Early Years Inspectorate Regulatory Report
School Age Services

TUSLA Identifier:	TU2019DS013SA
Name of School Age Service:	Exchange House Ireland After School Service (St Olivers Park)
Name of Registered Provider(s):	Kevin Burn
Address of School Age Service:	St. Oliver's Community Hall St. Oliver's Park Cloverhill Road Co Dublin
Eircode:	D22 NP04

Date(s) of Inspection:	2 December 2024	
Number of school age children present during inspection:	**PM**	4
Registration status:	Registered	
Conditions (if applicable):	Not applicable	

Address of the Early Years Inspectorate	Early Years Inspectorate 180-189 Lakeshore Drive Airside Business Park, Swords Co Dublin
Inspection undertaken by:	M. McDonnell
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:	Exchange House Ireland After School Service (St Olivers Park) is one of two services operated by the registered provider. The service is based in a ground-floor community building in Co Dublin. The service provides care to children aged 4 to 15 years old. An afterschool club is provided from 3.30 to 7.30pm. There is an outdoor area, a small kitchen area and sanitary facilities available onsite.

Staffing:	The registered provider does not work in the service. There are six staff members employed by the registered provider to work directly with the four children.

Additional Information:	This inspection was a planned focused inspection of the service. Immediate Action Notices (IAN) were issued to the registered provider on 3 November concerning the safety of the children related to the unsupervised access and exit from the service and the absence of a Garda Vetting disclosure. A response which mitigated the risk was discussed on the day of the inspection and further information was received on 4 and 5 of November 2024.

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, registered provider, person in charge, and staff who were present on the day of the inspection.

Summary of Findings:

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

- Regulation 8(1)(a)(b)(d): Vetting disclosures;
- Regulation 9(1)(2)(4): Staffing levels;
- Regulation 12: Insurance;

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

- Regulation 7: Notification of Change of Circumstances,
- Regulation 8(1)(c)(2): Vetting disclosures;
- 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 preventive and corrective action plan, have addressed the non-compliances identified on inspection.

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)

The Early Years Inspectorate had not been informed in advance of a change to the registered provider. The inspector was informed on inspection that the registered provider was no longer with the service. While a new person was in post the service had not identified them as a replacement registered provider to the Inspectorate.

Corrective & Preventive Action Response submitted by the Registered Provider

(1)

Members of the senior management team of the service submitted correspondence to address the change of registered provider. The Early Years Inspectorate approved this application. As a preventive action, the service has developed a working group and has stated they are updating policies to ensure all changes are advised to the inspectorate.

Summary of Findings

The actions and evidence submitted by the registered provider, in their preventive and corrective action plan, have addressed the non-compliances identified on 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 Síochana 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)(a)(b) The staff files of a manager and six staff members were reviewed. The manager had two written references for themselves and each of the three staff members. These references were validated as required. (1)(d) The documentation available demonstrated that police vetting was not required for any of the staff members.

Regulatory Requirement not met
(1)(c) An immediate action notice was issued as there was no Garda Vetting disclosure available for one of the seven adults. A response which mitigated the risk was sent by the registered provider on 5 December 2024. (2) The registered provider had not ensured that vetting procedures had been completed prior to staff being employed and working directly with the children as the required documentation was not in place for one staff member.
Corrective & Preventive Action Response submitted by the Registered Provider
(1)(c) A response which mitigated the risk was sent by the registered provider on 5 December 2024. The Garda Vetting was subsequently submitted. (2) As a preventive action, the service has developed a working group and has stated they are updating policies to ensure all documentation is in place prior to staff commencing work with the children.
Summary of Findings
The actions and evidence submitted by the registered provider, in their preventive and corrective action plan, have addressed the non-compliances identified on inspection.

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) There were two staff members working directly with four children. The staff members greeted the children as they entered the service and spoke with them about their day. They were observed supervising children directly with their homework.

Regulation 12: Insurance
A registered provider shall ensure that the school age service is adequately insured.
Regulatory Requirement Met
The service was insured to provide care for the number of children attending the service. The insurance was valid from 15 January 2024 to 14 January 2025.

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 Garda Vetting disclosures available for staff members were dated within the last three years in accordance with the Early Years Regulatory Notice.
Regulatory Requirement not met
1. An Immediate Action Notice (IAN) was issued to the registered provider concerning the unrestricted access and exit to the service. The registered provider submitted written and photographic evidence addressing the risk on the 5 November 2024.
Corrective & Preventive Action Response submitted by the Registered Provider
1. A response to the Immediate Action Notice (IAN) was received on the 5 November 2024. Evidence was submitted that a lock had been put in place. The registered provided stated that management is in the process of reviewing procedures to ensure the safety of the premises through the development of a sub-committee to review regulation requirements and to update documentation processes and procedures.
Summary of Findings
The actions and evidence submitted by the registered provider, in their preventive and corrective action plan, have addressed the non-compliances identified on inspection.