

Early Years Inspectorate Regulatory Report

School Age Services

TUSLA Identifier:	TU2021DY001SA
Name of School Age Service:	The Liberties Community Project Afterschool
Name of Registered Provider(s):	Denis Murphy
Address of School Age Service:	Warrenmount PPS 25 - 26 Blackpitts Merchants Quay Dublin 8 Co. Dublin
Eircode:	D08 XR62

Date(s) of Inspection:	11 June 2024
Number of school age children present during inspection:	PM 19
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

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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 Liberties Community Project Afterschool based in a Co Dublin City primary school. The service caters for children aged 4 to 12 years old. The service is open Monday to Friday between 1.40 and 6.00pm. The service operates from a large room on the ground floor of the primary school, with access to an outdoor area. There are sanitary facilities and a small kitchen area on the site.

Staffing:

The registered provider does not work in the service. The registered provider employs five staff members for the operation of the service. One staff member is an area manager who works in a supernumerary capacity across the services. There are four staff members, employed since the last inspection in February 2022, who work directly with the children who attend the service.

Additional Information:

The inspector conducted a follow-up inspection of the service. An Immediate Action Notice (IAN) was issued to the registered provider on 14 June 2024 concerning safety in relation to the Child Care Act 1991, Section 58(G) as amended by Part 12 of the Child and Family Agency Act, 2013. A response, which mitigated the risk, was received from the registered provider on 16 June 2024.

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 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:

- 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 actions and evidence submitted by the registered provider, in their preventive and corrective action plan, have addressed the non-compliances 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

The inspector reviewed the staff files of the four new staff members employed in the service since the last inspection in February 2022 and a student who worked on a weekly basis in the service. There were two written and validated references available for each adult, from a previous employer or source other than a previous employer. A Garda vetting disclosure, dated within the last three years, was available for each adult, a staff member employed at the time of the last inspection and the registered provider. 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. The preventive actions from the last inspection ensured that vetting procedures had been completed before each adult had commenced employment or were 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 3 staff members were working directly with the 19 children who attended the service on the day of the inspection.

(4)

The inspector observed appropriate supervision of the children during the inspection. For example, children were supported by staff members when doing activities such as colouring, cutting and playing with construction blocks.

Regulation 12: Insurance

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

Regulatory Requirement Met

The service was insured from 25 January 2024 to 24 January 2025 for the maximum number of children registered in the service. On the day of the inspection, there were 19 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 inspector observed that there was medication available for children as required. Documentation showed that staff had received refresher training from the service in the administration of medication and there was a procedure to ensure that the medication available was in date.
- Children were collected from the service by parents and guardians on the day of inspection. Staff were aware of who was collecting the children, and they engaged with parents and guardians at collection time. The preventive actions following the last inspection were in place. There was a written procedure in place for collections and written authorisations and staff were aware of the actions to take if a child was to be collected by someone unfamiliar to the staff.
- Following the last inspection in February 2022, the entrance to the service was secured to support the authorised access and exit to and from the service.
- The preventive actions from the previous inspection conducted in February 2022 were in place. Following the departure of the children attending for the first hour of the service's operation, staff were observed to wipe and clean all the tables. On the older children's arrival at the children to the service they washed their hands and then waited at the tables for a snack whilst they chatted with their peers. The snack, which was toast was given to the children on plates available in the service.

Regulatory Requirement not met

1. An Immediate Action Notice (IAN) was issued as there was no staff member available who had completed up to date first aid training. This was required in the service's risk assessment following a previous incident. This was also stated as a preventive action following the last inspection in February 2022. There was a possible risk that staff would not respond appropriately to a first aid emergency if staff had not received up to date first aid training.

Corrective & Preventive Action Response submitted by the Registered Provider

1. The registered provider submitted a response to the IAN on 16 June 2024 which mitigated the risk. A staff member who worked in one of the registered provider's other childcare services and had completed up to date first-aid training was allocated to work in the service. Documentation was provided to show that two other staff members from this service completed first aid training on 17 June 2024. As a preventive action the registered provider has stated that all staff that join the service will be given emergency first aid training which lasts for one year. The closures in December and July are dedicated to training where staff member's first aid training will be updated.

Summary of Findings

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