

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DY271
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Name of Service:	Happy Phases Pre-School
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Address of Service:	188 Kimmage Road West, Kimmage, Dublin 12, Co. Dublin
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Eircode:	D12 FW64
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Name of Registered Provider:	Soirse Doheny
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	01/04/2026
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No of pre-school children:	AM	28	PM	28
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Address of the Early Years Inspectorate:	The Brunel Building, Heuston South Quarter, St. John's Road West, Dublin 8.
Inspection undertaken by:	R. Duff
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).

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Description of service

Happy Phases Pre-School service has been operated by the current registered provider since 1996. Full day care and sessional care is provided for children 1-6 years of age. The hours of operation are between 8am and 6pm. The service operates from a domestic dwelling which has been modified to accommodate the childcare service. Care is delivered across three care groups - Wobblers, Junior preschool and the Pre-school. The children have access to an enclosed outdoor space to the rear of the premises.

Staffing

The service currently employs 13 staff members including the registered provider and a cook. On the day of inspection 9 adults were present and working directly with the children.

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 areas of governance, health, welfare and development of child, information and records and safety. The inspection may also focus on other areas as required.

A sampling process was used to assess compliance under regulation 19 and 23. As a result, the scope of the inspection included the Wobbler room and the Junior Pre-school room.

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

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

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

Acknowledgments

The inspector wishes to acknowledge the cooperation of the person in charge, staff and children who were present on the day of the inspection.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(1) A registered provider shall ensure that-

- (a) the service has a designated person in charge and a named person who is able to deputise as required,*
- (b) at all times during the period when the pre-school service is being carried on, the designated person in charge or the named person referred to in subparagraph (a) is on the premises, and*
- (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*

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(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)(b) The service had a designated person in charge and a named person to deputise as required, the designated person in charge was on the premises throughout the inspection.

(2)

The inspection included a review of the required documentation for seven adults employed in the service since the last inspection dated the 07 February 2024. Garda vetting disclosures were assessed for each of the 13 adults employed. The following documentation was available;

(a)(b) Of the 14 written and validated references that were required, 13 were available from a past employer and 1 was available from a reputable source.

(c) Garda vetting disclosures from the National Vetting Bureau of An Garda Síochána were available for 13 adults. Garda vetting disclosures from all staff members were assessed to determine compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) Police vetting was available for five adults employed in the service since the last inspection dated 07 February 2024 who lived outside the state for a period exceeding six months as an adult.

(3) Documentation reviewed evidenced that the procedures specified above under 9(2)(a)(b)(c)(d) had been carried out prior to seven adults commencing employment in the service since the last inspection on 07 February 2024.

(4) Records were available evidencing that six adults employed in the service since the last inspection dated 07 February 2024 who were employed to work directly with the children held at least the required award in Early

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Childhood Care and Education at Level 5 or above on the National Framework of Qualifications or a letter of eligibility to practice deemed equivalent by the Department of Children, Disability and Equality (DCDE). One adult did not require a qualification as they were employed under a work placement programme.

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)
An adequate number of adults were working directly with the children at all times during the inspection.
- (2)
The minimum ratio of adults to children for full day and part time services was adhered to at all times during the inspection. There were 28 children attending the service being supervised by 8 staff members on the morning of the inspection and 28 children attending the service being supervised by 8 staff members in the afternoon.

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.*

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Compliance Information

The inspector observed appropriate care practices in place in the service during the inspection. Staff members were attentive and responsive to the needs of the children throughout the day and were observed to respond to children in a calm and relaxed manner throughout the inspection. Individual daily reports were kept throughout the day to give to parents/guardians to provide for continuation of care.

Children were given advance warnings to support transitions to new activities and to alert them of mealtimes. The service provides all food for children. Mealtimes were social occasions with children and adults observed to sit together. Younger children were observed to feed themselves, with staff providing support when required. Bibs were provided to protect younger children's clothing while eating their meals. Drinking water was available within the care rooms and children were encouraged to drink water regularly.

Nappy changes for younger children were carried out on a schedule, and staff were observed to promptly respond to children requiring a nappy change outside of the scheduled times. During this time, staff talked to children, supporting them to feel safe and secure. Older children were observed to use the toilet independently, and staff were available to provide support if required.

Children were encouraged to clean up after themselves and assisted to clean their faces and hands at appropriate times.

Children in wobbler and Junior Pre-school rooms were placed to sleep as part of the room routine. The sleep rooms were calm and conducive to sleep. Children who had soothers were offered them when they were being placed to sleep. Staff provided children with comfort and reassurance as they were settling to sleep, talking to them gently and sitting next to them. Areas were provided within all rooms where children could rest or take a break from activities. Children who didn't sleep were observed to read books in a separate area of the room and a staff member was observed to support them.

The outdoor area was equipped with toys and materials to support play experiences. Staff explained that time in the outdoor is scheduled to allow all children have full opportunity to enjoy their time. Staff members were observed to interact with children while playing in the outdoor area.

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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:

- When the inspector arrived at the service, access to the main door was monitored and controlled by staff to restrict unauthorized persons from gaining access to the premises and to prevent children from exiting the service unsupervised. In addition, the outdoor play area was enclosed, restricting unauthorized persons from gaining access to this area and to prevent children from exiting the service unsupervised.

Infection Control:

- The sanitary facilities were equipped with warm water, liquid soap, and pedal operated bins.
- The children and staff members washed their hands at appropriate intervals throughout the inspection

Administration of Medication:

- Staff demonstrated a clear understanding of procedures to safeguard children when administering medicine. This included getting written consent from parents or guardians, having a second staff member present as a witness during administration, and maintaining detailed records shared with parents or guardians upon collection. Care plans were available for children who required emergency medication.

Safe Sleep:

- Staff members were familiar with safe sleep guidelines. Sleep logs were recorded in the care rooms where children slept. Children's individual observations included room temperature, breathing, colour, and position every ten minutes. Children slept on low-level beds in accordance with children's ages and developmental needs. The temperature of the rooms where children slept were maintained at the required temperature ranges.

Fire Safety:

- The designated fire escape routes were clearly indicated and free from obstruction on the day of inspection.

Non-Compliance Information

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General Safety:

1. In the Junior Pre-school room an unlocked fridge containing a box of teething relief gel was assessable to children. This poses a potential risk to a child if they accessed it. It is acknowledged that a staff member removed the teething gel when the inspector pointed it out to them.
2. Under the sink in the wobbler room and the Junior Preschool room the upper hinges had come away from the press doors, the press doors in both rooms were loose and were close to falling off. This could cause a potential injury to a child if they accessed it.
3. In the Junior Preschool room an electrical cable was trailing from an air conditioning fan and was in reach of the children. This posed a potential risk of injury to a child if they accessed it.
4. During a nappy changing procedure, a child was observed to ask for a disposable glove. The child was given the glove to play with during the nappy changing procedure. This poses a potential risk of choking to a child.

Infection Control:

5. Appropriate infection control measures were not taken during nappy changing. A child was observed to take a book from the care room into the changing area and hold it during the nappy change. The book was observed to be left on the changing mat while the child and adult washed their hands. This poses a risk of cross contamination to children.
6. In the wobbler room the laminate surface on the table and chairs used by the children for activities and at mealtimes was observed to be worn with porous wood exposed. This prevents effective cleaning and poses a risk of cross contamination to children.
7. In the wobbler and Junior Preschool rooms the laminate surface of the units used to store equipment and toys was observed to be worn with porous wood exposed. This prevents effective cleaning and poses a risk of cross contamination to children.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

The person in charge has stated:

1. The teething gel was removed from the fridge, and staff were reminded to check storage information on medication. Medication that doesn't require refrigeration will be placed in a high press out of reach of children. Any medication that requires refrigeration will be stored in the fridge in the kitchen.

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2. The upper hinges on the press under the sink in the wobbler room has been repaired and the upper hinges on the press under the sink Junior Preschool room has been replaced. Staff members have been reminded to notify management of any repairs that are required in the room.
3. The air cooler fan has been removed as it was not required, any equipment that requires cables will be positioned out of reach of children.
4. Children will not have access to rubber gloves, the decision to give a child a rubber glove to hold was not standard procedure and was as a result of the staff feeling nervous during the inspection. Staff have been reminded of the services nappy changing procedure.

Infection Control:

5. The decision to give a child a toy to hold was not standard procedure and was as a result of the staff feeling nervous during the inspection. Staff have been reminded of the services nappy changing procedure.
6. The table in the wobbler room has been replaced with a different table. Staff were reminded to report any maintenance requirements to management as they arise.
7. The missing laminate on the units in the wobbler and Junior Preschool rooms has been addressed. Staff were reminded to report any maintenance requirements to management as they arise.

Supporting documentation submitted

General Safety:

Supporting documentation in the form of photographs has been submitted and reviewed by the early years inspector.

Infection Control:

Supporting documentation in the form of photographs has been submitted and reviewed by the early years inspector.

Summary Comment

The actions taken by the person in charge have addressed the non-compliance. This regulation will be assessed on the next inspection.

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Part VI - Safety

Regulation 26 - Fire safety measures

- (1) A registered provider shall ensure that a record in writing is kept of-
- (a) any fire drill that takes place in the premises, and
 - (b) the number, type and maintenance record of fire fighting equipment and smoke alarms in the premises.
- (2) The record referred to in paragraph (1) shall be open to inspection by-
- (c) an authorised person.
- (4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.

Compliance Information

- (1)(b) Maintenance records available for review confirmed that smoke detectors and fire extinguishers were regularly serviced. Last service was on 02 March 2026.
- (2)(c) Records were open to inspection by an authorised person. All records requested by the inspector were available for review.
- (4) A notice of the procedures to be followed in the event of fire was displayed in a conspicuous position in the premises.

Non-Compliance Information

- (1) (a) Documentation available for review showed that fire drills were not practiced regularly. The last fire drill was carried out on 09 September 2025.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The person in charge has stated that regular fire drills have resumed and a reminder has been set on the calendar for a monthly drill

Supporting documentation submitted

No supporting documentation submitted.

Summary Comment

The actions as stated by the person in charge have addressed the non-compliance. This regulation will be assessed on the next inspection.

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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 the full day care service was insured. The insurance certificate provided for review showed cover for 40 children and an expiry date of 27 March 2027.