

Early Years Inspectorate Regulatory Report School Age Services

TUSLA Identifier:	TU2019DR006SA
Name of School Age Service:	Kids Inc Afterschool Holy Trinity
Name of Registered Provider:	John Hartnett
Address of School Age Service:	Holy Trinity National School Leopardstown Dublin 18
Eircode:	D18YV91

Date of Inspection:	19/05/2025			
Number of school age children present during inspection:	AM	N/A	PM	76
Registration status:	Registered			
Conditions (if applicable):	Not applicable			

Address of the Early Years Inspectorate	Brunel Building Heuston South Quarter Saint John's Road West Dublin 8. D08 X01F
Inspection undertaken by:	R. Duff M. Mc Donnell
Title:	Early years and school age inspectors.

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).

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Description of Service:

Kids Inc School Aged Service is a registered school age service located in Dublin 18. It is part of a chain of school age services located throughout the country. The school aged service is based in a primary school and has use of 6 rooms and a large secure outdoor area. On the day of inspection 5 rooms were in use. The service also offers a sibling hour for junior and senior infant children.

The service is registered to accommodate up to 160 school age children between the ages of 4- 12 years at any one time. Opening hours are 8:00am-8:50 am for breakfast club 1:30- 18:30 term time and 8:30-6:00pm out of term time.

Staffing:

There are a total of 19 staff members employed in the service including a person in charge. The company employs relief staff who are moved to different locations as required. The registered provider does not work directly in the service. On the day of the inspection, the area manager arrived to the service but did not work directly with the children. There were 15 staff caring for 76 children.

Additional Information:

This inspection was completed on foot 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:

- a) caters for children under the age of 15 years enrolled in a school providing primary or post-primary education,
- b) 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
- c) 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, person in charge, area manager and staff who were present on the day of inspection.

Summary of Findings:

On the day of inspection, the registered provider was found to be compliant in:

- Regulation 9(1)(2)(4): Staffing levels
- Regulation 10: Policies
- Regulation 12: Insurance

On the day of inspection, the registered provider was found to be non-compliant in:

- Regulation 8: Vetting disclosures
- Regulation 13: Complaints
- Child Care Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013.

Conclusion and follow up actions:

The actions and evidence submitted by the registered provider, in their corrective and preventive action plan for Regulation 13 and Child Care Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013, have adequately addressed the non-compliance identified on inspection. However, the actions required to address Regulation 8(1)(a)(b) remain incomplete and non-compliant.

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) Documentation relating to 19 staff and the registered provider was reviewed.
- The following information was found:
- (a)(b) Of the 29 written and validated references available for inspection, 8 were available from a past employer and 21 were available from a reputable source.
 - (c) The required Garda vetting disclosures were available for the 19 staff members and the register provider. It was demonstrated that the service adhered to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years.
 - (d) Police vetting was required for 14 staff; this was available for review.

Regulatory Requirement not met

- (1) The registered provider did not ensure that each employee is suitable and competent, taking into consideration the nature of the needs of children.
- (a)(b) Nine written and validated references were not available from a past employer or a reputable source.
- (2) Documents reviewed demonstrated that relevant vetting disclosure procedures had not been carried out prior to persons being allowed access to children in the service. Nine written and validated references were not available for staff.

Corrective & Preventive Action Response submitted by the Registered Provider

- While it is acknowledged that validated references for one adult was submitted to the inspectorate, written and validated references for eight staff members remain outstanding. The registered provider stated that the service is in the process of obtaining outstanding references.

Summary of Findings

The actions and evidence submitted by the registered provider, in their corrective and preventive action plan for Regulation 8(1)(a)(b) remain incomplete and non-compliant.

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)(2)(4)

During the inspection, the registered provider ensured that appropriate staffing levels were maintained. The 76 children attending the service were supervised directly by 15 staff.

There were an adequate number of adults available during the inspection to meet the needs of the children present. The staff members were observed to work with allocated groups of children for the afternoon.

Throughout the inspection, the children were supervised through sight and sound. The adults were observed to move to different areas of classroom and the outdoor area to observe the children from a reasonable distance. During the inspection, the children stayed in their allocated area in the garden. The person in charge and staff used a walkie talkie system to communicate with each other. The person in charge was observed to use this system of communication to give regular instruction to staff. For example, to direct staff to take children to different areas of the garden and return to the rooms for mealtimes. Conversation with the person in charge and staff confirmed that separating children of different ages in the garden was in response to managing behavioural concerns observed by staff and reported by parents. The walkie talkie system was also used to inform staff when a child was being collected.

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 service's managing behaviour policy was reviewed. This document contained required information as per Schedule 6 of the regulations to support staff in their practice.

Regulation 12: Insurance

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

Regulatory Requirement Met

The service is insured for 160 children to attend at any one time. The policy was dated from 28 March 2025 to 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.*

Regulatory Requirement Met

(1)(b)(c) The service had a complaints policy in place. The policy detailed how the service would manage a complaint received to the service and outlined how the person(s) would be kept informed of how the complaint was managed within the service. It was outlined that parents are provided a copy of the service's complaints policy via email. On the day of inspection, the inspectors reviewed 9 complaints received into the service.

(2)(a) The service's policy outlined that the service would retain the record of complaint for 2 years from the date the complaint was dealt with.

(b) Ten complaints available for review on the day of inspection, showed they were dealt with in accordance with the providers complaints policy.

Regulatory Requirement not met

(3) (a)(b)

In discussion with the person in charge of the service, it was confirmed that they are not involved with dealing with a current written complaint. They confirmed that the complaint is being dealt with by head office. Therefore, the nature of the complaint and the manner in which the complaint is being dealt with were not available on the premises for review by the inspectors.

Corrective & Preventive Action Response submitted by the Registered Provider

The registered provider has stated:

The staff member was aware of the complaint and how the complaint has been managed as per our policy and procedures. The complaint was initially shared with the centre manager by the parents and was escalated to head office due to the sensitive nature of the concern. The centre manager can be given immediate access to the concerns tracker which documents all aspects of the complaint, what has been done and what is outstanding at all times. The staff member has been trained in how to communicate regarding complaints and concerns with any governing bodies that inspect SAC facilities. Due to sensitive nature of the complaint, the team were unsure how to discuss with the inspector. The complaint from the onset was addressed with the PIC and was fully informed of any relevant information that was related to the centre. The PIC has been trained in how to deal with these issues when and if they arise again. All complaints are held on the company share point that the PIC in charge can have access as required.

All centres have concern trackers too for concerns that can be dealt with at centre level any concern that is required to be escalated to head office is done so by the centre manager and documented on the head office tracker as is what happened in this situation.

Summary of Findings

The regulatory requirement has been met.

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

In discussion with staff, it was confirmed the policies and training were provided prior to them working directly with the children. Staff explained they had completed children first training, first aid, HACCP, teamwork and emotional literacy training in addition to the basic induction. In discussion with staff, the procedures as set out within the services behaviour management policy were familiar. It was outlined by the person in charge that they have requested all staff receive training specific to each particular service as staff often cover in different locations.

On arrival at the service the younger children were observed to be engaged in a variety of age-appropriate activities. The activities the children took part in were varied and reflected the children's stage of development. For example, children in the junior infant's room were colouring and cutting with a member of staff, others were reading books or playing with cars and trucks on the floor. The children in the senior infant's room were preparing for dinner. Staff in the senior infants' room discussed the afternoon art plans to make paper lollipops with the inspector.

At 2:30 the older children arrived from school and headed to the three rooms upstairs. The older children were offered dinner on arrival.

Following dinner, the children from the senior infants left the room to go to the red yard. The person in charge informed the inspectors that each age range has specific times in the outdoor areas. The children had the use of footballs and basketballs in the red yard. Children in the junior infant's room had the opportunity to go to a pre-arranged mindfulness class with a teacher from the school, the remaining children went to the yard. Headcounts are conducted every 15 minutes by staff in each room; this was recorded on a head count log. Following dinner, the older children

had the opportunity to go to the red yard, at this point the younger children were directed by the person in charge to move to the grey yard. During outdoor play staff were position around the play area and completing active supervision on the children. The inspectors observed them watching the children's play, moving around the area and engaging with play.

The staff members were observed to move freely between the different groups of children and provide the children with guidance and support, as required. Interactions between staff and children was observed to be friendly, supportive and consistent.

Regulatory Requirement not met

1. The registered provider did not ensure they take all reasonable measures to safeguard the children attending the service. Attendance records available in the senior infant's room were inaccurate with 2 children being moved from one book to the other and 1 child not marked in during the inspection. This presents a risk to children's safety in the event of an emergency evacuation.
2. While discussing an alleged incident and written complaint issued to service, the person in charge stated to inspectors that they were not aware of the details of this incident. Through discussion with staff during outdoor play they were unaware that some equipment was no longer in use following this incident. It is important that all reports of incidents or accidents are shared with the person in charge and all staff to identify current risks and mitigate against any ongoing risk to children.

Corrective & Preventive Action Response submitted by the Registered Provider

The registered provider has stated:

A new CRM system called Enrolmy has been purchased and will be in use for the next school year. This will capture each child's full attendance daily.

A communication process is in place whereby any concerns are discussed at Area Managers meeting and followed up with email for any immediate actions with is addressed with the centre managers then.

Summary of Findings

The regulatory requirement has been met.