

Early Years Inspectorate Regulatory Report School Age Services

TUSLA Identifier:	TU2019DY013SA
Name of School Age Service:	Kids Inc Afterschool LCC
Name of Registered Provider(s):	John Harnett
Address of School Age Service:	Leinster Cricket Club, Observatory Lane, Rathmines, Dublin 6
Eircode:	D06 WF96

Date of Inspection:	24 April 2024
Number of school age children present during inspection:	PM 30
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).

Early Years Inspectorate Regulatory Report

School Age Services

Description of Service:

Kids Inc Afterschool LCC is one of 33 school age and pre-school services owned by the registered provider. It is based in the Leinster Cricket Club in Rathmines, Dublin 6. The service has the use of the club's large meeting room on the first floor and the sanitary facilities adjacent to it.

The service is registered to accommodate up to 48 children from the age of 4 years to 12 years old. On the day of the inspection, there were 30 children present.

The service is registered to operate from 1.30pm to 6.30pm, Monday to Friday during the academic year.

The children have access to a large, grassed area at the front of the building.

Staffing:

There are a total of seven staff members employed in the service, including the registered provider, the coordinator of the afterschool and the relief staff. The registered provider and afterschool coordinator do not work directly with the children. On the day of the inspection, there were 4 staff caring for 30 children.

Additional Information:

The inspection was completed on the receipt 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, the afterschool coordinator, the person in charge, and the staff who were present on the day of inspection.

Summary of Findings:

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

- Regulation 8: Vetting disclosures;
- Regulation 9(1)(2)(4): Staffing levels;
- Regulation 10: Policies of a school age service;
- Regulation 12: Insurance;
- Regulation 13(1)(2)(3): Complaints;
- 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 service was found to be compliant with Regulation 8; Vetting disclosures, Regulation 9(1) (2)(4); Regulation 10: Policies of a school age service; Staffing levels Regulation 12; Insurance; Regulation 13(1)(2)(3): Complaints; and Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013

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

The inspector reviewed seven staff files. The following was noted:

- There were written validated references available for the seven staff members.
- Garda vetting was available for seven staff members.
- Documentation was available for seven staff members to affirm whether police vetting was required. The police vetting which was required for five staff members

was available on the day of inspection.

- The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(2)

The files available demonstrated that procedures specified under regulation 8(1) in paragraph 1 were carried out prior to staff members being appointed, assigned or allowed access to or contact with a child attending the school age 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)(4)

During the inspection, the registered provider ensured that appropriate staffing levels were maintained. Thirty children attending the service were supervised directly by 4 adults. The school age coordinator arrived during the inspection and was available to assist if required. Discussion with staff members and a review of the staff rosters and records of the children's attendance from 8 April 2024 to 23 April 2024, demonstrated that the minimum ratio of 1 adult to 12 children was maintained during this period. Documents reviewed confirmed that relief staff were available to work in the service if required.

During the inspection, staff were observed to engage with children, support them to complete their homework and organise games when outdoors.

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

On the day of inspection, the policies and statements specified under Schedule 6 were available. In addition, the service had a risk management policy that was accompanied by completed risk assessment forms.

Regulation 12: Insurance

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

Regulatory Requirement Met

The service was insured from 28 March 2024 to 27 March 2025 for a maximum of 48 school age children.

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)(2)(3)

There was a complaints policy in place which detailed how to make a complaint. The policy also included how verbal and written complaints would be dealt with. It referenced how a complainant would be informed of the complaint's procedure. During discussions, staff indicated that no formal complaints had been received or processed for the school age service. However, the staff member stated that any verbal complaints were recorded, and the agreed outcome was included in this. A record of these complaints, including the nature of the complaint, details of how the complaint was dealt with and the outcome was reviewed on the day of the inspection. These records were in line with the service's policy.

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

On the day of inspection, the inspector observed the health, safety and welfare of the children being supported by the following:

- Documents on file demonstrated that all staff had completed and carried out online Health and Safety training in the last 12 months.
- The children were observed to engage in various activities in the room throughout the

inspection. They worked and played in small groups on large floor mats or at the tables.

- Each child was encouraged to wash their hands before dinner which was served at 3.30pm.
- The inspector recorded the water temperature at 3.17pm. At this time the water temperature was 28.2°C at 3.17pm. Staff described how there had been an issue with the water temperature. However, the staff member stated that this problem had been reported to the premises manager and resolved quickly. The details were recorded on a risk assessment document which was available to the inspector.
- There were three toilet cubicles available for the children's use adjacent to the care room. Staff members indicated they used an adult toilet on the ground floor of the building.
- On the day of the inspection all equipment was in working order in the kitchen. The inspector observed that a staff member was able to use an oven to reheat a pasta dinner supplied by an external catering company. During a discussion with the staff members regarding the upkeep and maintenance of the kitchen equipment, the staff described a previous incident where two electrical appliances, a dishwasher and a microwave, were not working. The staff stated that once the fault was reported to the head office this was remedied within 48 hours. A copy of the report by the maintenance company was shown to the inspector.
- The room temperature was 17°C at 2.43pm, and this had increased to 19.2°C at 4.10pm. During discussions with children, they said they are never cold in their afterschool and that they like the window open for fresh air before going outside to play.
- A staff member stated that the previous week the service had an inspection from an environmental officer, the report was yet to be issued but they were very told the report would be positive.