

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DR099		
Name of Service:	Rainbow Day Care Centre		
Address of Service:	Kellystown Rd, Sandyford, Dublin 18, Co. Dublin		
Eircode:	D18 T221		
Name of Registered Provider:	Valerie O'Reilly		
Service type:	Full Day, Sessional		
Date of Inspection:	18/05/2023		
No of pre-school children:	AM	54	PM 35
Address of the Early Years Inspectorate:	Tusla – Child & Family Agency, Trinity Building, IDA Business Park, Bray, Co Wicklow		
Inspection undertaken by:	Mary Redmond / Rosemary Brien		
Title:	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).			
Conditions if applicable	Not applicable		

Description of service

This private childcare service has been in operation since 1991. Full day care and sessional care is provided for pre-school children aged one to five years of age; care is also provided for school-aged children. The hours of operation are between 7.45am and 5.45pm; the sessional service operates between 9am and 12.30pm.

The service operates from four purpose-built structures located adjacent to the registered provider's domestic dwelling in a rural area of south county Dublin. Care is delivered across five rooms and there is a dedicated cot room located within the room where the youngest children attending the service are accommodated. There are four separate outdoor spaces available to children on the premises.

Staffing

There were fourteen adults employed to work with pre-school children including the registered provider who is present in the service daily.

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

The inspection plan was to assess compliance under the following regulations:

Regulation 9 Management and recruitment

Regulation 11 Staffing levels

Regulation 15 Record of pre-school child

Regulation 19 Health welfare and development of child

Regulation 23 Safeguarding health, safety and welfare of child

Regulation 25 First aid

The following regulations were not part of the inspection plan so therefore the non-compliance was reported:

Regulation 20 Facilities for rest and play

Regulation 29 Premises

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 (IAN) was issued on the 19 May 2023 for one adult for whom a Garda vetting disclosure had not been received. The registered provider responded on the same day stating that this adult was no longer present in the service.

Following the inspection and discussion with the registered provider a referral was made to the Better Start Quality Development Programme.

The draft inspection report issued to the registered provider on the 9 June 2023 and the registered provider claimed that the report had not been received. The draft report was re-issued on the 13 July 2023 and the registered provider responded on the 26 July 2023. There was no supporting documentation submitted and the inspector requested further documentation on the 27 July 2023. The registered provider submitted some documentation on the 8 August 2023.

Acknowledgments

The inspectors wish to acknowledge the co-operation of the registered provider and staff members who facilitated the inspection and children who were present on the day of the inspection.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(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

The registered provider confirmed that one adult had been employed since the last inspection on the 12 September 2022.

- (2)
- (a) There were two written validated references available from previous employers for this adult.
 - (b) References from other sources were not required.
 - (c) Garda vetting was available for this adult.
 - (d) Police vetting was not required.
- (4) The adult had attained a major award in Early Childhood Care and Education at Level 5 on the National Framework of Qualifications.

Non-Compliance Information

(2)(a)(b)(c)(d)

There was no documentation available for one adult student who was present in the service on the day of inspection.

The registered provider responded to an Immediate Action Notice (IAN) following the inspection and stated that this adult would not be returning so the documentation was not required.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

No actions submitted.

Supporting documentation submitted

None

Summary Comment

The registered provider was not aware that the student present was an adult and therefore required vetting.

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.

Compliance Information

(1) There were an adequate number of adults working directly with children attending the service. There were ten adults working directly with fifty-four children in the morning and eight adults caring for thirty-five children in the afternoon; the registered provider was also available.

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

Compliance Information

(1) Records were randomly selected and reviewed for twenty-one children who were attending the service. The records reviewed contained the following particulars:

- (a) The name and date of birth of each child.
- (b) The date on which each child first attended the service.

- (c) There was an area on the registration form where the date when a child would cease to attend the service will be recorded.
 - (d) The names, addresses and telephone number of parents were recorded and information where parents can be contacted during the hours of operation of the service were also available.
 - (e) Names and contact details of other adults who were authorised to collect children were available.
 - (f) The documentation available supported the recording of specific illnesses, allergies, disabilities and dietary preferences for children.
 - (g) The name, address and telephone number of each child's general practitioner (GP) was recorded.
 - (h) Parents had indicated which immunisations their children had received.
 - (i) There was written parental consent for medical treatment of children in the event of an emergency.
- (4) The registered provider was aware that the records referred to above must be retained for a period of two years after the child leaves the service.

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)

Food was offered to children at regular intervals throughout the day and food choices were appropriate for children's dietary needs. Mealtimes were relaxed and observed to be a positive social experience for children as adults engaged with them helping when required.

Children who wore nappies had them changed regularly throughout the day and at other times when required and adults were observed to engage with children during the procedure. Older children were supported to use the toilet independently and were encouraged to wash their hands afterwards.

Care was given to children's appearance as bibs were put on younger children before eating and their hands and faces were cleaned afterwards.

On the day of inspection, the prescribed sleep routines met the children's needs and children had heavy clothing and shoes removed before being put down to sleep and rest.

All children (except babies attending the nursery room) had regular access to outdoor play and wore appropriate clothing when outside.

Appropriate interactions between adults and children were observed during the inspection.

Adults used effective information sharing processes, such as a telephone messaging application and verbal handovers, which promoted consistency and continuity of care for children attending the service.

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 to the service was secured to prevent unauthorised access or children exiting unsupervised. Toys and play equipment observed in use by children on the day of inspection were safe and in good working order. Cleaning products and hazardous materials were stored securely out of reach of the children.

Infection Control:

Children's hands were washed after outdoor play and before eating. Adults washed their hands before serving food to children.

Administration of Medication:

There was documentation available to support the safe administration of medication when required and adults were familiar with procedures which were in place to safely administer medication.

Safe Sleep:

Young children under two years of age were physically monitored in the cot room and sleep checks recorded every ten minutes. The temperature of the cot room was maintained below 20 degrees Celsius which is the requirement for safe sleep.

Non-Compliance Information

Infection Control:

1. Children's hands were not washed after nappy changing.
2. Two nappy disposal units in use were not appropriate to prevent cross infection and were in place contrary to public health advice issued to the sector last year.
3. The hands of young children attending the nursery room were not washed before eating.
4. There was a swing lid bin in use in Montessori 1 for the disposal of waste – this poses a risk of cross contamination.

Administration of Medication:

5. Eleven medication administration forms were reviewed and seven of these did not record whether parents had been informed when their child received medication. Failure to demonstrate that this information has been communicated to parents is a potential risk to children.

Safe Sleep:

6. Sleep checks were not recorded between 12.05pm and 12.50pm for a child who was aged eighteen months sleeping on a low bed in Montessori 1 room; the record was retrospectively completed.
7. The temperature of this room ranged between 21.5 and 22.7 degrees Celsius when children were sleeping which is above the range for a safe sleeping environment.

Action submitted by the Registered Provider

Corrective & Preventive Action

Infection Control:

1. Staff have been reminded to wash babies' hands after nappy changing. The nappy changing procedure is displayed and staff have been advised to refer to it daily.
2. The nappy disposal units have been replaced with regular foot pedal bins in all rooms.
3. The staff in the nursery have been reminded to wash babies' hands before all meals. Handwashing will be on the agenda of bi-monthly staff meetings.
4. All bins have been replaced with foot pedal bins.

Administration of Medication:

5. The staff have been retrained on completing medication administration forms correctly. Medication administration forms will be a topic of each staff meeting going forward to ensure everyone is aware of how to complete them.

Safe Sleep:

6. Sleeps checks are recorded every 10 minutes in the nursery for the children under two years of age. Children under two will always sleep in the nursery so checks will always be carried out on them.

7. The temperature of the area where children sleep in the nursery will always be kept between 16 and 20 degrees Celsius.

Supporting documentation submitted

None

Summary Comment

The actions as stated, if implemented, should address the non-compliances and practices will be reviewed at the time of the next inspection.

The regulatory requirement is deemed to have been met.

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) Adults working in the service had appropriate qualifications in first aid and were always available to children.

(2) Suitably equipped first aid boxes were available.

(a) They were stored safely in conspicuous positions in the service.

(b) The first aid boxes were available to children at all times.

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-

(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.

Non-Compliance Information

(1)(b)

The facilities for children to rest during the day were not adequate.

There were eight cots available for nine children who required them. On the day of inspection one child would not settle on a low bed and for this reason another child who had been put down to rest in a cot was removed from the cot and put on a low bed to allow the other child to use the cot.

There was no rest area available in the Montessori 1 room and soft furnishings were not available in other rest areas to facilitate the needs of children who may require rest during the day.

Action submitted by the Registered Provider

Corrective & Preventive Action

The sleep pattern for the children attending the nursery has been reviewed and the younger children will now sleep when they are tired in the morning.

The soft areas in all rooms have been updated to provide a rest area in each room for the children during the day.

Supporting documentation submitted

Two photographs of rest areas were submitted.

Summary Comment

The action as stated will address the non-compliance and practice will be reviewed at the time of the next inspection.

The regulatory requirement is deemed to have been met.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-
(d) cleaned, maintained and repaired, as required, and

Non-Compliance Information

- (d)
1. A gate leading to the enclosed tennis court area was broken.
 2. There were holes in the plasterwork in Montessori 1 and large areas of paintwork were chipped and flaking off the walls in this room also.
 3. There were accumulations of dirt and debris around piping and skirting boards throughout the premises.

Action submitted by the Registered Provider

Corrective & Preventive Action

1. The frame of the tennis court gate was repaired on 22 May 2023.
2. The classrooms have been repainted.
3. The premises has had a deep clean and all skirtings and pipes have been cleaned and repainted. Deep cleaning will be done more regularly to prevent dust gathering on the skirting boards and pipe works throughout the building.

Supporting documentation submitted

A photograph of the gate which had been repaired was submitted.

Summary Comment

No documentation was submitted to show that other works had been completed.