

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DY357			
<b>Name of Service:</b>	Dolphin House Early Years Service			
<b>Address of Service:</b>	310 - 311 Dolphins House, Rialto, Dublin 8			
<b>Eircode:</b>	D08 CC83			
<b>Name of Registered Provider:</b>	Ann Swords			
<b>Service type:</b>	Part Time			
<b>Date of Inspection:</b>	12/11/2025			
<b>No of pre-school children:</b>	AM	11	PM	11
<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate 2nd Floor, Unit 4/5 The Nexus Building Blanchardstown Corporate Park Ballycoolin Dublin 15   D15 CF9K			
<b>Inspection undertaken by:</b>	L Jameson			
<b>Title:</b>	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

Dolphin House Early Years Service is located in a residential area in Dublin 8 and is registered to provide a part time service to children aged 1 to 6 years old from 09:00am – 01:00pm, Monday to Friday. The service operates from a ground floor, converted premises comprising of two care rooms which both have sanitary accommodation located off them. Room 1 caters for children aged 2 – 3 years old and Room 2 caters for children aged 3 – 5 years old. There is also a kitchen, an office and staff sanitary facilities in the service. An enclosed outdoor play area is located to the rear of the premises.

### Staffing

The service employs seven staff members, including the person in charge, the deputy person in charge, four early years practitioners to work directly with the children and a cook. On the day of inspection, the person in charge, the deputy person in charge and three early years practitioners when the inspector arrived unannounced in the service. The cook arrived in the service shortly after the inspector. The registered provider does not work in the service and was not present on the day of inspection.

### 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 and safety. The inspection may also focus on other areas as required.

A sampling process was used to assess compliance under Regulation 16(1)(k) Record in Relation to Pre-School Service.

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 person in charge on the 12 November 2025 under Regulation 23 Safety, in relation to a non-compliance identified under Regulation 23. A response was received from the person in charge on 13 November 2025 which mitigated the risk identified. See body of report for details.

## 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
- (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 designated person in charge and a named person to deputise as needed.
  - (b) The deputy person in charge was present when the inspector arrived unannounced to the service and at all times during the operational hours of the service on the day of inspection.
  - (c) The service had a clear management structure, and staff members were aware of their own role and responsibilities.

- (2) The full staff file of one adult who had been employed since the last inspection was reviewed along with the Garda vetting disclosures of six staff members working in the service.
- (c) Garda vetting disclosures had been obtained for seven adults. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.
- (d) There was no evidence to suggest that one adult had lived outside the state for a period of six consecutive months or longer after the age of eighteen.

### Non-Compliance Information

- (2)
  - (a)(b) Two written and validated references were not available in relation to one adult employed in the service.
- (3) Evidence was not available to demonstrate that the procedures specified in paragraph (2) were carried out in relation to one adult before employment commenced.
- (4) Evidence was not available to demonstrate that one adult who worked directly with children attending the service 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 and Youth Affairs. It is acknowledged that documentation was available however it could not be established that this was an approved qualification.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

- (2)
  - (a)(b) Two written and validated references have been obtained and added to the staff file. All references will be validated and held on file prior to new staff members commencing in the service.
- (3) Management have updated the recruitment policy and will ensure that no staff member commences employment until all relevant checks have been completed.
- (4) Written confirmation has been received that the qualification is recognised by the Department and meets the approved requirements for work in an early years setting. The staff file has been updated to include this

confirmation. Management will ensure the required information is on file prior to new staff members commencing employment.

### **Supporting documentation submitted**

- (2) (a)(b) Two written and validated references.
- (3) Updated recruitment checklist.
- (4) Letter confirming qualification recognition.

### **Summary Comment**

The corrective and preventive actions taken by the registered provider are sufficient to address the non-compliance under Regulation 9.

## 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 that there was an adequate number of adults working with the children throughout the inspection. There were four adults caring for eleven children throughout the day of inspection.
- (2) The adult child ratios were correct when the inspector arrived unannounced to the service and throughout the inspection. Staff members were aware of the required ratios for the age range of children in the rooms.
- (8) (a) The registered provider ensured that two adults were present in the service at all times verified by staff rosters and staff attendance records maintained at the service.

### 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:*

*(k) details of any accident, injury or incident involving a pre-school child attending the service.*

*(3) A record referred to in paragraph (1) shall be open to inspection on the premises, and the documents and records referred to in paragraph (2)(a) shall be open to inspection whether on the premises or elsewhere, by an authorised person.*

#### Compliance Information

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

#### Non-Compliance Information

(1)

(k) A sample of twelve accident and incident records were reviewed. Nine of the twelve records were incomplete; the following information was not included:

- Two records did not include a parent’s signature.
- Five records did not include the date that a parent signed the form.
- Two records did not include the child’s surname.
- Eight records did not include a manager’s signature.
- One record did not include a witness signature.

Similar non-compliances were observed on the last inspection, dated 9 February 2023. The corrective and preventative actions provided following the last inspection have not been sufficient to prevent recurrence. Any miscommunication around incidents involving children can potentially hamper appropriate care following an injury.

#### Corrective & Preventive Action submitted by the Registered Provider

##### Corrective and Preventive Action

(1)

(k) All incomplete accident and incident records have now been reviewed, updated where possible, and signed by the manager. Parents of children involved have been contacted and signatures obtained. All staff members have been briefed on ensuring records are fully complete with all required information.

## Supporting documentation submitted

(1)

- (k) Updated guidance for staff members completing accident and incident records.

## Summary Comment

The corrective and preventive actions taken by the registered provider are sufficient to address the non-compliance under Regulation 16.

## 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*

## Compliance Information

(1)

- (a) The following observations were made on how each child's learning, development and well-being was facilitated within the daily life in the service:

### Basic needs:

- Mealtimes were observed to be a sociable and pleasant event, with staff members engaging in meaningful conversations with the children and offering support and encouragement to them. Staff members reported that alternative options are available for children who have additional or alternative dietary requirements.
- Staff members were observed to tend to children's individual personal needs promptly, offering discreet supervision for toileting and assisting with hand washing and blowing noses. On the day of inspection, a child was observed to need a fresh set of clothes, a staff member brought them to the sanitary accommodation and helped them change in a timely manner.
- Nappies were changed at scheduled times and more frequently when required. The children who were toilet trained used the toilet independently with discreet supervision provided by staff.

### Supporting relationships around children:

- Staff members were observed to communicate with the children using positive tones. Respectful and meaningful interactions were observed on the day of the inspection. Staff members praised the children on their accomplishments and used positive language and recognition.
- Two children were observed to have a minor disagreement during play. Staff members were observed to listen to and support the children to resolve the disagreement in a calm and prompt manner.
- Children appeared content and comfortable in their environment with staff members demonstrating knowledge of the children's individual and specific needs as required.

### Physical and material environment:

- The care rooms were designed to support the age and developmental stages of the children attending the service, equipment and materials were stored at a low level to encourage the children's independence decision making skills.
- Toys and materials were grouped into defined interest areas with adequate props and supporting equipment to support engaging spontaneous play experiences.
- Cosy areas were available in the care rooms to provide children with a comfortable place to rest or engage in quiet activities.
- Sensory play activities were readily available to the children, including sand and water play.
- The outdoor area provided opportunities for a variety of play experiences including gross motor and imaginative play.

### 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 entrance door leading into the service was appropriately secured to prevent the children from exiting unsupervised and to restrict unauthorised persons from gaining access to the premises.
- A visitor book was available at the front door. The inspector was asked to sign in and sign out at their arrival to and departure from the service.
- Cleaning agents were stored safely out of reach of children.
- Flexes and cords were stored safely out of reach of children.
- The kitchen was inaccessible to children throughout the duration of the inspection.

##### Infection Control:

- The care rooms were equipped with warm water, liquid soap and hand paper towels. Staff members were observed to support children with handwashing at regular intervals throughout the day.
- Windows were observed to be open to allow circulation of fresh air and reduce malodour in the care rooms and sanitary accommodations.
- The service was clean and well maintained, supported by up-to-date cleaning records.

##### Administration of Medication:

- Emergency medication was observed to be in date, stored in the correct packaging and out of the children's reach. No children were observed having medication administered on the day of inspection.

##### Fire Safety:

- Fire exits were clear and unobstructed on the day of inspection.
- Emergency evacuation routes were displayed throughout the service.

#### Non-Compliance Information

##### General Safety:

1. Garda vetting was available for one staff member. However, this vetting disclosure was not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

2. Two taps in the sanitary accommodations measured above the recommended 43°C, the following was observed:

Room 1 nappy changing area	53.1°C
Room 2 nappy changing area	60.1°C

An immediate action notice was issued to the person in charge in relation to this.

### Infection Control:

3. Bins used in the service did not support effective infection control measures; the following was observed:
- Bins with a swing lid were in use in the care rooms and required repeated touch to dispose of waste.
  - Nappy bins in the sanitary accommodation areas required repeated touch to dispose of soiled nappies. Bins that require repeated touch during use increase the potential risk of cross contamination.
4. Equipment and materials, to include a toy buggy and a bag of sand for sensory play, were stored in the sanitary accommodation located off Room 2, this increases the potential risk of cross contamination.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

##### General Safety:

1. An updated Garda vetting application has been made for one adult. A tracker has been updated to highlight vetting renewal due dates. Renewals will be submitted six months in advance of expiry dates.
2. Both sinks have been blocked off and are now inaccessible to the children. Management have contacted a plumber to rectify the issue; the sinks will be out of use until the water has been thermostatically controlled.

##### Infection Control:

3. All bins requiring repeated touch have been removed and replaced with foot operated pedal bins. The nappy bins in sanitary areas have been replaced with sealed, hands-free models.
4. All items that are not required for nappy changing were immediately removed from the nappy changing area. The area has been cleared and reorganised to ensure that only nappy changing equipment is stored in this space. Staff have been reminded of this, and a checklist has been updated to include non-essential items are not to be stored in the nappy changing area. Weekly room checks will also be carried out to ensure this does not reoccur.

#### Supporting documentation submitted

##### General Safety:

1. Updated Garda vetting disclosure.

- Photographs of the sinks with signage detailing that they are out of use have been submitted for review.

### Infection Control:

- Photographs of new bins in care rooms and sanitary areas.
- Photograph of sanitary area, free from non-essential items.

### Summary Comment

The corrective and preventive actions taken by the registered provider are 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)
- (a) The first aid boxes available in the service were suitably equipped and stored in conspicuous locations on the premises.
  - (b) First aid boxes were available for the children in attendance in the event of an emergency.

### Non-Compliance Information

- (1) On the day of inspection, there was no person trained in First Aid Responder (FAR) training available to the children. A person who holds in-date First Aid Responder training must be available to children at all times during operational hours of the service. It is acknowledged that six staff members held in-date Paediatric first aid training.

### Corrective & Preventive Action submitted by the Registered Provider

#### Corrective and Preventive Action

- (1) A staff member has been booked onto a First Aid Responder training course with the final assessment day scheduled for the December 15th. A training matrix has been created to monitor all mandatory training with renewal dates clearly logged. Training updates will now be booked a minimum of 3 months before expiry.

## **Supporting documentation submitted**

(1) Confirmation of course booking.

## **Summary Comment**

The corrective and preventive actions taken by the registered provider are 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 service was adequately insured to reflect the type of care provided. The insurance certificate had an expiry date of 27 March 2026.