

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DS121
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Name of Service:	Little Penguins
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Address of Service:	Unit 2 Orlagh Park Shopping Centre, Orlagh Grove, Knocklyon, Dublin 16.
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Name of Registered Provider:	Aisling Hughes
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Service type:	Full Day
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Date of Inspection:	16/04/2026
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No of pre-school children:	AM	41	PM	36
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Floor 7 Brunel Building, Heuston South Quarter, St John's Road West, Kilmainham, D08 X01F
Inspection undertaken by:	JA. McKimm and C. Harte
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).

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Description of service

Little Penguins is a privately owned early years' service located in south Dublin. The service provides full day care for children aged from 2-6 years of age. The service is registered to operate between the hours of 7.30am-6 pm Monday to Friday. The service participates in the Early Childhood Care and Education (ECCE) scheme.

The service operates from the first floor of a small commercial complex. There are two large care rooms, the Dragonfly room which caters for children between 2-3 years and the Butterfly room which caters for children between 3-5 years.

There are sanitary facilities for children and staff, a kitchen and small office.

A fully enclosed outdoor area is located to the rear of the premises.

Staffing

The registered provider employs twelve staff to work in the service including the person in charge who works in a supernumerary capacity, a deputy person in charge and ten early years practitioners one of whom is employed under the access and inclusion model.

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 health, welfare and development of child and safety. The inspection may also focus on other areas as required.

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A sampling process was used to assess compliance under the following regulation:

Regulation 15(1)(a)-(i) Record in Relation to Pre-School Child.

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 inspectors wish to acknowledge the cooperation of the registered provider, person in charge, staff and children who were present on the day of the inspection.

Statutory Notices

Notice	Date Served	Detail
Improvement Notice IN0262	16/04/2026	The premises was not adequately secured.
Status	Closed. Action was taken by the registered provider immediately following service of the notice and the provider submitted a written response which detailed both corrective and preventive actions which were accepted by the inspectorate.	
Improvement Notice IN0264	16/04/2026	A corridor that forms part of the evacuation route was obstructed.

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Status	Closed. Action was taken by the registered provider immediately following service of the notice and the provider submitted a written response which detailed both corrective and preventive actions which were accepted by the inspectorate.	
Improvement Notice IN0265	16/04/2026	Medical care plans were not in place for two children.
Status	Closed. Action was taken by the registered provider immediately following service of the notice and the provider submitted a written response which detailed both corrective and preventive actions which were accepted by the inspectorate.	

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.

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(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) A review of the roster showed either the person in charge or the deputy person in charge were rostered to be present during the operational hours of the service.
 - (b) The person in charge was present during the inspection.
 - (c) Staff were clear around their roles and responsibilities and reporting structures within the service.
- (2) Discussion with management showed that one staff member had commenced employment since the last inspection. The file of this staff member and the file of the student who was present on the day of the inspection were reviewed. A garda vetting disclosure for the registered provider was also reviewed
- (a) There were four written and validated references available from a past employer.
 - (c) Garda vetting disclosures had been obtained for the registered provider and two adults. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.
- (3) Evidence was available to demonstrate that the procedures specified in paragraph (2) were carried out in relation to one adult before employment commenced.
- (4) Evidence showed that one adult who worked directly with early years children held at least a major award in Early Childhood Care and Education at Level 5 or above on the National Framework of Qualifications or a qualification deemed eligible by the Department of Children, Disability, and Equality.

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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.*
- (3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 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) therefore at that reference number is satisfied.*

Compliance Information

- (1) The registered provider ensured that staffing levels were adequate to respond to the individual needs of the children throughout the inspection. There were ten adults caring for forty-one children on the morning of inspection and nine adults caring for thirty-six children on the afternoon of inspection. The management team reported they are available to provide cover where required.
- (3) The minimum ratio of adults to children was maintained at all times throughout the inspection. Staff were aware of the required ratios for the age range of children.

Part IV – Information and Records

Regulation 15 – Record of pre-school child

- (1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:*
- (a) the name and date of birth of the child;*
 - (b) the date on which the child first attended the service;*
 - (c) the date on which the child ceased to attend the service;*
 - (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
 - (e) authorisation for the collection of the child;*
 - (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
 - (g) the name and telephone number of the child's registered medical practitioner;*

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(h) record of immunisations, if any, received by the child;

(i) written parental consent for appropriate medical treatment of the child in the event of an emergency.

(3) A record in writing referred to in paragraph (1) or (2) shall be open to inspection on the premises by-

(a) a parent or guardian of a pre-school child but only in respect of the record relating to that child,

(b) an employee who is authorised in that behalf by the registered provider, and

(c) an authorised person.

Compliance Information

(3) (c) Records were open to inspection by an authorised person. All records requested by the inspector were available for review.

Non-Compliance Information

(1) A sample of ten children's record were reviewed. The registered provider did not ensure that six of these records were fully completed. It is important to have children's records fully completed to support children's safety, development and the quality of care.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

All children's records have been checked and fully completed to support children's safety, development and the quality of care. This will be maintained on an ongoing basis by management of the service.

Supporting documentation submitted

No evidence submitted.

Summary Comment

The corrective and preventative actions submitted by the registered provider are sufficient to address the non-compliance under Regulation 15.

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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-

(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. (b) Appropriate and suitable care practices were observed, as evidenced by the following:

- The staff interacted with the children in a respectful, warm and sensitive manner. They engaged children in conversations about home life, their interests and activities supporting the development of relationships and a sense of belonging.
- Meal and snack times were observed to be a sociable and pleasant events, with staff members sitting alongside the children, engaging in meaningful conversations and offering support and encouragement to the children. The atmosphere during mealtimes was relaxed and a positive experience for the children.
- The children in Butterfly room were observed having snack at 10.30am and staff member sat with the children chatting and extending the children's learning
- Staff demonstrated warmth and sensitivity in their interactions with the children. For example, children were warmly greeted when they arrived in the service and supported to settle into the environment.
- Staff were observed to be attentive to children's verbal and nonverbal cues and actively joined in with play for example in the Butterfly room children staff joined with children in an imaginative play experience of going to the hairdressers.
- Children's artwork, photographs, birthday charts and family walls were displayed throughout the two care rooms, supporting the children's sense of identity and links between home and the service.
- All of the children had the opportunity to engage in outdoor play and were appropriately dressed for the weather. The outdoor space allowed children to move freely, explore, and engage in appropriate risk taking, supporting the development of their gross motor skills as well as their confidence and independence.

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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.

Compliance Information

General Safety:

- Cleaning agents were stored safely out of reach of children.
- The kitchen area was inaccessible to children throughout the inspection.
- There were no flexes or cables observed that were accessible to the children.
- There were guard rails inside the window frames to ensure children's safety.
- Grapes in children's lunch boxes were observed to be cut into appropriate bite sized pieces.

Infection Control:

- The sanitary accommodation was equipped with thermostatically controlled warm running water, liquid soap, and hand drying facilities. Both staff and children were observed to show familiarity with routine handwashing after nappy changing, before mealtimes and outdoor play.
- The premises was observed to be in a clean and hygienic condition. There were cleaning schedules on the display and updated in the care rooms and sanitary facilities.
- Foot operated pedal bins were in use for the appropriate disposal of waste in the care rooms and sanitary facilities. These were observed to be in good working order.

Administration of Medication:

- There was no medication administered to children on the day of inspection.

Safe Sleep:

- Staff were noted to be aware of safe sleep practices and children were observed to be monitored while sleeping every 10 minutes.
- Children over two years of age were provided with low level beds for sleeping.

Non-Compliance Information

General Safety:

1. See Statutory Notice section in relation to Improvement Notice 0262 served.

Administration of Medication:

2. See Statutory Notice section in relation to Improvement Notice 0265 served.

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3. Emergency medications were not stored in original containers. Prescribed emergency medication for children should be kept in its original box stating the child's name and dosage required. This posed a safety risk.

Fire Safety:

4. See Statutory Notice section in relation to Improvement Notice 0264 served.

Action submitted by the Registered Provider

Corrective & Preventive Action

Administration of Medication:

3. Children's medications are now stored in their original boxes with the child's name and dosage required. On an ongoing basis management will only accept onsite medication that is in its original box with the child's name and dosage.

Supporting documentation submitted

Administration of Medication:

Photographic evidence submitted.

Summary Comment

The corrective and preventative actions submitted by the registered provider are sufficient to address the non-compliance under Regulation 23.

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.*

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Compliance Information

- (1) The attendance and departure of children from the service was accurately recorded in both care rooms.
- (3) (a)(b) The inspection team were requested to sign a visitor's book upon arrival in the service. An accurate record of visitors to the service was maintained as part of health, safety and safeguarding standards of the service.

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 firefighting 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) The records available demonstrated that fire drills are held monthly within the service and the service conducted a fire drill on 11 March 2026.
 - (b) Records demonstrated that the firefighting equipment and smoke alarms had been serviced annually, with the last service taking place in September 2025 and January 2026 respectively.
- (4) There was a notice of the procedures to be followed in the event of fire displayed in a conspicuous position in the service.