

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier: TU2015DY358

Name of Service: Scallywags Creche

Address of Service: Carmelite Community Centre, 56 Angier Street, Dublin 2

Eircode: D02 R598

Name of Registered Provider: Elizabeth O'Toole

Service type: Part Time

Date of Inspection: 20/08/2025

No of pre-school children:	AM	17	PM	17
-----------------------------------	----	----	----	----

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:	L Jameson
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

Scallywags Creche is located in Dublin City and operates from the ground floor of a community centre. The service provides part time care to a maximum of 25 children aged between 1 – 6 years, Monday to Friday from 09:25am – 1:15pm. There are three care rooms, namely the Baby room, catering for children from 12 months to 1.5 years, Tots 1, catering for children aged 20 months to 2 years and Tots 2, catering for children aged 2 – 3 years. There is an onsite kitchen, an office, sanitary and nappy changing accommodation, and a buggy storage area on the premises. There is also an enclosed outdoor play area with direct access from each care room.

Staffing

The registered provider works in the service in an administrative capacity, providing support in the care rooms when required. The registered provider employs nine adults to work in the service, including seven early years practitioners, a chef and one adult employed through the community employment scheme. On the day of the inspection, the registered provider, seven early years practitioners, one adult employed through the community employment scheme and the chef were present when the inspector arrived 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 and safety. The inspection may also focus on other areas as required.

A sampling process was used to assess compliance under Regulation 9(1)(2)(3)(4) Recruitment and Management, Regulation 11(1)(2) Staffing Levels, Regulation 16(1)(j)(k) Record in Relation to Pre-School Service, Regulation 19(1)(b) Health, Welfare and Development of Child, Regulation 23 Safeguarding Health, Safety and Welfare of Child. As a result, the scope of the inspection included the Baby room and Tots 2.

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 registered provider on the 20 August 2025 under Regulation 9, in relation to a non-compliance identified under Regulation 9. A response was received from the registered provider which mitigated the risk identified on the 21 August 2025. See body of report for details.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, 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 person in charge and deputy person in charge were rostered to be present at all times during the period when the pre-school service is being carried on and when the inspector arrived unannounced in the service.
 - (c) The service had a clear management structure and staff were aware of their own role and responsibilities.

- (2) The full staff files of two adults who had been employed since the last inspection, dated 22 August 2024, were reviewed along with the Garda vetting disclosures of seven existing staff members whose files were reviewed on the last inspection.
- (c) Garda vetting disclosures were available for eight adults employed in the service. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda Vetting every three years.
- (4) Evidence was available to show that the 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 Qualifications Framework or a qualification deemed by the Minister to be equivalent.

Non-Compliance Information

- (2)
- (a)(b) The following was observed on the day of inspection:
- Two written and validated references were not available for one adult employed in the service.
 - Two written references were available from a source other than a past employer for one adult, however, documentary evidence was not available to confirm that a validation check had been completed.
- (c) A Garda vetting disclosure was not available for review by the inspector for one adult who had access to the children attending the service. An Immediate Action Notice was issued to the registered provider in relation to this.
- (d) Documentary evidence was not available for one adult to determine if international police vetting was required prior to commencement in the service.
- (3) Evidence was not available to demonstrate that the procedures specified in paragraph (2) were carried out in relation to two adults before employment commenced. The following was observed:
- Garda vetting had not been obtained prior to one adult commencing in the service.
 - Two written references and a curriculum vitae were not available for one adult.
 - Two written references had not been validated prior to one adult commencing in the service.
- Full checks must be completed for staff members prior to them commencing employment in the service in order to establish that they are appropriate to have access to children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (2)
- (a)(b)
- The staff member in question no longer works in the service. Management will ensure that all relevant checks are carried out prior to new staff members commencing in the service.
 - Two written references have now been validated and added to the staff file. All references will be validated prior to commencement dates.
- (c) The staff member in question no longer works in the service. Management will ensure that all relevant checks are carried out prior to new staff members commencing in the service.
- (d) The staff member in question no longer works in the service. Management will ensure that all relevant checks are carried out prior to new staff members commencing in the service.
- (3) Management will ensure that all relevant checks are carried out prior to new staff members commencing in the service.

Supporting documentation submitted

- (2) .
- (a)(b)
- No evidence submitted. This will be reviewed on the next inspection.
 - Documentation in relation to the above has been reviewed.
- (c) No evidence submitted. This will be reviewed on the next inspection.
- (d) No evidence submitted. This will be reviewed on the next inspection.
- (3) No evidence submitted. This will be reviewed on the next inspection.

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.*

Compliance Information

- (1) The registered provider ensured that there was an adequate number of adults working with the children throughout the inspection. In the morning, there were eight adults caring for seventeen children and seven adults caring for seventeen children in the afternoon.
- In addition, the registered provider was available to provide support in the care rooms where required.
- (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.

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:*
- (j) details of any medication administered to a pre-school child attending the service with signed parental consent;*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

Compliance Information

- (1) The registered provider ensured that there was a record kept in writing of the following information in relation to the service:
- (j) A mechanism was in place in the service to record the administration of medication.
- (k) A mechanism was in place in the service to record accidents and incidents.

Non-Compliance Information

(1) The registered provider did not ensure that there was a record kept in writing of the following information in relation to the service:

(j) Four medication administration records were available for review, the following was observed:

- There was no space available to record the child's date of birth on the form.
- One record did not include the child's surname.

(k) Fourteen accident and incident records were reviewed, the following was observed:

- There was no space available to record the child's date of birth on the form.
- Seven records did not include the child's surname.
- Three records did not include a staff member's signature or date of signing the form.
- Two forms did not include a parent's signature or date of signing the form.

This information is required to ensure the children involved are clearly identifiable.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1)

(j) The administration of medication record form has been updated to include a space for the child's date of birth. Staff members have been made aware that all information must be recorded on the form.

Management will review administration of medication forms to ensure that the correct information is included.

(k) The accident and incident record form has been updated to include a space for the child's date of birth, all outstanding information has been added to incomplete forms. Management will review accident and incident forms to ensure that the correct information is included.

Supporting documentation submitted

(1)

(j) Photographic evidence in relation to the above has been reviewed.

(k) No evidence submitted. This will be reviewed on the next inspection.

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-

(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) The following practices were observed on the day of inspection which supported the health, welfare and development of the children attending:
- The children had freedom of movement around the care rooms and were encouraged to explore their environment by staff members, promoting the children's independence and imagination. Staff members were observed to engage in positive interactions and join the children in play.
 - Staff members were observed to use calm tones and respectful language on the day of the inspection, positively reinforcing the children's achievements with praise and recognition while responding to conflicts promptly, listening to and supporting the children to resolve minor disagreements.
 - Mealtimes were observed to be a sociable and pleasant event, with staff members sitting alongside the children, engaging in meaningful conversations and offering support and encouragement.
 - The children who were toilet trained used the toilet independently with discreet supervision provided by staff members. Nappies were changed at scheduled times and more frequently when required.

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 buzzer system was in place which was managed and monitored by staff members.
- Cleaning products were stored safely out of the reach of children.

- Flexes and cords were secured safely out of reach of the children.
- An ambient temperature of 18-22°C was maintained in care rooms where children were playing.

Infection Control:

- Children's soothers were stored in individual boxes.
- Windows were observed to be open in the care rooms to allow fresh air to circulate and to reduce malodours.

Administration of Medication:

- Anti febrile 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.
- The evacuation procedure was conspicuously displayed on the premises which contained details in relation to the procedure to be conducted in the event of a fire or emergency in the service.

Non-Compliance Information

Infection Control:

1. Handwashing was not observed on the day of inspection, increasing the potential risk of cross contamination, as follows:
 - Children in the Baby room and Tots 2 room did not wash their hands before dinnertime.
 - A child from the Tots 2 room did not wash their hands after having their nappy changed. It is acknowledged that the staff member wore disposable gloves and an apron and washed their hands before and after the change.
2. During nappy changes, a child was observed to bring a toy into the changing area. The toy was not cleaned before returning to the care room. This posed an infection control risk.
3. Low-level highchairs used for mealtimes in the Baby room were observed to be stored in the nappy changing unit. This poses the potential risk of cross contamination, equipment and materials should not be stored in the sanitary areas.
4. A swing lid bin was observed to be in use in the sanitary area located in Tots 2. This requires repeated touch to dispose of waste and increases the risk of cross contamination.

Action submitted by the Registered Provider

Corrective & Preventive Action

Infection Control:

1. Handwashing will be carried out for all children prior to mealtimes and after nappy changes. Staff members have been made aware of the importance of handwashing to avoid the risk of cross contamination.
2. Staff have been reminded that toys and equipment must not be brought into the sanitary accommodation. Management have implemented a new policy in the service in relation to this.
3. The highchairs have been removed from the nappy changing area and are now stored safely in another area.
4. The swing lid bin has been removed from the sanitary area. A new bin with no swing lid is now in place, limiting the risk of cross contamination.

Supporting documentation submitted

Infection Control:

1. No evidence submitted. This will be reviewed on the next inspection.
2. No evidence submitted. This will be reviewed on the next inspection.
3. Photographic evidence in relation to the above has been reviewed.
4. No evidence submitted. This will be reviewed on the next inspection.

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

- (1) A person who held in-date First Aid Response (FAR) training was at all times immediately available to the children attending the service. This was evidenced in the FAR training records maintained for two staff members and their scheduled attendance in the service's staff roster. In addition, five staff members held in-date Paediatric First Aid training.

- (2)
- (a) The first aid box available in the service was suitably equipped and stored in a conspicuous location on the premises.
 - (b) First aid boxes were available for the children in attendance in the event of an emergency.

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.