

Early Years Inspectorate Regulatory Report School Age Services

TUSLA Identifier:	TU2019KE003SA
Name of School Age Service:	Ballysax Afterschool Service
Name of Registered Provider(s):	Susan Byrne
Address of School Age Service:	St. Brigids National School, Ballysax, The Curragh, Co. Kildare
Eircode:	R56 E782

Date(s) of Inspection:	4 March 2024
Number of school age children present during inspection:	PM 25
Registration status:	Registered

Address of the Early Years Inspectorate	Brunel Building, Heuston South Quarter, Siant 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:

Ballysax Afterschool Service is a school age service owned and operated by the registered provider. It is based in St. Brigid's National School in the village of Ballysax in rural Kildare. The service has the use of a dedicated classroom in the school and a large amenity hall is available to the children once the school day is finished. There is a large outdoor space including the schoolyard, a playing pitch, a playground, and a running track to which the children have access.

The service is registered to accommodate up to 30 children from the ages of 4 up to 12 years old. On the day of the inspection, there were 25 children present.

The service is registered to operate from 8:15am to 9:15am and 2pm to 6pm. However, the registered provider indicated that the service closes at 5pm. The service operates 38 weeks of the year in line with the school's academic calendar.

Staffing:

There are a total of four staff members employed in the service. The registered provider works directly with the children. On the day of the inspection, there were 3 staff caring for 25 children.

Additional Information:

The inspector conducted a planned focused inspection of the service

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 registered provider and the 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): 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): Vetting disclosures.

Conclusion and follow-up actions: The actions and evidence submitted by the registered provider, in their corrective and preventive action plan, have 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 Met

(1) Of the four files reviewed, the following was noted:

(c) Garda vetting was available for all four staff members.

Regulatory Requirement not met

(1) Of the four files reviewed, the following was noted;

(a)(b) There were no written validated references available for four staff members.

(d) Documentation was unavailable for four staff members to affirm whether police vetting was required.

- (2) Files available demonstrated that procedures specified in paragraph 1 had not been carried out prior to three staff members being appointed, assigned or allowed access to or contact with children attending the school age service.

Corrective & Preventive Action Response submitted by the Registered Provider

- (1) The registered provider has submitted evidence of validated references for four staff members. The registered provider stated that two police vetting disclosures are required and submitted one to the inspectorate. The registered provider has stated that every reasonable effort has been made to obtain the outstanding policed vetting.
- (2) The registered provider stated that they have updated the employment contracts to ensure references are received before staff members commence their employment. They stated the policy and procedures booklet was amended to include this practice, and a copy of this was submitted as evidence.

Summary of Findings

While it is acknowledged that the actions and evidence submitted by the registered provider, have addressed the non-compliances identified with regard to validation of references and police vetting for one of the two staff members.

However, while the registered provider has made efforts to obtain police vetting for one staff member, it remains outstanding.

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 25 children attending the service were supervised by 3 adults.

During the inspection, staff were observed supporting children in completing their written homework and helping children with their crafts.

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 2023 to 27 March 2024 for a maximum of 30 school age children.