

Early Years Inspectorate Regulatory Report

School Age Services

TUSLA Identifier:	TU2020FL021SA
Name of School Age Service:	Kids Inc Swords
Name of Registered Provider(s):	John Hartnett
Address of School Age Service:	Seatown Road Swords Dublin
Eircode:	K67 DN82

Date of Inspection:	9 January 2024
Number of school age children present during inspection:	PM 14
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).

Description of Service:

Kids Inc Swords is one of several services operated by the registered provider which are based in Dublin and Wicklow. Kids Inc Swords provides school age care for children aged 4 to 10 years old from Monday to Friday between 1.30 and 6.00pm. A pre-school service also operates on the premises. The school age care is based in two rooms that are used for an Early Childhood Care and Education Programme (ECCE) in the mornings. An outdoor play area is accessible directly from one of the care rooms. Sanitary facilities and an onsite kitchen are also available on the premises.

Staffing:

The registered provider does not work in the service. Seven staff are employed to work with the school age children. This includes a manager and deputy manager who work in a supernumerary capacity. Two staff work directly with the school age children, whilst two other staff provide support as required. There is also a driver who works with the school age children.

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

Summary of Findings:

The registered provider was found to be compliant in:

- Regulation 8: Vetting disclosures;
- Regulation 9(1)(2)(4): Staffing levels;
- Regulation 12: Insurance;
- Child Care Act 1991, Section 58 (g) as amended by Part 12 of the Child and Family Agency Act, 2013.

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 the staff files of the registered provider and the seven staff members employed in the service who worked with the school age children. There were written references available for the registered provider. There were two written and validated references available for the seven staff members from a previous employer or source other than a previous employer. A Garda vetting disclosure was available for all seven staff members and the registered provider. A review of documentation demonstrated that police vetting was either not required or was available where required.

(2)

A review of staff members' start dates demonstrated that vetting procedures had been completed before they commenced employment 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)(4)

On the day of the inspection, 2 staff members were working directly with the 14 children in attendance.

The inspectors observed appropriate supervision of the children. For example, children were based in two rooms and there was a staff member available in each room.

Regulation 12: Insurance

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

Regulatory Requirement Met

The early years service was insured from 28 March 2023 to 28 March 2024 for a maximum of 100 children. This included cover for a maximum of 29 school age children. On the day of inspection, there were 14 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 Met

During the inspection, the inspectors observed the health, safety and welfare of children being supported by the following:

- The service had an accident and incident policy in place. There was documentation such as signed and dated incident records and risk assessments which demonstrated that the policy had been implemented. The inspector discussed a previous incident involving a child, and the staff members discussed the measures in place to reduce the possibility of re-occurrence. Staff demonstrated their awareness of the procedure for dealing with accidents and incidents when discussing previous incidents with the inspector. The manager in the service discussed a regular review of incidents and accidents to establish if further preventive measures were required. Staff were also able to discuss with the inspector the process for advising management of maintenance issues and how these were resolved. Documentation reviewed demonstrated that this process was in place. The inspector also reviewed First Aid Responder training records for staff involved in the care of the children and the roster demonstrated that a trained staff member was available daily.

- The inspector reviewed the behaviour management policy of the service. On the day of inspection, staff were observed to implement positive behaviour management strategies. For example, a staff member was observed promoting positive behaviour with a small group of children who appeared restless. During the inspection, older children were provided with a quiet space to complete their homework whilst younger children played in another room.