

TUSLA PRE- REGISTRATION REGULATORY INSPECTION REPORT

Inspection Due to a Proposed Change of Circumstances



Tusla I.D: TU2017DL500

Name of Service Hilltop Academy

Address of Service: Hilltown, Ballymacarry Upper, Buncrana, Donegal, F93 FC91

Email Address: hilltopacademy17@outlook.com

Name of Registered Provider: Rachel Kearney

Type of Proposed Service:	Full Day Care	ü	Part-Time	ü	Sessional	ü
	Drop-In		Childminding		Temporary	

Proposed change: Change in service type to full day care.
The service proposes to use an additional room for 11 children aged 1-3 years attending full day care.

Proposed Number of Children: 66 children

Recommended Change Following Inspection: Change to full day care.
Change in age profile to 1-6 years.
66 children attending on a sessional basis.
49 children attending full day care.

Registered change: Change in service type from part time / sessional to full day care / sessional for 66 children (Max 49 Full Day Care)
Change in hours of operation from 09:00 – 13:45 to 09:00 – 18:00
Change in age profile from 2 – 6 years to 1 – 6 years.

Date of Inspection: 0 6 0 8 2 0 2 6

Inspection undertaken by: K Folan

Title: Early Years Inspector

Tusla Early Years Inspectorate Address: Markievicz House, Barrack St, Sligo, F91 XC84

Rationale for Inspection:
Proposed Change of Circumstance

Note: For Office use only, to be completed by Registration Office

Registration Status:	Registered Full Day Care / Sessional Service for 66 Children (Max 49 Full Day Care)
Date of Registration	25 th August 2026

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Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(D) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

Description of Service	Hilltop Academy is a privately owned early years' service located in the rural area of Ballymacarry Upper in Buncrana, Co. Donegal. The service currently provides sessional and part time care to children aged 2-6 years and proposes to open from 09:00-18:00 to offer full day care to children aged 1-6 years.
Premises	The service operates out of a single storey former residential building which has been extended and refurbished for use as an early years' service. There are three care rooms which include a toddler room with adjoining sleep room, a junior preschool room and a senior preschool room. Sanitary accommodation for children and adults is available onsite. In addition, a kitchen and staff area and an office is available.
Staffing	The registered provider works in the service and an additional seven adults are employed in the service to work with the children.
Methodology	The inspection was an announced inspection to assess compliance with the Childcare Act 1991 (Early Years Services) Regulations 2016 and Childcare Act 1991 (Early Years Services) (Amendment) Regulations 2016. The Inspection focused on regulations under the following themes; Governance, Health, Welfare and Development of the child, Safety and Premises. The findings on inspection based on information obtained through examination of documentation, direct observation, and discussion with relevant staff are documented in the inspection report and taken into consideration when making a decision in relation to registering the change in circumstance. 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.
Acknowledgements	The Inspector wish to acknowledge the cooperation of the registered provider who was present on the day of the inspection.

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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.

Requirement met:

This requirement has been met.

(1)(a) There was a person in charge and a named person available to deputise as required.

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.

Requirement met:

This requirement has been met.

(1) The registered provider is aware of the regulatory requirements to ensure that there are an adequate number of adults working directly with the preschool children.

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—

(a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child to play indoors and, where required by these Regulations, outdoors, during the day, and

(b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.

(2) A registered provider—

(b) of a full day care service, a part-time day care service, a sessional preschool service or a childminding service that moves premises on or after 30 June 2016, shall ensure that a suitable, safe and secure outdoor space to which the preschool children attending the service have access on a daily basis is provided on the premises.

Requirement met:

This requirement has been met.

(1)(a) The service has adequate and suitable facilities in the toddler room for play for the proposed number of children aged 1-3 years.

The toddler room is divided into 3 areas, each containing different opportunities for play. In the first area, sensory trays are arranged with magnetic “fishing” games, treasure baskets and art supplies. A kitchen with utensils and food items is available for

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imaginative play. In the second area, child sizes tables and chairs and open-ended materials are available for tabletop activities. A large blackboard area is available for fine motor mark making play. In the third area, small sofas with soft toys are available for a quiet area for the children to rest. Low level shelving containing baskets of cause-and-effect toys suitable for younger children are available. Various vehicles such as airplanes, diggers, cars and trucks were set up on a table to provide an interest area.

(b) Suitable sleep facilities are available in the service for children who require sleep. A separate sleep room is available adjacent to the toddler room. Five wooden cots are available for children under the age of 2 years. For children over 2 years, low level stackable beds are available.

(2)(b) The outdoor area for the 1–3-year age group is located outside the toddler room. This area contains equipment for younger children’s gross motor development such as small slides, see saws and rockers, ride on cars and a low-level bridge. A sand and water tray and a playhouse were also available outdoors.

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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.

Requirement met:	This requirement has partially been met. The service has a healthy eating policy in place and plans to provide all meals and snacks to the children which will be prepared on site. A two-week menu was available which demonstrated that suitable, nutritious and varied food will be provided to the children.
Requirement not met:	The registered provider has advised that the service is not registered with the Health Service Executive as a provider of a food business.
Response from Provider:	The registration process has commenced with the Health Services Executive (HSE) as a food business provider. Evidence of our application has been submitted to the inspectorate.
Summary Comment:	This requirement has been met.

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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.

Requirement met:

This requirement has been met.

- The main door was secure on the inspector's arrival to the service.
- The outdoor area is secure with high level fencing and gates.
- The kitchen is inaccessible to preschool children.
- Cleaning schedules are in place to ensure rooms are maintained.
- All waste is inaccessible to the preschool children.
- Adequate handwashing facilities with warm water, liquid soap and paper towels are available for safe hand hygiene practices.
- All toys and equipment are clean and in a good state of repair.
- The registered provider is aware of safe sleep requirements and the requirement for physical sleep checks to be carried out.
- The indoor temperature of the sleep room is being monitored.
- Cots are adequately spaced out with 50cm between each cot.

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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.

Requirement met:

This requirement has been met.

(1)

The registered provider supplied certification of two adults with first aid training available to the preschool children.

(2)(a)(b)

Three fully stocked first aid boxes are available in the service with one positioned in each care room.

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.

Requirement met:

This requirement has been met:

(1) (a)

The service provided evidence of a log of fire drills which were completed monthly.

(b)

A record of all firefighting equipment and smoke alarms was provided on the day. The fire extinguishers were serviced in July 2026. The smoke alarms were serviced on 10 June 2026.

(4)

Emergency evacuation plans were displayed in the service. A fire assembly point has been identified at the front of the premises.

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Part VI – Safety

Regulation 28 – Insurance

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

Requirement met:

This requirement has been met.

The service provided evidence of adequate insurance for 66 children in full day care.

The registered provider must ensure that adequate insurance is in place prior to the commencement of the change. The change approval is contingent on the registered providers compliance with Regulation 28.

Part VII – Premises and Space Requirements

Regulation 29 – Premises

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

- (a) of sound and stable structure,*
- (b) safe and secure,*
- (c) kept adequately lit, heated and ventilated,*
- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

Requirement met:

This requirement has been partially met.

(a) On a visual inspection the service appeared to be of sound and stable structure. On discussion with the registered she confirmed she was not aware of any deficits or maintenance issues with the structure of the building.

(b) The main building was secure on the inspector's arrival. A restricted entry system is in place. Internal doors to other areas in the building were secured.

(c) The toddler room has natural lighting by way of windows supplemented by fluorescent lighting. The building is heated through two heating systems. The older part of the building is heated through an oil boiler central heating. The new part of the building has an air to water heating system. Openable windows and mechanical ventilation systems provide for adequate ventilation throughout the building.

(d) The service appears visibly clean and maintained. The service has cleaning schedules in place in each room which are updated daily and weekly by staff.

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	(e) The service has six child sized toilets and six child sized wash hand basins available and one adults size toilet and wash hand basin. There are two nappy changing facilities available in the service.
Requirement not met:	(c) Maintenance records for the buildings heating systems were not available.
Response from Provider:	Maintenance records relating to the building's heating system were submitted to the inspectorate on 07/08/2026.
Summary Comment:	This requirement has been met.

Part VII – Premises and Space Requirements

Regulation 30 – Minimum Space Requirements

- (1) Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.
- (4) Where a registered provider contemporaneously provides—
- (a) a sessional pre-school service, and
 - (b) a full day care service or a part-time day care service, or both, the minimum clear floor space applicable for the duration of the sessional preschool service in respect of the children attending that service shall be the floor space specified in paragraph (3).

Requirement met:	This requirement has been met.										
	(1) The registered provider demonstrated that adequate clear floor space is available for the proposed number of children.										
	(4)(a)(b)										
	The service demonstrated clear floor space as below:										
	<table><thead><tr><th>Name of Room</th><th>Proposed Number of Children</th><th>Age of Preschool children</th><th>Clear floor space Available</th><th>Number of children allowed</th></tr></thead><tbody><tr><td>Toddler Room</td><td>22 sessional 11 full day care.</td><td>1-3 years</td><td>47.067m²</td><td>Maximum of 22 sessional children aged 1-3 years. The space allows for 11 children in full day care as requested.</td></tr></tbody></table>	Name of Room	Proposed Number of Children	Age of Preschool children	Clear floor space Available	Number of children allowed	Toddler Room	22 sessional 11 full day care.	1-3 years	47.067m ²	Maximum of 22 sessional children aged 1-3 years. The space allows for 11 children in full day care as requested.
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	Senior Preschool Room	22 sessional 17 full day care	2-6 years	40.458 m ²	Maximum of 22 sessional children aged 2-6 years. Maximum of 17 children in full day care.
	Junior Preschool Room	22 sessional 21 full day care	2-6 years	50.101 m ²	Maximum of 22 sessional children aged 2-6 years. Maximum of 21 children in full day care.

This number of children allowed in the service was agreed with the registered provider.