

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015DS021
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<b>Name of Service:</b>	Rainbow Magic Pre-school
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<b>Address of Service:</b>	St. Judes, 3 Old Nangor Road, Clondalkin, Dublin 22
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<b>Eircode:</b>	D22 V020
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<b>Name of Registered Provider:</b>	Michelle Archbold
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<b>Service type:</b>	Sessional
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<b>Date of Inspection:</b>	10/10/2025
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<b>No of pre-school children:</b>	AM	19	PM	6
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, Floor 7 Brunel Building, Heuston South Quarter, St. John's Road West, Kilmainham, Dublin 8
<b>Inspection undertaken by:</b>	H Sutherland
<b>Title:</b>	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).

<b>Conditions if applicable</b>	Not applicable
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### Description of service

Rainbow Magic Pre-School is a private service located in a residential area in Clondalkin Dublin 22 and operates from a purpose-built facility to the rear of the registered providers domestic dwelling. The premises consists of one care room with sanitary facilities and an outdoor area. Education and care are offered to children aged from 2 years and 8 months to 6 years. Opening hours are 9:30am to 1pm Monday to Friday.

### Staffing

There are currently three adults employed in the service including the registered provider. One adult is employed under the access and inclusion model (AIM). On the day of inspection all three adults were present 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 area of governance, health, welfare and development of child, records and safety. The inspection may also focus on other areas as required.

The inspection focused on an examination of compliance under the following regulations:

Regulation 9 (1) (a-c), (2). (a-d), (3), (4) Management and recruitment

Regulation 11(1) (3) Staffing levels

Regulation 19 (1) (b) Health welfare and development of child.

Regulation 23 Safeguarding health, safety and welfare of child

Regulation 25 (1), (2), (a)(b) First Aid

Regulation 26 (1), (a)(b), (2)(c), (4) Fire safety measures

Regulation 28 Insurance

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 registered provider, 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.*

### Compliance Information

- (1)
- (a) The service had a designated person in charge and a named person to deputise as needed.
  - (b) The designated person in charge and the person appointed to deputise were on the premises at all times during the inspection.
  - (c) There was a clear management structure in place in the service which was confirmed with staff members and the person in charge during discussions with the inspector.
- (2) Following discussion with the person in charge it was confirmed that one adult commenced employment in the service since Regulation 9 was last inspected on 14 March 2023.
- (a) One written and verified reference was available from a past employer.
  - (b) One written and verified reference was available from a source other than a past employer.
  - (c) Garda vetting disclosures were available for three adults. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda Vetting every three years.
  - (d) Not required.
- (3) Documentation reviewed evidenced that the procedures specified above under 9(2) had been carried out prior to the adult commencing employment in the service.

(4) Documentation was available to show that the adult who worked directly with children attending the service held at least a major award in Early Childhood Care and Education at Level 5 on the National Framework of 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.*
- (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) On the day of inspection there were an adequate number of adults working directly with the children to meet their care needs. There were 3 adults available to 19 children in the morning and 2 adults available to 6 children in the afternoon.
- (3) The minimum adult to child ratio requirement was maintained in accordance with the children’s ages and type of service delivered. All children were aged over 2 years and 8 months and were attending on a sessional basis.

### 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

The registered provider ensured that appropriate and suitable care practices were maintained within the service. Staff were observed to interact with children in a positive respectful manner which supported children’s sense of belonging and security while in the service. Staff were familiar with the individual needs of the children. This was evidenced during discussion with the inspector regarding the children’s likes and dislikes and observation of practice. The daily routine was embedded into practice, this was demonstrated through calm, well managed

transitions where children moved confidently between activities. The inspector observed the staff using verbal reminders to support transitions. Staff reported that the parents provide children’s lunch daily. The service had a healthy eating policy and staff advised that parents are provided with information regarding healthy lunches prior to their children starting in the service. Additionally, the registered provider highlighted that the service is actively collaborating with parents and an external organisation to encourage and promote healthy eating among children. Staff were observed to sit with children at various times during the inspection and engage in conversation and song promoting language development. Drinking water was available and accessible to children for the duration of the inspection.

Independence was actively encouraged throughout the daily routine. Children were encouraged to retrieve and serve their own lunch, tidy up after activities, put on their own coats, use a self-registration board and use the toilet independently with staff providing assistance where needed. These practices promote children’s confidence, self-help skills and sense of responsibility. The curriculum was play based and flexible and the registered provider advised the inspector that the service had engaged with Better Start to support quality development. Children’s voices were heard and respected. Staff actively involved children in decision making and provided opportunities for choice throughout the day.

A rest area with child sized chairs was available for children to take a break from activities. Staff were observed to encourage children to rest in the area if they displayed signs of tiredness. All children had the opportunity to engage in outdoor play during the inspection. The outdoor area had a variety of equipment and materials available to support children to engage in physical challenge. Staff were observed to provide parents with the opportunity to discuss key aspects of their child’s day during drop off and collection. During discussion with the inspector the registered provider explained that the service uses an app to share news and updates regarding the weekly planned activities.

### 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 service was secured by a high gate to the side and a locked door to the front which ensured the safety of the children and prevented unauthorised access or children leaving unsupervised.
- The windows were secured and could not be reached by the children.
- Staff were observed to check each child's lunch to ensure there were no nuts present and fruit was halved or quartered.
- Cleaning products and sharp objects were stored safely out of reach of children.

### Infection Control:

- The sandbox in the outdoor area was covered with a lid when not in use.
- The room was visibly clean and cleaning schedules were available for review.
- Staff supported children to wash their hands following outdoor play and toileting.

### Administration of Medication:

- The registered provider reported that emergency medication is the only medication administered in the service. Staff reported that they have received training in the administration of auto adrenaline injectors.

### Fire Safety:

- Fire exits were observed to be unobstructed, clearly identified and easily opened from the inside during the inspection.
- Staff demonstrated knowledge of the procedure to safely evacuate children from the service in the event of a fire.

## Non-Compliance Information

### General Safety:

1. There was no care plan available for a child with a known serious allergy. Additionally, a staff member was not fully confident regarding the stage at which the auto adrenaline injector should be administered in the event of the child having a reaction. This posed a risk to the child's safety, as staff must be fully informed on how to respond appropriately in the event of an emergency.
2. During the inspection it was observed that a child with a known serious allergy had only one auto adrenaline injector onsite. The device was observed to be expired since November 2024. This presents a potential risk to the child's health and safety in the event of an anaphylactic reaction.

It is acknowledged that the registered provider immediately contacted the parents of both children regarding the risks identified.

### Infection Control:

- Although there were paper towels available, some children were observed using a cloth towel to dry their hands after washing. This practice increases the risk of cross contamination between children.
- Items for use within the service were inappropriately stored in the sanitary facility posing a risk of cross contamination. These included, a birthday cake, a kettle, a toaster, a microwave, a first aid box, children's medication and items stored in fabric surfaced boxes.

### Action submitted by the Registered Provider

#### Corrective & Preventive Action

##### General Safety:

- The registered provider contacted the parents on the day of the inspection and the care plan was received the next morning. The staff member has read the child's care plan and will continue to refresh their knowledge on the signs and symptoms of an allergic reaction going forward. In addition, the registered provider has updated the administration of medication policy and will ensure care plans are provided by parents prior to children starting in the service.
- The registered provider contacted the parents of the child on the day of the inspection and two in date auto adrenaline injectors were received the next day. One staff member has been assigned the responsibility for checking medication to ensure it is in date and the administration of medication policy has been updated to reflect this.

### Infection Control:

- The cloth towels have been removed from the service and paper towels will be used going forward.
- The items stored in the bathroom have been removed. The fabric storage boxes have been replaced with labelled plastic baskets. The first aid box is now stored in a locked press. The registered provider will ensure the space is only used for items suitable for storage in the sanitary area.

#### Supporting documentation submitted

##### General Safety:

Care plan

Updated policy

Infographic on managing an allergic reaction

Photograph of two auto adrenaline injectors

## Infection Control:

Photograph of paper towel dispenser

Photographs of the sanitary area and new storage

## Summary Comment

The inspector has reviewed the actions and evidence submitted. The non-compliance identified under Regulation 23 has been adequately addressed and will be subject to review on the next inspection.

## 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) There was evidence to show that one adult holds certification in First Aid Responder training. The adult was available for the duration of the inspection.

(2)

(a) A suitably equipped first aid box was available and stored safely in an easily accessible position in the service.

(b) The first aid box was observed to be easily available to the adults caring for the children attending the service.

## 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) A written record was available detailing fire drills that had taken place in the service. The record showed that the last fire drill took place on 20 September 2025.

(b) The number, type and maintenance record of firefighting equipment and smoke alarms on the premises was up to date. Fire extinguishers and smoke alarms were serviced on 1 May 2025.

(2)

(c) The above records were open to review by the inspector.

(4) A notice of the procedures to be followed in the event of a fire were displayed on the notice board in the care room.

## Part VI - Safety

### Regulation 28 - Insurance

*A registered provider shall ensure that the pre-school service is adequately insured.*

## Compliance Information

The service is adequately insured, evidenced by a current certificate of insurance relevant to the number of children accommodated and type of service being operated. The insurance cover is valid until 27 March 2026.