervised. Ground surfacing, both indoor and outdoor were maintained in a good state of repair with no trip hazards observed. Storage areas were inaccessible to children. Cleaning products were stored safely out of the reach of children. The children were adequately supervised throughout the inspection process. The outdoor areas are secured with walls and wooden fencing and gates secured where required to prevent a pre-school child gaining unsupervised access to a roadway or other source of danger and to prevent unauthorised access to the garden play area. Risk assessments were completed and were available for review. Blind cords, where they were fitted, were secured. Fire exits remained free from obstruction during the inspection.

Infection Control:

The inspector observed the following infection control measures in practice within the service:

Handwashing was observed to take place after the children had their nappies changed. Thermostatically controlled warm water, hand soap, bins, and paper towels were available at each wash hand basin. The care rooms and sanitary areas were observed to be maintained in a clean manner. Cleaning schedules were in place, up to date and completed by the relevant staff. The children's bed linen is washed weekly on site or more often if required. Nappy changing procedures were carried out in line with the service's policy. Care rooms and sanitary areas are ventilated through means of open windows. Children's perishable food items taken in from home were stored in the care room fridge. External waste bins were stored securely and were inaccessible to the children.

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Administration of Medication:

Staff outlined the procedure for administering medication to children if required. Care plans were in place where required. Where medication is required to be administered, staff advise the manager before administering medication. Prior parental consent had been obtained for one child on prescription medication, and records following administration are completed and stored in the manager's office.

Safe Sleep:

The service provides stackable beds for children aged 2 years upwards to sleep on, where required. The stackable beds were set up in the Busy Bees room after their second morning snack. Beds were placed at least 50cm apart, and staff were observed to remain in the care room while children slept.

Non-Compliance Information

Safe Sleep:

1. Sleep records available for review did not include the sleeping children's position, skin colour or breathing pattern. The template in use also had pre-populated time stamps, which did not ensure accurate time records for sleeping children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective & Preventive Action

Safe Sleep:

Sleep record sheets have been updated to reflect actual times of checking children sleeping. Included in the sleep sheets are breathing patterns, skin colour, sleeping position, room temp, and signed by the educator who completes the 10 min checks. There is also the added column for actions/ comments in the event of a child coughing or being awoken with dreams during sleep. At the bottom of the sleep sheet, there is notes and guidance for the educators. All previous sleep record sheets have been removed, with only the current one available for staff to photocopy.

Supporting documentation submitted

Safe Sleep:

Copy of updated sleep check template.

Summary Comment

The response from the registered provider and supporting documentation submitted have adequately addressed the non-compliance in Regulation 23.

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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.

(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 registered provider used written records which detailed each child's arrival and departure time daily.

(3) (a) The registered provider ensured that only preschool children, a person dropping off or collecting a preschool child, an employee, or an unpaid worker could enter the premises upon the approval of staff.

(b) A visitor log book is 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) The registered provider ensured that a person who held in-date First Aid Response (FAR) training was at all times immediately available to the children attending the pre-school service. The service manager and three staff members held in-date FAR training certificates, all of whom were rostered to work on the day of inspection.

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(2) (a) & (b) Suitably equipped first aid boxes were available on the premises and were stored in each care room in accessible and conspicuous locations, and out of the reach of children.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The registered provider had insurance cover in place for up to 50 pre-school children attending the service on a full day care basis. The policy showed that the service had insurance in place from 28 March 2026 to 27 March 2027.

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, and

Non-Compliance Information

(d) The child-sized sofa in the Busy Bees care room was worn and split on one edge, with foam exposed.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The sofa has been removed, and the cosy corner has been changed to have a mat on the floor with cushions and stuffed toys. The indoor risk assessment has been updated to ensure all furniture and toys in the rooms are checked daily for damage and removed immediately.

Supporting documentation submitted

Photograph of new mats, cushions and stuffed toys in cosy corner. Updated risk assessment template.

Summary Comment

The response from the registered provider and supporting documentation submitted have adequately addressed the non-compliance in Regulation 29 (d).