

Early Years Inspectorate Regulatory Report School Age Services

TUSLA Identifier:	TU2021DS012SA
Name of School Age Service:	Mrs Giggles
Name of Registered Provider(s):	Ingrid McDonnell
Address of School Age Service:	Rear of 29 Boot Road Clondalkin Co Dublin
Eircode:	D22 CX83

Date(s) of Inspection:	9 July 2024
Number of school age children present during inspection:	PM 3
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).

Description of Service:

Mrs Giggles is based in a single storey commercial property in a residential area of Co Dublin. The school age children have access to one of the two rooms in the service. The service accommodates children aged 4 to 12 years old. The service is registered to open Monday to Friday between 7.30 and 9.00am for a breakfast club and 1.30 and 6.00pm for an afterschool club. The children and staff have access to sanitary facilities, an onsite kitchen and an outdoor space. There is a registered pre-school service on the site.

Staffing:

The registered provider works in the service in a supernumerary capacity. The registered provider employs three staff members who work with school age children. One staff member has been employed since the last inspection in October 2022.

Additional Information:

The inspector conducted a follow-up 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:

- 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, 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: 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.

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

- 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 registered provider submitted actions and evidence in their corrective and preventive action plan. This addressed the non-compliance found on inspection and will be reviewed on any follow-up 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

The inspector reviewed the staff files of the new staff member employed in the service since the last inspection in October 2022. There were two written and validated references available for the staff member from a previous employer. A Garda vetting disclosure, dated within the last three years, was available for all staff. The service had therefore demonstrated compliance with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

A review of documentation demonstrated that police vetting was not required for the new staff member and therefore the preventive actions from the last inspection had been maintained. The vetting procedures had been completed before the new staff member had 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)

There were two staff members working directly with the three 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 making bracelets and necklaces with the children.

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 40 children. On the day of the inspection, there were three 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 inspector observed the health, safety and welfare of children being supported by the following:

- The children spoke with the inspector about what they liked to do whilst they were in the service. The children spoke of enjoying the garden area and the ball games that were provided. During the inspection two of the children were making bracelets and necklaces and they told the inspector that they had asked to do this. A staff member discussed how there were planned activities, which children could choose to take part in. These activities were developed from conversations with the children.
- During the inspection a calm atmosphere was observed, with staff chatting with the children. Some of the children spoke of how they chatted with the staff if they were upset, and they helped them solve problems. A staff member spoke of how they ensured there were opportunities to chat to children to support them with any problems that arose. This reflected the service's positive behaviour management policy and safeguarding strategies.
- A staff member spoke about the children's arrival times on the day of the inspection. These were reflective of the attendance records completed in the service. The minutes of a meeting held in May 2024 were reviewed in which staff were reminded to complete contemporaneous attendance records.

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Regulatory Requirement not met

1. The registered provider had not adhered to their safeguarding policy to ensure staff were trained and aware of how and when to make referrals to external agencies to ensure the safety of children. A member of staff, employed since the last inspection, had not completed safeguarding training. It is acknowledged that staff members who were employed at the previous inspection had completed training in safeguarding and the registered provider stated they had tried to source a training day from a support organisation on safeguarding.

Corrective & Preventive Action Response submitted by the Registered Provider

1. The registered provider submitted the required certification. As a preventive action the registered provider stated that a risk assessment was made to establish what certification staff members require. A copy of this risk assessment was submitted.

Summary of Findings

The registered provider submitted actions and evidence in their corrective and preventive action plan. This addressed the non-compliance found on inspection and will be reviewed on any follow-up inspection.