

Early Years Inspectorate Regulatory Report School Age Services

TUSLA Identifier:	TU2019OY004SA
Name of School Age Service:	Avena's Angels Afterschool
Name of Registered Provider:	Avril Foran
Address of School Age Service:	Tubber Moate Co. Offaly
Eircode:	N37 HY57

Date of Inspection:	30 September 2024			
Number of school age children present during inspection:	AM	Not applicable	PM	21
Registration status:	Registered			
Conditions (if applicable):	Not applicable			

Address of the Early Years Inspectorate:	Early Years Inspectorate Primary Care Centre Church Avenue Tullamore Co Offaly R35K1W4
Inspection undertaken by:	A Spain
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:

Avena's Angels Afterschool is a school age service located in a rural area of northwest Offaly. The service is operational between the hours of 2.00 and 6.00pm. A breakfast club is offered between the hours of 7.30 and 9.30am. Children in the age range 4 to 15 years are cared for in the service. The service is located in a community hall close to the local primary school. The service has the use of a hall, sanitary accommodation off the hall and a kitchen. An outdoor area is located directly outside of the building.

Staffing:

The service is staffed by three adults. The registered provider is available to provide relief cover as required.

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:

- 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 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 7 (1): Notification of change in circumstances;
- 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 inspector reviewed the actions and evidence that the registered provider submitted. The non-compliances found on inspection have been adequately addressed. This will be reviewed on the next inspection of the service.

Regulation 7: Notification of change in circumstances

(1) A registered provider of a school age service shall, subject to paragraph (2), notify the Agency in writing of any proposed change in the details in relation to the school age service contained in the register pursuant to section 58C (2) of the Act or Regulation 6(2) or 6(3) at least 60 days before it is proposed that the change would take effect.

Regulatory Requirement not met

(1)

The registered provider did not submit a change in circumstances to the Agency in relation to a change to both the registered provider and the person in charge of the service.

Corrective & Preventive Action Response submitted by the Registered Provider

(1)

The registered provider submitted confirmation of an application for approval to change both the registered provider and the person in charge of the service as submitted on 10 October 2024.

As a preventive measure, the registered provider advised in the CAPA response to the inspection report that a change in circumstances will be submitted for approval before any changes to the service are made.

Summary of Findings

The measures taken by the registered provider have addressed the non-compliance identified on the 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 were held on file in respect of both the registered provider and the three staff members working in the service. References for the three staff members were secured from past employers and were validated by the registered provider. A Garda vetting disclosure was held on file in respect of all four staff members. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years. A Police vetting was held on file in respect of one staff member who had lived outside of the State for more than six consecutive months as an adult.

(2)

Records on file demonstrated that vetting procedures for all staff were conducted prior to appointment of staff to work in the 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)

The number of children present in the service on the day of inspection was 21 children with 4 staff members present. The adult child ratio was maintained at all times during the course of the inspection.

Adult child ratios were maintained when children were collected from and returned to the school and to and from the afterschool service.

(4)

Staff were aware of their responsibility with regard to the supervision of the children. Staff were in the presence of the children at all times and engaged well with them.

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 30 children in daily attendance in a school age service. Insurance was valid from the 28 March 2024 to the 27 March 2025.

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 service did not maintain a register of the children's daily attendance, detailing their time of arrival and departure. Parents communicated with the service via telephone to advise of the children booked into the service weekly.
2. The service did not maintain a staff roster that detailed, on a daily basis, the full name of each staff member working, their time of arrival and departure, and who was responsible for school collections.

This posed a risk to the children in the event of a requirement for an emergency evacuation from the service or in the event of a medical emergency.

Corrective & Preventive Action Response submitted by the Registered Provider

1. The registered provider confirmed in the response to the inspection report that a sign in and out book has been established whereby children's daily attendance and time of arrival and departure are recorded. A sample daily attendance record for children in daily attendance was submitted for the week of the 14 October 2024 advising of times children both entered and were collected from the service.
2. The registered provider confirmed in their response that a staff roster has been established to record the names of each staff member, arrival and departure times to and from the service and to the adjoining school for the collection of children. A copy of the staff roster for the week of the 14 October 2024 was also submitted. The staff roster submitted was reflective of the staff present for the breakfast club and for the afternoon in the service.

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As a preventive measure, the registered provider advised in their response to the inspection report that all children's and staff attendance, arrival and departure times will be recorded.

Summary of Findings

The measures taken by the registered provider have addressed the non-compliances found on inspection under the Child Care Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013