

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DY140		
Name of Service:	Mellow Spring Childcare Development Centre		
Address of Service:	Mellowes Road, Finglas, Dublin 11.		
Eircode:	D11 K250		
Name of Registered Provider:	Lawrence Dooley		
Service type:	Full Day, Part Time, Sessional		
Date of Inspection:	08/07/2026		
No of pre-school children:	AM	58	PM 42
Address of the Early Years Inspectorate:	Early Years Inspectorate, Floor 7 Brunel Building, Heuston South Quarter, St John's Road West, Kilmainham, Dublin 8 D08 X01F		
Inspection undertaken by:	JA. McKimm and E Griffin		
Title:	Early Years Inspectors		

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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).

Description of service

Mellow Spring Childcare Development Centre is a community run service that operates from a single-story purpose-built building in North Dublin. The service is registered to provide full time, part-time and sessional care and education for up to 94 children aged between 0 to 6 years of age between the hours of 8:00am to 6:00pm Monday to Friday. The service participates in the Early Childhood Care and Education Programme (ECCE) and operates a morning session between 9.00 am to 12.00 pm during term time. The service is also registered to operate a school aged service.

There is a reception/office area, an internal space for relaxation and sensory play, seven care rooms, two cot rooms, a kitchen, utility room, a staff room. Care rooms include the baby room, the wobbler room, the toddler room and preschool 1, preschool 2, preschool 3 and preschool 4. On the day of the inspection, preschool 4 care room was not in operation. Six of the care rooms have access to a sheltered outdoor area directly outside their classroom with a larger outdoor area accessible from there. The seventh care room has a door leading directly out to the large outdoor space.

Staffing

The registered provider does not work in the service and employs 35 adults to work in the service. Adults include the person in charge who works in a supernumerary capacity, a deputy person in charge, 27 childcare staff, an administrator, an office administrator, four auxiliary staff; a chef, a kitchen assistant and two housekeeping staff. On the day of the inspection, the person in charge, 16 childcare staff, two office staff and the four auxiliary staff were present. The registered provider was not present on the day of the 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

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- 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 the following:

- Regulation 16 (1)(j), (k) and (3)- Record in Relation to Pre-School Service
- Regulation 19 (1)(a)-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, the wobbler room, the preschool 2 room and the outdoor play area. Regulation 11 was inspected across all rooms.

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.

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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.

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Compliance Information

- (1) The registered provider ensured that;
 - (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 staff reported being aware of this.
- (2) Following a review of previous inspection information, information available on inspection and discussion with the registered provider it was determined that fourteen new staff members had been employed since the previous inspection. The files of the fourteen new staff were reviewed. In addition, garda vetting for eighteen adults whose disclosures were identified as due for renewal were requested for review.
 - (a) Twenty-seven validated written references were available from recent past employers.
 - (b) One validated written reference was available from a source other than a past employer.
 - (c) Garda vetting was available for thirty-two 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) Police vetting was available for one adult who had lived in a country other than Ireland for a period of six months or more as an adult.
- (3) Evidence was available to demonstrate that the procedures specified in paragraph (2) were carried out in relation to fourteen adults before employment commenced.
- (4) Nine adults 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, Disability, and Equality.

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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 there was adequate staff available to the children at all times during the day for example sixteen staff were working directly with fifty-eight children on the morning of inspection and thirteen staff working directly with forty-two children on the afternoon of inspection. The person in charge was available to provide support to the care rooms as needed.
- (2) The adult child ratios were correct when the inspector arrived unannounced to the service and throughout the inspection. Staff were aware of the required ratios for the age range of children.

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.*
- (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.*

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Compliance Information

- (1)
- (j) The registered provider ensured a full record in writing was maintained for medication administration. A sample of 10 records were reviewed and were observed to be complete. All the required information was completed.
 - (k) The registered provider ensured a full record in writing for was maintained accidents and incidents. A sample of 10 records were reviewed and were found to be completed in full with all the necessary details included.
- (3) All records and documentation requested by the inspection team were available for review.

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 following observations are examples on how each child's learning, development and well-being was observed being facilitated during the inspection:

Basic Needs.

- Mealtimes were observed to be sociable and enjoyable events, with staff members sitting alongside the children, engaging in meaningful conversations and offering support and encouragement to the children.
- On the day of inspection, the children had access to a range of sensory and messy activities for example water and sand was accessible to children.
- Children were provided with regular meals and snacks, the food served was reflected in the service menu. This included a hot meal of coddle cooked onsite on the day of inspection.
- Children had the opportunity to engage in outdoor play and were appropriately dressed for the weather. The inspector observed that sunscreen was applied to children in the Toddler room. The outdoor space allowed children to move freely, explore, and engage in appropriate risk taking, supporting the development of their gross motor skills as well as their confidence and independence.

Supporting Relationships.

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- The adults in the service were observed to interact with the children in a responsive, warm and respectful manner. Sitting with children and involving themselves in the children's play experiences. This provided opportunities to support children's learning and emotional development.
- Children's artwork, photographs, family walls and birthday charts were displayed throughout the care rooms and the service, supporting the children's sense of identity and belonging.
- A sensory pod was located in the centre foyer of the service which supports children's emotional regulation and sensory development in a calm engaging way.
- Staff discussed how parents are welcomed into the service. The inspectors observed staff to chat with parents at collection time. Parents/guardians were given information on their child's food intake, toileting and sleep via an electronic communication application.

Physical and Material Environment

- The furniture provided in each care 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.
- All children had access to an outdoor play environment throughout the day. This is scheduled but also available to the children if and when needed. The larger outdoor area had a slide, see saw, scooters, toy cars, and rest areas. Smaller outdoor areas were located off each care room, these were used as an extension of the care rooms, providing an alternative to indoor play.

Non-Compliance Information

(1) (a)

1. A suitable alternative meal was not provided for a child who did not want to eat the meal served. Instead, the child was given bread and butter to eat directly off the table in the care room. This was not in line with good practice and was at variance with the service policy.
2. Children were observed to be given dilute juice at various times throughout the day. This was not in line with the service healthy food policy which states only water and milk will be offered. In addition, the national nutrition guidelines recommend only giving children dilute juice occasionally, whether sweetened with sugar, fruit juice or artificial sweeteners.
3. A child in the baby room was observed to appear to be tired by displaying signs of tiredness from 12.10pm. The child was not put down to sleep until 12.32pm when the child was placed in a cot to sleep.

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It is important that staff are attentive to children's verbal and nonverbal cues and children are provided with a suitable sleep environment when they show signs of being tired.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(1)(a)

1. Meal planning preparation was reviewed within the service, and it was agreed that a stock of individual one portion freezer meals will be created to increase the service capacity to offer alternative meals to children with different dietary requirements and tastes.
2. The service is no longer serving dilute juice to children, and this will be reviewed on an ongoing basis by management.
3. The service has reviewed and updated the sleep policy to outline that it is the best interest of children do not restrict a child's sleep and that this will be explained and communicated to parents.

Supporting documentation submitted

(1)(a)

1. Documentary evidence submitted.
2. Documentary evidence submitted.
3. Documentary evidence submitted.

Summary Comment

The inspector has reviewed the corrective and preventive actions and evidence submitted. The non-compliances identified under regulation 19 have been addressed.

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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:

- The outdoor area was securely fenced and gated and staff were observed to position themselves appropriately around the area ensuring adequate supervision of the children.
- Storage presses were observed to be secured and inaccessible to children.
- There were no flexes or cables observed that were accessible to the children.
- The service was observed to meet the necessary safety requirements in respect of the safe storage of cleaning agents and hazardous equipment.

Infection Control:

- The premises was observed to be in a clean and hygienic condition. There were cleaning schedules on the display and updated in the care rooms and sanitary facilities.
- Children's nappy creams were individually labelled. Nappy mats were observed to be in good condition.
- There were suitable waste disposal units available throughout the care rooms and sanitary areas.

Safe Sleep:

- Staff were noted to be aware of safe sleep practices and children were observed to be monitored while sleeping every 10 minutes. Staff discussed how they checked the breathing, position, and colour of each child.
- Heavy outer clothing was removed from the children before sleep time.
- Children under two years of age were provided with a cot for sleeping.
- An ambient temperature of 18°C-22°C was maintained for sleeping children aged between 1 to 5 years old.

Fire Safety:

- On the day of inspection, it was observed that all fire emergency exit doors were clear from obstruction. There were notices of the procedures to be followed in the event of a fire displayed in the hallway and the

care rooms. This helped ensure the safe effective evacuation of children and staff in the event of an emergency.

Non-Compliance Information

General Safety:

1. The main entrance door which leads into the service was not appropriately secured when the inspectors arrived unannounced to the service. The inspectors were able to walk past reception area and go directly inside the service. This posed a potential risk of harm if an unauthorised person were to enter the service or if a child exited the service unsupervised. It is acknowledged that management advised that the door had been secured on the morning of the inspection and that the magnetic locking system had become faulty around the time of the arrival of the inspectors. To temporally mitigate this risk, management developed a risk assessment and ensured that a staff member would remain at all times in reception and an emergency call out was made to the company who had previously serviced this door.
2. An ambient temperature of 18-22°C was not maintained in the preschool 2 care room where children aged between four and five played. The care room temperature was recorded at levels between 23.4°C and 24.9°C between the hours of 11.31 am and 3.23pm. This posed a potential safety risk. It is acknowledged that there was an air conditioning unit in operation and staff were observed to offer the children plenty of drinks. In addition, management took immediate action to reduce the temperature by bringing in an extra two fans once the identified risk was brought to their attention by the inspection team. However, even with the two fans working in the care room the room temperature did not meet the required ambient temperature to ensure children do not become over heated.
3. Two garda vetting disclosures reviewed were not dated within three years. This was not in adherence with early years inspectorate regulatory notice requiring services to renew staff garda vetting every three years and poses a potential risk to safety of children.
4. In the outdoor play area, there were two issues which posed a potential risk to safety:
 - At the back of the shed there was a piece of wood which was accessible to children which had two nails protruding from it. This posed a risk of injury. It is acknowledged that the piece of wood was removed immediately once the identified risk was brought attention of staff by one of the inspectors.
 - There was a hole in the ground just in front of a rubber mat positioned near the slide on a grassy hill in the outdoor play area. This posed a trip hazard if a child were to get their foot caught in it.

Infection Control:

5. The following increased the potential risk of infection to children:

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- Staff members were observed to lift the lid of the waste disposal unit with their hands when disposing of waste after nappy changing. The foot pedal should be used to lift the lid of bins to limit the risk of cross contamination.
- Children were not observed to have their hands washed after nappy changing. This posed a risk of cross infection.

Fire Safety:

6. Two cots in the baby cot room did not have the recommended 50cms between them. In addition, there were two foldable cots observed to stored directly in front of one of these cots. This sleep area did not allow for the safe evacuation of children in the event of an emergency.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. The emergency release button which allows all doors to become unlocked in the event of an emergency had tripped and was fixed immediately. Following a risk assessment taking place, constant staff supervision was implemented. An emergency call was placed to the company who services the door who came out that evening and replaced the emergency release system. In addition, the maintenance company tightened the hinges of the door itself to ensure it fully closes and the maglock engages each time.
2. Air conditioning units were serviced and the filter of the air conditioning machine in Preschool room 2 was full and needed to be cleaned. It was serviced and re-installed and room temperatures immediately started to reduce. Servicing will be conducted every 6 months going forward.
3. Two garda vetting have been submitted to the National Garda Vetting Bureau and are in progress. A system has now been established for the renewals of staff vetting.
4. The wood and lifted section of the rubber mat was removed, the hole filled and the area re-seeded with grass seed. Going forward no materials will be stored behind the shed.

Infection Control:

5. All nappy bins have been replaced, and childcare staff have also been booked on a training refresher for the 'Nappy Changing Procedures'.

Fire Safety:

6. The third cot in the sleep room has been removed and replaced with a fold out cot. 2 permanent cots in the cot room and 3 pull out cots in the main room are now available for use. A reference picture has been placed

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in the room so all staff know how the cot room should look and that the folding cots are for use in the main room only.

Supporting documentation submitted

General Safety:

1. Photographic and documentary evidence submitted.
2. Photographic and documentary evidence submitted.
3. Photographic and documentary evidence submitted.
4. Photographic evidence submitted.

Infection Control:

5. Photographic and documentary evidence submitted.

Fire Safety:

6. Photographic evidence submitted.

Summary Comment

The inspector has reviewed the corrective and preventive actions and evidence submitted. The non-compliances identified under regulation 23 have been 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

- (1) Four adults held up to date first aid responder certification and there was evidence to show that one of the four adults were rostered to be available to the children at all times during the operational hours of the service.
- (2) The registered provider ensured that:
 - (a) Suitably equipped first aid boxes were easily identifiable and stored throughout the premises.
 - (b) The first aid boxes were easily accessible and readily available.

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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)
- (a) The records available demonstrated that fire drills are held monthly within the service and the service conducted a fire drill on 15 June 2026.
 - (b) Records demonstrate that the firefighting equipment including smoke alarms had been serviced annually, with the last service taking place on the 19 February 2026 and 27 June 2026 respectively.
- (2)
- (c) The registered provider ensured that the fire drill and maintenance records were available for review by the inspector.
- (4) There was a notice of the procedures to be followed in the event of fire displayed in a conspicuous position in the service.