

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015GY021
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Name of Service:	Ballybane Rainbow Community Childcare Centre
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Address of Service:	Ballybane Community, Resource Centre, Ballybane, Co. Galway
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Eircode:	H91 VP6D
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Name of Registered Provider:	Bridie Byrne
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Service type:	Part Time
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Date of Inspection:	29/06/2026
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No of pre-school children:	AM	8	PM	7
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Address of the Early Years Inspectorate:	Early Years Inspectorate, Quality and Regulation Directorate, Clinical & Administration Building, Block A - (1st Floor- Green Corridor), Merlin Park Hospital, Galway
Inspection undertaken by:	E. Friel
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).

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Description of service

Ballybane Rainbow Community Childcare Centre, which opened in 2003, offers both sessional and part-time services for children aged from 12 months to 6 years of age. Operational hours are from 08:30 until 12:15 in the morning and from 13:30 until 16:15 in the afternoon, Monday to Friday, 48 weeks of the year. The Early Childhood Care and Education (ECCE) Schemes operates within these hours from 09:00 to 12:00, term time only. The service operates from within Ballybane Resource Centre in Ballybane, an urban residential area of Galway City. There are two care rooms namely; Creche and Pre-school, office, kitchen, children's changing area and children's sanitary areas. A secure outdoor area is located at the rear of the building and a carpark is available at the front of the service.

Staffing

There are four adults employed by the service including the registered provider.

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

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the

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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

16/09/2026

Following submission of the Corrective Actions and Preventive Actions (CAPA) form there were still issues outstanding. A Regulatory Compliance Meeting was held on the 16/09/2026.

Acknowledgments

The inspector wishes to acknowledge the cooperation of the registered provider, deputy, 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,*

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(c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and

(d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.

(4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

Compliance Information

- (1)
- (a) The registered provider was the person in charge and there was a named person available to deputise in the service as required.
- (b) The person in charge was on the premises when the early years inspectors arrived and remained on site for the duration of the inspection. The registered provider was observed covering for lunch break cover.
- (c) The management structure was visible on the noticeboard of the service in the hallway. Staff were aware of their roles and responsibilities.
- (2) One adult had joined the service since the last inspection on 15 October 2024. Therefore, this recruitment file was reviewed:
- (c) A garda vetting disclosure was available in respect of the adult who had joined the service since the last Inspection demonstrating compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew garda vetting every three years.
- (4) The new staff member had evidence of an award in Quality and Qualifications Ireland (QQI) at Level 5 on the National Framework of Qualifications in Early Childhood Care and Education or a qualification deemed by the Minister to be equivalent.

Non-Compliance Information

- (2)
- (a) (b) There were no written or appropriately validated references on file from past employers or other sources for the new staff member, posing a risk to the children. In conversation, the registered provider stated that these had been mislaid.

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(d) International police vetting could not be assessed as there was no curriculum vitae on file, posing a risk to the children. In conversation, the registered provider stated it had been mislaid.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

- (2)
- (a)(b) Following the Regulatory Compliance Meeting on 16/09/2026 two validated references from previous employers were received in respect of the adult for whom they were missing. The manager stated that in the future all the required documentation will be in place prior to any adult having contact with or access to the children.
- (d) Following the Regulatory Compliance Meeting on 16/09/2026 a curriculum vitae was received which indicated that international police vetting was not required. The manager stated that in the future all the required documentation will be in place prior to any adult having contact with or access to the children.

Supporting documentation submitted

- (2)
- (a) (b) Copies of two validated references.
- (d) A copy of a curriculum vitae.

Summary Comment

The actions take and evidence submitted by the manager following the Regulatory Compliance Meeting have addressed the non-compliances identified under Regulation 9 (2) (a) (b) and (d).

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.*

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Compliance Information

- (1) The registered provider ensured there were an adequate number of adults working directly with the children in the morning and in the afternoon.
- (2) The minimum adult child ratios were maintained during the period of inspection. There were 2 adults working directly with 8 children in the morning and 7 children in the afternoon in the Creche care room. The registered provider was observed covering lunch breaks for both staff members and a fourth adult was cleaning the Pre-school care room where the children had just finished for the end of term the previous week
- (8)
 - (a) Two staff members were present while the early years children were on the premises as evidenced by the staff roster and discussion with the staff on 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

Compliance Information

Basic needs:

- Food and snacks were served at regular intervals with snack provided by the service at 10:15 and lunch, sent in by the parents/guardians, at 11:45. A variety of food including toast, salami, mixed fruits, yogurts cheese and crackers were available. Staff stated breakfast was available from 08:30, if required.
- Water was available from individual water bottles with each child's name visible.
- Wash hand basins were supplied with dispensing soap and paper towels. Pedal operated bins were available for the disposal of paper waste.
- Rest/quiet areas were in available in both care rooms and children in the Creche care room. Staff were heard reading a story a variety of books were available nearby.
- Napping changing was carried out regularly and promptly when required. Staff were observed documenting each nappy change for individual children. In conversation, the staff member stated that this information is passed onto parents/guardians when the children are collected from the service.

Supporting children's relationships:

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- During tabletop activities and meals staff sat with the children and engaged in social conversation which helped promoted a relaxed atmosphere.
- Children were given notice of transitions by way of staff singing a clean-up song in order to prepare them for the next activity and to prevent anxiety.
- The adults in the care room were observed to be sensitive and responsive to the children's needs with physical support provided to children who were upset.

Physical and material environment:

- The care rooms were laid out in clearly defined areas which were noted to have resources to enhance the learning needs of the children across all developmental area. Examples included imaginary play materials including a dolls house, work bench, kitchen, train set and phone.
- Adult chairs were available in the Creche care room facilitating the adults to sit, feed and comfort the children.
- Materials were accessible from open shelving positioned at the children's level.
- The seamless, secure, outdoor play area provided an alternative change of environment for the children with both care rooms having direct access out onto the area. A range of developmentally appropriate equipment was provided in the fully enclosed area including age and stage appropriate slides, a swing, cars and tricycles encouraging gross motor skills of cycling, steering, balance and coordination. Climbing apparatus facilitated risky play and safety tiles were underfoot preventing injury from any falls.

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 service had its own glass entrance door located within the resource centre. This was operated by a buzzer preventing children from leaving the service unsupervised and unauthorised adults from entering.
- Internal doors including the kitchen were secured with a hook and eye device ensuring the children could not enter into unsafe areas.
- Safety catches were fitted to cupboards preventing the children from potentially accessing unsafe items.
- The perimeter of the outdoor play area was secured with high metal fencing and high metal gates ensuring that the children could not leave the area unsupervised.

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Infection Control:

- Single use aprons and gloves were available in the nappy changing area along with a pedal, lined, lidded and sealed bin for the disposal of nappies, these measures helped to prevent cross contamination the spread of infection.
- Staff members in the Creche care room were observed sanitising the tables before serving food and sweeping the floors ensuring the areas was kept clean and hygienic.
- Perishable food was stored in the fridge in the kitchen preventing the food from spoiling.
- Handwashing was observed before meals, coming in from outdoor play and after toileting, preventing the spread of germs.
- Windows were open in the care rooms providing a supply of fresh air preventing the spread of infection.
- Outdoor boots were stored on a shelf, off the floor area, ensuring the floor was kept clean.

Administration of Medication:

- Individual temperature reducing medications were available in the service and stored out of reach of the children in the kitchen. The service medication was stored in its own original container with an expiry date of 04/2027.

Safe Sleep:

- No children were observed sleeping in the dedicated sleep room. A sleep template was available and the last 10-minute physical sleep check had been recorded on 12/10/2022.

Fire Safety:

- The care rooms were fitted with push bar mechanisms aiding the quick evacuation of the children and adults in the event of an emergency.
- In date fire extinguishers were secured by brackets to the walls of the service ensuring that they are ready in the event they are required.
- Staff were aware from the fire drills that the fire assembly point was located in the car a safe distance from the service.

Non-Compliance Information

General Safety:

1. Hot water in use in the nappy changing and children's sanitary areas was recorded over 43°C, posing a safety risk to the children.

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- A child in the Creche care room was observed under one of two highchairs pulling on the tray, posing a risk of it tipping or falling on top of the child. In conversation, staff stated the highchairs are permanently stationed in the room.

Infection Control:

- Two vinyl sofas in the rest/quiet area of the Creche care room had loose stitching resulting in foam sticking out from the fabric, making effective cleaning difficult.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

- Management and staff will monitor and ensure that the hot water is within the recommended limit.
- The highchairs are removed after each use to ensure the safety of the children in the Creche care room.

Infection Control:

- The two vinyl sofas have been removed and alternatives are being researched. Staff will inform management in future of any defects which will be addressed in a timely manner.

Supporting documentation submitted

General Safety:

- Following the Regulatory Compliance Meeting on 16/09/2026 photographic evidence of the temperature of the hot water in the children's sanitary and nappy changing area within the requirement of under 43°C was received in the office of the inspectorate.
- Following the Regulatory Compliance Meeting on 16/09/2026 photographic evidence was submitted to evidence that the two highchairs have been removed.

Infection Control:

- Following the Regulatory Compliance Meeting on 16/09/2026 photographic evidence was submitted to evidence that the two vinyl sofas have been removed.

Summary Comment

The actions taken and evidence submitted by the manager following the Regulatory Compliance Meeting have addressed the non-compliances identified under Regulation 23.

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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

- (2)
- (2) (a)(b) Suitably equipped first aid boxes were available in each care room. These were accessible to the adults while the early years children were on the premises.

Non-Compliance Information

- (1) There were no adults currently trained as First Aid Responders, posing a risk to the children in the event of an accident or if they received an injury. It was acknowledged that the registered provider furnished an email of confirmation of training from the course facilitator confirming two adults were booked on the First Aid Responder training course on 25/08/2026.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

The following statement was received on 07/09/2026 from the manager;

- (1) The First Aid Responder training was completed on 25 August 2026. In future the manager will ensure that a person trained as a First Aid Responder is available while the early years children are on the premises.

Supporting documentation submitted

The following documentary evidence was received in the office of the inspectorate on 07/09/2026.

- (1) An email confirming completion of the First Aid Responder training from the course facilitator.

Summary Comment

The actions taken and evidence submitted by the manager following the Regulatory Compliance Meeting have addressed the non-compliances identified under Regulation 25 (1).

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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-
- (c) an authorised person.
- (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) Written records were available of the monthly fire drills that took place in the service. The record of the most recent fire drill was dated 6 May 2026 with the previous month noted as 16 April 2026.
 - (b) Written records were available detailing the number, type and maintenance of firefighting equipment in the service along with the smoke alarms. The firefighting equipment certificate was recorded as 15 September 2025 and smoke alarm certificate was dated 02 June 2026.
- (2)
- (c) Both the firefighting equipment and the smoke alarm records were open to review on the premises.
- (4) The notices of the visual fire drill procedures to be followed in the event of an emergency were located on the wall at the fire exit door in each of the care rooms.

Part VI - Safety

Regulation 28 - Insurance

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

Compliance Information

A written policy was available to evidence that the service was insured for the number of children stated on the policy and the service type. The expiry date was noted as 27 March 2027.