

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DY129				
Name of Service:	Lollipop Lane				
Address of Service:	19 Moyle Road, Dublin Industrial Estate, Dublin 11.				
Eircode:	D11 EV81				
Name of Registered Provider:	Paul Byrne				
Service type:	Full Day, Part Time, Sessional				
Date of Inspection:	03/03/2025				
No of pre-school children:	<table border="1"> <tr> <td>AM</td> <td>54</td> <td>PM</td> <td>36</td> </tr> </table>	AM	54	PM	36
AM	54	PM	36		

Address of the Early Years Inspectorate:	<p>Early Years Inspectorate 2nd Floor, Unit 4/5 The Nexus Building Blanchardstown Corporate Park Ballycoolin Dublin 15 D15 CF9K</p>
Inspection undertaken by:	C Kerrigan 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).

Conditions if applicable	Not applicable
---------------------------------	----------------

Description of service

Lollipop Lane is a privately operated service which provides a full day care service to children aged 1 to 5 years old. The service operates from a two-storey building located within an industrial estate in North Dublin. The service opens from 8:00am to 6:00pm Monday to Friday. The service consists of five care rooms, two cot rooms, an office, two kitchens, and sanitary facilities. The Baby room, the Toddler room and Playschool room are located on the ground floor while Preschool room 1 and Preschool room 2 are located on the first floor. An enclosed outdoor area is available to the rear of the premises.

Staffing

The registered provider employs fifteen staff to work in the service including the person in charge, an administrator, and a cook. Eleven staff were present on the day of inspection of these ten were working directly with the children. The registered provider does not work directly with the children 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, premises and facilities. The inspection may also focus on other areas as required.

A sampling process was used to assess compliance under

Regulation 19 Health, Welfare and Development of the Child.

Regulation 23 Safeguarding the Health, Safety and Welfare of the Child

Regulation 29 Premises

As a result, the scope of the inspection included the Baby room, the Toddler room and the Playschool 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.

Additional Information

An immediate action notice was issued to the service on the day of inspection under Regulation 23 in relation to Regulation 25 First Aid. A written response was received from the registered provider on the 4 March 2025 which mitigated the risk identified. Please see details in the body of the report.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the person in charge, deputy 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,
 - (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 designated person in charge and a named person to deputise if required.
 - (b) A review of the roster showed that a named person in charge or the deputy is rostered to be on the premises at all times during the service opening hours.
- (2) A review of paperwork and conversation with management indicated that one staff member had commenced employment in the service since the last inspection in June 2024. This file was reviewed in full, along with the garda vetting files of six staff members already working within the service.

- (a) The registered provider ensured that there were two written and validated references available from a previous employer for this adult working within the service.
 - (c) Garda vetting disclosures had been obtained for seven adults working within the service. The service adhered to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years.
 - (d) Police vetting was not required as there was no evidence to indicate the adult had resided in a country other than Ireland for a period longer than six consecutive months.
- (3) The registered provider ensured that references and garda vetting procedures were completed for one adult prior to being allowed access or contact with a child attending the pre-school service.
- (4) Evidence was available to show that one adult who works directly with the children whose records were reviewed, held a major award at Level 5 or higher in Early Childhood Care and Education on the National Qualifications Framework.

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. Ten early years staff were available in the building to meet the care needs of fifty-four children who were present on the day of inspection.

- (2) The registered provider ensured that the adult to child ratios were maintained within the service on the day of inspection. This was further evidenced in the roster.
- (8) (a) The registered provider ensured that there were at least two adults on the premises at all times during the operational hours of the service. This was also referenced in the roster.

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 the child's learning, development and well-being was facilitated in the service, for example:

Basic Needs:

- Children were provided with regular meals and snacks. This included a hot meal prepared onsite. On the morning of the inspection children in the care rooms were served a snack of fruit and a drink of water. Meat, vegetables and sliced potatoes were given for lunch with an alternative available for children who do not eat the meal offered. The transition to mealtime was observed to be a timely experience for the children, at a pace suited to their needs. Independence with self-feeding was encouraged with assistance given if needed.
- Nappy changing was completed on a scheduled basis and as needed. Nappy changing was observed to be a respectful process with time taken by staff to inform children of the process in a child centred manner.
- There was a rest area available in the care rooms if the children needed to engage in more restful activities.
- Children were provided with appropriate clothing for outdoor play, independence with self-care skills were promoted with children being encouraged to put on hats and warm coats for outdoors themselves. This facilitates comfort in play experiences and promotes independence.

Supporting Relationships:

- A key worker system is in place in the service and key groups are displayed within the classrooms. A key worker system allows staff to develop in depth knowledge about the children in their group and fosters nurturing relationships helping children to feel confident.
- The adults in the service were observed to interact with the children in a responsive, warm, respectful manner.
- Staff were observed to speak to each other in respectful and warm manner.
- Staff reported that information such as toileting, food, and sleep is shared with parents daily through conversations at drop off and collection. Staff reported an open-door policy for parents, this was observed throughout the day.

Physical and material environment:

- The furniture provided in the room was low level and appropriate for 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.
- There was a range of equipment available including mark making, a home corner with associated props to facilitate imaginative play experiences, stacking, building, connecting and threading toys to facilitate creative play, cars and tracks for transporting and books to facilitate language and early literacy development.
- Images of the children and their families were displayed throughout the rooms which promoted a sense of identity and belonging.
- The children had access to the outdoor play environment throughout the day. This is scheduled but also available to children if and when they needed. This area had absorbent flooring, wobble boards, a tree house, slide, foam blocks and wooden step bridges giving an array of options to develop gross motor skills.

Non-Compliance Information

1. Water was not freely available to children in the Playschool room. This may prevent children from developing self-regulation skills around hydration.
2. In the outdoor area there was a lack of resources available in the mud kitchen, this limits a child's choice and hinders the development of play experiences and interest in this area.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. The registered provider has stated that a team meeting was undertaken and that teachers in playschool room will ensure a water station is available at all times, with the person in charge reviewing this at daily.
2. The registered provider has stated that new toys have been added to the outdoor area and review of this will be added to the maintenance checklist.

Supporting documentation submitted

1. Photographic evidence has been submitted.
2. Photographic evidence has been submitted.

Summary Comment

The corrective and preventative actions submitted by the registered provider have been sufficient to address the non-compliance 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 secure upon the inspector's unannounced arrival at 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 exiting the service unsupervised.
- Hazardous materials such as cleaning agents were stored out of reach of children.
- The ambient room temperatures in the service were kept between the recommended 18-22°C.
- The outdoor area was fully secured and enclosed with fencing and high walls.

Infection Control:

- The care rooms, hallway and sanitary areas were clean. Cleaning schedules were on display through the service outlining frequency of cleaning.
- Toilet roll was hygienically stored and in easy reach of the children, preventing potential cross contamination.

Administration of Medication:

- Medications were not given within the service on the day of inspection, but staff demonstrated knowledge on the procedure for medication administration if required.

Safe Sleep:

- There was a cot room and separate sleep room available to all children, with sufficient amounts of cots and low-level beds to meet the sleep needs of the children within the service.
- An ambient temperature of 18-22°C was maintained in rooms where children over 1 year were sleeping.

Fire Safety:

- Staff were knowledgeable of the fire evacuation plan which included the route to take and location of the assembly point.

Non-Compliance Information

General Safety:

1. A handbag belonging to a member of staff was accessible on a windowsill in the Playschool room. This posed a potential risk of injury to children.
2. A large panel of wood along the gate was observed to be broken and splintered. Posing an injury risk to children.

Infection Control:

3. Effective handwashing technique was not consistent across the service, as outlined in there. For example:
 - In the Playschool room children's hands were not washed upon return from outdoor play or prior to mealtime. It is acknowledged that handwashing is undertaken in the sanitary area however this was not observed immediately prior to mealtime.
 - Staff were inconsistent in washing their hands after performing nasal hygiene.
 - Staff were not noted to wash their hands between cleaning table surfaces, soothing children and assisting with food. Effective consistent handwashing practice is necessary to prevent the risk of cross contamination and therefore the risk of infection.
4. Mattresses were not adequately cleaned and were dirty, the following was observed.
 - In the cot room four mattresses were observed to have no waterproof wipeable covering, preventing adequate cleaning between use.
 - In the sleep room seven mattresses were observed to have no waterproof wipeable covering, preventing adequate cleaning between use, this also has the potential to harbour harmful

bacteria. Four of these mattresses were found to be dirty and stained. This was not reflected in the risk assessment in the sleep room.

5. Pedal bins were not consistently in use throughout the service, preventing the safe disposal of waste. For example.
 - The bin in the Toddler room has no lid and rubbish was accessible to the children.
 - In the Outdoor area a plastic bag placed against the wall was used to discard used tissues. Potentially exposing children to cross contamination.

Safe Sleep:

6. The registered provider did not ensure the suitable sleep equipment for a child who was 16 months old who was observed to sleep in a bean bag for 47 minutes. This was at odds from Tusla's "Guidance for the Early Learning and Care sector on sleep provision for children under 24 months and the standards outlined in Quality Regulatory Framework for Full Day Care". This potentially increases the risk of suffocation and SIDs. Beanbags are prohibited for use by sleeping children.

Fire Safety:

7. The registered provider did not ensure that the fire exit gate located in the outdoor area were clear. This was addressed with the person in charge and cleared at the time. Mitigating the risk of ineffective fire evacuation.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The registered provider has stated that staff re-education has been undertaken around the importance of safely storing personal items. This will be reviewed daily by the person in charge.
2. The registered provider has ensured that the outdoor wooden panel has been repaired, and this will be added to the maintenance list.

Infection Control:

3. The registered provider has stated that staff were re-educated on the service handwashing policy, and that pedal bins have been replaced, with hand sanitising stations situated nearby, supported with visual prompts. The person in charge will review this daily.
4. The registered provider has purchased new mattresses and placed waterproof protectors on each mattress. This is reflected in the maintenance checklist.

- The registered provider has purchased pedal bins for all rooms to include the outdoor area and will replace with these when needed.

Safe Sleep:

- The registered provider has stated that a cot has been assembled in the baby room for children who won't settle in the sleep room. The registered provider also states that the service policy excludes use of beanbags for sleeping children. The person in charge is to monitor this daily.

Fire Safety:

- The person in charge removed the barrier blocking the outdoor fire exit. Therefore, addressing the risk. Further evidence was submitted to indicate no toys blocking the outdoor gate.

Supporting documentation submitted

General Safety:

- Photographic evidence has been submitted.
- Photographic evidence has been submitted.

Infection Control:

- Photographic evidence has been submitted.
- Photographic evidence has been submitted.
- Photographic evidence has been submitted.

Safe Sleep:

- Photographic evidence has been submitted.

Fire Safety

- Photographic evidence submitted.

Summary Comment

The corrective and preventative actions submitted by the registered provider have been sufficient to address the non-compliance 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

(2) (b) The registered provider ensured that there was a suitably equipped first aid box available to the children attending the pre-school service.

Non-Compliance Information

(1) The registered provider did not ensure that a staff member trained in First Aid Response (FAR) was immediately available to the children at all times during the service opening hours. A review of the FAR certificates of three staff members and the roster showed that a staff member trained in FAR was not available to the children from 5pm-6pm on the day of inspection and again from 8am to 9am on the 6 March 2025. A sufficient number of adults must be trained with First Aid Responder training and available to children at all times should a medical emergency arise. This was also noted as a non-compliance on the previous inspection dated the June 2024, actions put in place by the registered provider did not prevent a reoccurrence.

(2) (a) The registered provider did not ensure that the first aid box which was stored in a cluttered press, was easily accessible to staff nor was it in a conspicuous position within service, this could potentially delay treatment in an emergency. It is acknowledged that staff were aware of the first aid box location.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1) A response to the immediate action notice mitigating the significant risk was received in writing on the 4 March 2025, this outlined a change in staff rosters to ensure sufficient number of adults who are trained in First Aid Response were available to the children at all times during the operational hours of the service. The

service also indicated a plan was in place to ensure additional staff are to receive first aid responder training. Further information received outlined that four staff members undertook First Aid Responder (FAR) training on 3 April 2025, ensuring that someone trained in FAR is present within the service during its operational hours.

- (2) (a) The registered provider has ensured that a first aid box has been moved to an accessible area within the service with clear signage of its location.

Supporting documentation submitted

- (1) Email of staff rostered to cover these dates. Followed by receipt of training.
(2) (a) Photographic evidence has been submitted.

Summary Comment

The corrective and preventative actions submitted by the registered provider have been sufficient to address the non-compliance under Regulation 25.

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 insured as a full day care service for the maximum number of children registered. The certificate reviewed had an expiry date of 27th of March 2025.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

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

- (b) safe and secure,*
- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*

Compliance Information

- (b)
- The main door to the service was secured with a call bell which was answered by staff, preventing unauthorised access of persons into the service.
 - Nonslip floor coverings were in place throughout the service. Flooring around high-risk areas such as stairs were secured.
 - Exits were clearly identified.
- (c)
- Fresh air circulated daily through open windows within each care room. With ambient temperatures being maintained throughout the service.
 - Light in the cot room and sleep room was controlled by blinds to ensure that lighting was conducive to sleep.
 - Natural light was introduced into the service via windows with artificial light supplementing this if needed.
- (d)
- Flooring within the service was maintained and clean.

Non-Compliance Information

The registered provider did not ensure that the service was adequately cleaned, maintained and repaired to ensure the safety of the children.

- (d)
1. A build-up of dirt was evident on the vent in the sanitary area opposite the Preschool 2 room and the Nappy changing area, which may hinder effectiveness. This was also noted as a non-compliance on the previous inspection in June 2024, actions put in place by the registered provider did not prevent a reoccurrence.

2. The upstairs sanitary area opposite Preschool 2 needed maintenance, there was a number of areas needing repair, for example.
 - A gap was present in the lino along the toilet cubicles preventing effective cleaning, this poses an infection control risk.
 - Sealant at the base of the sink was observed to have a build up of dirt and debris.
 - Pipework under the sink was not adequately enclosed, and dirt and debris were observed behind the pipes accessible to the children.
 - A spotlight fixture was not adequately secured and was observed hanging down from the ceiling.
 - Wooden boxing behind the toilet opposite the entryway was not secured appropriately. The top board was lifting, and screws were observed sticking out.

These were also noted as non-compliances on the previous inspection in June 2024, actions put in place by the registered provider did not prevent a reoccurrence.

3. Shatter proof light coverings were observed to be missing from the following areas.
 - Preschool 1 room was missing three light covers.
 - Preschool 2 room was missing two light covers.
 - First Floor Hallway was missing one light cover.
 - Baby Room was missing one light cover.

This poses a risk of injury to the children using these spaces.

4. The gate in the outdoor area needed repair, there was a large, splintered piece of wood at child height posing a risk of injury.
 - There was a build-up of dirt and debris in the outdoor area. There was no evidence of an effective cleaning schedule to manage the cleaning of this area. This poses an infection control risk.
5. Damage was observed on the shelving under the window in the Baby Room. Preventing ineffective cleaning.
6. The wooden radiator cover in the Playschool room was splintered exposing children to potential injury.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. The registered provider has stated that the vents have been professionally cleaned with a quarterly cleaning schedule commenced.
2. The registered provider has ensured that interim measures have been undertaken to box off pipework and clean lino until more permanent measures are completed.

3. The registered provider has ensured that light casings have been replaced, and this has been added to the maintenance checklist.
4. The registered provider has stated that the garden gate has been repaired, with the outdoor area to be swept weekly with the pedal bin emptied daily. This is to be documented in the garden and maintenance checklist.
5. A plan has been put in place to rectify the damage to the shelving in the Baby room. This is to be expected to be completed by the end of the month.
6. The radiator cover has been replaced, and this has been added to the maintenance checklist.

Supporting documentation submitted

1. Photographic evidence has been submitted.
2. Photographic evidence has been submitted.
3. Photographic evidence has been submitted.
4. Photographic evidence has been submitted.
5. Documented on maintenance list.
6. Photographic evidence has been submitted.

Summary Comment

The corrective and preventative actions submitted by the registered provider for points 1,3,4, 6 are sufficient to ensure compliance with Regulation 23. It is acknowledged that interim measures undertaken by the registered provider to address points 2 and 5 however these will remain outstanding for review on the next inspection.