

Early Years Inspectorate Regulatory Report School Age Services

TUSLA Identifier:	TU2020DY028SA
Name of School Age Service:	First Steps Movement
Name of Registered Provider(s):	William Lowry
Address of School Age Service:	Vincent's GAA Club Malahide Road Co Dublin
Eircode:	D03 YX08

Date(s) of Inspection:	5 March 2024
Number of school age children present during inspection:	PM 45
Registration status:	Registered status
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).

Early Years Inspectorate Regulatory Report

School Age Services

Description of Service:

First Steps Movement is based in a hall and Portakabin on Gaelic Athletic Association (GAA) grounds in Co Dublin. The service accommodates children aged 4 to 12 years old. The service is registered to open Monday to Friday between 3.00 and 6.00pm for an afterschool club. On the day of the inspection, the children were attending from 1.50pm. The children and staff have access to sanitary facilities, an onsite kitchen and an outdoor space.

Staffing:

The registered provider works in the service. The registered provider employs six staff members who work with school age children.

Additional Information:

The inspector conducted a planned focused inspection of the service.

Immediate Action Notices (IAN) concerning safety and Garda vetting disclosures were issued to the registered provider on 6 March 2024. A response, which mitigated the risk observed, was received from the registered provider on 6, 7 and 11 March 2024. These are reported on in Regulation 8 and Child Care Act 1991 and Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013.

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, 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:

- Regulation 8(1)(a)(b): 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 7(1): Notification of change in circumstances;
- Regulation 8(1)(c)(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 by the registered provider, in their corrective and preventive action plan, have addressed the non-compliance identified on inspection. These 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 had not informed Tusla in advance of a change to the operational hours of the service. The attendance records, from 26 February to 1 March 2024, which were reviewed by the inspector demonstrated that children were in the service from 2.00pm. Staff members confirmed to the inspector that children were in their care from 1.50pm on these dates due to the time of school collections. The service is registered to operate from 3.00pm. The registered provider had therefore operated outside of their approved registration status.

Corrective & Preventive Action Response submitted by the Registered Provider

(1)

The registered provider submitted a change of circumstance which was approved by Tusla in March 2024. The registered provider has stated that a member of management will complete an annual review to ensure the service is operating within the hours as registered.

Summary of Findings

The actions and evidence submitted by the registered provider, in their 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)(a)(b)

The inspector reviewed the staff files of the six staff members, a contractor and the registered provider. There were two written and validated references available for all six staff members and the other adult from a previous employer or a source other than a previous employer. There were two written references available for the registered provider.

Regulatory Requirement not met

(1)(c)

An Immediate Action Notice was issued on 6 March 2024 as the registered provider did not have a Garda vetting disclosure available for two staff members.

An updated Garda vetting disclosure was available for three staff members, another adult and the registered provider.

(1)(d)

Documentation viewed for one staff member demonstrated that police vetting was required as

they had resided outside of the State for more than six months continuously. There was documentation available to demonstrate that police vetting was not required for the other five staff members, the registered provider or the contractor.

(2)

The registered provider had not ensured that the full vetting procedures were carried out prior to three staff members being appointed, assigned or allowed access to or contact with the children attending the service.

Corrective & Preventive Action Response submitted by the Registered Provider

(1)(c)

The registered provider submitted completed Garda vetting disclosures for two staff members. The registered provider has stated that management staff are to ensure all vetting is completed prior to staff working directly with children. This will continue to be part of the after-school policy and procedures.

(1)(d)

The registered provider has stated this staff member no longer works for the service. The registered provider stated they will establish, during an interview, if a person has worked or resided abroad for six months or more and that they can provide police vetting.

(2)

The registered provider has submitted the required documentation and has these on file. The registered provider has stated that management will ensure vetting is obtained before staff members work directly with the children. If a new staff member is successful in the interview process they will be immediately asked to complete vetting procedures.

Summary of Findings

The actions and evidence submitted by the registered provider, in their corrective and preventive action plan, have addressed the non-compliances identified on inspection. These will be reviewed at 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 5 staff members working directly with the 45 children who attended the service on the day of the inspection.

(4)

The inspector observed appropriate supervision of the children during the inspection. Staff were observed supporting children with their homework and playing games with the children in the main hall and on the GAA playing field.

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 a maximum of 66 children. On the day of the inspection, there were 45 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. An Immediate Action Notice was issued to the registered provider on 6 March 2024. The inspector observed that the entrance and exit route to the hall was not restricted. This posed a risk of the unsupervised exit of a child or access to the children by unauthorised persons.
2. Garda vetting was available for one staff member. However, this vetting disclosure was not dated within the previous three years in adherence to the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting'.

Corrective & Preventive Action Response submitted by the Registered Provider

1. The registered provider submitted photographs that a new door-locking system was in place. As a preventive action, there will be a regular risk assessment by staff and management to ensure the key lock system is secure while children are in the service.
2. The registered provider submitted the updated Garda vetting disclosure. The registered provider stated that Garda vetting disclosures will be reviewed by management yearly to ensure all are within the previous three years.

Summary of Findings

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