

Early Years Inspectorate Regulatory Report School Age Services

TUSLA Identifier:	TU2019DS021SA
Name of School Age Service:	Lillian and Emily's Breakfast & Afterschool
Name of Registered Provider:	Lillian Roe and Emily Hannon
Address of School Age Service:	St. Mark Junior School Maplewood, Maplewood, Springfield, Dublin 24
Eircode:	D24 FT95

Date of Inspection:	26 November 2024			
Number of school age children present during inspection:	AM	N/A	PM	35
Registration status:	Registered			
Conditions (if applicable):	N/A			

Address of the Early Years Inspectorate	Brunel Building, Heuston South Quarter, Saint John's Road West, Dublin 8. D08 X01F
Inspection undertaken by:	A. Bradshaw
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).

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Description of Service:

Lillian and Emily's Breakfast & Afterschool is based in a primary school in Tallaght in Dublin 24. The service has the use of the school resource room, a classroom and the general-purpose hall once the school day is over.

The service is registered to care for up to 48 children aged between 4 and 12 years of age. It operated from 7.30pm to 8.40am and 1.30pm to 5.30pm during the school term.

The children have access to the schoolyard for outdoor play daily.

Staffing:

There are a total of four staff employed to care for the children. This includes the two registered providers. On the day of the inspection, there were four staff caring for 35 children.

Additional Information:

An Immediate Action Notice concerning safety and the absence of Garda vetting for two staff members was issued on 27 November 2024. A response was received from the registered providers on 27 November 2024. The response met the requirements of Regulation 8 Vetting Disclosures (8)(1)(c) and the Childcare Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013

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, registered providers, and staff who were present on the day of inspection.

Summary of Findings:

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

- Regulation 8(1)(c): Garda Vetting Disclosures.
- Regulation 9(1)(2)(4): Staffing levels;
- Regulation 12: Insurance.

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

- Regulation 8(1)(a)(b)(d)(2): Garda Vetting Disclosures.
- Childcare Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013.

Conclusion and follow up actions: The action and evidence submitted by the registered provider, in their corrective and preventive action plan has adequately addressed the non-compliance.

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

Of the four files reviewed the following was noted:

- (a)(b) There were no validated references available for four staff members
 - (c) Garda vetting was not available for two staff members. However, it is acknowledged Garda vetting was available for two staff members.
 - (d) Documents were not available to determine if police vetting was required for two staff members.
- (2) Evidence was available to demonstrate that the relevant vetting disclosures were not carried out prior to any person working directly with the school age children. The required validated references were not available and documentation was not available to determine if police vetting was required for two adults.

Corrective & Preventive Action Response submitted by the Registered Provider

- (1)
- (a)(b) The registered provider submitted evidence to demonstrate four staff references were available and validated

(c) An adequate response to an immediate action notice was received by the inspector on 27 November 2024. Copies of the outstanding Garda vetting were submitted to the inspector.

(d) The registered providers submitted documents which indicated that police vetting was not required for two staff members.

(2) The registered provider submitted a statement to the inspectorate which stated that they will ensure all procedures required for vetting disclosures will be acquired prior to staff beginning their employment.

Summary of Findings

The action and evidence submitted by the registered provider, in their corrective and preventive action plan has adequately addressed the non-compliance.

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

On the day of the inspection, the registered provider ensured that the appropriate staffing levels were in place. Thirty-five children attending were supervised directly by four staff members. The records reviewed demonstrated that the registered providers maintained the required ratios between 30 September and 25 October.

Regulation 12: Insurance

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

Regulatory Requirement Met

The service had insurance in place for a maximum of 48 children at any one time. The insurance was valid from 30 August 2024 to 24 March 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 not met

During the inspection, a significant risk was noted that no staff member was appropriately trained in first aid for children in case of an injury or sudden illness.

Corrective & Preventive Action Response submitted by the Registered Provider

An adequate response to an immediate action notice was received by the inspector on 27 November 2024. Evidence submitted demonstrated that four staff members were scheduled to commence First Aid training.

Summary of Findings

The action and evidence submitted by the registered provider, in their corrective and preventive action plan has adequately addressed the non-compliance.