

Early Years Inspectorate Regulatory Report

Pre School

TUSLA 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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Eircode:	Y35 EF29
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Name of Registered Provider:	Kate Lowney
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Service type:	Full Day
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Date of Inspection:	28/05/2026
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No of pre-school children:	AM	85	PM	66
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Address of the Early Years Inspectorate:	Tusla Child and Family Agency, Ely Hospital, Ferrybank, Wexford
Inspection undertaken by:	E Cullen and A Bradshaw
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).

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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 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. On the day of inspection, the waddler one and two rooms were open on the ground floor and the ECCE one/toddler and ECCE two rooms were open on the first floor. The baby room on the ground floor was closed.

Staffing

The service currently employs 31 staff members, which includes staff working directly with children, the registered provider, a manager, a cook and cleaner. The registered provider does not work directly with children in the service. Staff members held qualifications in Early Childhood Education and Care at Level 5, 6, and 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.

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The inspection focused on an examination of compliance under regulations 9 – Management and Recruitment, 11– Staffing levels, 19 - Health, welfare and development of child, 23- Safeguarding health, safety and welfare of child, 25 - First Aid, 26 – Fire safety measures, 29 – Premises and Facilities; however, on inspection additional non-compliance which posed a risk was identified under Regulation 30 - Minimum space requirements. These findings are outlined within the relevant regulations within this report.

A sampling process was used to assess compliance under regulation 19 and 23. As a result, the scope of the inspection included the waddler one and two rooms and the ECCE one/toddler room.

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

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

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

Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, person in charge, staff and children who were present on the day of the inspection.

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Statutory Notices

Notice	Date Served	Detail
Immediate Action Notice IAN1404	28/05/2026	Evidence of Garda Vetting was not available for two staff members who had access to children. The two vetting disclosures must be submitted to the Early Years Inspectorate prior to persons having access to or contact with children.
Status	The registered provider submitted corrective and preventative actions which addressed the statutory notice. It is acknowledged that Garda Vetting for one staff member was submitted to the Early Years Inspectorate in the immediate aftermath of the inspection and the second was submitted once received by the service.	
Immediate Action Notice IAN1405	28/05/2026	Evidence of Police Vetting was not available for two staff members who had access to children. The vetting disclosure must be submitted to the Early Years Inspectorate prior to the person have access to or contact with children.
Status	The registered provider submitted corrective and preventative actions which addressed the statutory notice. It is acknowledged that Police Vetting for one staff member was submitted to the Early Years Inspectorate in the immediate aftermath of the inspection. Vetting for second staff member was submitted.	
Improvement Notice IN1385	28/05/2026	Garda Vetting was not in place for eight staff members prior to staff having access or contact with children.
Status	The registered provider submitted corrective and preventative actions which addressed the statutory notice.	

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.

(7) A registered provider shall ensure that all employees, unpaid workers and contractors are appropriately supervised and provided with appropriate information, and where necessary training, including in relation to the following:

- (a) the policies, procedures and statements of the service specified in Schedule 5;*
- (b) Part VIIA (inserted by section 92 of the Child and Family Agency Act 2013 (No. 40 of 2013)) of the Act, and*
- (c) these Regulations.*

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Compliance Information

(1)(a)(b)(c) There was a designated person in charge on the day of inspection and named persons were available to deputise as required. Staff described the reporting structures and persons of responsibility during the hours of operation.

(2) Through review of records, and discussion with the person in charge it was determined that fourteen staff members had commenced employment since the last inspection and files required review. To assess compliance with the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years, three vetting disclosures were also identified as requiring review:

(d) International police vetting was available for two staff members who had lived outside the state for a period over 6 months.

7)(a)(b)(c) Staff and management detailed the process for initial induction of new staff members. Several staff members were completing a job shadowing process on the day of inspection to become familiar with the services day to day operations.

Non-Compliance Information

(2)(a)(b)

Twenty-three of the required twenty-eight references were available for fourteen staff members, of which six references were not validated.

(c)

- See Statutory Notice section in relation to Immediate Action Notice IAN1404 served.
- Garda vetting had not been obtained for one staff member who was present on the inspectors' arrival at the service. The inspectors were later informed by the person in charge that this staff member had been sent home.
- It is acknowledged that Garda vetting disclosures had been obtained for thirteen staff. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.

(d) See Statutory Notice section in relation to Immediate Action Notice IAN1406 served.

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(3) The registered provider did not take appropriate measures to ensure that all employees were suitable to work in an early years service prior to their commencement as detailed within this regulation and the above Statutory Notices. See Statutory Notice section in relation to Improvement Notice IN1385 served.

(4) There were no records available to confirm that three staff members held the required qualifications in Early Learning and Care or equivalent on the National Framework of Qualifications.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

2(a)(b) All references are on file and have been verified and dated. A list has been drawn up of all details and documents needed before a new member joins the team. Staff with responsibility for recruitment are aware of this list and have received training on the requirements.

(c) Garda vetting is on file for all members of staff with access to the main creche. Staff with responsibility for recruitment have received training and a list is available detailing all required documents before a new member of staff commences.

(3) Staff have received training regarding recruitment processes. A list of required documents has been printed; no employee will start in Rainbow Childcare until all the required documents have been received and verified

(4) Transcripts provided, a list has been printed of all required documents to be on file before any new member of staff commences their employment. Staff with responsibility for recruitment, have received training on the regulations.

Supporting documentation submitted

References, Garda vetting, police vetting, staff recruitment checklist, transcripts of qualifications.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The noncompliance identified has been adequately addressed, implementation will be reviewed on next inspection.

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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) On the day of inspection there were adequate numbers of staff were working directly with the children at all times. The manager was available to support in rooms if required. There were 85 children with 20 staff members directly supervising them during the morning of the inspection, and 66 children with 19 staff members during the afternoon of the inspection.

(2) On the morning of the inspection, the staff to child ratios were maintained as follows throughout the service:

- The waddler one room, there were 13 children aged 9 to 15 months old being cared for by 5 staff.
- The waddler two room, there were 13 children aged 15 to 24 months old being cared for by 4 staff.
- The toddler room, there were 20 children aged 2 to 3 years old being cared for by 4 staff.
- The ECCE one/toddler room, there were 27 children aged 2 years to 4 years old being cared for by 5 staff.
- The ECCE two room, there were 12 children aged 3 to 5 years old being cared for by 2 staff.

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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)

The indoor areas were bright and warm, with neutral colours used on walls and furnishings. Low-level open shelving units were used to create areas of interest. Children were observed to freely access materials and resources from the shelves and floor storage baskets, promoting independence and choice making. Children who were not yet mobile were supported with varying materials by the staff members.

Children in waddler room one was observed to freely access their dedicated enclosed outdoor space, here staff members sat and engaged with children at a sensory tray. Children's literacy development was promoted with a well-resourced library areas or book nooks.

Children were observed to access the outdoor area during the course of the inspection. Staff explained that there was a roster regarding the times the outdoor area is used. During the morning, the children from Preschool 1 room, and the Toddler room were in the garden. Staff were noted to stand at various points around the outdoor space, where children approached them if they required help or support. For example, one child had lost a shoe and a staff member reacted quickly and picked him up and they both searched for the shoe. Children from both rooms were observed to play together and staff appeared to be familiar with both groups. A child ran to hug a staff member who had cared for them the previous year, and the staff member asked them about a visit to the primary school on the previous evening. This supported children's well-being where staff had a positive relationship with the children and they were comfortable chatting and sharing their news.

Children had the opportunity to participate in gross physical play. The equipment and materials in the garden offered physical challenges during play, for example, climbing frames, wheeled toys, play houses, and a large sand pit.

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Staff were observed engaging in interactive play with the children and were available to manage behaviour if required. A staff stood by the slide and prompted the children to come down the slide one by one and give everyone the chance to have their turn.

(b)

A hot meal was cooked onsite daily, and snacks were provided by parents. A weekly menu was available and on the day of inspection the meal served was spaghetti bolognaise. Drinks were freely accessible to the children in each classroom throughout the day, drinks stations were on low level shelves. Mealtimes observed were unhurried social experiences in all rooms, staff sat with children and engaged in conversation. The children were encouraged to feed themselves appropriate to their stage of development and were assisted as required.

Regular nappy changing took place throughout the day and staff were observed to engage attentively with children during the process. Children who were toilet trained, used the toilet as needed and handwashing was promoted after both nappy changing and toileting. Attention was given to children's appearance with staff observed to clean children's faces and hands, bibs were also provided by the service for use during mealtimes.

Sleep was child led and staff worked in partnership with parents to ensure consistency between home and service routines. Children were placed to sleep when signs of tiredness were recognised by staff, this was observed in waddler room one when children were placed to sleep as required during the day. Rooms used for sleeping were sufficiently dark and quiet to promote a restful sleep. Low-level floor beds were available to meet the sleep needs of children over 2 years of age.

Children had free movement and choice of activities in all rooms observed on the day. Children were placed in highchairs when meals were ready to be served and removed promptly when they were finished. The service operated an outdoor rota, and children were observed in the outdoor area throughout the day.

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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:

There was a keypad and buzzer entry and exit system in place on the main entrance door of the building to prevent unauthorised persons gaining entry or children exiting unsupervised. The kitchen and staff areas were inaccessible to children. All cleaning agents were stored safely and out of reach of children.

Risk assessments were completed for each room to ensure equipment and materials used in each of the rooms were appropriate for use by the age range of children using them. Accident and incident books maintained a record of any incidents, these were completed in detail and signatures confirmed that relevant parents, staff and a manager were informed.

All tables and chairs used by children were in good condition and suitable for use by the age range of children using them. Equipment and materials used in each of the rooms were appropriate for use by the age range of children using them, for example small items which may pose a risk of choking were not observed in room occupied by younger children. The outdoor play area was maintained to a good standard and free from hazards.

Infection Control:

The service was clean and well maintained with cleaning schedules maintained daily by staff. Children were observed washing their hands before eating, after outdoor play, toileting, and nappy changing. There was warm running water, liquid soap and paper hand towels available for hand washing throughout the service. Each room had designated children's toilets or a nappy changing area.

A system was in place for the appropriate storage and sterilisation of children's soothers. Tables and equipment were cleaned prior to food being served to children and appropriate safe food storage and preparation was observed.

During nappy changing processes observed, staff adhered to the services nappy changing policy. Staff ensured that they wore gloves and aprons during the nappy changing process and both child and staff hands were washed after nappy changing had taken place.

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Administration of Medication:

Medication record books documented the details of medications which had been administered in the service. Signed parental consent to administer medication was present on records reviewed. Medications supplied by parents were stored securely and inaccessible to children.

Safe Sleep:

Staff were familiar with best practices in safe sleep and carried out physical checks on individual sleeping children, every 10 minutes, recording individual children's sleep positions, colour and breathing. A staff member remained in the sleep area while children on low level beds were sleeping. The sleep room temperatures were continually monitored by staff, with a digital thermometer located in each sleep room. Staff were familiar with the services sleep policy which was displayed in the sleep room.

Non-Compliance Information

General Safety:

1. The vetting disclosure for one staff member was not dated within the previous three years in adherence to with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

Administration of Medication:

2. On review of medication record forms, several records were incomplete with identifying information such as surnames and dates of birth omitted and signatures confirming parents were informed that medication had been administered.

Action submitted by the Registered Provider

Corrective & Preventive Action

General Safety:

1. A list has been drawn up to ensure we are compliant with regulations in relation to recruitment. Staff with responsibility for recruitment, have received training and are aware of their responsibility to ensure vetting disclosures are in date and are updated for each member of staff every three years.

Administration of Medication:

2. Staff have been issued with our policy on medication and are aware of their responsibility regarding administration of medication paperwork. Paperwork will be checked regularly to ensure that all the details are correctly filled in and that medications are not administered without the correct paperwork being in place.

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Supporting documentation submitted

General Safety:

1. Garda vetting.

Administration of Medication:

2. Administration of medication policy.

Summary Comment

The inspector has reviewed the actions and evidence submitted. The noncompliance identified has been adequately addressed, implementation will be reviewed on 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 members trained in first aid response available to the children attending the early years service.

(2)(a)(b) There was a suitably equipped first aid box stored in an easily accessible and conspicuous position on the premises available for the use of the children attending the early years service.

Part VI - Safety

Regulation 26 - Fire safety measures

- (1) A registered provider shall ensure that a record in writing is kept of-*
- (a) any fire drill that takes place in the premises, and*
 - (b) the number, type and maintenance record of fire fighting 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 a record of fire drills which had taken place in the service. The most recent fire drill was recorded as having taken place in April 2026.
- (b) There was a record available demonstrating that the firefighting equipment was last serviced in January 2026 and the smoke alarm system was last serviced on 27 January 2026.
- (4) There was a notice of the procedures to be followed in the event of a fire displayed beside each emergency exit door on the premises.

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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

Compliance Information

The early years rooms and hallways in the service were well maintained; painting and maintenance works had been completed since the last inspection.

Non-Compliance Information

The service had converted an office into a sleep room since the last inspection. Accessed off waddler room one, the works included installation of new doors and doorframes for the sleep room and nappy changing area:

1. The door frames were untreated timber and required painting.
2. A section of the floor surface at the sleep room door was concrete.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

1. We have gone to great expense to ensure our creche is decorated to a high professional standard. The painter has been engaged to finish this small job without delay. All doors, skirtings and walls are painted and will be maintained to a high standard.
2. We have ordered a section to cover the slip of concrete and expect it to be installed soon. It is our intention to care for premises appropriately and replace or repair flooring when necessary.

Supporting documentation submitted

No evidence submitted.

Summary Comment

This regulation remains non-complaint as the service is awaiting the completion of required works.

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Part VII - Premises and Space Requirements

Regulation 30 - Minimum space requirements

- (1) Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.*
- (2) A registered provider of a full day care service or a part-time day care service shall ensure that the minimum amount of clear floor space specified in column (3) of Schedule 7 opposite a particular reference number specified in column (1) of that Schedule in respect of the age range of children specified in column (2) thereof at that reference number is available for each child in that age range attending the service.*

Non-Compliance Information

(1)(2) There was insufficient clear floor space available for the 14 children aged between 9 and 15 months old attending the waddler one room on the day of inspection. The room measured 31.2m² where 41.3 m² was required.

Corrective & Preventive Action submitted by the Registered Provider

Corrective and Preventive Action

On the day of the inspection new staff were being trained in and were shadowing existing employees. Due to unexpected staff leave our nursery room was temporarily closed to facilitate new staff receiving their induction training. It has been reopened and normal service has resumed. All rooms are opened and should an unexpected staff absence occur again if it is not possible to care for the children in their room we will have no option but to send children home until the situation is resolved.

Supporting documentation submitted

No evidence submitted.

Summary Comment

The inspector has reviewed the actions submitted, once implemented the noncompliance will be adequately addressed. This will be reviewed on next inspection.