

# Early Years Inspectorate Regulatory Report

## Pre School

<b>TUSLA Identifier:</b>	TU2015OY014
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<b>Name of Service:</b>	Rainbowland Childcare Ltd
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<b>Address of Service:</b>	Rainbowland Childcare Centre, Carrick Road, Edenderry, Co. Offaly
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<b>Eircode:</b>	R45 XF99
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<b>Name of Registered Provider:</b>	James Moore
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<b>Service type:</b>	Full Day, Part Time, Sessional
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<b>Date of Inspection:</b>	29/01/2025
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<b>No of pre-school children:</b>	AM	87	PM	42
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<b>Address of the Early Years Inspectorate:</b>	Early Years Inspectorate, SAP Office, St Loman's Campus, Springfield, Mullingar, Co Westmeath, N91 N4XC.
<b>Inspection undertaken by:</b>	T. Duignan and F. Maher
<b>Title:</b>	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).

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

Rainbowland Childcare is a full day care service located in a residential area in the town of Edenderry, County Offaly.

The service is owned and operated privately.

The service is registered to cater for up to 120 children. The age range of children currently enrolled in the service is 2 years and eight months to 6 years of age. The service operates morning and afternoon ECCE sessions.

The setting is divided into different sections with specific names “rainbow land” and “woodland. A purpose-built soft surface activity centre “adventure island” connects the two areas and can be accessed from both areas.

Six pre-school rooms, an office area, reception areas, a sleep room, storage areas and a kitchen are provided. The outdoor play area is located at the rear of the premises.

Parking and set down is available outside the premises on the public road.

### Staffing

The registered provider does not work in the service and was not present for the inspection.

Twenty adults are employed in the service. On the day of the inspection there were eighteen adults present and of these, fourteen were working directly with the children, the person in charge and deputy person in charge provided additional support to the care rooms as needed and a cook was employed to prepare food for the children daily.

The area manager arrived after inspection had commenced and remained for the duration of the inspection.

All staff members held a major award in Early Childhood Care and Education at Levels 5 to 8 on the National Framework of Qualifications.

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

The inspection focused on an examination of compliance under

- Regulation 9 (2)(a)(b)(c)(d), (4) - Management and recruitment.
- Regulation 11(1),(2),(8)(a) – Staffing Levels.
- Regulation 16(1)(k) – Record in relation to pre-school service.
- Regulation 23 – Safeguarding health, safety and welfare of child.
- Regulation 24 - Checking in and out and record of attendance.
- Regulation 25 (1), (2)(a)(b) – First aid.
- Regulation 26 – Fire Safety.
- Regulation 28 – Insurance.

however, on inspection additional non-compliances were identified under:

- Regulation 21 – Equipment and Materials.

These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under

- Regulation 23 – Safeguarding health, safety and welfare of child.
- Regulation 25 (1), (2)(a)(b) – First aid
- Regulation 21 – Equipment and Materials.

As a result, the scope of the inspection included Wobbler, Toddler and Room 4.

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 manager, area manager, staff 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 of 21 staff were reviewed.

(2)

(a)(b) Two written and verified past employer references or references from a reputable source other than a past employer, were available in respect of 20 adults employed and one written and verified reference from a past employer was on file for one further staff member.

(c) Garda Vetting disclosures were available for 21 adults working in the service. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) Police vetting was available for one adult who had resided outside the state for a period of longer than 6 consecutive months whose records were reviewed.

(4) 17 adults employed and working directly with children attending the service held at least a major award in Early Childhood Care and Education at Level 5 or higher on the National Framework of Qualifications.

#### Non-Compliance Information

(2)

(a)(b) One verified reference was required for one staff member from a past employer or from a reputable if a past employer reference could not be obtained.

(d) Police vetting was required for one adult who had resided outside the state for a period of longer than 6 consecutive months whose records were reviewed.

(4) There was no qualification certificate on file for one staff member working directly with the children.

## Corrective & Preventive Action submitted by the Registered Provider

### Corrective and Preventive Action

(2)

(a) (b) reference obtained from previous employer and verified.

(d) Application for police vetting submitted.

(4) QQI component certificate modules and results QQI level 5 award.

### Supporting documentation submitted

(2)

(a) (b) Verified reference.

(d) Evidence of application process.

(4) Evidence of qualification.

### Summary Comment

The written response and documentary evidence submitted by the registered provider has been reviewed by the Early Years Inspectorate. Regulatory compliance is met for regulation 9.

### 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.*
- (8) Without prejudice to paragraphs (2) to (7)-*
- (a) a registered provider of a pre-school service other than a child-minding service or a sessional pre-school service shall ensure that there are at least 2 adults on the premises at all times,*

#### Compliance Information

- (1) There were eighty-seven children attending the service and they were supervised directly by fourteen adults.
- (2) The minimum ratio of adults to children was adhered to during the day.
- (8)(a) There were at least two adults on the premises at all times for the duration of the Inspection. This was confirmed following review of the staff roster for the service.

### 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:*
- (k) details of any accident, injury or incident involving a pre-school child attending the service.*

#### Compliance Information

- (k)
- The registered provider ensured that a record in writing with details of any accident, injury or incident involving a child attending the service was available; this was supported by the documentary evidence reviewed for a sample size of 10 accident and incident reports completed between 18 September 2024 – 24 September 2024 and 5 November 2024 -23 January 2025 across the service.

## Part V - Care of Child in Pre-school Service

### Regulation 21 – Equipment and materials

*A registered provider shall ensure that there is adequate and suitable furniture, play and work equipment and materials available on the premises of the pre-school service.*

#### Non-Compliance Information

- The one table and nine chairs used in Wobbler room were not suitable for children aged 1-2 years to use for meals and table top activities as evidenced by the following observations:
  - At 12:14 hours it was observed that nine children aged 1-2 years were sitting on chairs that were too high for them as they were unable to place their feet on the floor for stability and balance.
  - Six of the nine chairs did not have supportive sides to the chairs.
  - The circular table was too small to accommodate nine children to eat their meal.

#### Corrective & Preventive Action submitted by the Registered Provider

##### Corrective and Preventive Action

- Current tables and chairs replaced with new table and chairs appropriately sized to accommodate the numbers of children in the care room. Going forward we will ensure suitable furniture if available in each age group.

##### Supporting documentation submitted

- Invoice for purchase of table and chairs.

#### Summary Comment

The written response and documentary evidence submitted by the registered provider has been reviewed by the Early Years Inspectorate. Regulatory compliance is met for regulation 21.

## 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 and managed by staff members to prevent children from exiting the service unsupervised. The manager documented the inspectors' visit to the service in the visitor's book on arrival. The service met the necessary safety requirements in respect of the indoor environment, toys and equipment and safe storage of cleaning agents. There was documentary evidence available that daily indoor and outdoor risk assessments were completed daily. The service had a system in place to manage maintenance issues.

##### Infection Control:

Thermostatically controlled hot water, liquid hand soap and paper towels were readily available for hygienic hand washing and drying. The staff members were familiar with the importance of handwashing practice as a means to control the spread of infection in the service. They supervised children's handwashing and handwashing routines were well established. Foot pedal operated bins were provided for the disposal of used tissues. The soiled nappies were removed to the outdoor bin following nappy changes being completed. Written cleaning schedules were maintained for the room environments which were observed to be maintained in a clean and hygienic condition. Children's soothers were stored in single containers when not used.

##### Administration of Medication:

Medication was not given at the time of the inspection, written parental consent was available should medication be required to be administered to a child. The staff members were familiar with required safe practice when administering medication in the service. Medicine was safely stored.

##### Safe Sleep:

There was one sleep room with six cots provided for children less than 2 years of age. Seven low level sleep beds were available for all children aged over 2 years who slept at a designated time. There was an adequate number of cots to provide needs led sleep for young children. The staff members were familiar with current safe sleep guidance and the required care of sleeping children. It was observed that 10-minute sleep check observations were

completed on all sleeping children and the staff documented the colour, position and breathing of sleeping children in their care.

Comfortable rest areas were available for the children in each care room if they wished to take a break from activities and rest.

### **Fire Safety:**

Monthly fire drills had been carried out and staff members were familiar with fire safety evacuation procedures from the service. The fire exits were not obstructed.

### **Outing:**

The service does not conduct outings.

## **Non-Compliance Information**

### **Infection Control:**

1. The nappy change practices require to be reviewed as it was observed that the disposable apron and gloves used were not removed and disposed of after the used nappy was removed and bagged. This is not adequate for infection control purposes as it creates a potential risk of cross contamination.

### **Safe Sleep:**

2. The sleep room temperature was recorded as 13.6 ° Celsius at 11:32am. The manager immediately boosted the heating, and the environmental temperature returned to the required 18-22 ° Celsius temperature range for safe sleep purposes. It is acknowledged that there were no children asleep in the sleep room at the time.
3. Two children had not adjusted to sleeping in cots and were observed to settle in the arms of staff members. Sleep plans completed in collaboration and agreed with parents/ guardians which involved an assessment of the individual child's sleep routines and sleep requirements were required. It is acknowledged that there were sufficient facilities available.

## **Action submitted by the Registered Provider**

### **Corrective & Preventive Action**

### **Infection Control:**

1. Infection control – nappy changing policy re-issued to the team. One on one training on policy and procedure carried out by manager.

### **Safe Sleep:**

2. The safe sleep room temperature in the sleep room is maintained between 18 – 22 degrees. Checks are carried out on opening the service and heating is boosted to ensure correct temperature is achieved and maintained. Temperature checks will be carried out on our sleep room by management to ensure compliance.

3. Sleep plans completed in conjunction with parents are now in place.

Prior to starting in the service, families will be encouraged to support their child to independently sleep which will support the children sleeping in the cots in the service.

### **Supporting documentation submitted**

#### **Infection Control:**

1. Nappy changing policy and evidence of training completed with all staff.

#### **Safe Sleep:**

3. Two sleep plans.

### **Summary Comment**

The written response and documentary evidence submitted by the registered provider has been reviewed by the Early Years Inspectorate. Regulatory compliance is met for regulation 23.

### Part VI - Safety

#### Regulation 24 - Checking in and out and record of attendance

- (1) A registered provider shall ensure that each pre-school child attending the service is checked in and out of the service by an employee or an unpaid worker.
- (2) Where there are more than 15 children attending a pre-school service in a drop-in centre, the registered provider shall ensure that one employee or unpaid worker is assigned responsibility for the checking in and out of children.
- (3) A registered provider shall ensure that-
- (a) no person other than-
    - (i) pre-school child attending the service,
    - (ii) a person dropping or collecting such a child,
    - (iii) an employee, or
    - (iv) an unpaid worker, can enter the premises without his or her entry being approved by an employee, and
  - (b) a daily record in writing is kept of the entry on the premises of any such person.
- (4) A registered provider shall ensure that a record in writing referred to in paragraph (3)(b) is retained for a period of one year from the date to which it relates.

#### Compliance Information

- (1) The registered provider ensured that each child was checked in and out of the service. This was confirmed by the written attendance records maintained in each care room.
- (2) Not applicable.
- (3) (a),(b) The registered provider ensured that any person entering the service was approved and a record in writing was maintained.
- (4) The registered provider confirmed that the records were retained in storage for the required period.

### 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) Staff members present were trained in in first aid response (FAR) and were immediately available to the children attending the service.
- (2)
- (a) The first aid equipment was safely stored, in a conspicuous position in the care rooms inspected.
  - (b) Suitably equipped first aid boxes for children were available at all times 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 firefighting equipment and smoke alarms in the premises.
- (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 of fire drills completed in the service. The last recorded fire drill was December 2024.
- (b)
- A record was kept of the number, type and maintenance of the firefighting equipment and smoke alarms in the premises. Firefighting equipment was serviced in January 2025 and the smoke alarm was last serviced on 11 September 2024.
- (4) Notices of the procedures to be followed in the event of a fire were conspicuously displayed in the entrance hallway and rooms of the service.

### Part VI - Safety

#### Regulation 28 - Insurance

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

#### Compliance Information

There was evidence of current insurance cover valid until 27 March 2025. The insurance provided cover for 120 children.