

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015CC319
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Name of Service:	J & J Over the Rainbow Pre-School Ltd.
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Address of Service:	Tisaxon Lodge, Tisaxon, Kinsale, Co Cork
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Eircode:	P17 D260
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Name of Registered Provider:	Jane Neville
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Service type:	Sessional
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Date of Inspection:	16/04/2026
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No of pre-school children:	AM	18	PM	N/A
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Administration Building, St Mary's Health Campus, Gurrabraher, Cork T23 X440
Inspection undertaken by:	D Prendergast
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

J & J Over the Rainbow Pre-School Ltd. offers early years care and education to children on a sessional basis. It is registered to accommodate children aged 2 to 6 years, with daily hours of operation from 9.00am to 12.30pm. This includes children attending the Early Childhood Care and Education (ECCE) Scheme. Located in a rural area of Kinsale, in Co Cork, the service is provided from a detached premises. It consists of one care room, with adjoining sanitary facilities, an entrance lobby and an outdoor play environment, at the rear of the building.

Staffing

At present, there are four adults attached to the early years service, all of whom work directly with the children who attend. This includes the registered provider and one relief staff member.

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

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

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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 registered provider, staff and children who were present on the day of the inspection.

Statutory Notices

Notice	Date Served	Detail
Immediate Action Notice IAN1881	16/04/2026	On review of the staff files, it was noted that international police vetting was not available for one staff member, who was present on the day of inspection and had access to the children.
Status	The registered provider submitted a written response with detailed corrective and preventive actions, which were accepted by the Inspectorate.	

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
- (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.
- (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 person in charge of the service was the registered provider, who had also nominated a designated deputy, to deputise in her absence. This information was displayed in writing.
 - (b) Upon the inspector's arrival, the registered provider was available at the service and remained to facilitate the inspection process. Further examination of the staff attendance records demonstrated that the registered provider was present on the premises during the hours of operation.
- (2) Following a review of previous inspection information, information available on inspection and discussion with the registered provider, it was determined that two new staff members had been employed since the previous inspection. These two files were assessed for compliance.
- (a) Four written and validated references were required in total and all four had been provided by past

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employers.

(b) None of the required written and validated references on file were from sources other than previous employers.

(c) Garda vetting disclosures had been obtained for the two staff members. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years.

(4) Records demonstrated that both staff members had achieved a major award in early childhood care and education, as listed on the National Framework of Qualifications.

Non-Compliance Information

(2)

(d) It was not possible to determine the requirement or otherwise for police vetting, in respect of one adult, as their curriculum vitae was incomplete.

See also statutory notice section, in relation to Immediate Action Notice IAN1881 served.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

In her written reply, the registered provider stated that the staff member was contacted to update her CV and has included the years that were omitted. As a preventive measure, the registered provider will ensure that there are no missing years or gaps in the CVs of staff members.

Supporting documentation submitted

A copy of the updated CV.

Summary Comment

The response and evidence submitted by the registered provider are accepted in meeting the regulatory requirements.

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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.*
- (3) Subject to paragraph (5), a registered provider of a sessional pre-school service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 2 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) therefore at that reference number is satisfied.*

Compliance Information

- (1) The registered provider ensured that an adequate number of adults were responsible for the direct care and education of the children in attendance.
- (3) The adult child ratio was correct and maintained; there were three adults available to 18 children present, who were aged 3 to 5 years.

Part IV – Information and Records

Regulation 15 – Record of pre-school child

- (1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:*
- (a) the name and date of birth of the child;*
 - (b) the date on which the child first attended the service;*
 - (c) the date on which the child ceased to attend the service;*
 - (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
 - (e) authorisation for the collection of the child;*
 - (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
 - (g) the name and telephone number of the child's registered medical practitioner;*
 - (h) record of immunisations, if any, received by the child;*

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(i) written parental consent for appropriate medical treatment of the child in the event of an emergency.

Compliance Information

(1) Ten of the 21 available child registration records were sampled. Each of the 10 records were assessed in relation to parts (a) to (i) above and were deemed to meet the requirements.

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)

Basic needs:

- During the sessional service, a mid-morning snack was accommodated. This took place at 11.00am and sufficient time was allocated, which allowed the children to relax, chat and enjoy their food. The adults were also noted to assist the children with opening food packaging and containers.
- Children who required additional fluids outside of the designated mealtime had access to their reusable water bottles.
- As the children were based outdoors for the duration of the sessional service, staff were observed to accompany the children indoors when accessing the sanitary facility. During this time, verbal prompts and reminders were offered by the adults, who demonstrated sensitivity towards the children and also encouraged their independence and self-care skills.
- While adequate space was noted to be available for the children to move about freely indoors, the outdoor play space was utilised at the time of inspection. Within this environment, the children could engage in a range of active play and movement.

Supporting relationships:

- The adults were observed to be kind, patient and reassuring towards the children in their care. Daily activities and care routines were conducted at an unhurried pace, and support, such as initiating songs, was provided during transitional periods.

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- There was a focus on promoting wellbeing and positive peer interaction. For example, the children participated in an adult led breathing exercise during circle time and children were acknowledged for acts of kindness toward one another.

Part V - Care of Child in Pre-school Service

Regulation 20 – Facilities for rest and play

(1) Subject to this regulation, a registered provider shall ensure that-

- (a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child to play indoors and, where required by these Regulations, outdoors, during the day, and*
- (b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.*

Compliance Information

(1)

(a) There were adequate and suitable facilities for each child to play indoors and outdoors. The indoor environment was furnished with an appropriate amount of child sized tables and chairs and included the following age and stage appropriate play resources:

- building blocks and play tools
- handheld vehicles and a train set
- a play kitchen, equipped with utensils and play food
- sensory toys
- musical instruments
- dolls and dress up clothes
- art and craft materials

The outdoor play space offered opportunities for a range of exploratory play and both fine and gross motor development. It featured equipment such as:

- a playhouse
- swings
- a climbing frame with a slide
- ride on toys
- a large sandbox with digging toys

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- This area also included a sheltered classroom, with interest items such as plastic bricks, books and art and craft materials available. In addition, tables and chairs were provided for tabletop activities and mealtimes.

(b) The care room included areas where the children could rest and relax, as needed.

Part V - Care of Child in Pre-school Service

Regulation 22 – Food and drink

A registered provider shall ensure that adequate and suitable, nutritious and varied food and drink is available for each pre-school child attending the pre-school service.

Compliance Information

- Food for the mid-morning snack was supplied by the children's parents or caregivers. On the day of inspection, such snacks were noted to include sandwiches, soda bread, crackers, cheese, yogurts and a variety of fruit and vegetables.
- During discussion, the inspector was informed that some of the children had food intolerances and that a supply of suitable snacks was maintained at the service specifically for these children.
- The registered provider confirmed that any child who may become hungry outside of the allocated mealtime, was free to choose a snack from their lunchbox, as needed.

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 main entrance door to the building was maintained secure when not in use. This safety precaution reduced the risk of unauthorised persons gaining access to the care room and the risk of a child exiting unsupervised.
- The outdoor area was secured and fully enclosed by high-level fencing and a gate.
- A surface of bark chippings was available in the outdoor play environment, which created a soft fall area.
- Cleaning agents were stored in a location that was inaccessible to children.

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Infection control:

- A supply of liquid soap, paper towels and a foot pedal operated bin were available in the sanitary facility and an outdoor wash hand basin was also in place. Hand washing was observed to be carried out at appropriate times during the day, such before eating and after using the toilet.
- Photograph labelled wall hook storage was provided for the children's personal belongings.
- Open windows allowed fresh air to circulate in the care room.

Fire safety:

- Firefighting equipment was securely stored.

Non-Compliance Information

Infection control:

Perishable snacks, such as cheese, yogurts and ham sandwiches, which the children had brought from home, were not refrigerated before the mid-morning snack. This increased the risk of food spoilage.

Action submitted by the Registered Provider

Corrective & Preventive Action

There is a fridge available and all lunches that have perishable foods, for example, ham, cheese, yogurts, will be labelled with each child's name and placed in the fridge, until snack time. All parents and staff have been notified to ensure that perishable food is labelled and placed in the fridge.

Supporting documentation submitted

Photographic evidence and a copy of the message communicated to parents.

Summary Comment

The response from the registered provider was accepted in meeting the requirements of the regulation.

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.

Compliance Information

(1) A certificate of completion for First Aid Response (FAR) training was maintained for one of the adults, who was consistently available at the setting during the hours of operation.