

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2024DR006
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Name of Service:	The Early Years Academy Ltd
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Address of Service:	The Old School House, Kill Lane, Deansgrange, Co. Dublin
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Eircode:	A94 FC44
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Name of Registered Provider:	Kim McCarthy
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	19/08/2026
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No of pre-school children:	AM	27	PM	4
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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
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

The Early Years Academy Ltd is registered to provide full day, part time, and sessional care for up to 55 children aged 2 to 6 years; operating hours are 08:15 to 18:00. The service operates from a former school building that was purposely adapted for early years provision. Facilities include three rooms named Toddler (age 2-3), Junior and Senior (both age 3-5), sanitary areas, a kitchen/office, and an outdoor play area to the rear of the building.

Staffing

There are sixteen staff employed to work in the service, exclusive of the registered provider. On the day of inspection there were nine staff working directly with children and the person in charge provided cover when required. The registered provider was not present on the day of inspection and does not work in the service.

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 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 registered provider must demonstrate how they have rectified the non-compliance and will prevent any non -

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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 person in charge, staff and children who were present on the day of the inspection.

Statutory Notices

Notice	Date Served	Detail
IN0196	19/08/2026	Adequate evidence of international police vetting was not available for one adult. The vetting certificate must be submitted to the early years inspectorate prior to the adult having access to or contact with children.
Status	Corrective action was taken by the registered provider immediately following service of the notice. The registered provider submitted a written response detailing corrective and preventive actions taken and these were accepted by the inspectorate. The vetting document was submitted by the registered provider.	

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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,*
- (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.*

(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 the person in charge.

(2)

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There were 16 adults employed by the service, 10 of whom commenced since Regulation 9(2) was previously inspected on 1 May 2025, as determined through a review of previous inspection records, the current roster, and discussion with the person in charge. Recruitment vetting documentation was reviewed for these 10 newly commenced adults plus 1 additional adult working directly with school aged children in the service. Pre-inspection records showed that Garda vetting renewals for existing adults were up to date. The following vetting considerations were found;

- (a) Nine of the required 22 written and verified references were available from past employers.
- (b) Thirteen of the required 22 written and verified references were available from sources other than past employers.
- (c) Eleven Garda vetting disclosures were available.
- (d) International police vetting certificates were available for two adults who lived outside the island of Ireland for a period of more than six months as an adult.

(4)
Eight of nine adults who were employed to work directly with pre-school children held the required qualification or a recognised equivalent, as determined through a review of qualification records.

Non-Compliance Information

(2)(d)

- 1. See Statutory Notice section in relation to Improvement Notice IN0196.
- 2. One international police vetting certificate for one adult written in a language other than English was not translated, as required.

(3)

The procedures specified in 9(2)(d) were not completed prior to two adults commencing in the service as required. Allowing adults work with children before their suitability is established may result in individuals who are not appropriate having access to children.

(4)

One adult who was working directly with preschool children did not hold the required qualification or recognised equivalent as determined through a review of qualification records.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2)(d) and (3)

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The registered provider stated that the international police vetting document was officially translated and that procedures were reviewed to ensure that all required recruitment vetting documentation is received and fully completed prior to staff commencing employment.

(4)

The registered provider stated that the staff member no longer works directly with preschool children and that going forward qualifications will be verified before staff are assigned to work with preschool children.

Supporting documentation submitted

No supporting documentation was submitted.

Summary Comment

The actions submitted by the registered provider were reviewed and found to adequately address the non-compliances identified.

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 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 8 adults working with 27 children in the morning and 3 adults working with 3 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.

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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:

- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

Compliance Information

(1)

A record was kept of the following information in relation to the service, as evidenced through a review of available records;

- (h) Children's attendance was recorded including arrival and departure times.
- (i) A current staff roster was available and contained details of the adults working in the service.

Non-Compliance Information

- (j) Records containing details of medication administered to children with signed parental consent were not consistently maintained. From a sample of 12 records made available and reviewed, 2 records did not contain signed parental consent to administer the specified medication, as required.
- (k) Full records containing details of an accident, injury or incident involving children were not consistently maintained. From a sample of 12 records made available and reviewed, 6 records did not contain parent signatures, as required.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1)(j) and (k)

The registered provider stated that on request parents signed the unsigned records. Service management reviewed both the medication administration and accident, injury and incident recording procedures and retrained staff accordingly. Checks for parental signatures will be carried out by service management going forward.

Supporting documentation submitted

No supporting documentation was submitted.

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Summary Comment

The actions submitted by the registered provider were reviewed and found to adequately address the non-compliances identified.

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 made safe to prevent children exiting or falling.
- Cleaning agents were stored out of reach of children.
- Storage presses were secured and inaccessible to children.
- Toys and play equipment were maintained in a good condition.

Infection Control:

- The premises appeared clean and was maintained in a hygienic condition.
- Appropriate hand washing was facilitated through the provision of running water, liquid and foam soap, and hand dryers.
- Children were supported to wash their hands at regular intervals including after toileting, nappy changing, outdoor play and before meals.
- Lunch boxes that included perishable items were stored in the fridge.
- Waste was inaccessible to children.

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Administration of Medication:

- Medication was clearly labelled, within its expiry date, 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 members 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

General Safety:

- In the doorway from the hall to the nappy changing sanitary area, a wooden climbing frame was used to prop the door open causing an obstruction which posed a risk of injury to children. Children were observed stepping and climbing over the frame when entering and exiting the area.
- In the nappy changing sanitary area, a cord coming from the ceiling to the floor was not appropriately secured, posing a potential strangulation risk to children. Children could access this area independently.

Infection Control:

- Nappy changing practices were inconsistent with recommended infection control guidance posing a risk of cross infection. Examples of observed inconsistencies include:
 - Gloves used to remove used nappies were not removed before redressing children.
 - The bin lid was opened by hand to dispose of used nappies instead of using foot operation.
 - The changing mat was not cleaned and disinfected between nappy changes at all times.
 - The adult did not wash their hands between all nappy changes.
- The service's documented nappy changing procedures did not include a provision in line with the Early Years Inspectorate's regulatory notice requiring nappies be disposed of in a foot-operated bin which helps reduce the risk of contamination of surfaces. In addition, the procedure did not provide that gloves used to remove used nappies must be removed prior to re-dressing children.

Action submitted by the Registered Provider

Corrective & Preventive Action

The registered provider stated that:

- The climbing frame was removed from the area, and staff were instructed to use the doorstep provided and that this was added to a daily safety check.

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2. The cord was secured out of children's reach, and this hazard was added to a daily risk assessment. Staff were retrained on monitoring the environment for hazards.
3. Staff were retrained on the service's nappy changing and infection control procedures and practice will be monitored by management going forward.
4. The nappy changing procedures were updated to reflect that gloves be removed prior to redressing children and to use the pedal bin provided correctly. Management will monitor going forward

Supporting documentation submitted

The nappy changing procedure and photographs of the sanitary area were submitted.

Summary Comment

The actions stated and the evidence submitted by the registered provider were reviewed and were found to adequately address the non-compliances identified.