

Early Years Inspectorate Regulatory Report School Age Services

TUSLA Identifier:	TU2021DY005SA
Name of School Age Service:	Creative kids & Co
Name of Registered Provider:	Bronagh Duff
Address of School Age Service:	Assumption Primary School Walkinstown Dublin 12
Eircode:	D12WD83

Date of Inspection:	16 June 2025			
Number of school age children present during inspection:	AM	Not applicable	PM	48
Registration status:	Registered			
Conditions :	Not Applicable			

Address of the Early Years Inspectorate	Brunel Building Heuston South Quarter Saint John's Road West Dublin 8. D08 X01F
Inspection undertaken by:	R Duff A Spain
Title:	Early Years Inspectors

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).

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Description of Service:

Clever kids & Co is a combined school age and preschool service in operation from a primary school building in a combined residential and commercial area of Walkinstown, Dublin 12. The school age service is open between the hours of 2.30 and 6.00pm and cares for children in the age range 4 to 15 years. A breakfast club is provided between the hours of 7.30 and 9.00am. During non-school term the service operates from 8.00am to 6.00pm. The service has direct access to a hallway outside of the rooms in use. Four separate rooms and an outdoor classroom are used for the dedicated purpose of providing a school age service. On the day of inspection the outdoor classroom and three rooms were in use. There is also sanitary accommodation for children and adults, a kitchen, and an office available in the service. The preschool service operates from 9.00am to 3.00pm.

Staffing:

There are a total of 17 staff members employed in the service including the registered provider and a person in charge. The registered provider works in the service. On the day of the inspection, there were 9 staff caring for 48 children.

Additional Information:

This inspection was completed on foot of information received by the inspectorate on 10/06/2025.

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, person in charge, 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 9: staffing levels
- Regulation 10 policies
- Regulation 11: premises
- Regulation 12: insurance.

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

1. Regulation 8 Vetting Disclosures
2. Regulation 58G

Conclusion and follow up actions: The actions and evidence submitted by the registered provider, in their corrective and preventive action plan, have adequately 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

- (1) Documentation relating to 16 staff and the registered provider was reviewed.
- The following information was found:
- (a)(b) Of the 33 written and validated references available for inspection, 14 were available from a past employer and 19 were available from a reputable source.
 - (c) Garda vetting which was dated within the last three years was available for 17 staff, however, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice for 2 staff members.
- Please refer to the information outlined under regulation 58G of this report.
- (d) Police vetting was available for review for 3 members of staff who had lived outside of the state for over 6 consecutive months as adults.

Regulatory Requirement not met

- (a)(b) One written and validated reference was not available for one member of staff.
- (d) Police vetting was not available for review for one member of staff.

Corrective & Preventive Action Response submitted by the Registered Provider

(a) (b) The registered provider has submitted the additional written and validated reference required for one staff member.

(d) The registered provider submitted a copy of the required police vetting for one staff member.

The registered provider has stated that they are more aware of all the documentation required to meet compliance under regulation 8 Vetting Disclosures especially the police vetting requirements.

Summary of Findings

The actions and evidence submitted by the registered provider, in their corrective and preventive action plan has adequately addressed the non-compliance.

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

This requirement has been met.

(1)

On arrival at the service 1 adult cared for 4 school age children in the outdoor classroom.

Following the 5 school collections 48 children were cared for in the service:

19 children were present in the Green room, 11 children were present in the yellow room and 14 children were present in the red room.

At 5.05pm 3 children remained in the “Green Room” with 1 staff member and 11 children remained on the “Yellow Room” with 2 staff members.

The inspectors reviewed the children’s attendance records and the staff roster for the week of the 3 June 2025. Records confirmed that the maximum number of children in daily attendance was 49 children with 12 adults present.

(2)

The registered provider ensured that the minimum ratio of 1 adult to 12 children was maintained at all times on the day of inspection.

(4)

The inspectors observed appropriate supervision of the children during the inspection. For example, children were supported in activities such as arts and craft, outdoor games and mealtimes that children and staff had planned together.

Regulation 10: Policies of a school age service

A registered provider of a school age service shall ensure that the policies and statements specified in Schedule 6 are in place for the service.

Regulatory Requirement Met

This requirement has been met requirement.

The inspectors reviewed the accident and incident policy, the policy on managing behaviour, the supervision of children policy, the drop off and collection of school age children policy and the training and induction policy.

The policies contained information as per Schedule 6 of the regulations to support staff in their practice. The service also furnished child friendly complaints and managing behaviour policies. It was observed by the inspector that updated to the complaints policy in consultation with children were recorded for November 2021 and December 2024.

Regulation 11: Premises

A registered provider of a school age service shall ensure that-

(a) an outdoor space to which the school age children attending the service have access on a daily basis is provided on the premises, or

(b) where no such space is provided, the school age children attending the service have access on a daily basis to an outdoor space.

Regulatory Requirement Met

This requirement has been met.

The service had the use of three separate outdoor play areas for daily outdoor play. The enclosed playground was safely and securely fenced in by school walls and high-level heavy-duty wire fencing, this was used by the junior and senior infant classes. The other two enclosed outdoor areas were dedicated for use by the service. These areas had an open Perspex roof for shelter and were safely and securely fenced in by the back wall of the building and heavy-duty wire fencing on the remaining three site boundaries. Access to the areas was secured with a high-level gate which was secured. Children also had access to the school pitch which was enclosed by concrete walls and had an exit barrier.

Regulation 12: Insurance

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

Regulatory Requirement Met

This requirement has been met.

The service had insurance for a maximum of 86 children in attendance in a full day care service. Insurance was valid from the 28 March 2025 to the 27 March 2026.

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

This requirement has been met.

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

The service has a complaints procedure which outlined the procedure for making a complaint, the manner in which complaints were dealt with and the procedure for keeping the complainant informed of how complaints were dealt with. The inspectors were also furnished with a child friendly complaints policy which included updated conducted in consultation with the children in November 2021.

The Complaints Policy advised that complaints must be put in writing if unresolved by discussion. The registered provider advised that no complaints were received in writing to date.

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

On arrival at the service 4 younger children were observed to be engaged in a variety of age-appropriate activities in the outdoor classroom.

At 2:10, 5 members of staff left for school collections; 3 members of staff were observed to collect children from junior and senior classes and 2 members of staff collected children from first class. Collections were well organised with high visibility vests worn by children and checklist used to ensure children were present. A second checklist was completed on return to the school age service. An additional member of staff was observed to collect the older children at 2:30. The same procedure was followed during the second collection. In discussion with staff, it was confirmed that a revised collection procedure had been implemented in the service following a recent incident and a subsequent staff meeting.

Younger children were taken back to the service where they had the opportunity to play in the enclosed garden. The older children had the opportunity to take part in art activities. Staff were available to offer support to children who needed it.

Following a hot snack, the older children had the opportunity to play in the enclosed grassed area to the front of the service.

During outdoor play staff were position around the play area and completing active supervision on the children. The inspectors observed them watching the children's play, moving around the area and engaging with play.

The staff members were observed to move freely between the different groups of children and provide the children with guidance and support, as required. Interactions between staff and children was observed to be friendly, supportive and consistent.

Regulatory Requirement not met

The inspectors found that the registered provider had not completed the following to safeguard the health, safety and welfare of children attending the service.

1. The service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years for two staff members working in the service.
2. A review of the accident and incident book for the school age service confirmed that parental signatures were not available in relation to all accidents and incidents that occurred. This is at variance with the accident and incident policy for the service. Seven accident and incident reports were reviewed and two were missing parent/ guardian signatures. This could pose a potential risk to the safety of a child if remedial measures were necessary after the child was collected from the service.
3. A review of the accident and incident book also confirmed that a recent incident notified by the registered provider to the inspectorate was not recorded in the accident and incident book. It was acknowledged that the service had documented remedial measures put in place and two staff members were aware of the remedial measures when asked.

Corrective & Preventive Action Response submitted by the Registered Provider

1. The registered provider has applied for Garda re-vetting for the 2 staff requiring it, documentation was forwarded to the inspectorate for review.
2. The registered provider updated all accident and incident reports to include parental signatures. All parents have been reminded of the importance of signing accident and incident reports. Documentation has been forwarded to the inspectorate for review.
3. The details of a recent incident notified by the registered provider to the inspectorate has been recorded and shared with the relevant parent. Documentation has been forwarded to the inspectorate for review.

Summary of Findings

The actions and evidence submitted by the registered provider, in their corrective and preventive action plan has adequately addressed the non-compliance. These actions will be assessed on the next inspection of the service.