

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DR099
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Name of Service:	Rainbow Day Care Centre
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Address of Service:	Kellystown Rd, Sandyford, Dublin 18, Co. Dublin
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Eircode:	D18 T221
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Name of Registered Provider:	Valerie O'Reilly
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Service type:	Full Day Care and Sessional Service
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Date of Inspection:	21/05/2024
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No of pre-school children:	AM	48	PM	32
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Address of the Early Years Inspectorate:	Tusla – Child and Family Agency, Trinity Building, IDA Business Park, Bray, Co Wicklow
Inspection undertaken by:	Mary Redmond / Linda Magee
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
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Description of service

This private childcare service was established in 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 fifteen adults employed including the registered provider who is available in the service every day. Thirteen of these adults had attained major awards in Early Childhood Care and Education at levels 5, 6, 7 and 8 on the National Framework of Qualifications. Two adults who did not have the required qualification had a Letter of Eligibility to Practice which had been issued by the Department of Children, Equality, Disability, Integration & Youth (DCEDIY).

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 and safety. The inspection may focus on other areas as required.

Regulation 9 Management and recruitment

Regulation 11 Staffing levels

Regulation 16 Record in relation to pre-school service

Regulation 23 Safeguarding health, safety and welfare of child

Regulation 25 First aid

Regulation 26 Fire safety measures

The following regulation was not part of the inspection plan therefore only the non-compliance is reported:

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 reoccurring. 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 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 files for fifteen adults were reviewed.

- (2)
- (a) There were written validated references available from previous employers for adults employed in the service.
 - (b) Suitable references from other sources were available for adults who had no previous employers.
 - (c) Garda vetting dated within the last three years was available for all adults.
 - (d) Police vetting was available for three adults who had resided outside the State for a period longer than six consecutive months.
- (4) There was evidence that thirteen adults had attained at least a major award in Early Childhood Care and Education at Level 5 on the National Framework for Qualifications.

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 eight adults working directly with forty-eight children in the morning and five adults available to care for thirty-two children in the afternoon; the registered provider was also available.

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:

- (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)
- (h) Details of children’s attendance was accurately recorded in each care room.
 - (i) A staff roster was available.
 - (j) Records were available to demonstrate that signed parental consent was required prior to administering medication to a child, that administration of medication was witnessed, and parents were informed following administration of medication.
 - (k) Details of accidents and incidents were recorded and there was evidence available that parents were informed following an accident or incident involving their child.

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 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. Good hygiene practices by adults were observed including washing their hands after cleaning children's noses and cleaning tables before and after children ate from them. The nappy changing procedure observed was effective for infection prevention and control; steps outlined in the nappy changing policy displayed in the sanitary area were followed. Foot pedal operated bins were available and used appropriately.

Administration of Medication:

There were procedures in place to administer medication when required. The documentation available supported the safe administration of medication.

Safe Sleep:

Children who were sleeping were physically monitored every ten minutes and sleep checks recorded. The temperature of the cot room where the youngest children were sleeping was maintained between 18 and 20 degrees Celsius.

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) Five adults working in the service had valid qualifications in First Aid Responder (FAR) training and were 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 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.

Compliance Information

(1)

(a) There was a record available of fire drills which had taken place; the last recorded fire drill was 8 May 2024.

(b) There was a record to show that the firefighting equipment had been serviced on the 1 August 2023 and quarterly servicing of the fire detection system had taken place on the 1 May 2024.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-

- (c) kept adequately lit, heated and ventilated*
- (e) equipped with adequate and suitable sanitary facilities.*

Non-Compliance Information

- (c) 1. The temperature of the Montessori 1 room ranged between 23.5 and 23.7 degrees Celsius on the day of inspection despite windows and doors being opened to reduce the temperature. The recommended ambient temperature range for care rooms is between 18 and 22 degrees Celsius.
- (e) 2. The flushing mechanism was not working for the toilet which was in use for children attending the Montessori 1 room. This resulted in a build-up of waste in the toilet at various times throughout the day.
- 3. There was no hot water available in this sanitary area on the day of inspection.
- 4. The taps on the children's sink in this area were loose in their mountings and as a result were difficult for children to manage.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (c) 1. The thermostats on the heaters in all rooms have been adjusted to keep the rooms cooler during the day and will not rise above 21 degrees Celsius at any stage. Room temperatures will be maintained at 21 / 22 degrees Celsius all year round.
- (e) 2. The toilet in Montessori 1 room has been fitted with a new flushing mechanism to help when the water pressure is low and is now always working properly.
- 3. A new fuse was fitted to the water heater in this sanitary area and the water heaters are working in all rooms.
- 4. The taps were tightened by a plumber. There is no movement in the taps now and they will be checked monthly.

Supporting documentation submitted

None

Summary Comment

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The actions as stated by the registered provider will address the non-compliances.

The regulatory requirement is deemed to have been met.