

Early Years Inspectorate Regulatory Report School Age Services

TUSLA Identifier:	TU2019CC022SA
Name of School Age Service:	Sherpa Kids Gaelscoil Mhuscraí
Name of Registered Provider:	Jennifer Lee
Address of School Age Service:	Sheanlower, Blarney, Cork.
Eircode:	T23 EA29

Dates of Inspection:	24 & 30 September 2025			
Number of school age children present during inspection:	Day 1	10	Day 2	25
Registration status:	Registered			
Conditions (if applicable):				

Address of the Early Years Inspectorate	2 nd Floor, Estuary House, Henry Street, Limerick, V94 XT5F
Inspection undertaken by:	S O'Brien
Title:	Early Years Inspector

Authority to Inspect
Tusla's 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).

Description of Service:

Sherpa Kids Gaelscoil Mhuscraí is a school age service based in Gaelscoil Mhuscraí national school, in Blarney, Co Cork. The service caters for children aged 4 to 12 years. While the service is registered to operate between 7.30am to 8.50am and 1.30pm to 6.00pm, it currently operates from 8am to 9am and from 1.30pm to 2.30pm Monday to Friday. The service operates from a care room on the second floor of the premises. The service has access to sanitary facilities, a large hall and an outdoor area to the front of the premises. The registered provider operates multiple school age services.

Staffing:

There are five adults employed in the service, which includes the registered provider, area manager, and three school age practitioners. The registered provider is not based in the service. On days one and two of inspection, there were three adults in the service.

Additional Information:

This inspection was carried out as a result of information received by the inspectorate.

Legislation

Tusla's Early Years Inspectorate is the independent statutory regulator of School Age Services in Ireland, and its role is to promote and monitor the safety and quality of school age care provision in accordance with the following legislation:

- The Child and Family Agency Act 2013, Part 12.
- Child Care Act 1991 (Early Years Services) (Registration of School Age Services) (Amendment) Regulations 2022.
- The Child Care Act 1991 (Early Years Services) Registration of School Age Services Regulations 2018 (S.I. 575 of 2018).

A school age service means any early years service, play group, day nursery, crèche, day-care or other similar service which:

- caters for children under the age of 15 years enrolled in a school providing primary or post-primary education,
- provides a range of activities that are developmental, educational and recreational in manner, which take place outside of school hours, the primary purpose of which is to care for children where their parents are unavailable, and
- the basis for access to which is made publicly known to the parents and guardians of the children referred to in point (a) above.

It is the responsibility of a registered provider to ensure the safety and well-being of school age children and the above legislation authorises Tusla to assess compliance with the Regulations.

Inspection Methodology:

The inspection is unannounced to assess compliance with the Child Care Act 1991 (Early Years Services) Registration of School Age Services Regulations 2018 (S.I. 575 of 2018), Child Care Act 1991 (Early Years Services) (Registration of School Age Services) (Amendment) Regulations 2022, and the Child Care Act 1991, Section 58 as amended by Part 12 of the Child and Family Agency Act, 2013.

The findings on inspection are gathered through a triangulation method, including:

- Information obtained through examination of documentation.
- Direct observation.
- Discussion with relevant staff.

This inspection aims to determine the extent to which service is appropriate for the care, safety, and wellbeing of children in accordance with the regulations cited above.

Inspection findings are documented in the School Age Services 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 corrected the non-compliance and how they will prevent them 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 CAPA 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.

Acknowledgements:

The inspector wishes to acknowledge the co-operation of the children and staff who were present on the days of inspection.

Summary of Findings:

On inspection, the registered provider was found compliant in relation to the following:

- Regulation 9: Staffing levels.
- Regulation 10: Policies of a school age service.
- Regulation 12: Insurance.
- Regulation 13: Complaints.

On inspection, the registered provider was found non-compliant in relation to the following:

- Regulation 8: Vetting disclosures
- Child Care Act 1992, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013.

Conclusion and follow up actions:

The registered providers response and documented evidence submitted to the inspectorate has been reviewed and has met the regulatory requirements.

Regulation 8: Vetting disclosures

(1) A registered provider of a school age service other than a childminding service 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.

(2) The procedures specified in paragraph 1 shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the school age service.

Regulatory Requirement Met

(1) Six recruitment files were reviewed including the file of the registered provider, area manager and the volunteer.

(a) Eleven of the references available were from a past employer. Ten of the references were validated.

(c) Garda vetting disclosures had been obtained for all six adults. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) Police vetting was not required for any of the adults working with the school age children as they had not lived outside of a state for longer than six consecutive months.

Regulatory Requirement not met

(1)

(a)(b)

1. One written and validated reference was not available in respect one adult.
2. One written reference was not validated in respect of one adult.

(2)

The registered provider did not ensure that the procedures specified in paragraph 1 had been fully carried out prior to one adult being appointed, assigned or allowed access to or contact with the school age children attending the service. This posed a possible risk to the children's wellbeing. It is acknowledged that on 25 September 2025, the registered provider informed the inspectorate that this adult was no longer working in the service.

Corrective & Preventive Action Response submitted by the Registered Provider

The registered provider stated in their response that:

Corrective Action

(1) (a)(b)

The adult that was present on the day of inspection is no longer employed in the service.

(2)

The individual whose references the service was unable to source and validate is no longer employed in the service.

Preventive Action

The recruitment team lead sent a memo in relation to compliance requirements on file of all individuals including vetting of volunteers through the company and a minimum of two written validated references. No Garda vetting transfers will be accepted going forward. Documented evidence was submitted of the memo to the team.

Summary of Findings

The registered providers response and documented evidence was reviewed by the inspectorate and has met the regulatory requirements.

Regulation 9: Staffing levels

- (1) Subject to this Regulation, a registered provider of a school age service other than a childminding service shall ensure that there is at all times an adequate number of competent and suitable adults on the premises while the service is operating.*
- (2) Without prejudice to paragraph (1), a registered provider of a school age service other than a childminding service shall ensure that there is a minimum ratio of 1 adult to 12 children at all times while the service is operating.*
- (4) A registered provider of a school age service shall ensure that the school age children attending the service are appropriately supervised at all times.*

Regulatory Requirement Met

- (1) The registered provider ensured that there were adequate adults to care for the children throughout the inspections.
- (2) On day one of inspection, there were 10 children being cared for by 3 adults. On day two of inspection, there were 25 children being cared for by 3 adults.
- (4) It was observed that the adults supervised the children at all times during the inspection. The staff members were observed chatting and playing games with the children. The children were observed primarily by sight during the inspection. The adults were observed supervising the children in the sanitary areas which were located in a corridor near the care room.

Regulation 10: Policies of a school age service

A registered provider of a school age service shall ensure that the policies and statements specified in Schedule 6 are in place for the service.

Regulatory Requirement Met

The following policies were reviewed:

- Complaints policy
- Managing behaviour policy
- Drop off and collection policy
- Statement of purpose and function
- Staff training policy
- Staff supervision policy

The policies reviewed were observed to contain the information required as per regulation 10 and schedule 6 of the regulations.

Regulation 12: Insurance

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

Regulatory Requirement Met

The registered provider ensured that the service was adequately insured. The insurance policy commenced on 28 March 2025 and expired on 27 March 2026.

Regulation 13: Complaints

- (1) A registered provider of a school age service other than a childminding service shall ensure that the complaints policy of the service specifies—
- (a) the procedure to be followed by a person for the purposes of making a complaint in relation to the service,
 - (b) the manner in which such a complaint shall be dealt with, and
 - (c) the procedures for keeping a person who makes such a complaint informed of the manner in which it is being dealt with.
- (2) A registered provider of a school age service other than a childminding service shall ensure that—
- (a) a record in writing is kept of a complaint made to the provider in respect of the school age service, and
 - (b) the complaint is duly dealt with in accordance with the provider's complaints policy.
- (3) A record in writing referred to in paragraph (2)(a) shall—
- (a) include the nature of the complaint and the manner in which the complaint was dealt with, and
 - (b) be open to inspection on the premises by an authorised person.
- (4) A registered provider of a childminding service shall ensure that the parents or guardians of children attending the service are aware of the service's complaints policy.

Regulatory Requirement Met

- (1) The registered provider ensured the complaints policy of the service:
- (a) Outlined the procedure to follow by a person when making a complaint in relation to the service.
 - (b) Outlined the manner in which the complaint is dealt with.
 - (c) Outlined the procedures for keeping the complainant informed on how the complaint will be dealt with.
- (2) The registered provider ensured that:

- (a) A record in writing was kept of complaints made in respect of the service.
- (b) The complaint was dealt with in accordance with the services complaints policy.
- (3) The registered provider ensured that:
- (a) The record in writing included the nature of the complaint and the manner in which it was dealt with.
- (b) The record in writing was available to the inspector to review.
- (4) The registered provider ensured that parents and guardians were aware of the services complaints policy through the distribution of the parent's handbook.

Child Care Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013

It shall be the duty of every person providing an early years service to take all reasonable measures to safeguard the health, safety and welfare of children attending the service and to comply with regulations made by the Minister under this Part.

Regulatory Requirement Met

- The children were observed playing with various materials such as arts and crafts, plastic and magnetic building blocks and board games.
- The adults were observed interacting with the children in a respectful manner.
- The children were observed freely moving around the care room partaking in activities of choice. The children were observed playing in the large hall day two of inspection.

Regulatory Requirement not met

1. On day one of the inspection and on discussion with the adults present in the service, it was observed that there was no clear management structure in place. The lines of accountability and authority were not made clear to the adults present in the service. This posed a possible risk to the children's safety and well-being. It is noted that the registered provider informed the

inspector on day two of the inspection that the area manager would be present in the service while it was in operation for the coming weeks.

2. It was observed that cleaning agents were stored under the sink in the care room which were easily accessible to the school age children. This posed a safety risk to the children.

Corrective & Preventive Action Response submitted by the Registered Provider

The registered provider stated in their response that:

Corrective Action

1. Deputy persons in charge have been appointed since 20 October 2025 to ensure that a clear management structure is in place in the absence of the person in charge. The area manager of the service was rostered in ratio until this action is fully implemented. Documented evidence this information sent to staff was submitted.

2. All cleaning products were removed and stored temporarily in an out of reach container until a lock for the cabinet was sourced and installed. No cleaning products are accessible to the children. Photographic evidence of the cleaning products removed from the cabinet was submitted.

Preventive Action

1. All services now have a deputy person in charge appointed to step up as the person in charge in their absence.

2. Safe storage of cleaning or hazardous products covered on the monthly Lessons Learned Forum with all staff on 21 October 2025.

Summary of Findings

The registered providers response and documented evidence was reviewed by the inspectorate and has met the regulatory requirements.