

# Early Years Inspectorate Regulatory Report School Age Services

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| <b>TUSLA Identifier:</b>               | TU2019MH009SA                        |
| <b>Name of School Age Service:</b>     | Beaufort College SCP School Age Care |
| <b>Name of Registered Provider(s):</b> | Christina Nestor                     |
| <b>Address of School Age Service:</b>  | Trim Road<br>Navan<br>Co Meath       |
| <b>Eircode:</b>                        | C15 PY53                             |

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|-----------------------------------------------------------------|----------------|
| <b>Date(s) of Inspection:</b>                                   | 15 April 2024  |
| <b>Number of school age children present during inspection:</b> | PM 15          |
| <b>Registration status:</b>                                     | Registered     |
| <b>Conditions (if applicable):</b>                              | Not applicable |

|                                                |                                                                                                     |
|------------------------------------------------|-----------------------------------------------------------------------------------------------------|
| <b>Address of the Early Years Inspectorate</b> | Early Years Inspectorate<br>180-189 Lakeshore Drive<br>Airside Business Park<br>Swords<br>Co Dublin |
| <b>Inspection undertaken by:</b>               | M. McDonnell                                                                                        |
| <b>Title:</b>                                  | Early years inspector                                                                               |

|                                                                                                                                                                                                      |
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| <b>Authority to Inspect</b>                                                                                                                                                                          |
| 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:

Beaufort College SCP School Age Care is a school age care service based in a College in a residential area of Co Meath. The service caters for children aged 11-15 years old. The service is open Monday to Friday and is registered to provide afterschool care from 3.30 to 5.30pm. The children have access to two rooms in the service and sanitary facilities for the use of the school age children are available. There is an outdoor area and a kitchen on the site.

### Staffing:

The registered provider does not work in the service. The registered provider employs three staff members who work directly with the children who attend the service.

### Additional Information:

The inspector conducted a planned focused inspection of the service. An Immediate Action Notice (IAN) was issued to the registered provider on 16 April 2024 concerning the absence of Garda vetting disclosures in relation to Regulation 8(d). An adequate response was received from the registered provider on 17 April 2024.

### 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 provider, 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:

- Regulation 8(1)(c): 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:

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

## Conclusion and follow-up actions:

The actions and evidence submitted as part of the registered provider's corrective and preventive action plan have addressed the non-compliance identified on 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)(c)

The inspector was unable to review the three staff files or the registered provider's information on the day of the inspection. The staff members available on the day did not have access to staff files. The information was subsequently provided to the Inspectorate on 17 April and 19 April 2024. A Garda vetting disclosure, dated within the last three years, was available for the three staff members and the registered provider. The service had therefore demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

### Regulatory Requirement not met

(1)(a)(b)

The inspector was unable to review the staff files on the day of the inspection as the staff members available on the day did not have access to staff files. The information was subsequently provided to the inspector following the inspection day.

Five of the references that were provided to the inspector were not obtained before the staff member's start date. The inspector was informed that these and the reference validations were not available since the staff members had worked in the organisation since 2006. There was one reference available for a staff member from a past employer, dated before the inspection. However, there was no evidence that this had been validated.

It is acknowledged that there were two written were available for the registered provider.

(1)(d)

Of the documentation reviewed, there was evidence that police vetting was required for one of the staff member. This police vetting was not available.

It is acknowledged that there was documentation available for two staff members, and the registered provider, which demonstrated that police vetting was not required.

(2)

The registered provider had not ensured that they had completed a review of references or police vetting before staff members had commenced work in the service.

## Corrective & Preventive Action Response submitted by the Registered Provider

(1)(a)(b)

The registered provider submitted the outstanding references and validations and will ensure that all references will be available. This will be included in the privacy policy as required for the specific purpose. The recruitment and selection policy will be reviewed regularly.

(d)(2)

The registered provider submitted the required police vetting. As a preventive action, the registered provider will ensure that as far as possible prospective employees will produce evidence of vetting where they are out of the country for more than 6 months. The registered provider will ensure that vetting procedures are carried out on all prospective staff prior to employment.

## Summary of Findings

The actions and evidence submitted as part of the registered provider's corrective and preventive action plan have addressed the non-compliance identified on inspection. These actions 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)

There were 2 staff members were working directly with the 15 children who attended the service on the day of the inspection.

(4)

The inspector observed appropriate supervision of the children during the inspection. For example, children were supported in completing their homework and providing sandwiches.

### Regulation 12: Insurance

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

### Regulatory Requirement Met

The service was insured from 1 October 2023 to 30 September 2024 which covered the number of children attending the service. On the day of the inspection, there were 15 school age children in attendance.

### 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

1. The governance arrangements in the service were unclear which posed a risk to the care, welfare and safety of children. There was no named person in charge on the day of inspection. Staff were unaware of the children who would be attending. The staff available on the day were unable to confirm which children would be attending the service that day. Both of the staff confirmed that this information would normally be relayed to them by the person in charge who was unavailable on the day of the inspection.

### Corrective & Preventive Action Response submitted by the Registered Provider

1. The registered provider submitted a procedure in which should a person in charge be unavailable appropriate cover will be provided. The registered provider will ensure all staff members are clear on the written procedures, which were submitted. These outlined how attendance will be monitored and the procedures in place should a child not attend the service.

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## Summary of Findings

The actions and evidence submitted as part of the registered provider's corrective and preventive action plan have addressed the non-compliance identified on inspection. These actions will be reviewed on the next inspection.