

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2016FL012
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Name of Service:	Little Rainbows (Baldoyle)
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Address of Service:	16 Red Arches Avenue, The Coast, Baldoyle, Dublin 13, Co. Dublin
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Eircode:	D13 WR99
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Name of Registered Provider:	Mary Campbell
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Service type:	Full Day, Part Time, Sessional
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Date of Inspection:	08/06/2023
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No of pre-school children:	AM	80	PM	84
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Floor 7 Brunel Building, Heuston South Quarter, St. John's Road West, Kilmainham, Dublin 8
Inspection undertaken by:	E. Finnegan Hayes & T. Nelson
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

Little Rainbows (Baldoyle) is a privately run service located in a residential area in North Dublin. The service provides full-time, part-time, and sessional care and education to children aged 0-6 years and participates in the Early Childhood Care and Education (ECCE) scheme. The service consists of eight care rooms; Wobbler room 1, Wobbler room 2, Wobbler room 3, Toddler room 1, Toddler room 2, Junior Montessori 1, Junior Montessori 2 and the Senior Montessori room, an office, kitchen, and sanitary facilities. An enclosed outdoor area is located to the rear of the building.

Staffing

The service employs twenty-one staff including the registered provider and designated person in charge. One staff member is employed as a chef and does not work directly with the children in the care rooms.

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 an examination of compliance under Regulation 9; (1)(a)(b), (2)(a)(b)(c)(d), (3), (4), Regulation 11; (1), (2), Regulation 19(1)(a), Regulation 23, Regulation 25, Regulation 27 and Regulation 29. The findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under;
Regulation 16- Records in relation to the preschool service,

Regulation 19- Health, Welfare and Development of child,
Regulation 23- Safeguarding Health, Safety and Welfare of Child,
Regulation 25- First aid,
Regulation 27- Supervision,
Regulation 29-Premises.

The scope of the inspection included the following rooms; Wobbler rooms 1& 2, Toddler room 2 and Junior Montessori 1.

Regulation 9 - Management and Recruitment was assessed in relation to all adults working in the service and Regulation 11- Staffing Levels was assessed across all care rooms.

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.

Additional Information

An immediate action notice was issued to the registered provider in relation to an employee who worked directly with the children for whom a Garda Vetting declaration had not been obtained and reviewed. A response which outlined the action taken by the registered provider to address the concern was received 12/06/2023.

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
- (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)(b) The service had a named person in charge and a person to deputise as required. The named person in charge was on the premises when inspectors arrived in the service unannounced and remained in the service for the duration of the inspection. A review of the roster and discussion with management and staff showed that a named person in charge is present on the premises at all times.

(c) Discussion with management and staff showed a clear line of management in the service.

- (2)
- (a) Thirty-three written and validated references were available from a previous employer in relation to 21 staff members.
- (b) Nine written and validated references were available from a source other than a previous employer in relation to 9 staff members.
- (c) Garda vetting was available for 20 staff members employed in the service.
- (d) Police vetting was available for 9 staff members employed in the service.
- (4) Evidence was available to show that 18 staff who worked directly with the children held 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.

Non-Compliance Information

- (2)(c) An Immediate Action Notice was issued to the registered provider in relation to one staff member for whom a Garda vetting disclosure was not available.
- (3) Evidence showed that the procedures specified in paragraph (2) were not carried out in respect of one staff member where a Garda vetting declaration had not been obtained and reviewed prior to the start date of the employee.
- (4) Evidence was not available to show that all staff working directly with the children held 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. The following was observed;
- Evidence was not available to show that the qualification of one staff member was deemed by the minister to be equivalent.
 - Evidence was not available to show that one staff member held 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.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (2)(c) A Garda Vetting Disclosure has been obtained for the staff member. In future, all staff members will have validated references and Garda Vetting before commencing work which will be held on file.

(3) In future all staff members will have validated references, Police and Garda Vetting before commencing work which will be held on file.

(4) The two staff members have signed up to complete their level 5 qualifications and until such time, one staff member will work in the office handling administration. The other will return to work for us once she has completed the requirements for level 5 qualifications. The Designated person in charge and the Deputy manager will ensure going forward that staff qualifications will be checked in line with DCEDIY list of requirements.

Supporting documentation submitted

Documentation in relation to above has been reviewed by the inspectorate.

Summary Comment

The registered provider has addressed the non-compliances under 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.

Compliance Information

(1) The registered provider ensured an adequate number of adults were caring for the children in the service. Seventeen staff were caring for 80 children.

Non-Compliance Information

(2) Ratios were not maintained at all times throughout the day for example from 12:10pm-1:20pm two staff were caring for 19 children aged 3-5years old in the Senior Montessori room. Three staff were required to maintain the ratio of 1 adult to 8 children.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

(2) The registered provider will ensure that an adequate number of teachers are working directly with the children in the Senior Montessori Room and observing the ratio of one adult to eight children after 12 pm. The registered provider will crosscheck the numbers regarding teachers and children.

Supporting documentation submitted

No evidence submitted.

Summary Comment

The registered provider has addressed the non-compliances under Regulation 11.

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:

- The service provides all food to the children attending including; breakfast, snack, dinner and tea. On the day of inspection morning snack was observed to be fruit which was blended for the younger children and sliced for the older children while dinner was shepherd's pie. Staff advised that additional food is available if required and that portions are provided based on individual children's appetites.
- Staff supported children to complete self-care tasks in an age-appropriate way for example staff in Wobbler room 1 observed when children needed their noses wiped and responded in a timely manner cleaning the children's noses while staff in Toddler room 2 were observed reminding children to wash their hands and face after lunch while offering assistance when required.
- Water in individually labelled bottles were available to the children on a low shelf in their care rooms throughout the day and staff were observed to bring the children's drinks to the outdoor area.
- Nappy changing was done routinely 3 times per day and as needed to ensure the child's comfort.
- Behaviour management practices were observed to be respectful, age appropriate and in line with the service policy for example staff stated clearly when something was not acceptable behaviour. Staff spoke about using age-appropriate strategies and modelling gentle behaviour for the youngest children. Staff also spoke about engaging with parents and a partnership approach to managing challenging behaviour.
- A plan was in place to support children who did not sleep for example in Toddler room 2 one child was observed sitting in the cosy corner at sleep time reading books. Staff advised that the child does not sleep everyday so they like to sit and read books for a while to rest and if they do not sleep, they can join the other children in the outdoor area.

Physical and Material environment:

- A variety of toys and equipment which were appropriate to the age and stage of development of the children in each room were available to support the learning and development of the children for example Wobbler room1 had a number of low mirrors, soft climbing blocks, books, battery operated toys, a kitchen with supporting equipment and a large soft cosy area while the Junior Montessori room had defined play areas including a home corner with props, a dress up area and a small world area. This variety of equipment allowed the children to engage in a range of spontaneous play experiences in line with their interests.
- Appropriately sized chairs and tables allowed children to engage comfortably in mealtimes and tabletop activities throughout the day.
- Highchairs which were used for the younger children were fitted with suitable straps and used appropriately so as not to restrict the movement of the children beyond the duration of their meal.
- A large outdoor area was available to the rear of the premises. This was divided into two sections; one for younger children and one for older children. Both areas were observed to be fitted with age-appropriate equipment for example the area for the younger children has smaller equipment for example a climbing frame and slide suitable for wobblers while a large swing set and climbing frame was provided on the other side for older children. Having designated areas allowed the areas to cater appropriately to the needs of the children and supports their gross motor development. Both areas were fitted with picnic benches which allowed the children a place to sit and rest or take a break from play.

Supporting Relationships:

- Interaction between staff and children were observed to be kind, caring and appropriate to the age and stage of development of the children.
- Staff were observed to engage well with the children throughout the service for example at 10:20am a staff member in wobbler room 1 was observed sitting on the floor with the children playing peek-a-boo with some children while others played with blocks beside her.
- Children were exposed to a range of languages within the service for example in wobbler room 1 a staff member was observed singing to the children in her native language, the children appeared familiar with the songs and were responding with words where required and doing actions. Exposure to different languages supports the children's own language development.

- Information is recorded daily about the children and is shared with parents at collection time such as how much the child has eaten, nappy changes and sleep. Staff discussed sharing other information about the child's form on the day, any incidents that arose or activities that the child engaged in or enjoyed.

Non-Compliance Information

- The privacy and dignity of children was not protected during nappy changing in the Wobbler room where four children were observed to be present in the nappy changing area during nappy changing.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The privacy and dignity of the children will be observed by staff. The staff will ensure that nappy changing will not take place within the presence of other children in the area.

Summary Comment

The registered provider has addressed the non-compliances under Regulation 19.

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:

- An external door in Wobbler room 1 which opened onto the pavement outside the service was appropriately secured to prevent unauthorised persons accessing the service or children leaving the service unaccompanied.
- A high handle was fitted to the kitchen door to ensure children could not access the area.
- Restrictor devices were fitted to windows throughout the service to prevent injury to children from falls.
- Blind cords were appropriately secured throughout the service to prevent injury to the children.
- A low handrail was provided on the stairs for use by the children.

Infection Control:

- The nappy changing procedure was observed to be completed in line with best practice and the service policy. Aprons and gloves were observed to be used for each nappy change and both the staff and children's hands were washed following each nappy change.

- Pedal operated bins were used throughout the service for disposal of contaminated items.
- Bedding was stored in individually in each child's cubby and is laundered weekly in the service.
- Warm water, dispensed hand soap and dispensed hand towels were available to support hand hygiene.
- Handwashing was observed to be completed at various times per day such as after garden time and before and after mealtimes.

Administration of Medication:

- Medication administration records which detailed medication which had been administered to the children in the service were observed to be completed with all relevant details.

Safe Sleep:

- The service had an additional sleep policy which dealt specifically with managing sleep in warm weather. This policy has been implemented in recent weeks due to the warm weather. Children were observed to be stripped to vest or t-shirts before sleep time to prevent overheating.
- Staff completed and recorded physical 10-minute checks on sleeping children throughout the service.
- Cots were individual to each child in Wobbler 1 and clearly labelled with the name of the child. Cot mattresses were observed to be in good condition and were fitted with a washable cover.
- Sleep mats were available for use for children over 2 years of age. These were labelled with the name of each child and were observed to be in good condition free from hazards.

Fire Safety:

- Staff were clear on the procedure for evacuation in a fire emergency. They discussed the process, use of hi-vis vests for staff as they needed to cross a road to the assembly point and the processes around checking all areas of the service and conducting a head count.

Non-Compliance Information

General Safety:

1. The synthetic grass where the gate post was secured to the ground was observed to be lifted exposing concrete and metal. This posed a risk of injury to the children.
2. The lid of the bin in the sanitary area in Toddler room 2 was broken and did not close when the foot pedal was released.
3. The flex from a fan which was placed on the windowsill in Junior montessori 1 was observed trailing within reach of the children and posed a risk of injury.

Fire Safety:

4. During a review of the roll book at 11:50am in Junior Montessori 1 it was observed that the attendance of the children had not been recorded for the day. This could impede staff in correctly accounting for all children during an evacuation and could put the children at risk of being overlooked during an evacuation.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. A new section of synthetic grass has been secured to the cement to replace the damaged section. A photo has been included. A risk assessment of the garden area will be carried out regularly by the designated person in charge.

Infection Control:

2. The bin in the Sanitary Area in Toddler room 2 with the broken lid has been replaced. A new bin is now in place in Toddler room 2. A photo has been included.
3. The fan on the windowsill in Junior Montessori 1 has been removed and replaced by an air conditioning unit. The staff have been advised that in future all such flexes and power cords are to be secured correctly out of reach of children as they constitute a potential safety hazard.

Fire Safety:

4. Staff have been reminded to record attendance promptly in the morning. The person in charge will conduct daily checks.

Supporting documentation submitted

Documentation in relation to above has been reviewed by the inspectorate.

Summary Comment

The registered provider has addressed the non-compliances under Regulation 23.

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 registered provider ensured that a person with up to date First Aid Response (FAR) certification was present on the premises for the duration of the opening hours.

(2) (a)(b) A suitably equipped first aid box was available and easily accessible to the staff if required throughout the opening hours of the service. For example, a first aid box was mounted to the wall at adult height in the hallway on the first floor.

Part VI – Safety

Regulation 27 – Supervision

A registered provider shall ensure that pre-school children attending the service are supervised at all times.

Compliance Information

The layout of the indoor and outdoor environments allowed for adequate supervision of the children which was primarily by sight for example low level shelving was used and staff were observed to accompany children to the toilet from the outdoor area to ensure adequate supervision at all times.

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*

Compliance Information

- (a)
 - There were no visual defects observed or highlighted through conversation with the registered provider or staff.
- (b)
 - A coded door was present inside the main door of the service which prevent unauthorised persons accessing the service without staff knowledge.
 - A gate in the outdoor area was secured with a padlock which prevent unauthorised persons accessing the garden area.
 - Staff members who were present in the reception area allowed inspectors access to the service and inspectors were required to sign in in the visitor book.
- (c)
 - Windows were opened in care rooms to allow fresh air to circulate.
 - Windows provided natural light in all care rooms. This was supplemented as required by artificial light.
 - An air-conditioning unit was used in Toddler room 2 to maintain an ambient temperature.
 - Light in the sleep room was controlled using the blinds to ensure low lighting which was conducive to sleep.
 - The stairwell was well lit and well maintained free from hazards.
- (d)
 - The service appeared clean and was observed to be well maintained.