

Early Years Inspectorate Regulatory Report School Age Services

TUSLA Identifier:	TU2020KE020SA
Name of School Age Service:	Shining Stars Academy Ltd
Name of Registered Provider(s):	Christine Bowden, Grace Bowden
Address of School Age Service:	Church Rd Athy Co. Kildare
Eircode:	R14 D542

Date(s) of Inspection:	15 February 2024
Number of school age children present during inspection:	PM 27
Registration status:	Registered

Address of the Early Years Inspectorate	Brunel Building, Heuston South Quarter, Saint John's Road West, Dublin 8. D08 X01F
Inspection undertaken by:	A. Bradshaw A. Spain
Title:	Early years inspector Registration support manager

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:

Shining Stars Academy Ltd is one of three services operated by the registered providers. It is based in an adapted community building in the town of Athy, Co. Kildare. This school age service has three care rooms, a kitchen, and sanitary areas.

The service is registered to accommodate 80 children aged between 4 to 12 years old. On the day of the inspection, there were 27 children present. The registered opening hours are 7.30am to 8.15am and 1.30pm to 6.30pm. Outside of school term time the service operates from 7.30am to 6.30pm. There is a large outdoor area at the front and side of the building.

Staffing:

There are a total of 13 staff employed in the service including relief and cleaning staff. Of these staff, nine work directly with the children. On the day of the inspection, there were 6 staff caring for 27 children. The manager and the quality director were available if required. The chef was also on site.

The registered providers do not work directly in 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 inspectors wish to acknowledge the cooperation of the children, the director of quality, the person in charge, and the staff who were present on the day of the inspection.

Summary of Findings:

On inspection, the registered providers were found to be compliant in relation to the following:

Regulation 8: Vetting disclosures;

Regulation 9(1)(2)(4): Staffing levels;

Regulation 12: Insurance.

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) (2)

The inspectors reviewed 16 staff files which included both registered providers, the quality director, the manager, 10 care staff, and auxiliary staff. Twenty validated written references from past employers, and 12 validated written references from a source other than a previous employer were available. Sixteen Garda vetting disclosures were on file. The records reviewed demonstrated that police vetting was not required.

The evidence available demonstrated that relevant vetting disclosure 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

(1)(2)(4)

The registered providers ensured that appropriate staffing levels were maintained. On the day of the inspection, 27 children attending the service were supervised directly by 6 adults.

A review of the staff roster, staff sign-in sheets and a record of the children's attendance from 12 February to 15 February 2024 demonstrated the minimum ratio of 1 adult to 12 children was maintained during this period.

During the inspection, staff were observed to engage with children in the care rooms and the outdoor area and additional staff were available if required for specific activities.

Regulation 12: Insurance

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

Regulatory Requirement Met

The registered provider had ensured the service was insured. The service was insured from 28 March 2023 to 27 March 2024.