

Early Years Inspectorate Regulatory Report School Age Services

TUSLA Identifier:	TU2019KK007SA
Name of School Age Service:	Clever Clogs Afterschool
Name of Registered Provider(s):	Shannon Kever
Address of School Age Service:	Ground Floor, Main Street, Fiddown, Piltown, Co Kilkenny.
Eircode:	E32 TN24

Dates of Inspection:	10 March 2026			
Number of children present during inspection:	AM	Non-Applicable	PM	37
Registration status:	Registered			
Conditions (if applicable):	Not Applicable			

Address of the Early Years Inspectorate	Primary Care Centre, Castle Park, Arklow, Co. Wicklow
Inspection undertaken by:	L O' Connor
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:

Clever Clogs is located in Fiddown, Co. Kilkenny. It is registered to cater for 48 school age children aged 4 to 12 years old. The service operates from the ground floor of a multi-use premises. There is one main care room within the service. The children have use of another room named 'the outdoor room' also. During term time, the service operates from 7am to 9am and 2pm to 6pm. Outside of term time, the service operates from 7am to 6pm. The service operates for 49 weeks of the year.

Staffing:

There are eight adults employed within the service, including the registered provider. On the day of inspection, there were four adults present in the service. The registered provider arrived at the service shortly after the commencement of the inspection.

Additional Information:

An Immediate Action Notice was issued on 11 March 2026 as it was deemed there was an immediate risk as the entrance to the service was unsecured. An adequate response was received from the registered provider on 12 March 2026 detailing actions implemented to reduce the risk. Please refer below to Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013 for further information.

An Immediate Action Notice was issued on 11 March 2026 as the Garda Vetting Disclosure for one staff member was not available. An adequate response was submitted by the registered provider on 12 March 2026 detailing the actions taken. Please refer to Regulation 8: Vetting disclosure (1)(c) 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 inspector wishes to acknowledge the co-operation of the children, staff and registered provider who were present on the day of inspection.

Summary of Findings:

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

- Regulation 8(1)(d): Vetting disclosures;
- Regulation 9 (1)(2)(4): Staffing levels.

On inspection, the registered provider was found to be non-compliant in relation to the following:

- Regulation 8(1)(a)(b)(c)(2): Vetting disclosures;
- Regulation 12: Insurance,
- Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013.

Conclusion and follow-up actions:

The registered provider submitted actions and supporting documentation to demonstrate the measures which were put into place to address the findings of inspection. The requirement has been met for Regulation 8: Vetting disclosure 8(1)(a)(b)(c)(2), Regulation 12: Insurance and Section 58(G) of the Child Care Act 1991 as amended. The actions submitted will be assessed 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 met

- (1) Through discussion with the registered provider, it was confirmed that there were four new staff members employed by the service since the previous inspection in July 2024. These files, alongside one Garda Vetting disclosure which was due for renewal was reviewed. The following was noted;
- (d) Through review of documentation and discussion with the registered provider, it was evident that police vetting was not required for the new staff members.

Regulatory Requirement not met

- (1) On review of the staff files, the following was noted;
- (a)(b) Of the eight validated references required; three validated references were in place. While two other references were available, it was confirmed these were not validated by the registered provider. Three references were not available for two staff working directly with the children.
- This non-compliance was found on the previous inspection in April 2024, and the registered provider stated through the CAPA process that they would validate staff

references before any employee starts working in the service. This action was not implemented.

(c) Garda Vetting disclosures relating to five adults were requested from the registered provider, four of the disclosures related to new employees in the service. Garda vetting disclosures were in place for three adults, however, it was not available for review for one adult. An Immediate Action Notice was issued on 11 March 2026 and a response was received from the registered provider on 12 March 2026 detailing actions taken.

One Garda Vetting disclosure which was requested was due for renewal. The service did not demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years. Please refer to Section 58(G) of the Child Care Act 1991 as amended.

(2) It was demonstrated through review of staff files that the required documentation was not in place prior to three adults being appointed, assigned or allowed access to or contact with a child attending the school age service.

Corrective & Preventive Action Response submitted by the Registered Provider

(1) The registered provider submitted the following actions through the CAPA process:

(a)(b) The registered provider obtained the 3 references and the validated all 5 references. The registered provider has made a check list for the front of the staff files so we don't miss out on anything going forward, before an employee starts.

(c) The Garda Vetting was obtained for the staff member and submitted to the inspectorate. The registered provider will insure to always have garda vetting in place for all staff members going forward, this is included on the checklist on the staff file.

The registered provider submitted the validated references, the Garda vetting disclosure and the checklist for the staff files.

(2) Going forward, the registered provider will make sure that these are in place before an employee starts.

Summary of Findings

Based on the implementation of these actions, the requirement for Regulation 8: Vetting disclosure has been met and it will be reviewed on the next 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)

The adult to child ratio was maintained throughout the inspection. At 2.40pm, there were 13 school age children with 4 adults in the service. At 4.15pm, there were 23 children present with 4 adults. The children were appropriately supervised throughout the inspection. The staff members adjusted their supervision strategies throughout the day. The staff members supervised the children through observing the children from a reasonable distance and listening to them. Children were familiar with the supervision boundaries which were in place. For example, children were overheard to ask the staff members prior to leaving the main care room which included to put something into their bag in the hallway or go to the toilet. The staff members repositioned themselves to standing or within close proximity to the door within the main room when the numbers of children increased and at collection times. The staff members were overheard to communicate with each other during these times and collectively use appropriate supervision strategies.

Regulation 12: Insurance

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

Regulatory Requirement not met

The service was not adequately insured for the number of school age children present on the day of inspection. The service was insured for 35 school age children to attend at any one time. On the day, there were 37 children present.

Corrective & Preventive Action Response submitted by the Registered Provider

The registered provider has since increased the insurance 40 children, and there will be no more than 40 children attending at any one time. A copy of the insurance certificate was submitted to the inspectorate.

Summary of Findings

The requirement has been met for Regulation 12: Insurance.

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 registered provider demonstrated that staff members were provided with training and information on fire safety. In discussion, staff members described the procedure for the fire drill, including the exit route and location of the fire assembly point. There were displays throughout the service outlining the route to take in the event of an emergency evacuation. The fire exits were observed to be unobstructed. The door in the main room which was identified as a fire exit route was replaced since the previous inspection in April 2024 and it was easily opened. Evidence was available to demonstrate that staff members engaged in fire safety training, and the staff members with responsibilities as fire officers was on display in the corridor.

The interactions between the staff members and children were warm, affectionate and responsive. On arrival into the service, the children were greeted with warm conversations from the staff members. Through discussion with the staff, it was evident that they were familiar with

children's individual needs and interests. They described children's preferences regarding peers, play equipment and food. Throughout the inspection, the inspector observed that the staff members were attune and responsive to the children's needs. For example, one staff member was overheard asking a child how their day was in school. Through the response received from the child, the staff member encouraged the child to sit with them to tell them a bit more. This practice supports the development of positive relationships.

Children were provided with choice throughout the inspection and their opinion was sought at every opportunity by the staff members. Many of the older children completed their homework when they arrived at the service. Following this, it was snack-time. The staff members explained that the children chose if they wanted a hot or cold snack each day. The staff members explained that when the children went into the kitchen, and they each chose what they would like to eat which included varying types of crackers, fruit, cheese or yogurts. The staff member in the kitchen was overheard to warmly encourage and support the children with their choice of food. Each child was observed to leave the kitchen with a different variety of food on their plate. This opportunity for choice was extended into the children's play, whereby they could choose to play in the main care room with the vast amount of equipment and or the outdoor room. The children were fully immersed in their play and staff members shared with the inspector what individual children enjoyed playing with while attending the service. Through providing children with choice, it supports their sense of confidence and independence.

Regulatory Requirement not met

The registered provider did not ensure that reasonable measures were in place to safeguard the health, safety and welfare of children attending the service on the day of inspection:

1. An Immediate Action Notice was issued to the registered provider on 11 March 2026 as was deemed that there was an increased risk of an unauthorised person gaining access to the service. On arrival, the inspector gained access to the service as the door at the main entrance was not secured. While it is noted that works were carried out to the door during the inspection by a competent person and access into the service was restored through the buzzer system. However, after a short time the buzzer system stopped working and door to the service remained unlocked. A response detailing the actions taken was submitted by the registered provider on 12 March 2026.

2. The registered provider did not ensure that effective measures were consistently implemented regarding fire safety within the service.
 - a. It is acknowledged that fire drills took place in the service in December 2025, and January 2026. It was not evident that these were consistently carried out each month, as outlined in the service fire safety policy. Through the CAPA process following the previous inspection, the registered provider responded stating that monthly fire drills will take place. This action was not consistently implemented.
 - b. While it is noted that emergency fire exit signage was installed throughout the service since the previous inspection. However, the registered provider did not ensure that it was in working order. The cover for the emergency fire exit in the outdoor room was not in place. This may pose a risk in the event of an emergency evacuation as the route to follow may not be clear.
3. The registered provider did not ensure that effective governance measures were in place regarding the allocation of roles and responsibilities in the service. In discussion with two staff members, they were unaware which staff member was the person in charge or the person key responsibilities for fire safety. While it was noted there was a transition taking place with a new adult becoming the person with key responsibilities within the next number of weeks. However, effective interim measures within the service to support this transition was not evident.
4. Two Garda vetting disclosures were not dated within the previous three years which was not in adherence with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting. This non-compliance was found on the previous inspection in April 2024. In their CAPA response, the registered provider stated that they would renew all garda vetting's every 3 years. This action was not implemented.

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Corrective & Preventive Action Response submitted by the Registered Provider

1. The door will now always be locked in the afterschool and when a parent arrives, they ring a buzzer and a staff member will open the door. The door is going to remain locked now at all times.
2. In response to the fire safety findings, the registered provider submitted the following actions:
 - a. A fire drill was completed for March 2026, and the newly appointed manager will keep up to date with monthly fire drills. A document was submitted to demonstrate that a fire drill took place and evidence of the roles/responsibilities of staff members was submitted.
 - b. The light has since been fixed. The manager will inform the registered provider straight away of any breakages. A photograph of the works carried out was submitted to the inspectorate.
 - c. The registered provider held a staff meeting and outlined the roles and responsibilities of each staff member. The registered provider stated that they will ensure regular staff meetings take place to communicate to all staff of their roles and responsibilities. A document was submitted which identified the roles/responsibilities of staff members.
5. The staff member has since left Clever Clogs so the registered provider has not been able to update their garda vetting. On the checklist, it is identified when the garda vetting needs to be renewed so it is easier for the registered provider to keep track going forward.

Summary of Findings

The actions submitted through the CAPA process have addressed the non-compliances identified on inspection. These actions will be assessed on the next inspection.