

Early Years Inspectorate Regulatory Report School Age Services

TUSLA Identifier:	TU2019DS011SA
Name of School Age Service:	Krafty Kidz Breakfast and Afterschool Club
Name of Registered Provider(s):	Jennifer Keane Susan Keane
Address of School Age Service:	St Marys GAA Saggart Dublin
Eircode:	D24PH31

Date of Inspection:	1 February 2024			
Number of school age children present during inspection:	AM	Not applicable	PM	85
Registration status:	Registered			
Conditions (if applicable):	Not applicable			

Address of the Early Years Inspectorate	Early Years Inspectorate Primary Care Centre Church Avenue Tullamore Co Offaly
Inspection undertaken by:	A Spain M McDonnell
Title:	Early years inspectors

Early Years Inspectorate Regulatory Report

School Age Services

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:

Krafty Kidz Breakfast and Afterschool Club is a school age service located in a Gaelic Athletic Association (GAA) community building. The service has the use of a hall, sanitary accommodation, a kitchen, and a toy storage room at ground floor level. Rooms in use at first-floor level include a playroom and sanitary accommodation off the playroom.

The service is in operation between the hours of 7.30am and 6.00pm. The service opens between the hours of 7.15 and 9.15am and 1.30 to 6.00pm during school terms. Children in the age range of 4 to 12 years are cared for in the service. Access to the building is off a residential housing estate in Saggart. The service has the use of a green field outside of the building for outdoor play.

Staffing:

The service is staffed by eight adults. Both registered providers are also available to provide relief cover as required. Ancillary staff include two staff members working in the kitchen. Transport to the service is contracted to an external bus company.

Additional Information:

The inspection was conducted in response to information received by the Inspectorate.

An immediate action notice was issued on the 2 February 2024 by the inspector in relation to the absence of Garda vetting disclosures for three employees. A response, which outlined the remedial measures put in place, was received from the registered provider on the same date. Please refer to regulation 8(1)(c) in this report for further information.

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

Summary of Findings:

On the day of inspection, the registered providers were found to be compliant in relation to:

- Regulation 9(1)(2)(4): Staffing levels;

- Regulation 10: Policies etc of a school age service;
- Regulation 13(1)(a)(b)(c): Complaints;
- Child Care Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013.

On the day of inspection, the registered providers were found to be non-compliant in relation to:

- Regulation 7(1): Notification of change in circumstances;
- Regulation 8: Vetting disclosures;
- Regulation 12: Insurance.

Conclusion and follow-up actions:

The inspectors reviewed the actions and evidence that the registered provider submitted. The non-compliances found on inspection have been adequately addressed. This will be reviewed on the next inspection of the service.

Regulation 7: Notification of change in circumstances

(1) A registered provider of a school age service shall, subject to paragraph (2), notify the Agency in writing of any proposed change in the details in relation to the school age service contained in the register pursuant to section 58C (2) of the Act or Regulation 6(2) or 6(3) at least 60 days before it is proposed that the change would take effect.

Regulatory Requirement not met

(1)

On the day of inspection, there were a total of 85 children cared for between the ground floor hall and the first floor playroom. The service was registered to care for a maximum of 84 children at any one time. The service had increased the number of children cared for in the service without prior approval for a change in circumstances with Tusla.

Corrective & Preventive Action Response submitted by the Registered Provider

(1)

On the 12 February 2024, the registered provider furnished the inspector with written confirmation of Tusla's approval (on 12 February 2024) to increase the number of children that can be accommodated in the service. This confirmed that the service could increase the number of children that can be accommodated in the service from 84 to 90 children at any one time. As a preventive measure, the registered provider advised that an electronic system has been introduced in the service to maintain accurate records of children booked into each room in the service. It was also advised that approval for a change in circumstances will be sought from Tusla in the future before the service increases the number of children it accommodates.

Summary of Findings

The inspector has reviewed the action and evidence submitted. The measures taken by the registered provider have met the requirements of regulation 7(1). This will be reviewed on the next inspection.

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 not met

(1)(a)(b)(c)(d)

The necessary documentation was not available on the day of inspection to confirm that vetting disclosure procedures were carried out in respect of all employees and contractors working in the service.

Validated references, vetting disclosures, required police vetting, employment history to include start dates in the service and photographic identification were not available in respect of all employees working in the service. It was acknowledged that a vetting disclosure was provided in respect of nine employees working in the service, including both registered providers. The registered provider also furnished a vetting disclosure in respect of an external contractor.

An immediate action notice was issued on the 2 February 2024 in respect of the absence of Garda vetting disclosures for three employees.

(2)

In the absence of confirmation of employee commencement dates in the service, verification of vetting disclosure procedures prior to appointment to work with the children was not available. The absence of robust vetting procedures poses a risk to the safety of children.

Corrective & Preventive Action Response submitted by the Registered Provider

(1)(a)(b)(c)(d)

Two references from past employers or reputable sources were submitted for all staff members with the corrective and preventive action plan on the 17 April 2024. Employment start dates were also submitted with the corrective and preventive action plan. This confirmed that validation of some references for four staff members was conducted after their start dates to work in the service. At the inspector's request, the registered provider submitted a second corrective and preventive action plan on the 8 May 2024. The preventive measure in the corrective and

preventive action plan submitted on the 8 May 2024 confirmed that all references for new staff will be validated prior to persons starting employment in the service.

The response to the Immediate Action Notice was received from the registered provider on the 2 February 2024. The registered provider advised that three staff would not work in the service until their Garda vetting disclosures were processed by the Garda National Vetting Bureau. Three outstanding Garda vetting disclosures conducted in February 2024 were submitted to the Inspectorate on the 1 March 2024. Employment histories confirmed that the three staff members had lived outside of the State for over six consecutive months as adults. Confirmation that the three staff had applied for police vetting was also submitted. A processed police vetting was subsequently submitted to the Inspectorate on the 10 May 2024 for two staff members.

Photographic identification was submitted for the staff working in the service. In the corrective and preventive action plan submitted on the 17 April 2024, it was indicated that all vetting for staff was completed. It was submitted to the inspector as requested. As a preventive measure, it was advised in the corrective and preventive action plan submitted on the 17 April 2024 that all vetting will be fully completed before staff take up employment in the service.

(2)

In the corrective and preventive action plan submitted on both the 17 April 2024 and 8 May 2024, it was indicated that all staff files will be on the premises at all times. As a preventive measure, it was indicated that all files will be maintained and up to date with all the necessary vetting requirements referenced in this report. Please also refer to the information noted above under regulation 8(1)(a)(b)(c)(d) regarding other applicable preventive measures.

Summary of Findings

(1)(a)(b)(c)(d) (2)

The inspector has reviewed the action and evidence submitted. The measures taken by the registered provider have met the requirements of regulation 8. This will be reviewed on the next inspection of the service.

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)

Five staff members cared for 51 children in the hall on the ground floor. Three staff members cared for 34 children in the first floor playroom.

(4)

Children in both rooms were observed to be appropriately supervised on the day of inspection.

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 complaints policy, the policy on managing behaviour, and the policy on dropping off and collection of children were available on the day of inspection and furnished to the inspectors as requested.

Regulation 12: Insurance

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

Regulatory Requirement not met

The service had insufficient insurance cover for the number of children present on the day of inspection. A copy of the insurance cover showing that the service could accommodate 84 children was provided to the Inspectorate. On the day of inspection, there were 85 children in the service on arrival of children from a 3.00pm bus collection.

Corrective & Preventive Action Response submitted by the Registered Provider

The registered provider submitted written correspondence to the Inspectorate on the 9 February 2024 which confirmed that insurance cover was changed for the service to accommodate an increased number of children (90) in the service at any one time. Insurance cover was valid from 9 February 2024 to 27 March 2024. The registered provider also furnished a copy of the renewed insurance cover for the service with the corrective and preventive action plan submitted to the inspector on the 17 April 2024. This confirmed that the service had insurance cover for 90 children which was valid from 27 March 2024 to 27 March 2025. As a preventive measure, it was advised in the corrective and preventive action plan that the insurance cover was now on display in the service and would be increased or decreased as necessary.

Summary of Findings

The inspector has reviewed the actions and evidence submitted. The action taken by the registered provider has met the requirement of regulation 12. This will be reviewed on the next inspection of the service.

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.*

Regulatory Requirement Met

(1)(a)(b)(c)

The service had a complaints policy which outlined the manner in which both formal and informal complaints were received, dealt with and outcomes communicated to complainants. The complaints policy also outlined an appeals provision should the complainant be dissatisfied with the outcome of the investigation. Subsequent to the inspection, a child friendly format for making complaints was submitted to the Inspectorate.

There was no record of complaints available on the day of inspection. The manager of the service advised that no complaints were received to date.

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

During the inspection, the inspectors observed the health, safety and welfare of the children being supported as follows:

- A variety of toys and play equipment were located in the hall at ground floor level on arrival of the inspectors. Groups of children were observed to play with cars, toy animals,

dolls houses, and engage in colouring activities. Children's artwork was on open display which included coloured hearts to depict a valentine day theme. A group of children appeared to enjoy crocheting with different colours of wool.

- Play equipment in the first floor playroom included play kitchens and play cooking equipment, a garage, boxes of dolls, and building materials. A soft couch was provided in a reading area for relaxation, and children were observed to sit for short periods of time with books of their choice. A balance of both structured play and free play was observed with staff asking children what their preferred choice of activities was and offering children the necessary play equipment when choices were expressed. A staff member was observed sitting with a child to assist with jigsaw making. Staff provision of toys and play equipment ensured that children were engrossed in play on the day of inspection. It was advised by the manager of the service that this strategy was used to support positive behaviour management and to develop the children's interests as outlined in the behavioural management policy for the service. Appropriate tones of voice were used by staff on the day of inspection when they engaged with the children.
- The manager in the service advised that to treat the children, scavenger hunts using a stock of toys and play equipment from the toy storeroom, construction days and afternoons of fun games and quizzes were implemented.
- Both the manager and staff in the service advised that children were consulted when programme planning in the service. The staff also advised that they used their mobile phones outside of school hours to electronically communicate ideas in relation to programme planning and to provide a variety of activities for the children in attendance. Children in the service expressed their preferences for engaging in crochet, art activities, and playing football while in the service.
- A variety of hot and cold snacks were provided to the children in attendance as prepared by staff members dedicated to food preparation. Children were observed to sit at tables and enjoy the hot dogs in buns served by a staff member. Tortilla wraps, cheese, lettuce, cucumber, peppers, brown bread, and butter were provided on the self-service table for children to help themselves. A bowl of fruit with bananas, apples and oranges was also available to the children.

- The entrance door used by children was secured with a high level latch and children were observed to be signed in and out at arrival and collection times to guard against unsupervised exit. The second entrance door used by staff was provided with a keycode to guard against unauthorised access to the service. The service portable phones at ground floor and first floor level were interconnected to facilitate collections when parents and guardians arrived at the locked entrance door to collect children.