

Early Years Inspectorate Regulatory Report

School Age Services

TUSLA Identifier:	TU2020DS002SA
Name of School Age Service:	Startbright Balgaddy
Name of Registered Provider(s):	Elaine McQuillan
Address of School Age Service:	Meile An Ri Road, Balgaddy, Lucan, Dublin 22
Eircode:	K78 X5D2

Date of Inspection:	12 March 2024		
Number of school age children present during inspection:	PM	20	
Registration status:	Registered		

Address of the Early Years Inspectorate	Brunel Building, Saint John's Road West, Heuston South Quarter, 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).

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Description of Service:

Startbright Balgaddy is one of six school age services operated by Startbright Early Learning Centres Company Limited by Guarantee. It is a not-for-profit school age service and early years' service based in a purposely built community centre in Balgaddy, Lucan. The school age service is registered to accommodate up to 25 children from the age of 4 up to 12 years of age. On the day of inspection, there were 20 school age children present.

The service is registered to operate from 7.30am to 9am and from 1.30pm to 6pm. During school holidays the service operates from 9.00am to 5.00pm. School age care is provided in a large room that has direct access to a large outdoor area.

Staffing:

On the day of the inspection, there were three staff working directly with 20 children. The person in charge was available to provide support if required. The registered provider does not work directly with the children.

Additional Information:

The inspection was completed on the receipt of a notified incident received by the inspectorate.

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

Summary of Findings:

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

- Regulation 8(1)(a)(b)(c)(d) 2: Vetting disclosures;
- Regulation 9(1)(2)(4): Staffing levels;
- Regulation 10: Policies of a school age service;
- Regulation 12: Insurance;
- Regulation 13: Complaints.

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

- 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 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)(a)(b)(c)(d)

The inspector reviewed five staff files. The registered provider had ensured that validated references were available and that all staff had current Garda vetting in place. The documentation reviewed showed that two staff members required police vetting which was available during the inspection. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(2)

On review of the documents available, the inspector was satisfied that the required procedures were carried out prior to staff members working directly with the children.

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

On the day of the inspection, the registered providers ensured that appropriate staffing levels were maintained. Twenty children attending the service were supervised directly by three adults. The person in charge was available to offer support if or when required.

A review of the staff roster, staff sign-in sheets and a record of the children's attendance from 12 February 2024 to 11 March 2024 the minimum ratio of 1 adult to 12 children was maintained during this period.

The room layout allowed for the children to play and interact independently but within the sight and sound of the staff members in the room.

During the inspection, staff were observed to involve children in decision-making and organise materials for an arts and crafts activity.

Regulation 10: Policies of a school age service

A registered provider of a school age service shall ensure that the policies and statements specified in Schedule 6 are in place for the service.

Regulatory Requirement Met

On the day of inspection, the following policies and statements were in place for the service: a child safeguarding statement, a statement of purpose and function, infection control policy, medication policy, behaviour management policy, drop off/collection policy, fire safety policy, and complaints policy which met the requirements of the regulation.

Regulation 12: Insurance

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

Regulatory Requirement Met

The service had insurance cover in place for a maximum of 24 school age children in attendance daily. The insurance was valid from 28 March 2023 to 27 March 2024. Evidence was available to demonstrate school collection was included in the insurance schedule.

Regulation 13: Complaints

- (1) A registered provider of a school age service other than a childminding service shall ensure that the complaints policy of the service specifies—*
- (a) the procedure to be followed by a person for the purposes of making a complaint in relation to the service,*
 - (b) the manner in which such a complaint shall be dealt with, and*
 - (c) the procedures for keeping a person who makes such a complaint informed of the manner in which it is being dealt with.*
- (2) A registered provider of a school age service other than a childminding service shall ensure that—*

- (a) a record in writing is kept of a complaint made to the provider in respect of the school age service, and*
- (b) the complaint is duly dealt with in accordance with the provider's complaints policy.*

Regulatory Requirement Met

(1)(2)

There was a complaints policy in place which detailed how to make a complaint. This also detailed how verbal and written complaints would be dealt with. The policy referenced how a complainant would be kept informed of the complaints procedure. The centre manager was named as the person to whom complaints can be made in writing or verbally. During discussions, staff indicated that no formal complaints had been received or processed for the school age service. They described how they interact daily with parents and families, and as a result, any issues are resolved at this level.

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 inspector observed two staff members collecting nine children from school and accompanying them to the service. The services excursions and outings policy required a ratio of 1 adult to 12 children or 1 adult to 6 children if the school collection is deemed a higher risk. The examples of higher risk detailed in the policy included open spaces, road crossings and the needs of the children. Staff followed the policy and had a list of the children due to be collected with them at the school.
- Children's attendance was recorded as each child arrived and left the service. Staff members completed the children's attendance and departure on their arrival from school

and from 3:50pm as parents began to arrive onwards to collect their children.

- The person in charge had recently developed a draft risk assessment for school collection and through discussion, they indicated that it would be presented to the staff for input and sign-off.
- During a discussion with staff and a review of the staff files, evidence was available to demonstrate staff had read and understood the service's policy and procedures during their induction process. Staff also indicated that a copy of any new or updated policies was emailed to them and there was a hard copy in the office if required.
- The employee staff handbook was updated in 2023, and documentation available evidenced that staff had received and read a copy.
- Staff demonstrated awareness of the school collection policy and verbally described how both collection times are managed and the responsibility of each staff. Staff described the procedure if a child is not at the school at collection time. Staff were observed chatting with the children on the walk from the school and holding the hands of the children during the journey.
- The person in charge explained that all policies are available to parents on their 'parents' hub'. A hard copy of the parental handbook and policies relating to children and families was displayed in the foyer. The parent's policy document includes an authorisation to collect children policy and a missing child policy. Parents sign the parent's contract form when their child is enrolled into the service. This form includes permission for walks with service.
- Staff discussed the induction process and ongoing training to support the day-to-day practices. The person in charge discussed an 'in-house' conference held annually where the service closes for a day and staff from all seven services in the organisation come together for training.
- The person in charge and a staff member described how the school-age staff team came together when the number of children reduced in the afternoon and discussed how the day went and any changes or plans moving forward. The person in charge also highlighted monthly team meetings with both the school-age staff team and the early-year's team where issues were discussed, and concerns were raised.

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Regulatory Requirement not met

The service did not follow the accident and incident policy. While it is acknowledged, that staff members recorded an account of an incident, this was not recorded in an accident and incident book with comprehensive detail and parental signatures as outlined in the service's policy.

Corrective & Preventive Action Response submitted by the Registered Provider

The registered provider stated that going forward all incidents and accidents would be recorded in the accident and incident book as per the policy of the service. A memo was circulated to all staff which reminded them to complete the accident and incident book correctly. A copy of the accident and incident policy was placed in the staff room to allow staff to familiarise themselves with the procedures. A copy of the staff memo was submitted to the inspectorate.

Summary of Findings

The actions and evidence submitted by the registered provider, in their corrective and preventive action plan, have addressed the non-compliance. This will be reviewed on the next inspection.