

Early Years Inspectorate Regulatory Report

School Age Services

TUSLA Identifier:	TU2019LS009SA
Name of School Age Service:	Portarlington Afterschools Project
Name of Registered Provider:	Aidan Mullins
Address of School Age Service:	Portarlington Community Centre, Link Road, Portarlington, Co Laois.
Eircode:	R32 D797

Date of Inspection:	5 September 2024			
Number of school age children present during inspection:	AM	Not applicable	PM	40
Registration status:	Registered			
Conditions (if applicable):	Not applicable			

Address of the Early Years Inspectorate	Early Years Inspectorate Tusla Primary Care Centre Church Avenue Tullamore R35K1W4
Inspection undertaken by:	A Spain
Title:	Early years inspector

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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:

Portarlinton Afterschool Project is a school age service located in a community building in Portarlinton town, county Laois. The service cares for children in the age range 4 to 12 years between the hours of 1.30 and 5.30pm. The service is operation between the hours of 9.00am and 5.30pm during school holidays. Three playrooms are located at first floor level. The remaining playroom is located on the second floor. The children also have access to a hall on the ground floor of the building. Other rooms in the service include an office, storage room for toys and play equipment, a kitchen area and sanitary accommodation for both children and adults. The service also has access to a nearby public park for outdoor play and a library which is also within close proximity of the service.

Staffing:

The service is staffed by eight adults which includes the person in charge of the service. The registered provider does not work directly in the service.

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

Summary of Findings:

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

- Regulation 8(1)(a)(b)(c)(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 relation to:

- Regulation 8(2): Vetting disclosures;

Conclusion and follow-up actions:

The measures taken by the service have addressed the non-compliance found on inspection. This can be reviewed on the next inspection of the service.

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)

Two references from a combination of past employers and reputable sources were held on file in respect of all eight staff working in the service. A Garda vetting disclosure was held on file in respect of all staff members. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years. Police clearance was not required as employment histories confirmed that none of the staff had lived outside of the state for over six consecutive months as adults.

Regulatory Requirement not Met

(2)

The necessary vetting procedures in relation to validation of references was not conducted prior to the staff members taking up appointment to work in the service in respect of six staff members. It was acknowledged that references were validated prior to appointment of two staff members to work in the service which was inclusive of a new staff member.

Corrective & Preventive Action Response submitted by the Registered Provider

(2)

The current manager of the service advised that all references for the six staff were validated on the 6 September 2024 and subsequent to the inspection of the service. It was also indicated that the dates the references were validated have been recorded and signed by the manager of the service. As a preventive measure, it was advised that all references for new staff will be validated and validation dates recorded before the staff commence work in the service.

Summary of Findings

(2)

The inspector reviewed the actions and evidence that the service submitted. The non-compliance found on inspection has been adequately addressed.

Regulation : 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.*
- (3) Without prejudice to paragraph (1), a registered provider of a school age service shall ensure that, where the person in charge operates the service singlehandedly, a second person familiar with the operation of the service and in a position to provide assistance in operating the service to the person in charge is, at all times, within close distance of the service and available to attend the service to assist the person in charge or the registered provider of the childminding service in the event of an emergency.*
- (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)

An adequate number of staff were available to work in the service for the duration of the inspection. One staff member cared for a total of eight children in room one in the service. Two staff cared for a total of eleven children in room two in the service. Two staff cared for a total of fourteen children in room three in the service. Two staff cared for a total of seven children in room four in the service. A review of the children's attendance records and the staff rostered for the three days prior to the inspection following the reopening of the service confirmed that the required adult to child ratios were maintained for this period.

(4)

Children were observed to be appropriately supervised by staff while in the playrooms and in the hall at ground floor level.

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Regulation 12: Insurance

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

Regulatory Requirement Met

The service had insurance cover for a maximum of 60 children in daily attendance in a school age service. Insurance was valid from the 2 October 2023 to the 27 March 2024.