

Early Years Inspectorate Regulatory Report School Age Services

TUSLA Identifier:	TU2021GY049SA
Name of School Age Service:	Ballinderry Childcare Creche.
Name of Registered Provider(s):	Caroline Malone
Address of School Age Service:	Ballinderry, Kilconnell, Ballinsloe, Galway
Eircode:	H53 K650

Date of Inspection:	20 November 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, Quality and Regulation Directorate, Child and Family Agency, Clinical & Administration Building, Block A (1st Floor- Green Corridor), Merlin Park, Galway.
Inspection undertaken by:	S O'Brien.
Title:	Early Years Inspectorate.

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:

The service is a privately owned school age service catering for children aged between four and twelve years. The service is located near the rural village of Kilconnell. The service has a cabin which is the main care room for the children and a large outdoor area. The service operates from 8:00am to 9:00am and 1:30pm to 6:00pm Monday to Friday. This service is also registered to cater for preschool children attending a full day careservice.

Staffing:

The service employs five staff, including the registered provider, to work directly with school age children. On the day of inspection, two staff members cared directly for the children. One staff member and the registered provider transported children to and from the service from the local national schools.

Additional Information:

The inspection was completed 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 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, person in charge, and staff who were present on the day of inspection.

Summary of Findings:

On inspection, the registered provider was found compliant in relation to the following:

- Regulation 8: Vetting Disclosures.
- Regulation 9(1)(2)(4): Staffing Levels.
- Regulation 10: Policies of a school age service.
- Regulation 12: Insurance.
- Regulation 13(1): Complaints.

On inspection, the registered provider was found non-compliant in:

- Regulation 7: Notification of change in circumstances
- Regulation 8(1)(a)(b)(c): 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 inspector reviewed the registered providers response, documented and photographic evidence that was submitted. The non- compliances found on inspection have been adequately addressed.

Regulation 7: Notification of change in circumstances

(1) A registered provider of a school age service shall, subject to paragraph (2), notify the Agency in writing of any proposed change in the details in relation to the school age service contained in the register pursuant to section 58C (2) of the Act or Regulation 6(2) or 6(3) at least 60 days before it is proposed that the change would take effect.

Regulatory Requirement not met

(1) On arrival to the service, the registered provider informed the inspector, the school age service was operating from a cabin at the side of the main building. The school age service was first registered to operate from a care room upstairs in the full day care premises. This was not notified, in writing, to the inspectorate, at least sixty days before the change took place.

Corrective & Preventive Action Response submitted by the Registered Provider

Corrective Action

The registered provider submitted documented evidence to confirm a notification of change of circumstance application had been submitted to the inspectorate to operate the school age service in a cabin at the side of the main building. Evidence of approval of this change was also submitted.

Preventive Action

The registered provider advised in their response that any further changes in the operation of the school age service will be notified to the inspectorate at least sixty days before the changes will take place.

Summary of Findings

The documented and photographic evidence submitted has been reviewed and has met the regulatory requirements.

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

Five staff files were reviewed including the file of the registered provider.

(1)(a) Two of the ten references were available from past employers and were validated.

(b) Four of the ten references were available from reputable sources and were validated.

(c) Five staff including the registered provider had Garda vetting disclosures available for review. The service demonstrated compliance for 4 of the 5 vetting documents with the Early Years Inspectorate Regulatory Notice requiring services to renew Garda vetting every three years.

(d) No staff member had lived outside a state for longer than six months, therefore police

vetting was not required.

(2) Evidence confirmed that the necessary vetting procedures were conducted prior to the appointment of staff to work in the service.

Regulatory Requirement not met

(1)

(a)(b) Four of the ten references from a past employer or reputable source were not available for two staff members that were working directly with the children.

(c) One of the five staff members did not have a Garda vetting disclosure that was dated within the last three years, therefore posed a risk to the safety of the school age children.

Corrective & Preventive Action Response submitted by the Registered Provider

Corrective Action

On the 29.11.2024 the registered provider submitted:

1. Two written and validated references from a past employer for one staff member working directly with the children. The second staff member no longer works in the service.
2. A Garda vetting disclosure for one staff member working directly with the children.

Preventive Action

The registered provider advised in their response:

1. References will be available for all staff once their employment commences in the services are working directly with the children.
2. Garda vetting renewal dates will be checked regularly to ensure that the disclosures are dated within the last three years.

Summary of Findings

The documented and photographic evidence submitted has been reviewed and has met the regulatory requirements.

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)(4)

The registered provider ensured adequate staffing levels were maintained during the inspection. Nineteen children attended the service and were supervised by two staff members. The registered provider and another staff member collected the children from the local national schools and used transport that was owned by the service.

Staff were observed supervising the children at all times while in the school age room. The children were observed eating their dinner, completing homework and playing with board games. The staff supported the children with their homework and were observed chatting to the children in a respectful manner.

A group of ten children were observed going outside for a walk with one staff member. This allowed for the nine children to eat dinner, complete homework and play in a quieter environment supervised and cared for by one staff member.

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

The following policy was assessed and contained the information to support the staff in their care practices:

- Complaints Policy

The inspectors reviewed the above policies, and they were observed to contain the information required as per Regulation 10 and Schedule 6 of the regulations to support staff in their practice.

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 maximum of sixty-five children in the childcare service. Insurance was valid from 28 March 2024 to the 27 March 2025.

The service also had cover to transport children to and from the local national schools. Motor insurance was valid from 24 November 2023 to 23 November 2024, which confirmed the service had cover to transport children.

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 policy was available for review by the inspectors. The policy detailed the procedure of how to make a complaint, both informally and formally, and how the complaint would be dealt with. It outlined that the complainant would be kept informed on the complaint process and how to appeal the decision if the complainant was not satisfied by the response.

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

- The children were observed eating shepherd's pie for dinner and the staff sat with the children and asked them how their day was in school.
- The children seemed happy to be in the service and were observed freely moving around the care room.

- The staff supported the children with their homework in a kind manner.
- The staff supported the younger children putting on their coats to go outside for a walk.
- It was observed that the children felt comfortable with the staff and the environment was relaxed.
- The children's voices were listened to, and the children were given choice on what activities they would like to partake in. The staff were aware that the children may be tired after their day in school so gave them the opportunity to sit on the couches and chat with the other children.
- There were toys and equipment such as building blocks, art and crafts materials and board games available to the children on child height shelving.

Regulatory Requirement not met

1.The water temperature recorded in the handbasin of the sanitary area was 63.3°C which was greater than the recommended maximum level of 43°C. This posed a safety risk to the children, as water temperatures over 50°C can pose a risk of scalding.

Corrective & Preventive Action Response submitted by the Registered Provider

Corrective Action:

The registered provider submitted photographic evidence of work carried out by a plumber to ensure the water temperature is regulated in the hand basin in the sanitary area.

Preventative Action:

The registered provider advised in their response that staff will supervise the children while hand washing and will check the temperature of the water.

Summary of Findings

The documented and photographic evidence submitted has been reviewed and has met the regulatory requirements.