

Early Years Inspectorate Regulatory Report

Pre School

Identifier:	TU2021WX003
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Name of Service:	Rainbow Childcare
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Address of Service:	Unit R6, Clonard Village, Wexford, Co. Wexford
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Name of Registered Provider:	Kate Lowney
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Service type:	Full Day
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Dates of Inspection Day 1:	18/06/2025
Day 2:	19/06/2025

No of pre-school children: Day 1:	AM	51	PM	30
Day 2:	AM	50	PM	N/A

Address of the Early Years Inspectorate:	C. Ryan
Inspection undertaken by:	Tusla Child and Family Agency, Early Years Inspectorate, Ely Hospital, Ferrybank, Wexford
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
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Description of service

Rainbow Childcare operates as a full day care service for children aged from 6 months to 6 years. The service is open Monday to Friday and is registered to accommodate 110 children at any one time. The purpose of Rainbow Childcare is to provide quality, affordable early education to children.

The service moved to new premises in 2024, a purpose-built childcare facility located within a large residential estate. The service consists of seven playrooms and ancillary services over two floors. On the ground floor there is an office, a kitchen, a buggy store, utility room, a sleep room, a disability toilet and visitor toilet. An outdoor play area is available to the rear of the premises and is fully enclosed and secure.

Staffing

There were 17 staff employed in the service including the registered provider. The registered provider does not work directly with the children. Staff who were working directly with the children who were qualified in Early Childhood Care and Education at Level 5 and above on the National Qualifications Framework on the day.

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. The following regulations were inspected:

Regulation 9 Management and Recruitment (1) (2) (a) (b) (c) (d) (4),
Regulation 11 Staffing levels (1) (2),
Regulation 19 Health, welfare and development of the child,
Regulation 23 Safeguarding Health, Safety, and Welfare of the Child,
Regulation 25 First aid,
Regulation 26 Fire Safety,
Regulation 28 Insurance.

However, on inspection an additional non-compliance which posed a risk was identified under Regulation 29. These findings are outlined within the relevant regulation within this report.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, 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)(b)

There was a manager employed in the service who was the designated person in charge and remained in the service for the duration of the inspection on both days.

(2)(a)(b)

Following a discussion with the manager and on review of documentation, it was established that there were 17 staff employed in the service including the registered provider. All written and validated references were available on file for staff working in the service.

(c)

There was Garda vetting available on file in the service for all staff members. The service demonstrated partial compliance with the Early Years Inspectorate Regulatory Notice to renew Garda vetting every 3 years for all staff. See Regulation 23.

(d)

Police vetting was available on file for four staff members who had lived in a state other than Ireland for a period of longer than six consecutive months.

(4)

There were qualification certificates on file for 14 staff working directly with the children. These staff held an award in Early Childhood Care and Education at Level 5 and above on the National Qualifications Framework.

Non-Compliance Information

(4)

There was no evidence to demonstrate that two staff members who work directly with children held qualifications to meet the requirements of the national qualification framework.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider submitted the following response:

Corrective and Preventive Action

One staff member does not work directly with the early years children. The second staff member is not working in Rainbow Childcare while the team sort out issues with the qualification through the DCEDIY.

The list of recognised qualifications from the DCEDIY will form part of the recruitment process going forward.

Supporting documentation submitted

No evidence.

Summary Comment

The registered provider submitted a response that was satisfactory to address the non-compliances and meet the requirements of the regulation.

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)(2)

Throughout the period of the inspection there were adequate numbers of staff working directly with the children attending the service.

Day 1:

During the morning there were 51 children aged from 0 to 6 years of age in the care of 11 staff.

During the afternoon there were 30 children aged from 0 to 6 years of age in the care of 6 staff.

Day 2:

During the morning there were 50 children aged from 0 to 6 years of age in the care of 12 staff.

The manager was also present on the premises and assisted in the rooms as needed during the day.

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

(b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.

Compliance Information

(1)(a)

On the day of the inspection there were four rooms in use for the care of pre-school children. The ground floor of the building had two rooms, the baby room and the waddler room. Upstairs on the first floor there were two childcare rooms in use: the toddler room and ECCE room. The sleep room was located downstairs and was furnished with standard cots. Upstairs each of the rooms had a carpeted area where staff placed stackable mattresses for the children to rest and sleep.

The baby, toddler and ECCE rooms were resourced with age-appropriate furniture equipment and toys for the individual ages of the children. In the baby room there was soft mats for young children to sit and roll. The room had sufficient space for children to crawl and move around the room.

Children from all the rooms spent time in the outdoor garden which was large enough to accommodate the children. Staff ensured that all children enjoyed time in the outdoor play area, with children from some of the rooms enjoying outdoor play twice during the day. Staff were observed to apply sunscreen to children as required before going outside. The outdoor area was well developed with pathways for ride on toys, a large sand house, wigwams, small slides and a mud kitchen.

Snacks were supplied by parents and stored in fridges in the individual rooms. The main hot meal was cooked fresh daily, and the menu plan was displayed for parents to view. Special dietary requirements including allergies were adhered to. There was additional food and snacks available in the kitchen at all times in the event that a child was hungry, forgot their snack or wanted an alternative food to eat. Premade formula bottles supplied by parents were stored in the fridge and reheated by staff in line with Safe Food guidelines.

Parents were observed to collect their children directly from the playrooms and receive daily feedback and updates from the staff regarding their child's day.

Children from the baby, toddler and ECCE rooms were observed engaged in various activities over the two days. These included water play, sand play, singing songs, colouring, puzzles and jigsaws. The manager discussed how the service transitioned children between rooms during the summer months to ensure children were supported during this period.

During the afternoon the children from the toddler room and ECCE room joined together in the ECCE room. Staff and children were observed sitting at the tables engaged in various table top activities and chatting about their day.

Non-Compliance Information

(1) The lack of an enriched environment and appropriate staff engagement impacted the wellbeing and experiences of the children while attending the waddler room. The following observations were made over two days:

(a)

The waddler room required further development to meet the children's learning, wellbeing and development through the provision of appropriate activities, materials and equipment.

1. The room was inadequately developed and sparsely equipped. Children were observed to fight over toys and climb on furniture. One child was observed to climb onto a table. The following examples were observed:
 - A number of the shelves were bare or had one to two toys on them.
 - Pictures in the room were placed high and out of eyeline vision of the children.
 - Interest areas were poorly resourced with limited natural or open-ended materials.
 - The inspector observed there to be three story books in the room.
2. There was a lack of invitations/experiences to play set up or freely available for the children between activities such as meals times, nappy changes and outdoor play.
3. Children were not provided with drinking water while in the outdoor play area. On the day of inspection, it was an extremely hot.
4. There was no adult chair/nurturing chair in the baby room for staff to sit, hold, feed and comfort young children as needed.

(1)(b) A number of interactions between the staff and children were observed in the waddler room which were at variances with the service's ethos.

5. The inspector observed and overheard a number of interactions between a staff member and children in the waddler room that were not in line with the service’s behaviour policy which promotes positive role modelling from staff in how they speak, interact and play with children. These included: “sit on the mat”, “stop shouting”, “you can’t say that”, “you can’t play that” and “don’t mess around”.
6. Staff did not sit at the tables with the children while eating. This practice does not promote social interactions between staff and children or support the development of independent feeding skills. A staff member was observed to clean the table around a child who was still seated eating their lunch.
7. Staff members in the waddler room were observed not picking up on children’s cues. For example, the following was observed:
 - Four children showed signs of tiredness, rubbing the eyes, lying down on mats, lying against a wall. Staff members were not observed to pick up these signs. When asked by the inspector if these children could rest/sleep, staff advised that they planned to take the children outside for a second time.
 - Staff members did not pick up on cues from a child who wanted their nappy changed. The child squatted and pulled at their clothing on a number of occasions while trying to gain the staff’s attention. The staff did not pick up on what may be happening with the child and told the child to pull up their pants. The inspector had to bring it to the staff attentions that the child was displaying cues that they wanted their nappy changed.
 - A second child tried to gain attention from staff to get help in putting on a sock and shoe by waving their sock at the staff. The staff had advised the children they were going to go outside, and the child was excited. A staff member was observed to give this child a soother and not pick up on the cues from the child that they wanted help.
8. There was limited engagement by staff with the children during transition periods. For example, children were observed to wander around the room after eating, after outdoor play and while nappies were being changed. It is acknowledged that one staff member was engaged in play with children and sat on a mat and read a book after dinner.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider submitted the following response:

Corrective and Preventive Action

(1)(a)

1. The team are purchasing further toys, books and resources for this room. Staff have been instructed not to store toys out of children’s reach or put them away in cupboards.

The artwork and photos are to be displayed at lower levels, and the room is being completely redecorated to

include a carpeted area for the cosy corner and areas of interest for the children.

Staff in this room are receiving further mentoring and we are devising clear expectations for the room.

2. The centre manager carries out spot checks on each room to ensure they are creating a warm and inviting space for the children to learn, grow and enjoy their day in our early years setting.

3. Parents send in drinkers for their child, which will be refilled as needed and will be in the child's reach whether inside or outdoors. Children are encouraged to take a drink throughout their day especially at mealtimes.

4. The nursing chair has been returned to the nursery room.

(1)(b)

5.

Our disciplinary process has been reissued to staff where necessary. Management have set out clear expectations for the room to be followed by each member of staff. Staff have been instructed how to speak to and engage with children.

6, 7, 8.

Staff in this room are receiving further mentoring.

Management have devised a clear set of expectations for each room, this includes details regarding:

tone of voice when talking to children and peers, eating with children or sitting with them while they eat and encourage them to chat and socialise, being attentive to the needs and wants of the children at all times especially when it relates to nappy changing and the need of the child to sleep, to constantly engage with the children in a meaningful way, singing, reading stories, setting up opportunities for play and to manage transitions in a consistent manner.

Supporting documentation submitted

The list of expectations for staff. Photographs from the waddler room.

Summary Comment

The registered provider submitted a response to address the non-compliances. This regulation will be inspected on next inspection.

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 leading into the service was appropriately secured with a buzzer system to prevent children from exiting unsupervised and to restrict unauthorised persons from gaining access to the premises. The outdoor garden was located to the rear and of the premises and was fully enclosed. Staff ensured that children were supervised when going down the stairs and into the garden.

Infection Control:

There was warm water to support hand washing, liquid soap, disposable hand towels and foot pedal operated bins provided in four out of the five bathrooms used across the service.

Safe Sleep:

There were designated sleep rooms on the ground floor with cots for younger children to sleep in. Older children were provided with sleep mats and blankets to sleep on. Individual bed linen was available and laundered by the service. Staff who spoke with the inspector were aware of safe sleep practices and knowledgeable in the importance of adhering to safe sleep guidelines. For example, they were aware of how often a sleeping child is physically checked, recording the observations such as colour, position and breathing rate and temperature of the sleep room. Staff were observed checking on the sleeping children's colour, position and breathing every 10 minutes and recording the sleep checks. The temperature of the sleep rooms was maintained between the recommended 16 to 20 °C.

Non-Compliance Information

General Safety:

1. Room temperatures within the baby room and ECCE room were recorded as exceeding the recommended ambient room temperature of 18 to 22°C. The following room temperatures were recorded: In the baby room the temperature was 23.4°C. at 11:35. At 11:55 the temperature was 23.8°C. Two fans were present in the room. In the ECCE room the temperature was 25.1°C at 12:50.

- The service did not demonstrate compliance with the Early Years Inspectorate Regulatory Notice requiring services to re-new Garda vetting every 3 years. There were Garda vetting disclosures on file for all staff members, however the vetting disclosures for two staff members were not dated within the previous 3 years in adherence to with the Early Years Inspectorate Regulatory Notice EYI-RN12.3 Renewal of Garda Vetting.

Infection Control:

A number of practices observed during the inspection were at variance with the infection control policy and the inspector was not assured that consistent and effective infection control practices were in place throughout the service. The following was observed during the inspection:

- Children's hands were not consistently washed after nappy changing in the baby room and waddler room.
- Staff in the baby room did not wash their hands before helping children with feeding.
- Staff members in the waddler room did not consistently wash their hands after nappy changes.
- Staff were observed not to wear aprons during nappy changes in the waddler room.
- There was no hand soap in the hand dispenser in the waddler room nappy changing area on both days of inspection which impedes effective handwashing.
- On day two of inspection, there was no hand towels in the nappy changing area of the waddler room which impedes effective handwashing.
- Staff in the waddler room were observed to leave the nappy changing area still wearing gloves that were used to carry out nappy changing.
- Toys were stored in the waddler room toilet which poses as risk of cross contamination.
- Mats and soft toys in the waddler room were stained.
- Staff were observed to stack chairs after eating. This practice posed an increased risk of injury to a child in the event that they attempted to climb or pull them down.

Action submitted by the Registered Provider

The registered provider submitted the following response:

Corrective & Preventive Action:

General Safety:

- Thermometers are located in the rooms. New black out blinds have been purchased. Fans are in place. Measures are taken when necessary to reduce the temperature.
- Garda vetting disclosures are on file.

Infection control:

Staff have received further training regarding our infection control policy including hand washing and nappy changing procedures.

A checklist has been drawn up for supplies of soap and paper handtowels available for use in each room to be checked and signed daily.

Toys are no longer stored in any cupboard particularly in the nappy changing areas.

A weekly rota has been drawn up for the washing of soft toys and mats.

Staff have been instructed not to stack chairs with safety in mind.

Supporting documentation submitted

Photographs of blinds in sleep rooms. Garda vetting disclosures.

Summary Comment

The registered provider submitted a response to address the non-compliances. This inspection will be inspected on the next inspection.

Part VI - Safety

Regulation 25 - First aid

(1) A registered provider shall ensure that a person trained in first aid for children is, at all times, immediately available to the children attending the pre-school service.

(2) A registered provider shall ensure that a suitably equipped first aid box for children-

(a) is safely stored in an easily accessible and conspicuous position on the premises, and

(b) is available to the children attending the pre-school service at all times.

Compliance Information

(1)

There were three staff trained in FAR and first aid for children available to the children attending the preschool service.

(2)(a)(b)

There was a suitably equipped first aid box stored in an easily accessible position and was available for use.

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)

There was written evidence available to demonstrate that monthly fire drills were completed in the service. The last recorded fire drill was carried out on 8 May 2025.

(1)(b)

A record was maintained when the firefighting equipment and smoke alarm system were serviced in December 2024.

Non-Compliance Information

(4)

There was no notice of the procedures to be followed in the event of fire displayed in a conspicuous position in the service.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The signage is displayed throughout the building.

Extra signage is on hand in the event that displays become faded or lost.]

Supporting documentation submitted

Copy of the evacuation plan for upstairs.

Summary Comment

The registered provider was requested to provide for additional evidence to assure the Inspectorate that all non-compliances were addressed. Additional evidence was not submitted. The corrective and preventive actions provided will be reviewed on next inspection.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

The registered provider had a valid certificate of insurance for a full-time service for 110 children.

Part VII - Premises and Space Requirements

Regulation 29 - Premises

A registered provider shall ensure that the premises of the service are-
(d) cleaned, maintained and repaired, as required, and

Non-Compliance Information

- (d)
1. There were electrical flexes left exposed and unfinished in the baby room. It is acknowledged that they were out of reach of the children.
 2. In the waddler nappy changing area, there was a hole in the wall beside the nappy changing unit.
 3. The skirting boards throughout the service were not painted and scuffed in a number of places. Therefore, they could not be cleaned adequately.
 4. In the baby room and waddler room paint on the walls was scuffed, marked and peeling off.

Corrective & Preventive Action submitted by the Registered Provider

The registered provider submitted the following response:

Corrective and Preventive Action

The electrician has returned and tidied up all flexes.

The painter is due to return to finish the skirting boards and doors at the earliest possible opportunity.

The waddler room has been repainted.

Staff have been asked to bring any defects in the building to my attention as they arise.

Supporting documentation submitted

Photographs of repainted waddler rooms.

Early Years Inspectorate Regulatory Report

Pre School

Summary Comment

The registered provider was requested to provide for additional evidence to assure the inspectorate that all non-compliances were addressed. Additional evidence was not submitted.

This regulation will be reviewed on next inspection.