

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2020DY003
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<b>Name of Service:</b>	Dolphins Early Education and Childcare Centre
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<b>Address of Service:</b>	Clare Village, Malahide Road, Dublin 17
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<b>Eircode:</b>	D17 TN93
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<b>Name of Registered Provider:</b>	Caroline Healy
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<b>Service type:</b>	Full Day
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<b>Dates of Inspection:</b>	09/04/2025
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<b>No of pre-school children:</b>	AM	82	PM	56
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate Area 1 2 <sup>nd</sup> Floor, Unit 4/5 The Nexus Building Blanchardstown Corporate Park Ballycoolin Dublin 15   D15 CF9K
<b>Inspection undertaken by:</b>	T Nelson and L Webster
<b>Title:</b>	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).

<b>Conditions if applicable</b>	Not applicable
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### Description of service

Dolphins Early Education and Childcare Centre is a full day care service located in the grounds of a residential apartment complex in Dublin 17. Established in 2020, the service is one of three services owned by the registered provider. The service delivers early childhood care and education to a maximum of 103 children aged one to six years of age. The service participates in the Early Childhood Care and Education (ECCE) programme, which is delivered on a sessional basis from 9.15am to 12.15pm and offers a part-time service from 8.00am to 1.00pm. The service also provides for school age childcare in the afternoon.

This purpose-built premises is a two-story, detached building. The ground floor comprises of four care rooms: Room 1 (3-5 years old); Room 2 (2-4 years old) which provides part-time care; Room 3 (1 – 2 years old) and Room 4 (2-4 years old). There is sanitary accommodation located off each of the care rooms and there is a cot room located off Room 3. The service kitchen is located on this floor. The first floor has two care rooms, each catering for 3- to 5-year-olds, Room 5 provides full day care and Room 6 provides part-time care. There is sanitary accommodation located off each of these rooms. There is an office and sanitary accommodation for staff on this floor.

The outdoor play area is situated to the front of the premises.

### Staffing

Dolphins Early Education and Childcare Centre employs a total of 32 staff including three catering staff, three management staff who work in the service in a supernumerary capacity managing the oversight of the service and providing cover where needed across the rooms, 19 staff work providing care to the preschool children, four relief staff and three staff who work with the school age children in the afternoons. The registered provider does not work in the service.

There were 28 adults present on the day of the inspection, including two managers, two catering staff and a visiting student.

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

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

- Regulation 9(1)(2)(a)(b)(c)(d), (4) Management and Recruitment
- Regulation 16(1)(h)(j)(k) – Records in relation to Preschool Service.
- Regulation 21 Equipment and Materials
- Regulation 23 Safeguarding the Health, Safety and Welfare of the Child

As a result, the scope of the inspection included Room 2, 3 4 and 5 and did not include Room 6.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

## Acknowledgments

The inspectors wish to acknowledge the cooperation of the 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 named person to deputise as required.

(b) A review of the roster showed either the person in charge or the deputy person in charge were rostered to be present during the operational hours of the service.

(c) There was a clear management structure in place, and this was clearly displayed in the hallway of the service.

(2) A review of the roster and discussion with the person in charge established there were eight new staff files to review since the last inspection held on the 13 May 2024. These were reviewed along with the file of a

student, and the Garda Vetting disclosures for five staff members whose files were reviewed on the last inspection. The registered provider had completed the following checks:

- (a) Twelve validated written references were available from recent past employers.
  - (b) Four validated written references were available from a source other than a past employer.
  - (c) Garda vetting disclosures had been obtained for the 14 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) Documentary evidence was available and reviewed that established that no adults had lived in a state other than Ireland for longer than six months as an adult.
- (4) The two staff who worked directly with children attending the service held a major award in Early Childhood Care and Education at Level 5 on the National Framework of Qualifications. The remaining seven adults were employed on a supernumerary basis or were on a student placement.

### Non-Compliance Information

The registered provider did not ensure the following:

- (2) (a)(b) Two staff had only one validated reference available for review.
- (3) Documentary evidence available indicated that two staff members had commenced employment within the service prior to receipt of Garda vetting. Checks on adults must be completed prior to them having access to the children in order to establish they are appropriate to have access to children.

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

#### Corrective and Preventive Action

- (2) (a)(b) A second validated reference was sourced for each staff member. The service commit to using a staff file checklist to ensure all documentation is in place prior to an employee commencing work.
- (3) The service will ensure that no staff member will have contact with children prior to receipt of garda vetting. The service roster has been updated to include those staff with no contact time.

#### Supporting documentation submitted

- (2)(a)(b) Validated references, staff file cover sheet.
- (3) Service roster

## Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliances identified under Regulation 9 have been addressed.

## 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.*

*(4) Subject to paragraph (5), where a registered provider contemporaneously provides-*

*(a) a sessional pre-school service, and*

*(b) a full day care service or a part-time day care service, or both, the minimum ratio of adults to children applicable for the duration of the sessional pre-school service in respect of the children attending that service shall be the ratio specified in paragraph (3).*

## Compliance Information

The registered provider ensured the following:

- (1) On the day of inspection there were an adequate number of adults available to the children attending the service to meet their care needs.
- There were 25 staff available to 82 children present on the morning of the inspection.
- (4) The adult to child ratios were maintained correctly throughout the inspection. For example:
- Four staff were available to provide cover for breaks.
  - Staff 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:*

- (a) the name, position, qualifications and experience of the person in charge and of every other employee, unpaid worker and contractor;*
- (b) details of the class of service and the age profile of children for which the service is registered to provide services;*
- (c) details of the adult:child ratios in the service;*
- (d) the type of care or programme provided in the service;*
- (e) the facilities available;*
- (f) the opening hours and fees;*
- (g) the policies, procedures and statements the service is required to maintain in accordance with Regulation 10;*
- (h) details of attendance by each pre-school child on a daily basis;*
- (i) details of staff rosters on a daily basis;*
- (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 the following:

- (a) Details of the name, position, qualifications, and experience of all staff were maintained within the staff files and displayed in the hallway.
- (b) The service Tusla certificate detailed the class of service and the age profile of children for which the service is registered to provide services.
- (c) The policy document outlined the adult: child ratios, and these were also displayed on the doorway to the care rooms and in the staff roster.
- (d) The policy document outlined the type of care programme provided and this was also displayed in the hallway.
- (e) The policy document outlined the facilities available within the service.
- (f) The policy document outlined the opening hours and fees of the service, and these were also displayed in the office of the service.

- (g) The registered provider maintained all the policies required in accordance with Regulation 10.
- (h) Attendance records detailing the daily arrival and departure of the children were maintained.
- (i) A record was maintained of the staff roster which was reflective of the staff present on the day.
- (j) Following a review of a sample of 15 records, the registered provider ensured a full record in writing was maintained for the administration of medication with signed parental consent.
- (k) Following a review of a sample of 15 records, the registered provider ensured a full record in writing was maintained for accident and incidents.

## Part V - Care of Child in Pre-school Service

### Regulation 21 – Equipment and materials

*A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.*

#### Compliance Information

The registered provider ensured the following:

- The furniture provided in the rooms was low level and appropriate for the number, age range and developmental stage of the children attending. The furniture was observed to be well maintained, durable and easy to clean.
- Toys, equipment and play materials were easily accessible and visible to the children.
- A cosy area was available in the rooms which allowed a child to take a break from activities and rest.
- The toys and equipment were grouped in themed areas of interest. There was a variety of play materials and equipment available to include: arts and crafts materials, home areas with associated props; range of jigsaws; range of construction toys; sorting and stacking toys; range of toys for transporting such as cars and trains with tracks, small world play toys. Natural, real-life materials and found materials with open-ended uses were available.
- All equipment and materials available were in good condition and were suited to the age and stage of development of the children in the rooms.
- The outdoor area had a range of equipment displayed in defined interest areas to include climbing structures, ride on toys, construction equipment and a range of tabletop and role play materials.

## 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

The following measures to safeguard children were observed:

##### General Safety:

- Window restrictors were fitted on all openable windows.
- Children's food such as grapes was observed to be cut into appropriate bite sized pieces.
- There were no hazardous items observed within reach of children, they were either stored on high shelving or in locked presses.
- Children were observed to be appropriately supervised on the stairway to the outdoor play areas.
- The outdoor play areas were fully enclosed, and the lock on the external gates was out of reach of children.
- Appropriate documented measures were in place for children who may require additional supervision.

##### Infection Control:

- Appropriate waste disposal units were observed throughout the premises.
- Thermostatically controlled warm water, liquid soap and hygienically dispensed single use paper towels were available at all wash hand basins used by the children and the staff members.
- Children were supported to handwash after outdoor play and before mealtimes.
- The care rooms were appropriately ventilated.
- Sleep mattresses and cots were positioned with adequate space between them.

##### Administration of Medication:

- Medication was appropriately stored, and out of reach of children.

##### Safe Sleep:

- A log was maintained where the temperature of the room and the colour, breathing and position of sleeping children was checked every ten minutes.
- The temperature of the rooms while children slept was maintained between 18-20°C in line with national safe sleep guidance.

##### Fire Safety:

- Emergency exits were clearly identified and unobstructed.

- Fire drills were carried out on a monthly basis, and at varied times in the day to enable all children and staff attending be familiar with the fire evacuation procedures.

### Non-Compliance Information

#### General Safety:

1. Garda vetting was available for a 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'. It is acknowledged an application for renewal was submitted on the day of the inspection.

#### Infection Control:

2. Children's nappy creams which were stored in a box in the nappy changing room off Room 4 were not individually labelled, increasing the potential risk of cross contamination.

#### Administration of Medication:

3. The administration of medication was not sufficient to support effective safe practice. There was no written care plan available for a child who required a specific type of medication. This was not in line with safe practice and the service policy on the administration of medication. This was identified as a non-compliance on the last inspection held on the 13 May 2024 and actions put in place failed to prevent a recurrence.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

#### General Safety:

1. Management applied for renewal of Garda Vetting immediately. Monthly checks will be completed on staff files, and this is detailed on the managers checklist.

#### Infection Control:

2. The creams were discarded immediately, and staff were informed that only creams that are brought in by parents are to be used. These must be clearly labelled.

#### Administration of Medication:

3. The written care plan had been misplaced and is now available. Staff were reminded to ensure all care plan are available and visible in the care rooms.

#### Supporting documentation submitted

#### General Safety:

1. Evidence of application for garda vetting; managers checklist.

**Infection Control:**

2. Staff memo

**Administration of Medication:**

3. Care plan, checklist including update for care plans

**Summary Comment**

The inspector has reviewed the actions and evidence submitted. The non-compliances identified under Regulation 23 have been adequately addressed.

**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**

The registered provider ensured that:

(1) A review of the roster showed that a person trained in First Aid Responder training was available at all times to the children attending the pre-school.

(2) (a) A suitably equipped first box was stored in the hallway, and there were signs displayed in the care rooms indicating where to access the first aid box.

(b) The first aid box was stored in a visible position on the wall, readily accessible for use.

## 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.
- (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

The registered provider ensured the following:

- (1)
- (a) A record of fire drills was available on the premises with the last drill dated as having been carried out on the 6 March 2025.
  - (b) An up-to-date maintenance record was available for the Fire extinguishers which were maintained on the 30 May 2024 and smoke alarms in the premises which were maintained on the 28 March 2025.
- (4) A procedure to be followed in the event of a fire was on display in each of the care rooms and in the hallways.