

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015OY014
--------------------------	-------------

Name of Service:	Rainbowland Childcare Ltd
-------------------------	---------------------------

Address of Service:	Rainbowland Childcare Centre, Carrick Road, Edenderry, Co. Offaly
----------------------------	---

Eircode:	R45 XF99
-----------------	----------

Name of Registered Provider:	James Moore.
-------------------------------------	--------------

Service type:	Full Day, Part Time, Sessional
----------------------	--------------------------------

Date of Inspection:	11/12/2023
----------------------------	------------

No of pre-school children:	AM	77	PM	33
-----------------------------------	----	----	----	----

Address of the Early Years Inspectorate:	Early Years Inspectorate, Tusla, Child and Family Agency, Primary Care Centre, Church Avenue, Tullamore Co. Offaly
Inspection undertaken by:	D .Molloy.
Title:	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).

Conditions if applicable	Not applicable
---------------------------------	----------------

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. A new registered provider has taken over this service since November 2023.

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 service operates from buildings attached to the previous registered providers domestic dwelling and access to this domestic dwelling is restricted.

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.

Outdoor play areas are attached to the front, side, and rear of the premises.

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

Staffing

The registered provider is not the designated person in charge and was not in the service throughout the inspection. The named designated person in charge facilitated 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 health, welfare and development of child safety premises and facilities. The inspection may also focus on other areas as required.

A sampling process was used to assess compliance under Regulation 10 Policies, procedures. of pre-school service and Regulation 19 Health, welfare, and development of child .

As a result, the scope of the inspection included playroom 1, adventure island, sanitary accommodations, and the outdoor play area.

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 person in charge, staff and children who were present on the day of the inspection.

Part II - Registration and Register

Regulation 8 - Notification of change in circumstances

(1) A registered provider of a pre-school service other than a temporary pre-school service shall, subject to paragraph (3), notify the Agency in writing of any proposed change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) at least 60 days before it is proposed that the change would take effect.

Compliance Information

The registered provider notified the Agency in writing of change in the details in relation to the pre-school service contained in the register pursuant to section 58C(2) of the Act or Regulation 7(2) in respect of the details of the new registered provider .

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.*

(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.

(6) Paragraph (4) shall not apply before 1 September 2021 to a person who-

(a) has signed a declaration on or before 30 June 2016 to the effect that he or she intends to retire from employment in a pre-school service before 1 September 2021, and

(b) is in possession of a letter from the Minister confirming that paragraph (4) shall not apply to him or her before that date.

(6A) is inserted by S.I. No.632 of 2016 CHILD CARE ACT 1991 (EARLY YEARS SERVICES) (AMENDMENT) REGULATIONS 2016 which states; Regulation 9 of the Child Care Act 1991 (Early Years Services) Regulations (S.I. No. 221 of 2016) is amended - in paragraph (4), by the substitution of “paragraphs (5), (6) and (6A)” for “paragraphs (5) and (6)”, and (b) by the insertion of the following paragraph after paragraph (6): “
(6A) Paragraph (4) shall not apply to an employee of a registered provider where - (a) the registered provider receives funding for the employment of the employee pursuant to a scheme funded by the Minister and known as the Access and Inclusion Model, and (b) the employment of the employee is for the purpose of providing support, pursuant to the scheme referred to in subparagraph (a), for a child attending the service to enable the child to participate in the programme known as the Early Childhood Care and Education (ECCE) funding Programme.”

Compliance Information

(1)

(a) The service has a designated person in charge and a named person who is able to deputise as required.

(b) The designated person in charge were present during the inspection and facilitated the inspection and the roster showed that at all times the person in charge was present during the opening hours of the service.

(2)

All staff files were reviewed on site on the day of inspection.

- (a) (b) Validated references from staff members' past employers, in particular the most recent employer was available for review. Validated references from reputable sources were available for review.
- (c) A vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of all-staff member was available for review.
- (d) Police vetting from other police authorities was available when required for staff.
- (3)
Required vetting had been carried out prior to staff member being appointed, assigned, or allowed access to or contact with a child attending the pre-school service.
- (4)
Adults held a major award in Early Childhood Care and Education at Level 5-8 on the National Framework of Qualifications.
- (6)(a)(b)
Not applicable as no employee had signed a declaration on or before June 30, 2016, to the effect that they intended to retire from employment in a pre-school service.
- 6(A)
Two employees were working with children under the Access and Inclusion Model (AIM)

Part III – Management and Staff

Regulation 10 - Policies, procedures etc. of pre-school service

A registered provider of a pre-school service shall ensure that the written policies, procedures, and statements specified in Schedule 5 are in place for the service.

Compliance Information

The service held copies of policies which were available for inspection. A sample selection of policies was viewed on the day included, Healthy Eating Policy, Infection Control Policy and Policy and Accident/ Incident Policy. These were observed to meet the requirements of the regulations.

The practice and procedure following accidents in the service was noted to be in line with requirements.

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)
The required ratio of adults to children was maintained during the inspection.
- (2)
The registered provider ensured that there were sufficient adults working directly with the children. Records showed that the adult child ratio was upheld in the service.
- (8) (a)
The registered provider had ensured that there were at least two adults on the premises at all times during the opening hours of the service.

Part IV – Information and Records

Regulation 18 – Copy of Act etc.

A registered provider shall ensure that a copy of Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act and of these Regulations is kept on the premises and the said copies shall be open to inspection on the premises by-

- (a) a parent or guardian of a child attending or proposing to attend the service,*
- (b) an employee, unpaid worker, or contractor, and*
- (c) an authorised person.*

Compliance Information

The registered provider had ensured that a copy of Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act and of these Regulations was available on the premises and could be viewed by

- (a) a parent or guardian of a child attending or proposing to attend the service,
- (b) an employee, unpaid worker, or contractor, and
- (c) an authorised person

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

(1)(a)

BASIC NEEDS

Children brought in their own lunches from home in line with the healthy eating ethos of the service. The staff maintained a record of any allergies or food intolerances and were familiar with the children's individual needs.

No child in attendance had special dietary requirements on the day of inspection.

Children were observed to have freedom of movement indoors and could relax in the rest areas and could select their own choice from the toys and equipment provided.

Use of the area known as “adventure island” was shared and children rotated rooms so as each group could avail of this climbing and activity area.

SUPPORTING RELATIONSHIPS:

Staff remained unchanged and children could expect the same adult to care for them each day which promoted early relationship formation .

The service had an open-door policy where parents could discuss their own child’s progress. Children were supported by staff in the preparation for their the forth coming festive season and were practising for their Christmas play.

PHYISCAL AND MATERIAL ENVIRONMENT

The service was cheerfully decorated with each room known by a different colour of the rainbow as per the service name. Children in each room had different coloured bibs in keeping with their home room. The service was well maintained, painted and decorated.

The outdoor play areas were securely fenced, and gates secured from within. Equipment included a train, a timber tepee, a timber castle with slides, a large wooden tree trunk, a bridge and a sheltered outdoor area which included an outdoor kitchen in one of the sheltered areas and a shop. The playground was multi-surfaced with a wood chip area, an all-weather surface, and a grassed area. A potting and gardening area was provided for growing herbs and flowers and outdoor benches and tables were provided for picnicking ,and a large timber carved throne was a feature in this area.

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:

Access to the service was gained through two entrance gates, one to the front and one to the rear of the premises. The main door which opened into the lobby area was controlled by means of a buzzer, which was operated from within and could prevented unauthorised entry or unsupervised exit of a child.

Access to the kitchenette was restricted.

The large outdoor play facility was securely fenced and secured and was accessible directly from the setting.

A system of pest control was in place in the service and records maintained and no evidence of pests had been detected.

Infection Control:

Staff were familiar with the infection control policy of the service and were reminding children about hand washing and offering assistance if required. Clear guidance on handwashing was outlined for children and staff in the service. Staff were observed wiping down and doing surface cleaning during the inspection and between the different sessions.

Administration of Medication:

A medication policy was available in the service, it was established through discussion that staff were familiar with the with policy in relation to safe administration of medication.

No medication was administered on the day of inspection

Fire Safety:

The fire exits were unobstructed.

A notice of the fire assembly points was on display which outlined the fire assembly points of the service, and the fire exit routes.

Outing:

The person in charge stated that no outings were conducted from the service.

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)
The staff members held first aid training and were available to the children attending the pre-school service. Staff First Aid Responder (FAR) certificates were in date and were available for review .

(2)

- (a) The first aid box was safely stored in an easily accessible location on the premises .
- (b) The first aid box was readily available in the service 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 firefighting equipment and smoke alarms in the premises.*
- (2) The record referred to in paragraph (1) shall be open to inspection by-*
- (a) a parent or guardian of a pre-school child attending or proposing to attend the pre-school service,*
 - (b) an employee, and*
 - (c) an authorised person.*
- (3) A registered provider shall ensure that a record referred to in paragraph (2) is retained for a period of 5 years after its creation*
- (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 the fire drills carried out in the service. The last fire drill was recorded as being carried out on November 16, 2023.
 - (b) The number, type and maintenance record of firefighting equipment and smoke alarms on the premises was available and was dated September 2023.
Records showed that the fire alarms were serviced in June 2023.
- (2)
- The record was available and open to parents, guardians, employees, and the authorised person.

(3)

The person in charge stated that records will be retained for a period of 5 years after creation.

(4)

A notice of the procedure to be followed in the event of a fire was displayed on the premises.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

A copy of up-to-date insurance cover for the number of children attending the service was available in the service.
The insurance certificate was valid until March 2024.

Part IX - Inspection and Enforcement

Regulation 33 – Furnishing of information to agency

A registered provider shall furnish the Agency with such information as the Agency may reasonably require for the purpose of enforcing and executing these Regulations and the information shall be in such form, if any, as may be specified by the Agency.

Compliance Information

The person in charge facilitated the inspection and provided access to information as was required for completion of the inspection.