

Early Years Inspectorate Regulatory Report

School Age Services

TUSLA Identifier:	TU2020LS015SA
Name of School Age Service:	The Maples Creche
Name of Registered Provider(s):	Monica Delaney
Address of School Age Service:	Forest Park Portlaoise Co Laois
Eircode:	R32A26E

Date(s) of Inspection:	24 April 2024			
Number of school age children present during inspection:	AM	Not applicable	PM	25
Registration status:	Registered			
Conditions (if applicable):	Not applicable			

Address of the Early Years Inspectorate	Early Years Inspectorate Primary Care Centre Church Avenue Tullamore Co Offaly
Inspection undertaken by:	C Whelan A Spain
Title:	Inspection and registration manager Early years inspector

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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:

The Maples Creche is located in a residential housing estate in Portlaoise, Co Laois. The school age service cares for children in the age range 4 to 12 years and is operational between the hours of 1.00 and 6.30pm. Rooms in the service include a reception area, office, care room for children, kitchen, storeroom, and sanitary accommodation for both children and staff. A prefabricated unit is located off the outdoor play area to facilitate an area for children's homework. The front entrance door to the service is secured. An enclosed outdoor play area is provided at the back of the service. Additional rooms in the service are used to provide a pre-school service.

Staffing:

The service is staffed by eight adults. The registered provider is also available to provide relief cover as required.

Additional Information:

The inspection was conducted as a result of information 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 reoccurring. 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 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 relation to:

- Regulation 8(1)(a)(b)(c)(d): Vetting disclosures;
- Regulation 9(1)(2)(4): Staffing levels;
- Regulation 12: Insurance;
- Regulation 13(1)(a)(b)(c): Complaints;
- Child Care Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013;

On the day of inspection, the registered provider was found to be non-compliant in relation to:

- Regulation 8(2): Vetting disclosures;

Conclusion and follow-up actions:

The inspector reviewed the actions and evidence that the registered provider submitted. The non-compliances found on inspection have been adequately addressed. This will be reviewed on the next inspection of the service.

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)

Two references from past employers or reputable sources were available in respect of all eight staff members in the service. All references had records of validation dates. Two written references were also available for the registered provider. A Garda vetting disclosure was held on file in respect of the eight staff members and the registered provider. The service also demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years. Police vetting was held on file in

respect of two staff members who had lived outside of the State for over six consecutive months as adults.

Regulatory Requirement not met

(2)

The validation of references in respect of two staff members was conducted after the staff member's appointment to work in the service/ the staff member commenced work with the children. The failure to ensure that all vetting procedures are conducted before a staff member's appointment/access to the children could pose a risk to the safety of the children.

Corrective & Preventive Action Response submitted by the Registered Provider

(2)

In the corrective and preventive action plan submitted on the 24 June 2024, the registered provider indicated that all references for new staff will be validated prior to the staff taking up their position at The Maples Creche. It was also indicated that the date validations are conducted will be recorded by the registered provider on each individual staff reference. As a preventive measure, the registered provider advised that an annual check of all staff files will be conducted to ensure that all vetting procedures including validation of references are conducted and up to date.

Summary of Findings

(2)

The inspectors have reviewed the actions and evidence submitted. The measures taken by the registered provider have met the requirements of regulation 8. This will be reviewed on the next inspection of 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)

On the day of inspection, there was a total of 25 children cared for by 3 staff members at 3.10pm. Children were cared for in both the room in use in the service and the outdoor play area. Staff members were observed to be familiar with the children. They called the children by their names and greeted each child on arrival to the service from school.

A review of the children's attendance records and staff rostered to work for the week of 15 April 2024 and the week of 22 April 2024 demonstrated that the minimum ratio of 1 adult to 12 children was maintained during this period.

(4)

On the day of inspection, staff members had an overall view of the children at all times. The outdoor play area was directly off the playroom. Children were observed moving freely indoors and outdoors while appropriately supervised by the staff members in both areas. Children were also observed to be appropriately supervised by staff while in the prefabricated unit that was used to facilitate homework.

One staff member was observed to be vigilant in recording children's arrival to the service and their collection from the service.

Staff were observed offering children assistance and support as needed. A staff member was observed comforting an upset child in the outdoor play area.

Regulation 12: Insurance

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

Regulatory Requirement Met

The service had insurance cover for a total of 65 children at any one time. There was a total of 25 school age children present on the day of inspection. Insurance cover was valid from the 28 March 2024 to 27 March 2025.

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.*

Regulatory Requirement Met

(1)(a)(b)(c)

The complaints procedure for the service documented the procedure for making complaints, the manner in which complaints were dealt with and the procedure for keeping the complainant informed of the complaint investigation. An appeals provision was included in the policy should the complainant wish to appeal the outcome of the complaint investigation. The three staff members present in the service confirmed to the inspector that they received all the service

policies including the complaints policy. The registered provider confirmed that the service had not received any complaints.

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

- Children were observed playing both indoors and outdoors on the day of inspection. The playroom was divided into two areas. One area facilitated children sitting at tables and chairs for tabletop activities and meals. Relaxation and floor activities were facilitated in a second area of the room. An adequate stock of toys and play equipment was located on shelves within easy reach for children. Toys and play equipment available included dress-up clothing, a play kitchen, play kitchen utensils, construction toys, jigsaws, puzzles, and arts and crafts materials. The children's artwork was on open display in the service.