

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015LK180
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Name of Service:	Rainbow Childcare Academy Ltd
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Address of Service:	Unit 22 Block A, River Point, Bishops Quay, Limerick, Co. Limerick
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Eircode:	V94 ND89
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Name of Registered Provider:	Nichola McEwan
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Service type:	Full Day
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Date of Inspection:	10/04/2024
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No of pre-school children:	AM	37	PM	31
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Address of the Early Years Inspectorate:	Tusla Early Years Inspectorate Office, 2 nd Floor Estuary House, Henry Street Limerick.
Inspection undertaken by:	M Riordan, J Ryan
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

Rainbow Academy is a full day care pre-school service located in an apartment complex in the center of Limerick city. It offers a service to children from 1 year to 6 years of age. A service for school aged children is offered each afternoon. The service operates from 7.30am to 6.00pm, Monday to Friday.

The service operates from 2 adjacent apartment blocks, with the younger children accommodated in Block A and the older children accommodated in Block B.

In Block A there is a Wobbler and Toddler Room, 3 Sleep rooms, a kitchen, a staff room and a manager's office.

In Block B there are 3 Pre-school rooms that accommodate the children over 3 years of age. Two separate outdoor play spaces are accessible for all age groups each day.

Staffing

The registered provider is the designated person in charge of operating the service. An assistant manager is also employed at the facility. There are an additional 12 staff working at the preschool. Relief staff are available to cover staff holidays and absenteeism when required. All staff have achieved a major award in Early Childhood Care and Education, or a course deemed to be the equivalent of same.

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 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 inspectors wish to acknowledge the cooperation of the registered provider, 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*

(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 registered provider was present on the day of the inspection. There was a person available who was able to deputise if required.

(b) During the period of the inspection, the registered provider was present and the staff roster indicated that a person in charge was always available at the service.

(2) All staff files were reviewed.

(a) Two written and validated references were available for all staff employed at the service.

(b) Where past employer references were not available, there were references from reputable sources available.

(c) Garda vetting disclosures received from the National Vetting Bureau of An Garda Síochána were available for all staff members employed at the service. However, in the case of 4 staff members 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 the 7 staff members who had lived outside the Irish jurisdiction.

(4) All adults working directly with children held an appropriate qualification in Early Childhood Care and Education.

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.

(4) Subject to paragraph (5), where a registered provider contemporaneously provides-

(a) a sessional pre-school service, and

(b) a full day care service or a part-time day care service, or both, the minimum ratio of adults to children applicable for the duration of the sessional pre-school service in respect of the children attending that service shall be the ratio specified in paragraph (3).

Compliance Information

(1) On the day of the inspection there were 37 pre-school children present with 10 staff members in the morning. In the afternoon there were 31 pre-school children present with 8 staff members. The adult/child ratio was correct both in the morning and in the afternoon.

(2) The registered provider always ensured that the number of adults present in the service met the requirements of the regulations. Extra staff were also available to help at busy times during the day.

(4)(a) The adult child ratio was correct each morning for the sessional service.

(b) When the sessional service was finished the ratio applicable for full time and part time care were maintained as specified under the regulations.

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

BASIC NEEDS:

There was a healthy eating policy implemented at the service. Nutritious hot meals and snacks were served throughout the day to each individual room. A menu plan outlining the foods served for the week was shared with all parents. A beef and vegetable casserole dinner was served on the day of the inspection. An alternative dish was available if needed. Mealtimes were observed to be sociable occasions and extra portions were offered to all children who were hungry. Young children were fed in highchairs and older children sat at low level tables and chairs.

Sanitary accommodation was located close to each room in the service. Nappy changing facilities were provided in Block A close to the Wobbler and Toddler room. All toiletries for the children were clearly labelled and safely stored within reach of staff. Disposal aprons and gloves were easily accessible to staff. The nappy changing policy was clearly displayed on the wall next to the changing mat.

Each room had a supply of tissues and wipes within range of the children. Lidded bins were accessible for the safe disposal of waste. Aprons were worn during messy play activities and each child had access to a change of clothes if needed.

There were 3 designated sleep rooms available in Block A to facilitate sleep times for all children when tired and not just at specific times during the day. There were 4 standard cots available and all were in good condition. Low level beds were also provided for the older children. Appropriate mattresses were fitted on these beds. Children were supervised at all times when sleeping on low beds. The sleep room for the children over 2 years was used by the toddlers some afternoons as a quiet space suitable for individual or small group activities.

Details of each child's day, what they had at mealtimes, how they slept and what they enjoyed at the service were sent home to parents each day in a written care summary sheet.

Children had access to 2 well-resourced outdoor play areas at the service. In fine weather the doors to these areas were left open and children could move freely between the indoors and outdoors spaces.

PHYSICAL AND MATERIAL ENVIRONMENT:

The facility was divided across 2 separate apartment blocks, Block A and Block B.

The Wobblers and Toddlers were accommodated in Block A. In the Wobblers room there were many floor-based activities with soft rubber matting covered all floor space. A large soft chair was available to facilitate staff sitting and holding the younger children. A wall mounted black board and large chalks were accessible to encourage mark making opportunities. Lots of sensorial play equipment and sound making toys were accessible in boxes on the floor and on low level open shelves. A climbing frame in the centre of the room provided opportunity for the children to develop walking, climbing and balancing skills. Soft lighting was available in the room to create a relaxed atmosphere for the children while playing.

In the Toddler room the area was divided up into well-resourced interest spaces. A rest area with soft seating, soft floor mats and a well-stocked low level book stand provided a relaxation reading space. Labelled plastic boxes located on a low-level stand contained lots of accessible toys and materials for table top activities. A water station with drinking water and plastic cups facilitated children having regular drinks throughout the day. Imaginative play areas with kitchen spaces, home corners and dress up clothes were also accessible. Toys and equipment were rotated, and internal and external spaces redesigned depending on each child's preferences, interests and abilities.

In Block B the children over 3 years of age were accommodated across 3 separate rooms. All rooms facilitated lots of opportunities for various play experiences. Home corners, rest areas, chalk boards, tabletop activities and library areas were evident in all rooms. Scrap books were available for all children displaying photographs and artwork completed by the children. Educational posters and children's paintings were displayed on the walls in each room.

Children had opportunities to be outside as often as possible. Bikes, trikes, and scooters were available outside. New equipment was recently purchased for both outdoor play areas and was due to be delivered imminently. Photographic evidence was available to demonstrate that play materials from inside were rotated to the outdoor areas to facilitate ongoing learning for all children while outside.

Non-Compliance Information

Basic Needs:

1.Children's perishable lunches provided by parents were not stored in a fridge. In Preschool room 2 and 3 children's foods were stored in their bags until required at snack time. This posed a risk to children.

Physical and Material Environment:

2. There was limited opportunity in Preschool Room 3 for sensorial play opportunities with no sand or water play accessible in this space. The sand boxes outside were empty and required restocking.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. Fridges were purchased and are available for the storage of all perishable food in both Preschool room 2 and 3.
2. All sand boxes throughout the service were refilled. Water play was made available in all rooms. Kinetic sand was also purchased for the service.

Supporting documentation submitted

Proof of purchase of the fridges was forwarded to the Office of the Early Years Inspectorate along with photographic evidence of the fridges in both rooms.

Summary Comment

The Inspector has reviewed the actions and the evidence submitted. The non compliances identified have been adequately addressed.

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 19 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) Adequate facilities were available in each playroom indoors to allow children uncluttered space to play, explore and learn. Outdoors there was designated safe areas for children to engage in more active play opportunities. The play areas outside were safely enclosed with a metal fence and gates. These areas were checked each day before children went outdoors. Weather permitting children were able to spend long periods outside every day and were not restricted from getting outdoors in all weathers.

(b) Adequate sleep and rest facilities were available for all children in the service. Children under 2 years had access to separate sleep rooms to facilitate undisturbed sleep periods away from general play spaces, movement and noise. All children under 2 years had access to and slept in a standard cot or a low-level bed. Children were closely monitored while sleeping and staff were aware of the safe sleep guidelines to follow to help reduce the risk of sudden infant death syndrome. Rooms temperatures were monitored, and adjustments were made if temperatures were outside the normal range. Where children used low level beds, staff stayed in the room with them while they slept.

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:

A risk assessment of all areas was carried out by the manager of the service on a regular basis to identify any safety hazards on the premises.

All cleaning materials were stored in a designated cleaning storage area where they were inaccessible to the children.

Infection Control:

A high standard of operational hygiene was noted in all internal areas of the service. A written cleaning record was available showing that all areas internally were cleaned on a regular basis.

All toys, play materials and equipment available to the children were cleaned regularly.

Where children were sick with an infectious illness, parents were informed of the exclusion periods required to reduce the risk of the transmission of infection in the facility.

Administration of Medication:

Staff had a clear knowledge of the procedures to follow in relation to the services policy on administration of medication. Consent in writing was received from parents and all medicines were checked by 2 staff prior to being administered.

Non-Compliance Information

General Safety:

1. On arrival to the service the gate to the complex was open. The door to Apartment Block A was also unlocked. An electrical fault had resulted in the intercom system connecting the main entrance gate and the front door to the office was not functioning. This created a risk of unauthorised access to the building.
2. Garda vetting disclosures for 4 staff members was not dated within the previous three years in adherence to the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.
3. All medicines were not clearly labelled and stored in a locked press designated for the purpose of the safe storage of medicines. Medication which was unlabelled was stored in the first aid box.
4. Staff personal belongings such as handbags were not stored safely at the service. They were stored in an unlocked storage room next to Preschool Room 1 which was accessible and posed a safety risk to children.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. Repair works have taken place to ensure that the intercom, door bells and magnetic locking devices connecting the front gate, the door to Block A and the manager's office are in proper working order.
2. Garda vetting was applied for and is now in place for all staff whose certificates had expired.
3. All medicines have been labelled and stored in an appropriate locked cabinet.
4. A designated storage area is available for the safe storage of all staff members personal belongings.

Supporting documentation submitted

General Safety:

Receipts and emails demonstrating the communication and the purchase of materials to repair the intercom system were submitted.

Copies of renewed garda vetting certificates for the staff who's certificates had expired were forwarded to the Office of the Early Years inspectorate.

Summary Comment

The Inspector has reviewed the actions and the evidence submitted. The non compliances identified have been adequately 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) There was a staff member available at the service who had an up to date first aid certificate.

(2) Well equipped first aid boxes were stored in both Block A and Block B. There were located in an area that was easily accessible at all times if needed.

Non-Compliance Information

(1) There was no staff on duty at the time of the inspection who had their first aid responder training certificates in date. All such certificates for staff had expired. A refresher training course was required.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

On the 27th of April 9 staff members completed The FAR first aid training.

Supporting documentation submitted

Copies of new FAR certificates were forwarded to the Office of the Early Years Inspectorate for 9 staff employed to work at the service.

Summary Comment

The Inspector has reviewed the actions and the evidence submitted. The non compliances identified have been adequately addressed.

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) A record of all fire drills was available at the service. Monthly fire drills took place. The date of the most recent fire drill was the 25th of March 2024.

(b) Fire extinguishers were serviced on an annual basis. The last service took place in October 2023.

Non-Compliance Information

(b) There were no records available to state if and when the smoke alarm system in the facility was serviced.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(b) Arrangements have been put in place to ensure all smoke alarms at the service are serviced on a regular basis.

Supporting documentation submitted

Proof of communication with a company tasked with checking the smoke alarm system was forwarded to the Office of the Early Years Inspectorate.

Summary Comment

The Inspector has reviewed the actions and the evidence submitted. The non compliances identified have been adequately addressed.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

A certificate of insurance was available for the service. The document stated that insurance cover was provided for 66 preschool children at any one time. The commencement date of the insurance was the 28th of March 2024 and the expiry date was the 27th of March 2025.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

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

- (a) of sound and stable structure,*
- (b) safe and secure,*
- (c) kept adequately lit, heated and ventilated*
- (d) cleaned, maintained and repaired, as required, and*
- (e) equipped with adequate and suitable sanitary facilities.*

Compliance Information

- (a) The building appeared to be of sound and stable structure both internally and externally and no obvious defects were noted on inspection.
- (b) The premises outdoors appeared safe and secured with a steel fence surrounding all outdoor play areas.
- (c) All areas were well lit by natural light and by artificial light when needed. There was no evidence of mould, mildew, stuffiness or condensation on the premises. There were openable windows in occupied rooms, and these were opened throughout the day to ensure the circulation of fresh air in all areas. Where natural ventilation was not available, mechanical ventilation was provided, example, the nappy changing area.
- (e) There were an adequate number of toilets, nappy changing areas and wash hand basins in Block A of the facility.

Non-Compliance Information

(d) 1. Debris and paper rubbish was gathered inside the fire exit door at the rear of the building delaying a quick exit from this area if required.

2. The paint on the walls next to the sink in Preschool room 1 was worn and chipped and required repainting.

(e) 3. The second toilet next to Preschool room 1 for children in this room was not accessible and was used as a storage space.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. All access and exit routes from the service have been cleared of any waste.
2. The areas that require repainting are scheduled to be painted on the 11th of May 2024.
3. The 2nd toilet in the Preschool room 1 has been cleared of all storage materials and is available for use by the children.

Supporting documentation submitted

Photographic evidence of the above changes were submitted to the Office of the Early Years Inspectorate. The services management company were reminded of the need to keep a regular check on all shared outdoor spaces and to ensure all areas are maintained in a clean and hygienic condition.

Summary Comment

The Inspector has reviewed the actions and the evidence submitted. The non compliances identified have been adequately addressed.