

Early Years Inspectorate Regulatory Report

School Age Services

TUSLA Identifier:	TU2020DY014SA
Name of School Age Service:	Sherpa Kids Griffith Barracks Multi-Denominational School
Name of Registered Provider(s):	John Miles
Address of School Age Service:	The Old Guardhouse South Circular Road Co. Dublin
Eircode:	D08 KVV4

Date(s) of Inspection:	22 April 2024
Number of school age children present during inspection:	PM 62
Registration status:	Registered
Conditions (if applicable):	Not applicable

Address of the Early Years Inspectorate	Early Years Inspectorate 180-189 Lakeshore Drive Airside Business Park Swords Co Dublin
Inspection undertaken by:	M. McDonnell
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:

Sherpa Kids Griffith Barracks Multi-Denominational School is a school age service based in a primary school in Dublin city centre. The service caters for children aged 4-12 years old. The service is open Monday to Friday and is registered to provide afterschool care from 1.30 to 5.30pm. There are three dedicated rooms and sanitary facilities available for the children. Alternative rooms are available in the school building and there is an outdoor area on site.

Staffing:

The registered provider does not work in the service. The registered provider employs 14 staff members. Two of these staff members work in a supernumerary capacity in a management role. Twelve staff members work directly with the children who attend 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, 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)(a)(b)(d)(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(2): Vetting disclosures;

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)(d)

The inspector reviewed the staff files of the 14 staff members and the registered provider. There were Garda Vetting disclosures available for all 14 staff members and the registered provider which had been obtained in the last three years. The service had therefore demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years. There were two written and validated references available for all 14 staff members from a previous employer or a source other than a previous employer. There were two written references available for the registered provider. There was documentation available for the 14 staff members, and the registered provider, which demonstrated that police vetting was either not required or was available if a staff member had resided outside of the State for more than six months continuously.

Regulatory Requirement not met

(2)

The inspector reviewed the start dates for two staff members in 2022 which demonstrated that they had been employed before their Garda vetting disclosure had been obtained or reviewed.

Corrective & Preventive Action Response submitted by the Registered Provider

(2)

The registered provider stated that there are new managers in place and there is a zero-tolerance approach to permitting access to children until vetting documentation is returned, reviewed and filed. To ensure this is prevented the registered provider has stated there is mandatory participation in service management training which has recently been updated. Evidence of this update was submitted. There will also be bi-annual audit of staff files to detect any breaches.

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.

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 12 staff members working directly with the 62 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, staff were observed chatting to the children whilst they ate. Later during the inspection children were playing in the outdoor area with staff.

Regulation 12: Insurance

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

Regulatory Requirement Met

The service was insured from 28 March 2023 to 27 March 2024 for 144 children. On the day of the inspection, there were 62 school age children in attendance.