

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2015DS121

Name of Service: Little Penguins

Address of Service: Unit 2 Orlagh Park Shopping Centre, Orlagh Grove, Knocklyon, Dublin 16

Eircode: D16 X5A2

Name of Registered Provider: Brid Devereux

Service type: Full Day

Date of Inspection: 07/08/2025

No of pre-school children:	AM	26	PM	27
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Address of the Early Years Inspectorate:
 Early Years Inspectorate
 2nd Floor, Unit 4/5
 The Nexus Building
 Blanchardstown Corporate Park
 Ballycoolin
 Dublin 15 | D15 CF9K

Inspection undertaken by: C Kerrigan

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).

Conditions if applicable Not applicable

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 7am-6 pm but currently operates from 8am to 5pm, 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, namely 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 adults to work directly with the children, to include a service manager and eleven early years staff. The registered provider 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, health, welfare and development of child, 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-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.

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*

(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 registered provider ensured that there was a designated person in charge and a named person to deputise as required.
 - (b) The registered provider ensured that the person in charge was present at all times during the inspection.
- (2)
- The files of all 12 adults working within the service were reviewed in full on the day of inspection.
- (a) The registered provider ensured that twenty-one written and validated references were available from a previous employer for the adults working within the service.
 - (b) The registered provider ensured that three written and validated references were available from a person other than a previous employer for the adults working within the service.
 - (c) The registered provider ensured that Garda vetting disclosures had been obtained for the twelve adults working directly with the children. The service also demonstrated adherence to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory notice requiring services to renew Garda vetting every three years.
 - (d) The registered provider ensured that police vetting was available for six adults who had resided in a state other than the state of Ireland for a period longer than six consecutive months.
- (3) The registered provider ensured that all references and Garda vetting procedures were completed prior to the twelve adults being allowed access or contact with the child attending the preschool service.
- (4) A review of all twelve staff qualifications indicated that eleven adults who work directly with children held a major award at Level 5 or higher in early Childhood Care and Education on the National Qualification Framework or a qualification deemed by the Minister to be equivalent.

Non-Compliance Information

(4) The registered provider was unable to demonstrate that one adult who worked directly with the children held at least a major award in Early childhood Care and Education at Level 5 on the National Qualification Framework or a qualification deemed by the Minister to be equivalent. It is acknowledged that there was documentation on file however it could not be established that this was an approved qualification.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(4) The registered provider has stated that the adult has an Early Childhood Care and Education qualification. However, at the time of the inspection the document was being translated, it was received back a few days after the inspection where the qualification has been approved and meet the guidelines of a level 6 on the National Qualification framework.

Supporting documentation submitted

Evidence has been submitted.

Summary Comment

The preventative and corrective actions submitted by the registered provider are sufficient to address the noncompliance under Regulation 9(4).

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) The registered provider ensured an adequate number of adults were working with the children in the service at all times throughout the day. Eleven early years practitioners were available in the building to meet the care needs of twenty-six children who were present on the day of inspection.

(2) The registered provider ensured that the adult child ratios were maintained within the service on the day of inspection. This was further evidenced in the staff roster.

(8)

(a) A review of the staff roster and conversation with adults present on the day indicated that the registered provider ensured that there were two adults present during the operational hours of the service.

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

Compliance Information

(1) (a) The registered provider ensured that the children's learning, development and wellbeing was facilitated within the service in the following ways.

Basic Needs:

- The children were provided with regular lunch and snacks throughout their time in the service. Snacks were prepared at home and brought into the service. A hot lunch was provided by the service. On the day of inspection, the morning snack observed consisted of sandwiches, fruit of differing varieties and yogurt. The hot lunch observed consisted of chicken, potatoes and vegetables. Children drank from individual water bottles or individually labelled cups. Mealtimes were observed to be a social and pleasurable experience for the children.
- There was a rest area available in each care room if the children needed to engage in more restful activities.
- Children's independence and self-care skills were encouraged within the service. For example. Children were encouraged to assist with clean up time and the serving of snacks and meals. Giving a sense of responsibility and belonging.
- Nappy changing was not observed on the day of inspection however through conversation with staff nappy changing was completed on a scheduled basis and as needed. A child in the Dragonfly room had recently

begun their toilet training journey and was observed to be supported in a dignified and positive manner when an accident occurred, staff provided reassurance recognising their efforts.

Supporting Relationships

- The adults in the service were observed to interact with the children in a responsive, warm, respectful manner. Adults sat with children during play and mealtimes, involving themselves in the children's play and meal experiences when invited. This provided opportunities to support children's learning and development.
- The adults within the service were observed to speak to each other in a professional and warm manner, working as a team to meet the changing needs of the children.
- The adults in the service reported that information such as toileting, food and sleep is shared with parents daily with drop off and collection times used as an opportunity for information sharing.

Physical and Material Environment

- The furniture in the room was low level and appropriate for the children attending, with toys, equipment and play materials easily accessible and visible to the children on low level units which nurtured independence and facilitated choice.
- The children had access to the outdoor play environment throughout the day, this was scheduled but also available to children if and when they needed. The area had absorbent artificial flooring, a slide, seesaws, a mud kitchen and climbing frame, giving an array of options to develop gross motor skills.

Non-Compliance Information

1. The registered provider did not ensure that lighting was reduced in the Dragonfly room during the children's sleep period. The following was observed:
 - Children were observed to be put to sleep in a room that was brightly lit with windows and roof lights were uncovered. A darkened room is required to promote sleep cycles and rest. A bright sleep room poses a potential risk of inhibiting a child's basic need for sleep.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. The registered provider has stated that a new blackout blind has been fitted to the main window to reduce the level of light at sleep time.

Supporting documentation submitted

Evidence has been submitted.

Summary Comment

The preventative and corrective actions submitted by the registered provider have been sufficient to address the noncompliance under Regulation 19.

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 main entrance to the service was secured upon the inspectors unannounced arrival to the service. Access was granted via a doorbell system in which a staff member answered, therefore preventing access to the children from unauthorised persons. This also prevented children from leaving the service unsupervised.
- The kitchen was inaccessible to children on the day of inspection.
- Children were observed to be adequately supervised during activities and mealtimes.
- Hazardous materials such as cleaning agents were placed on high shelving away from the children's reach.
- Daily risk assessments were completed and displayed in each care room.
- The outdoor area was fully secured, enclosed by a high wall.

Infection Control:

- Toilet roll was hygienically stored and in easy reach of the children, preventing potential cross contamination.
- Pedal bins were in use in the care rooms and sanitary areas ensuring appropriate disposal of waste.
- Children's blankets for sleep were individually labelled and stored. Preventing potential cross contamination.
- Thermostatically controlled water, liquid soap and single use paper towels were in use throughout the service. Promoting adequate hand hygiene practises.

Administration of Medication:

- Medication was not observed to be given on the day of inspection, however staff demonstrated knowledge on the procedure for medication administration if required.
- Temperature reducing medication was available within the service if required.

Safe Sleep:

- There were enough floor beds available for the children who required sleep.

- The registered provider insured that physical 10 minutes sleep cheques were undertaken by adults and recorded.

Fire Safety:

- Fire escape routes were clear and free from obstruction and easily identifiable in each room.
- Adults were able to clearly outline fire drills and evacuation procedures.

Non-Compliance Information

General Safety:

1. A hole was observed on the artificial grass in the outdoor area. This potentially poses a risk of tripping for children in this area.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The registered provider has stated that the hole in the artificial grass in the outdoor area has been repaired with a similar type of surface. A quote has been sought to resurface the outdoor area.

Supporting documentation submitted

General Safety:

Evidence has been submitted.

Summary Comment

The preventative and corrective actions submitted by the registered provider have been sufficient to address the noncompliance under Regulation 23.

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 four staff members trained in First Aid Response (FAR) were immediately available to the children at all times during the service opening hours.
- (2)
- (a) A first aid box was safely stored in an easily accessible and conspicuous position within the premises.
 - (b) The first aid box was readily available to the adults caring for the children attending the preschool 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 fire fighting equipment and smoke alarms in the premises.
- (2) The record referred to in paragraph (1) shall be open to inspection by-
- (c) an authorised person.
- (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 registered provider ensured that a record was kept in writing of fire drills within the service. The last recorded fire drill was dated the 31 of July 2025.
- (2) (c) The registered provider ensured that the fire drill maintenance records were available for review by the inspector.
- (4) A notice of procedures was displayed throughout the service indicating the procedure to be followed in the event of a fire.

Non-Compliance Information

(1) (b) The registered provider did not ensure that a record in writing was kept of the number, type and maintenance record of firefighting equipment and smoke alarms within the premises. The last recorded service was dated October 2023.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1) (b) The registered provider has stated that fire equipment and smoke alarms have been checked by the registered fire equipment supplier a new contract agreed to do inspections of fire alarms and fire safety lighting. These inspections will occur quarterly.

Supporting documentation submitted

Evidence supplied.

Summary Comment

The preventative and corrective actions submitted by the registered provider have been sufficient to address the noncompliance under Regulation 26.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The registered provider ensured that the premises was adequately insured as a full day care service for the maximum number of children registered. The certificate reviewed had an expiry date of the 27 March 2026.