

Early Years Inspectorate Regulatory Report

School Age Services

TUSLA Identifier:	TU2021DY033SA
Name of School Age Service:	Beaumont Children's Club
Name of Registered Provider(s):	Liz Gallagher
Address of School Age Service:	Scouts Den Montrose Park Artane Co Dublin
Eircode:	DO5 AK75

Date(s) of Inspection:	11 April 2024
Number of school age children present during inspection:	PM 26
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 G. Fagan
Title:	Early years inspectors

Early Years Inspectorate Regulatory Report School Age Services

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:

Beaumont Children's Club is a school age care service based in a scout's den in a residential area of Co Dublin. The service caters for children aged 4-12 years old. The service is open Monday to Friday and is registered to provide a breakfast club from 8.00 to 8.20am and afterschool care from 1.30 to 5.45pm. The registered provider stated they were not currently operating the breakfast club. Sanitary facilities for the use of the school age children are available and there is an outdoor play area and a kitchen on the site.

Staffing:

The registered provider works in the service. The registered provider employs five staff members who work directly with the children who attend the service.

Additional Information:

The inspector conducted a planned focused inspection of the service. An Immediate Action Notice (IAN) was issued to the registered provider on 12 April 2024 concerning the absence of a Garda vetting disclosure in relation to Regulation 8(d). A response, which mitigated the risk, was received from the registered provider on 12 April 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 9(1)(2)(4): Staffing levels;
- Regulation 12: Insurance.

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

- Regulation 8: Vetting disclosures;
- 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 a corrective and preventive action plan and evidence. This action plan and evidence have addressed the non-compliance as 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 not met

(1)(a)(b)

The inspector reviewed the staff files of the five staff members, two students and the registered provider. There were no written and validated references available for the two students or one of the staff members.

It is acknowledged that there were two written and validated references available, for four staff members, from a previous employer or a source other than a previous employer. Two written references were available for the registered provider.

(c)

An immediate action notice was issued on 12 April 2024 as the registered provider did not have a Garda vetting disclosure available for one staff member.

(d)

Of the documentation reviewed, there was evidence that either police vetting was not required or was available for seven of the adults. However, police vetting required for one adult was not available.

(2)

The registered provider had not ensured that they had completed all vetting procedures before all staff members and students had commenced work in the service.

Corrective & Preventive Action Response submitted by the Registered Provider

(1)(a)(b)

The registered provider stated that the students and the staff member are no longer working in the service. The registered provider confirmed this the day following the inspection.

(c)

The registered provider stated that the staff member was no longer working in the service. The registered provider confirmed this the day following the inspection.

(d)

The registered provider had been unable to obtain the required police vetting due to when the staff member lived outside of the jurisdiction. The registered provider submitted evidence that attempts had been made to obtain this vetting. In the absence of the vetting, a risk assessment was completed for the staff member.

(2)

The registered provider has stated that they will ensure that future employees are fully vetted, before they commence in the service and this will include checking countries where they once lived.

Summary of Findings

The registered provider submitted a corrective and preventive action plan and evidence. This has addressed the non-compliances identified at the inspection. The preventive actions will be reviewed on the next inspection.

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)

The registered provider and 5 staff members were working directly with the 26 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 in play activities whilst peers and were supported in their completing their homework.

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 2024 to 27 March 2025 for a maximum of 32 children. On the day of the inspection, there were 26 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 not met

1. A Garda vetting disclosure was available for all staff. However, this disclosure was not dated within the previous three years in adherence with the Early Years Inspectorate Regulatory Notice 'EYI-RN12.3 Renewal of Garda Vetting' for two adults.

Corrective & Preventive Action Response submitted by the Registered Provider

1. The registered provider stated that they had renewed all staff members Garda Vetting disclosures and evidence of this was submitted to the Inspectorate. As a preventive action, Garda Vetting disclosures will be renewed every two years.

Summary of Findings

The actions and evidence submitted by the registered provider have addressed the non-compliance. This will be reviewed on any follow-up inspection.